

Decision for dispute CAC-UDRP-108609

Case number CAC-UDRP-108609

Time of filing 2026-05-11 08:45:14

Domain names rocketplaylast.com

Case administrator

Name Olga Dvořáková (Case admin)

Complainant

Organization PULSUP LTD

Respondent

Name Valery Khomenko

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 is the copyright owner of the official ROCKETPLAY brandbook and website design, which was registered with the U.S. Copyright Office under number Txu 2-386-573 on July 27, 2023. This protects the logo, typography, layout, color scheme, and design assets used since 2020.

The Complainant is the sole owner of the following semi-figurative ROCKETPLAY trademarks:

- Australian national semi-figurative ROCKETPLAY trademark No 2499913, registered on November 18, 2024 for services in Class 41;
- Australian national semi-figurative ROCKETPLAY trademark No 2499915, registered on November 18, 2024 7 for goods in Class 9;
- Australian national semi-figurative ROCKETPLAY trademark No 2499916, registered on November 18, 2024 for services in Class 42;
- European semi-figurative ROCKETPLAY trademark No 018992626 filed on February 29, 2024, registered on November 7, 2025 for services in Class 41.

FACTUAL BACKGROUND

The Complainant, Pulsup LTD, is a company incorporated in Cyprus, which started in 2020 to operate the online casino platform ROCKETPLAY, available at "www.rocketplay.com" and widely known in the online gambling industry.

The ROCKETPLAY platform was launched in partnership with Dama N.V., a licensed e-gaming provider. Dama N.V. operates the technical infrastructure, while Pulsup LTD retains full ownership and control over the ROCKETPLAY brand, marketing assets, and intellectual property, including branding, logos, and visual identity.

The platform offers real-money online gambling services, including slots, live dealer games, and tournaments, and is known for its bonus system, 24/7 support, and responsible gaming policies. ROCKETPLAY has been reviewed and recommended by respected third-party industry portals and comparison sites such as Casino Guru, AskGamblers, and Trustpilot.

The Complainant asserts that the ROCKETPLAY mark has acquired distinctiveness and is recognized by the relevant public as a source identifier for the Complainant's services, thereby satisfying the criteria for common law trademark rights.

The disputed domain name <rocketplaylast.com> was registered on November 28, 2025. It resolves to a website reproducing the semi-figurative ROCKETPLAY trademark and offering gambling services, targeting the Australian public. It contains an active "Play Now" call-to-action that redirects Internet users to a third-party online casino unaffiliated with the Complainant.

The Respondent used a privacy service to register the disputed domain name.

According to the data provided by the Registrar, his name is Valery Khomenko and he is domiciled in Ukraine.

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.

On the first element

The disputed domain name <rocketplaylast.com> incorporates the Complainant's ROCKETPLAY trademark in its entirety, with the addition of the term "last" appended at the end of the mark.

It is well established under the UDRP that the addition of any term, including a meaningless or neutral one, to a complainant's trademark does not prevent a finding of confusing similarity. As stated in WIPO Overview 3.0, Section 1.8:

"Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element."

The term "last" appended to the Complainant's mark has no independent meaning capable of identifying the disputed domain name with any other source. The word does not describe any goods or services, it does not indicate a geographical origin, and it does not constitute a recognized term of art in the online gambling sector. Within the domain name as a whole, "last" functions as a meaningless addition. A meaningless addition is expressly insufficient to dispel confusing similarity, "meaningless" being one of the categories specifically enumerated in the rule.

The dominant element ROCKETPLAY is reproduced in its entirety and is clearly recognizable within the disputed domain name. The proximity of the added term to the trademark, without any separator or distinguishing element, reinforces rather than mitigates the visual and aural association between the disputed domain name and the Complainant's mark.

The disputed domain name <rocketplaylast.com> is confusingly similar to the Complainant's registered ROCKETPLAY trademarks. The trademark is reproduced in full, and the addition of the meaningless term "last" is immaterial under established UDRP precedent.

Accordingly, the Complainant has satisfied the requirements of UDRP Policy paragraph 4(a)(i).

