ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Co-Gaming Limited v. Arlo Wheaton
Case No. DNL2026-0012

1. The Parties

The complainant is Co-Gaming Limited, Malta, represented by Abion AB, Sweden ("Complainant").

The registrant of the disputed domain name is Arlo Wheaton, Australia, ("Respondent").

2. The Domain Name and Registrar

The disputed domain name <comeon-casino.nl> is registered with SIDN through Namecheap, Inc.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 6, 2026. On April 9, 2026, the Center transmitted by email to SIDN a request for registrar verification in connection with the disputed domain name.

On April 10, 2026, SIDN 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 Complainant on April 13, 2026, providing the information disclosed by SIDN, and inviting Complainant to amend the Complaint in this light. Complainant filed an amended Complaint on April 16, 2026.

The Center verified that the Complaint as amended satisfies the formal requirements of the Dispute Resolution Regulations for .nl Domain Names (the "Regulations").

In accordance with the Regulations, articles 5.1 and 16.4, the Center formally notified Respondent of the Complaint and the proceedings commenced on April 17, 2026. In accordance with the Regulations, article 7.1, the due date for Response was May 7, 2026. The Center did not receive any response. Accordingly, the Center notified Respondent's default on May 21, 2026.

The Center appointed Moïra Truijens as the panelist in this matter on May 26, 2026. The Panel finds that it was properly constituted. The Panelist has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required to ensure compliance with the Regulations, article 9.2.

4. Factual Background

The following facts are undisputed. Complainant is Co-Gaming Limited, a Malta-based company operating online gambling and betting services. It forms part of the ComeOn Group, an international iGaming operator founded in 2008 in Stockholm, Sweden, active across multiple markets and operating more than 15 brands. Complainant holds a license granted by the Dutch Gambling Authority (Kansspelautoriteit) and offers its services to Dutch consumers via its localized website at <comeon.nl>.

Complainant has used and promoted the sign COMEON! as a trade name and commercial identifier in connection with online gaming and betting services since at least 2011. Complainant is the owner of, amongst others, the following trademark registrations:

a) European Union ("EU") trademark registration COME ON!, registration number 012842613, applied for on May 2, 2014, and registered on April 6, 2016, for goods and services in class 41;

b) EU trademark registration COMEON!, registration number 019147848, applied for on February 25, 2025, and registered on July 16, 2025, for goods and services in classes 9, 28, 35, 38 and 41; and

c) Benelux trademark registration COMEON!, registration number 1520182, applied for on February 26, 2025, and registered on May 7, 2025, for goods and services in classes 9, 28, 35, 38 and 41.

The disputed domain name <comeon-casino.nl> was registered on August 23, 2024. At the time Complainant discovered the disputed domain name on March 31, 2026, it resolved to a website displaying the COMEON! logo and branding in a manner closely replicating Complainant's official website, with content in Dutch presenting online casino and gaming services. The website contained interactive elements, including "Claim → Now" buttons, clicking on which redirected Internet users to third-party competing online gaming websites. This use was confirmed both at the time of filing the original Complaint on April 6, 2026, and at the time of filing the amended Complaint on April 16, 2026.

Respondent is Arlo Wheaton, an individual based in Australia. There is no evidence of any relationship between Respondent and Complainant, nor of any authorization granted by Complainant to Respondent to use the COMEON! mark or trade name.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Regulations for it to become the registrant of the disputed domain name instead of Respondent. Notably, Complainant contends the following.

Regarding the first element, Complainant submits that it holds registered trademark rights in COMEON! in the EU and the Benelux, predating the registration of the disputed domain name. Complainant further submits that it has used the sign COMEON! as a trade name in connection with online gaming and betting services since at least 2011, thereby also establishing unregistered trade name rights. Additionally, Complainant holds that the disputed domain name incorporates the COMEON! mark in its entirety, with the addition of the descriptive term "casino", which directly refers to Complainant's core business and reinforces rather than dispels confusing similarity. Complainant also notes that the country code Top-Level Domain ("ccTLD") ".nl" is only a technical requirement and should be disregarded.

Regarding the second element, Complainant asserts that it has never authorized Respondent to use the COMEON! trademark or trade name. Respondent is not known by the disputed domain name, holds no corresponding trademark registrations, and is not reflected in the disputed domain name. At the time of discovery and at the time of filing, the disputed domain name resolved to a website replicating Complainant's official website, displaying the COMEON! logo and offering online gaming services in Dutch. Clicking on buttons on that website redirected Internet users to competing third-party gaming websites. Complainant contends that such use — impersonating Complainant and diverting Internet users to competing websites — cannot constitute a bona fide offering of goods or services or a legitimate non-commercial or fair use of the disputed domain name.

Regarding the third element, Complainant argues that Respondent registered the disputed domain name with knowledge of the COMEON! trademark and trade name, which are well known in the online gaming sector and were clearly recognizable through a simple internet search. The structure of the disputed domain name — combining “comeon” with “casino”, mirroring domain names operated by Complainant's affiliated companies such as <comeoncasino.de> — demonstrates that Respondent had Complainant in mind at the time of registration. The use of the disputed domain name to host a website impersonating Complainant and redirecting users to competing platforms for commercial gain constitutes bad faith use within the meaning of article 3.2(d) of the Regulations.

