

## **ADMINISTRATIVE PANEL DECISION**

Ducky Ltd v. brave kieu  
Case No. DIO2026-0018

### **1. The Parties**

The Complainant is Ducky Ltd, Cyprus, internally represented.

The Respondent is brave kieu, Yemen.

### **2. The Domain Name and Registrar**

The disputed domain name <melon-playground.io> is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 24, 2026. On April 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 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 (REDACTED FOR PRIVACY, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 30, 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 amendment to the Complaint on May 1, 2026.

The Center verified that the Complaint together with the amendment to the 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 May 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 27, 2026.

The Center appointed Masato Dogauchi as the sole panelist in this matter on June 4, 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 private limited company incorporated in Cyprus. It has been doing business in mobile game market. One of the Complainant's most successful games is "Melon Sandbox" which has been downloaded more than 138,000,000 times. The "Melon Sandbox" was originally released as "Melon Playground", and it was later renamed to the present name "Melon Sandbox". This game lets players create their own goals and play freely in an online environment.

The Complainant has registered its MELON PLAYGROUND trademark, such as:

- European Union Trademark Registration No. 019016082 for MELON PLAYGROUND, registered on November 7, 2024, in classes 9, 35, and 42; and
- United Kingdom Trademark Registration No. UK00004041384 for MELON PLAYGROUND, registered on July 5, 2024, in classes 9, 35, and 42.

The disputed domain name was registered on March 4, 2025. The Complainant provided evidence that the disputed domain name hosted an unauthorized web-version of the Complainant's "Melon Sandbox" game, and the "Melon Playground" logo was displayed there. The Complainant sent a cease-and-desist letter on October 21, 2025. Then, the website was changed to resolve to another sandbox type game "Melon Playground Mod", and the logo displayed on the website changed to "Melon mod game".

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

##### **B. Respondent**

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

#### **6. Discussion and Findings**

In accordance with the Rules, paragraph 15(a), a panel shall decide a case on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable. Since the Respondent has not filed any response in this case, the following decision is rendered on the basis of the Complainant's contentions and other evidence submitted by the Complainant.

In accordance with the Policy, paragraph 4(a), in order to qualify for a remedy, the Complainant must prove each of the following:

- (i) The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) The Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) The disputed domain name has been registered and is being used in bad faith.

#### **A. Identical or Confusingly Similar**

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.<sup>1</sup>

The Complainant has shown rights in respect of a trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The disputed domain name is confusingly similar to the mark for the purposes of the Policy, since it includes the Complainant's MELON PLAYGROUND mark in its entirety. The addition of a hyphen between "melon" and "playground" does not prevent a finding of confusing similarity. The country-code Top-Level Domain (".io") is also disregarded under this test.

The Panel finds the first element of the Policy has been established.

#### **B. Rights or Legitimate Interests**

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in the proceedings is on the complainant, panels have recognized that proving that a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Panel finds the second element of the Policy has been established.

#### **C. Registered or Used in Bad Faith**

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration or use of a domain name in bad faith.

---

<sup>1</sup> The Panel, noting the similarities between the Policy and the Uniform Domain Name Dispute Resolution Policy (the "UDRP"), has referred to the [WIPO Overview 3.1](#), where appropriate.

In the present case, the Panel notes that the Complainant has been doing business in mobile game market since, at the latest, July 5, 2024 when it registered one of its MELON PLAYGROUND trademark in the United Kingdom. Its “Melon Playground” game, whose name was later changed to “Melon Sandbox” has been downloaded more than 138,000,000 times.

The Panel finds it unlikely that the disputed domain name was registered without knowledge of the Complainant and its trademark, given the popularity the Complainant’s “Melon Playground” or “Melon Sandbox” game which was expressly referenced on the website previously exhibited at the disputed domain name which also offered users to play a web-based version of the game. The requirement of bad faith registration is found to be fulfilled.

With regard to the requirement that the disputed domain name is being used in bad faith, panels have held that the use of a domain name for illegitimate activity (here, passing off) constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

The disputed domain name currently resolves to a webpage displaying another sandbox type game “Melon Playground Mod”, but it happened after the Complainant’s dispatch of the cease-and-desist letter on October 21, 2025. Therefore, this does not prevent a finding of bad faith use. Rather, the Panel finds that such change in use reinforces the notion that there was no good faith explanation for the registration and use of the disputed domain name.

Accordingly, the Panel finds the third element of the Policy has been established.

## 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 <melon-playground.io> be transferred to the Complainant.

*/Masato Dogauchi/*

**Masato Dogauchi**

Sole Panelist

Date: June 9, 2026