

ADMINISTRATIVE PANEL DECISION

Batnesto Ltd v. Astana Xandino Ahmata Leleman
Case No. DPH2025-0003

1. The Parties

The Complainant is Batnesto Ltd, Cyprus, represented by Šindelka & Lachmannová advokáti s.r.o., Czech Republic.

The Respondent is Astana Xandino Ahmata Leleman, Afghanistan.

2. The Domain Name and Registrar

The disputed domain name <melbet.ph> is registered with DotPH (the “Registry”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 28, 2025. On June 30, 2025, the Center transmitted by email to the Registry a request for registrar verification in connection with the disputed domain name. On July 1, 2025, the Registry 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 2, 2025, 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 6, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .PH Uniform Domain Name Dispute Resolution Policy (“phDRP” or the “Policy”), the Rules for .PH Uniform Dispute Resolution Implementation Rules (the “Rules”), and the WIPO Supplemental Rules (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2(a) and 4(a), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on July 14, 2025. In accordance with the Rules, paragraph 5(a), the due date for Response was August 3, 2025. The Response was filed with the Center on August 2, 2025.

The Center appointed Steven A. Maier as the sole panelist in this matter on August 6, 2025. 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.

The Complainant submitted an unsolicited supplemental filing on August 14, 2025. On August 19, 2025, the Panel issued Procedural Order No. 1, further reference to which is made below.

4. Factual Background

The Complainant is a company registered in Cyprus. It is a provider of online gaming and casino services under the name and trademark MELBET.

The Complainant is the owner of various trademark registrations for the mark MELBET, including for example the following:

- European Union trademark registration number 019060714 for the word mark MELBET, registered on November 9, 2024, in numerous International Classes; and
- International trademark registration number 1833913 for the word mark MELBET, registered on December 4, 2024, in numerous International Classes.

The Complainant is the owner of the domain name <melbet.com> and the licensor of a website at "www.melbet.com".

The Complainant's website utilizes a stylized form of the name MELBET in white and yellow type (the "Complainant's Logo").

The disputed domain name was registered on September 16, 2023.

The disputed domain name has resolved to a website, headed with the Complainant's Logo and the strapline "Melbet Sports Betting and Casino in Philippines", providing information about the Complainant and its services.

5. Parties' Initial Contentions

A. The Complaint

The Complainant submits that it has operated online gambling services under the mark MELBET since 2012 and that the mark is widely recognized around the world. It claims 400,000 daily users and provides evidence of advertising and sports sponsorship activities.

The Complainant contends that the disputed domain name is identical to its MELBET trademark.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has not licensed or authorized the Respondent to use its MELBET trademark, and that the Respondent is not affiliated to the Complainant in any form. It contends that the Respondent has no independent trademark rights, has not commonly been known by the disputed domain name, and is not making any bona fide commercial use, or legitimate noncommercial or fair use, of the disputed domain name. The Complainant submits that, instead, the Respondent is using the disputed domain name to mislead Internet users by falsely suggesting an affiliation with the Complainant.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. It contends that the Respondent was obviously aware of the Complainant's longstanding MELBET trademark when it registered the disputed domain name, and that it did so for the purpose of diverting Internet users to its website for commercial gain by falsely suggesting an affiliation with the Complainant (paragraph 4(b)(iv) of the Policy).

The Complainant further alleges that the Respondent has provided false contact details in connection with the registration of the disputed domain name. It asserts that the name “Astana Xandino Ahmata Leleman” appears to be a random combination of words and not a real personal name. It also refers to the Respondent’s stated telephone number, namely “43434343”.

The Complainant states that the Respondent has previously been found by a panel under the UDRP to have registered a domain name, <1xbetinbd.com>, in bad faith in similar circumstances to the present case (*Navasard Limited v. bas astana xandino ahmata leleman*, Czech Arbitration Court Case No. CAC-UDRP-106483). It claims that the Respondent has therefore engaged in a recurring pattern of abusive registrations.

B. The Response

The Respondent states that it is a lawful, approved and monetized affiliate of the Complainant, that the Complainant has failed to disclose those circumstances, and that the Complainant has falsely stated that the Respondent is not affiliated with it.