B. Respondent

Respondent did not reply to Complainant’s contentions.

6. Discussion and Findings

Pursuant to article 2.1 of the Regulations, the Complainant must prove each of the following three elements:

a) the disputed domain name is identical or confusingly similar to: I) a trademark or trade name protected under Dutch law in which the Complainant has rights; or II) a personal name registered in the General Municipal Register (Gemeentelijke Basisadministratie) of a municipality in the Netherlands, or the name of a Dutch public legal entity or the name of an association or foundation registered in the Netherlands under which the Complainant undertakes public activities on a permanent basis; and
b) the Respondent has no rights to or legitimate interests in the disputed domain name; and
c) the disputed domain name has been registered or is being used in bad faith.

The Respondent did not provide a response to the Complaint. Therefore, based on article 10.3 of the Regulations, the Panel decides on the dispute on the basis of the Complaint. In that case, the Complaint shall be granted, unless the Panel considers it to be without basis in law or in fact.

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 Complainant’s trademark and the disputed domain name.

The Panel finds that Complainant has sufficiently demonstrated rights in the COMEON! trademark and trade name. Complainant's EU trademark registration number 012842613 for COME ON! was registered on April 6, 2016, and its trade name use of “COMEON!”, including in the Netherlands via its website at the domain name <comeon.nl>, dates back to over a decade ago — both predating the registration of the disputed domain name on August 23, 2024.

The disputed domain name <comeon-casino.nl> incorporates Complainant's COMEON! trademark in its entirety, except for the exclamation mark. The addition of the term “casino” does not prevent a finding of confusing similarity. It is well established that the addition of others terms to a complainant's trademark does

not avoid a finding of confusing similarity. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.1"), section 1.8.[1]

Furthermore, the ccTLD ".nl" is disregarded under the confusing similarity test, as it is a technical registration requirement. See WIPO Overview 3.1, section 1.11.1.

The Panel finds that the disputed domain name is confusingly similar to Complainant's trademark and that the first element of the Regulations has been established.

B. Rights or Legitimate Interests

Article 3.1 of the Regulations 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 .NL proceedings is on the complainant, panels have recognized that proving 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.

Having reviewed the available record, the Panel, taking into account that Respondent has not submitted a Response, finds that Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name.

In fact, the evidence shows that Respondent used the disputed domain name to operate a website that closely replicated Complainant's official website — displaying the COMEON! logo and branding, and presenting online gaming services in Dutch — while redirecting Internet users who clicked on interactive buttons to competing third-party gaming platforms.

Panels have held that the use of a domain name for illegitimate activity, here claimed impersonation of Complainant, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

Such conduct, which amounts to impersonation of Complainant, cannot constitute a bona fide offering of goods or services, nor a legitimate non-commercial or fair use of the disputed domain name either. See *Entain Operations Limited v. Annika Gerhardt*, WIPO Case No. DNL2024-0043.

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

C. Registered or Used in Bad Faith

In light of its considerations under Section 6.B, the facts presented by the Complainant, and the lack of a response by the Respondent, the Panel finds that the disputed domain name has been registered and/or is used in bad faith.

The Panel notes that, for the purposes of paragraph Article 2.1(c) of the Regulations, Article 3.2 of the Regulations 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.

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[1] Given that the Regulations are largely based on the UDRP, the Panel considers UDRP precedents, and thus the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), to be relevant to the present proceedings and will refer to them where appropriate (see, inter alia, *Aktiebolaget Electrolux v. Beuk Horeca B.V.*, WIPO Case No. DNL2008-0050).

In the present case, the Panel notes that Respondent has used the disputed domain name to attract Internet users to a website that impersonates Complainant by replicating its official website content and displaying the COMEON! mark, while redirecting those users to competing third-party online gaming platforms, most likely for commercial gain through affiliate arrangements. This conduct creates a likelihood of confusion as to the origin, sponsorship, affiliation, or endorsement of the website, precisely of the kind contemplated by article 3.2(d). See WIPO Overview 3.1, section 3.4.

The Panel further finds it inconceivable that Respondent was unaware of Complainant or its rights at the time of registration. The COMEON! mark and trade name have been used prominently in the online gaming sector since at least 2011. A simple Internet search for the terms “comeon-casino” or “comeon casino” returns results that refer predominantly to Complainant and its services. Moreover, the structure of the disputed domain name — combining “comeon” with “casino” — mirrors domain names operated by Complainant's affiliated companies, such as <comeoncasino.de>, further evidencing that Respondent registered the disputed domain name with Complainant in mind. See WIPO Overview 3.1, section 3.2.2. The fact that Respondent did not respond to the Complaint reinforces this conclusion.

Article 3.2 of the Regulations sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered or used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration or use of a domain name is in bad faith.

Panels have held that the use of a domain name for illegitimate activity here, claimed impersonation of Complainant’s website, constitutes bad faith. Having reviewed the record, the Panel finds Respondent’s registration or use of the disputed domain name constitutes bad faith under the Regulations.

The Panel finds that Complainant has established the third element of the Regulations.

7. Decision

For all the foregoing reasons, in accordance with articles 1 and 14 of the Regulations, the Panel orders that Complainant becomes the registrant of the disputed domain name <comeon-casino.nl> instead of Respondent.

/Moïra Truijens/
Moïra Truijens
Panelist
Date: June 9, 2026