

ADMINISTRATIVE PANEL DECISION

Level Devil BV v. Phu Cuong Ha

Case No. DIO2026-0029

1. The Parties

The Complainant is Level Devil BV, Netherlands (Kingdom of the), represented Poki B.V., Netherlands (Kingdom of the).

The Respondent is Phu Cuong Ha, India.

2. The Domain Name and Registrar

The disputed domain name <leveldevil-game.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 June 24, 2026. On June 25, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 26, 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 June 29, 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 July 1, 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 July 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 28, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 29, 2026.

The Center appointed Nayiri Boghossian as the sole panelist in this matter on August 21, 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

Level Devil BV owns the web-based video game “Level Devil” and owns a trademark registration for LEVEL DEVIL, i.e. United States of America (“United States”) Trademark Registration No. 7887332, registered on August 12, 2025. Level Devil BV has granted its affiliate Poki B.V. the right to publish this game online. These companies are jointly referred to herein as the Complainant.

The disputed domain name was registered on October 18, 2025, and resolves to a website displaying the LEVEL DEVIL mark and game icon, offering web-games including the Complainant’s LEVEL DEVIL game together with other exclusively licensed online games.

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.

Notably, the Complainant contends that the disputed domain name is confusingly similar to a trademark or service mark in which the Complainant has rights. The disputed domain name incorporates the Complainant’s trademark in its entirety. The addition of the term “game” is not a distinctive element as it is a literal description of what Level Devil is (a game), and therefore does not prevent a finding of confusing similarity between the Complainant’s trademark and the disputed domain name.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant’s game predates the date of registration of the disputed domain name. There is no use of the disputed domain name in connection with a bona fide offering of goods or services. On the contrary, the disputed domain name offers an illegal version of the Complainant’s game. The Respondent is not commonly known by the disputed domain name. The Respondent is not making any legitimate noncommercial or fair use.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. The disputed domain name was registered after the Complainant registered its trademark. The Respondent is using the disputed domain name in bad faith, by intentionally attempting to attract players for commercial gain to the website posted under the disputed domain name where it provides an illegal copy of the Complainant’s game together with other exclusively licensed online games.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant owns a trademark registration for the trademark LEVEL DEVIL registered in the United States. The Panel is satisfied that the Complainant has established its ownership of the trademark LEVEL DEVIL.

The trademark LEVEL DEVIL has been used in its entirety in the disputed domain name. Prior UDRP panels have recognized that the use of a trademark in its entirety as part of a domain name will normally be considered sufficient to establish confusing similarity. Although the addition of the term “game” may bear on assessment of the second and third elements, the Panel finds that the addition of such terms does not prevent a finding of confusing similarity, noting that the key component of the disputed domain name is the trademark of the Complainant. The country-code Top-Level Domain (“ccTLD”) “.io” should typically be ignored when assessing confusing similarity.

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

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. The Respondent has not rebutted the Complainant’s prima facie showing and has not provided any 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.

The Panel finds that by registering and using the disputed domain name to offer web-games, including a claimed illegal copy of the Complainant’s LEVEL DEVIL game and other exclusively licensed games, the Respondent is targeting the Complainant.

Furthermore, the composition of the disputed domain name when considered together with its use suggests an implied affiliation between the Complainant and the Respondent.

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 is Being Used in Bad Faith

The Respondent was aware of the Complainant, its trademark and the game at the time of registration of the disputed domain name, particularly as the Respondent is offering the Complainant’s game on the website at the disputed domain name. Furthermore, the disputed domain name incorporates in its entirety the Complainant’s mark with the addition of the term “game” which is descriptive of the Complainant’s field of business. Also, the Complainant’s trademark was registered before the creation of the disputed domain name. All the above show knowledge and purposeful targeting of Complainant. By using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement. The Respondent has been using a privacy shield, which is further indication of bad faith.

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, <leveldevil-game.io> be transferred to the Complainant.

/Nayiri Boghossian/

Nayiri Boghossian

Sole Panelist

Date: August 26, 2026