ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Merryvale Limited v. Hoda Waterhouse
Case No. DIO2026-0003

1. The Parties

The Complainant is Merryvale Limited, United Kingdom, represented Herzog, Fox & Neeman, Israel.

The Respondent is Hoda Waterhouse, Australia.

2. The Domain Name(s) and Registrar(s)

The disputed domain name <betway.io> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 26, 2026. On January 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 27, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on January 28, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on January 29, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .IO Domain Name Dispute Resolution Policy (the "Policy"), the Rules for .IO Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for .IO Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on February 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 27, 2026.

The Center appointed Nayiri Boghossian as the sole panelist in this matter on March 5, 2026. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a member of Super Group (SGHC) limited which operates a sports betting and gaming business under the brand BETWAY. The Complainant owns numerous trademark registrations for BETWAY such as:

- European Union trademark registration No. 004832325, registered on January 26, 2007;
- Indian trademark registration No. 3202826, registered on March 4, 2016;

The disputed domain name was registered on August 13, 2017. At the time of filing of the Complaint, the disputed domain name resolved to a parking page. At the time of this Decision, it resolves to the same website, but with Pay-Per-Click ("PPC") links.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant's trademark BETWAY. The disputed domain name incorporates the trademark BETWAY in its entirety with the mere addition of the country code Top-Level-Domain (ccTLD) ".io".

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not affiliated with nor authorized by the Complainant to use its trademark. The Respondent is not commonly known by the disputed domain name. There is no bona fide nor noncommercial use without intent for commercial gain.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. The Respondent was aware of the Complainant's trademark as it is a well-known trademark and had been in existence for over 20 years before the registration of the disputed domain name. The Respondent is attempting to attract Internet users to its website for commercial gain by creating confusion with the Complainant and its trademark. The Respondent has used a privacy service, which is another indication of bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant owns trademark registrations for the trademark BETWAY. The Panel is satisfied that the Complainant has established its ownership of the trademark BETWAY.

The disputed domain name comprises the Complainant's trademark BETWAY in its entirety. The ccTLD ".io" should generally be ignored when assessing confusing similarity as established by prior UDRP decisions.[1]

Consequently, the Panel finds that the disputed domain name is identical to the trademark of the Complainant and that the Complainant has satisfied paragraph 4(a)(i) of the Policy.

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[1] Noting the substantial substantive similarities between the Policy and the Uniform Domain Name Dispute Resolution Policy ("UDRP") (except to the extent of relevant differences between the policies, such as the absence of a conjunctive requirement for bad faith), the Panel has referred to the WIPO Overview 3.1 and prior UDRP cases, where appropriate.

B. Rights or Legitimate Interests

The Complainant has made a prima facie showing that the Respondent does not have any rights or legitimate interests in the disputed domain name, particularly by asserting that it never authorized the Respondent to use its trademark as part of the disputed domain name.

The burden of production moves then to the Respondent, and the Respondent has not provided evidence of circumstances of the types specified in paragraph 4(c) of the Policy, or of any other circumstances, giving rise to rights or legitimate interests in the disputed domain name.

Consequently, the Panel finds that the Complainant has met the requirement under the Policy of showing that the Respondent does not have any rights or legitimate interests in the disputed domain name.

Accordingly, the Complainant has satisfied paragraph 4(a)(ii) of the Policy.

C. Registered or Used in Bad Faith

The Complainant's trademark is a well-known trademark as established by prior UDRP decisions. It had been registered for a decade by the time the disputed domain name was registered. Therefore, the Respondent must have been aware of the Complainant and its trademark when it registered the disputed domain name.

At the time of filing of the Complaint, the disputed domain name resolved to a parking page. The Panel further notes that the Respondent is currently using the disputed domain name for a parking website with PPC links. Considering the distinctiveness and reputation of the Complainant's trademark and the composition of the disputed domain name, the Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online locations by creating a likelihood of confusion with the Complainant's mark. Such use constitutes bad faith pursuant to paragraph 4(b)(iv) of the Policy.

Such conduct falls squarely within the meaning of paragraph 4(b)(iv) of the Policy, and accordingly, the Panel finds that the Complainant has satisfied paragraph 4(a)(iii) of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name, <betway.io> be transferred to the Complainant.

/Nayiri Boghossian/
Nayiri Boghossian
Sole Panelist
Date: March 13, 2026