The Respondent submits that it was established as a registered affiliate of the Complainant by one of the Complainant’s named affiliate managers (whose name is redacted for the purpose of this Decision) and under a specific affiliate number. The Respondent produces various exhibits in this regard, including:

(a) a Telegram communication dated October 27, 2023, from the Complainant’s affiliate manager, stating that it is the recipient’s new affiliate manager;

(b) a Telegram communication dated May 14 [presumably 2024] from the Complainant’s affiliate manager, making specific reference to the disputed domain name, a commission rate of 10 percent and the affiliate number; and

(c) a screenshot of a webpage headed “Melbet Partners – Websites”, which the Respondent states is the Complainant’s affiliate panel, listing the website “https://melbet.ph”.

The Respondent submits that it has at all material times used the disputed domain name and its website to redirect Internet traffic to the Complainant’s website as contemplated by the Complainant’s affiliate program. It states that it has never used to the disputed domain name to offer competing gambling services.

The Respondent states that the Complainant has actively paid it commission as due under its affiliate terms and has never until now objected to its use of the disputed domain name. It states that the Complainant did, however, reduce its commission rate from 15 percent to 10 percent because of the nature of the disputed domain name, as evidenced by (e.g.) item (b) above.

The Respondent states that the Complainant operates a publicly accessible affiliate program, and that the majority of domain names including the term “melbet” are not in fact owned by the Complainant. It cites domain names including <melbet.net.in>, <melbets.bet>, and <melbet-now.com>, all of which it alleges are owned by third-party affiliates.

The Respondent submits that it has rights or legitimate interests in respect of the disputed domain name by virtue of its affiliate relationship with the Complainant, and that it neither registered nor has used the disputed domain name in bad faith.

The Respondent asserts the Czech Arbitration Court proceeding referred to above was lost only because it failed to see the email instituting the case. It adds that, in that case also, the Complainant and its representative failed to mention the existence of an affiliate relationship.

The Respondent submits that, in failing to disclose the relevant facts, the Complainant should be found to have engaged in Reverse Domain Name Hijacking.

C. Complainant's First Unsolicited Supplemental Filing

The Complainant denies that the Respondent has ever been a member of its affiliate program, and claims that all of its contentions in this regard are false. It refers to the Respondent's stated telephone number (above) and also its fax number, "345566565", as evidence that the Respondent has provided false contact details. It states that, while the specific affiliate account number does exist, it is not registered in the name of the Respondent.

The Complainant asserts that the Respondent's exhibit, claiming to be a screenshot of its website affiliate page including the Respondent's website, is a fabrication, and that no such account details exist.

The Complainant submits that the Telegram communications from the Complainant's affiliate manager "[do] not originate from any of the Complainant's official communication channels", and do not in any event include the Respondent's name.

The Complainant states that it does not review or approve specific domain names for participation in its affiliate program, but affiliates are obliged to comply with the Complainant's affiliate terms, which prohibit the use of domains including the Complainant's trademarks.

The Complainant adds that, even if the Respondent's website did refer Internet users to the Complainant's website, the disputed domain name was nevertheless registered and used in bad faith, as the Respondent failed to disclose the nature of its relationship with the Complainant (see e.g. *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)).

6. Procedural Order No. 1 and Parties' Further Supplemental Filings

The Panel being of the view that the Respondent's assertions in the Response required the Complainant's reply, the Panel determined to admit the Complainant's first supplemental filing, subject to the terms of Procedural Order No.1. The Procedural Order directed the Complainant to state whether it alleged that the Telegram communications emanating from the Complainant's affiliate manager were forgeries (as it did in the case of the affiliate website screenshot), or did not emanate from any authorized representative of the Complainant (regardless of whether or not they originated from the Complainant's "official communication channels"). It also directed the Respondent to reply to the Complainant's first supplemental filing and the clarification referred to above.

The Parties duly filed supplemental filings in response to the Procedural Order. The Complainant also filed an additional unsolicited filing, which the Panel determines to admit, without finding any further reply from the Respondent to be necessary. The Respondent nevertheless filed a further reply.

A. Complainant's Second Supplemental Filing

The Complainant states that it has been unable to identify or verify the Telegram correspondence emanating from the affiliate manager. It submits that it "does not control any personal accounts that individual affiliate managers may create or use", and that "[w]hile the existence of such personal accounts cannot be completely excluded", it has no record of any such communications.

The Complainant submits that its affiliate managers do not in any event have authority to conclude binding agreements on behalf of the Complainant.

The Complainant adds that, since the Respondent has already fabricated a supposed affiliate website panel screenshot, the Telegram correspondence is also susceptible to manipulation or forgery.

