Decision for dispute CAC-UDRP-108007

Case number	CAC-UDRP-108007
Time of filing	2025-12-23 12:48:39
Domain names	fx-bet.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	DIDIANE LTD

Respondent

Organization	Fxbet

Respondent representative

Organization	Fx-Bet.com

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided, and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant has evidenced to be the owner, inter alia, of the following trademark registrations relating to its 1XBET brand which clearly predate the registration of the disputed domain name:

- word/design trademark 1XBET, International Registration (World Intellectual Property Organization), registration No.: 1379235, registration date: July 21, 2017, status: active;

- word/design trademark 1XBET, International Registration (World Intellectual Property Organization), registration No.: 1669925A, registration date: April 6, 2022, status: active;

- word/design trademark 1XBET, International Registration (World Intellectual Property Organization), registration No.: 1673116A, registration date: May 2, 2022, status: active.

Also, the Complainant has demonstrated to own, inter alia, the domain name <1xbet.com> which resolves to the Complainant's official website at "www.1xbet.com" used to operate the Complainant's online sports betting business and to promote the Complainant's services in the online sports betting industry.

FACTUAL BACKGROUND

The disputed domain name <fxbet.com> was first registered on July 29, 2024. It resolves to a website at “www.fx-bet.com” which offers, inter alia, online sports betting and casino services. The website does not contain any official imprint or contact information; a hyperlink “terminos y condiciones” (Spanish for “Terms and Conditions”) resolves to a “404 Page not found” error notice.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

The Respondent, in turn, contends that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

The Panel decided to accept the Complainant’s Supplemental Filing of December 31, 2025 within its powers set forth by paragraphs 10 and 12 of the Rules, considering the information provided by the Complainant as relevant in order to render a sound and just decision, thereby also taking into account that the Respondent was informed about said Supplemental Filing and reviewed it on the day of its provision, e.g. December 31, 2025, without, however, commenting thereon.

PRINCIPAL REASONS FOR THE DECISION

First, the Panel finds that the disputed domain name is confusingly similar to the Complainant’s 1XBET trademark, as it incorporates the latter almost entirely, varying therefrom by only one letter “f” instead of the figure “1”. Numerous UDRP panels have recognized that where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that trademark for purposes of UDRP standing. Here, the disputed domain name fully incorporates the dominant feature “xbet” of the Complainant’s 1XBET trademark.

Therefore, the Complainant has established the first element under the Policy as set forth by paragraph 4(a)(i).

Second, the Panel finds that, on the basis of the case file, the Respondent has neither made use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, nor is the Respondent commonly known under the disputed domain name, nor is the Respondent making a legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain.

The Respondent is neither affiliated with the Complainant nor has it been licensed or otherwise authorized to use the Complainant’s 1XBET trademark, either as a domain name or in any other way. Also, there is no reason to believe that the Respondent’s name somehow corresponds with the disputed domain name. Moreover, and so far, the Respondent does not appear to have any

registered trademark rights associated with the term “fxbet” on its own. In this context, the Respondent claims that it was granted on December 1/4, 2025 rights in a word/design trademark FX-BET by the Ecuadorian trademark authorities. However, it appears that – as correctly pointed out by the Complainant in its Supplemental Filing of December 31, 2025, which the Respondent was informed about and which it reviewed on December 31, 2025, without, however, commenting thereon – that the “decision” on which the Respondent relies in fact constitutes a procedural denial of an opposition filed by a third party only, merely permitting the Respondent to proceed to substantive examination of its word/design trademark application without yet granting any rights therein. Last, when assessing whether or not the Respondent has made use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, the Panel has taken note of the following circumstances: (1) the website to which the disputed domain name resolves offers, inter alia, online sports betting and casino services which are identical to or in direct competition with the services offered by the Complainant, (2) this website does not contain any official imprint or contact information, disclosing who is operating it, (3) terms and conditions which this website claims to offer may not be accessed, and (4) this website apparently does not include any disclaimer that the Respondent has no connection whatsoever to the Complainant and is acting independently from the latter. Taking all of these circumstances together, the Panel concludes that the Respondent is using the disputed domain name, which is confusingly similar to the Complainant’s undisputedly well-reputed 1XBET trademark, in a way that somehow aims at taking unfair advantage of such reputation without any authorization or other justification to do so. Such use, however, neither qualifies as bona fide nor as legitimate noncommercial or fair within the meaning of paragraph 4(c) of the Policy.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and that, therefore, the Complainant has also satisfied paragraph 4(a)(ii) and, thus, the second element of the Policy.

Finally, the Panel holds that the disputed domain name was registered and is being used by the Respondent in bad faith.

On the basis of the facts brought before this Panel, it is more likely than not that the Respondent was well aware of the Complainant, its online sports betting business and its rights in the undisputedly well-reputed 1XBETI trademark when registering the confusingly similar disputed domain name, and that the latter is targeting the Complainant and its trademark. Moreover, resolving the disputed domain name to a website at “www.fx-bet.com” which offers, inter alia, online sports betting and casino services in direct competition with those of the Complainant, however, does not contain any official imprint or contact information, and does not include any disclaimer that the Respondent has no connection whatsoever to the Complainant and is acting independently from the latter, allows the Panel to conclude that the Respondent, by registering and using the disputed domain name, had the intention to somehow unduly profit from the reputation attached to the Complainant’s 1XBET trademark, and, thus, the Respondent intentionally attempted to attract, for commercial gain, Internet users to its own website by creating a likelihood of confusion with the Complainant’s trademark as to the source, sponsorship, affiliation or endorsement of the Respondent’s own website. Such circumstances are evidence of registration and use of the disputed domain name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

Therefore, the Complainant has also satisfied the third element under the Policy as set forth by paragraph 4(a)(iii).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **fx-bet.com**: Transferred

PANELLISTS

Name	**Stephanie Hartung**

DATE OF PANEL DECISION 2026-01-15

Publish the Decision