B. Respondent's Supplemental Filing

The Respondent notes the Complainant's failure to exclude the possibility that the Telegram communications in question were authentic. It adds that the Complainant's affiliate manager was authorized to use the Complainant's official email address "support@melbet.com" in connection with the activation of the Respondent's affiliate account.

The Respondent denies that the screenshot of the Complainant's affiliate website is a forgery. It claims that the relevant account could have been within the Complainant's "hidden" website records, and that the Complainant's representatives appear to be unaware of the relevant website functionality. It exhibits a screen recording which appears to demonstrate its website details being shown on the Complainant's affiliate website panel.

The Respondent submits that there is no requirement that an affiliate of the Complainant must be the personal registrant of the relevant domain name, and that affiliates frequently operate websites through business partners, corporate entities, or technical providers.

C. Complainant's Third Unsolicited Supplemental Filing

The Complainant states that the Respondent's website details were added to its affiliate website panel on August 19, 2025, and exhibits evidence said to demonstrate that fact. It submits, therefore, that the Respondent manipulated evidence and caused the insertion of this entry (it does not explain how) only after its initial forgery had been called out in the Complainant's first supplemental filing.

The Panel does not find it necessary to take account of the Respondent's unsolicited reply to the Complainant's third supplemental filing.

7. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (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

The Complainant has established that it is the owner of registered trademark rights for the mark MELBET. The disputed domain name is identical to that trademark, save for the country code Top-Level Domain ("ccTLD") ".ph", which may be disregarded for the purposes of comparison.

It is also irrelevant for the purposes of the first element under the Policy (although it may be material to the second and/or third elements) that the Complainant's trademark was registered after the date of registration of the disputed domain name.

The Panel therefore finds that the disputed domain name is identical to a trademark in which the Complainant has rights.

B. Rights or Legitimate Interests

In view of the Panel's findings in respect of the third element under the Policy, below, it is unnecessary for the Panel to make a determination under the second element.

C. Registered and Used in Bad Faith

The Panel finds that Telegram communications between the Complainant's affiliate manager and the Respondent establish a prima facie case that the Respondent was authorized to use the disputed domain name as a registered participant in the Complainant's affiliate program. The communications refer expressly to the disputed domain name and to the commission rate of 10 percent (reduced from 15 percent) payable by the Complainant. The Panel finds, on balance, that the communications were genuine and emanated from one of the Complainant's authorized affiliate managers, which entitled the Respondent to believe that it was authorized to use the disputed domain name as it did.

The Panel does not consider it to be of particular significance that the Complainant did not have information that tallied with the Respondent's registration details in respect of the disputed domain name, since (based on the available evidence) the Complainant's representative does not appear to have exercised particular diligence in that regard before approving the Respondent's affiliate account.

The Panel must emphasize, however, that its finding that the Respondent has a prima facie case is by no means determinative of the dispute between the parties. Numerous questions arise over such matters as, the authority of relevant individuals, whether any binding agreement was made and if so on what terms, and the authenticity of relevant documents and records, which would be matters for an evidential enquiry far beyond the scope of proceedings under the phDRP. The phDRP is designed to address cases of, or akin to, "cybersquatting", and is not apt to determine more complex commercial disputes, involving e.g. a prior relationship (or claimed relationship) between the parties, which cases are more properly the province of a court of competent jurisdiction.

For the purposes of the third element of the Policy, however, the Complainant has failed to meet the burden of demonstrating that the disputed domain name was registered and has been used in bad faith, and the Complaint must therefore fail.

D. Reverse Domain name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding.

While the Panel finds various aspects of the Complainant's case to be unsatisfactory, it acknowledges first that the disputed domain name is identical to the Complainant's MELBET trademark, and secondly that the Complainant (for whatever reason) did not appear to have any record of the Respondent's name and other details as provided in connection with the registration of the disputed domain name. The Panel also accepts that questions arise over the veracity of those registration details, given in particular that the telephone and fax numbers provided by the Respondent appear to be false.

On balance, the Panel finds that the Complainant's decision to commence this proceeding resulted from what appears to be the unsatisfactory and disorganized nature of its affiliate program, seemingly permitting affiliate accounts to be created and approved without appropriate oversight, rather than any dishonest intent vis-à-vis the Respondent.

The Panel therefore declines to make a finding of Reverse Domain Name Hijacking.

8. Decision

For all the foregoing reasons, the Complaint is denied.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: September 9, 2025