On the second element

The Complainant submits that it has made such a prima facie showing based on the following facts:

1. The Complainant has never licensed, authorized, or otherwise permitted the Respondent to use the ROCKETPLAY mark, or any variation thereof, in a domain name or otherwise;
2. There is no business relationship or affiliation between the Parties;
3. The Respondent is not commonly known by "RocketPlay", "RocketPlayLast", or any related variation;
4. The disputed domain name was registered on November 28, 2025, approximately twelve months after the Complainant registered the ROCKETPLAY trademark in Australia (November 18, 2024) and approximately five years after the Complainant began using the ROCKETPLAY mark (2020) and acquired substantial goodwill, including industry awards and thousands of positive reviews;
5. The disputed domain name incorporates the Complainant's entire distinctive mark with the addition of a meaningless term ("last") that has no independent significance capable of identifying any other source;
6. The website at the disputed domain name reproduces the Complainant's ROCKETPLAY logo, displays the Complainant's proprietary "rocket" graphical mascot, presents itself extensively under the "Rocket Play" brand name across titles, headings, navigation menus, and editorial content, and contains an active "Play Now" call-to-action that redirects Internet users to a third-party online casino unaffiliated with the Complainant. This conduct demonstrates a clear pattern of intentional impersonation and false association with the Complainant's brand.

The evidence demonstrates that the disputed domain name is used in a manner that:

1. Falsely suggests affiliation with the Complainant through reproduction of the Complainant's brand name, logo, and graphical mascot, combined with extensive textual deployment of the "Rocket Play" name throughout the website.
2. Lacks any disclaimer clarifying the absence of association with the Complainant.
3. Constitutes commercial exploitation of the Complainant's mark for the benefit of the Respondent and the third-party online casino to which Internet traffic is diverted, rather than non-commercial commentary, criticism, or fan use.

The absence of any disclaimer, combined with the visual and textual impersonation of the Complainant's brand, reinforces the false impression of official association and excludes any claim of fair or nominative use.

On the third element

The Respondent's choice to register a domain name consisting of the Complainant's exact and distinctive trademark, paired with a term ("last") that has no independent meaning capable of identifying any other source, cannot be explained by coincidence. It reflects a deliberate decision to exploit the recognition and goodwill associated with the ROCKETPLAY brand and to mislead Internet users into believing that the disputed domain name corresponds to an official, current, or otherwise authorized variant of the Complainant's services.

The Respondent intentionally attracts Internet users through:

1. The composition of the disputed domain name itself, which fully incorporates the Complainant's ROCKETPLAY mark, thereby capturing search and navigational traffic from Internet users associating that mark with the Complainant;
2. The reproduction of the Complainant's ROCKETPLAY logo and proprietary "rocket" graphical mascot on the website, which form part of the graphical representation of the Complainant's brand identity.

The extensive textual deployment of the "Rocket Play" name across the website's titles, headings, navigation menus, and editorial content presents the website as "Rocket Play Casino Australia" and creates the false impression that it is an official Australian-market platform of the Complainant.

The Respondent's goal is to divert Internet users attracted by the ROCKETPLAY branding to a third-party online casino unaffiliated with the Complainant, thereby commercially exploiting the goodwill of the ROCKETPLAY mark for the benefit of the Respondent and a third party.

Such conduct constitutes classic bad-faith use under paragraph 4(b)(iv) of the Policy, as the Respondent is intentionally attempting to attract Internet users for commercial gain by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the disputed domain name.

No administratively compliant Response has been filed.

RIGHTS

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy.

The addition of the English dictionary term "last" does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy.

The Panel finds the mark is clearly recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the ROCKETPLAY mark for the purposes of the Policy.

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

Pursuant to paragraph 4(c) of the Policy, the Respondent may establish rights or legitimate interests in the disputed domain name by demonstrating any of the following:

- (i) before any notice to it of the dispute, the Respondent's use of, or demonstrable preparations to use, the disputed domain

name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services; or

(ii) the Respondent has been commonly known by the disputed domain name, even if it has acquired no trademark or service mark rights; or

(iii) the Respondent is making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain, to misleadingly divert consumers, or to tarnish the trademark or service mark at issue.

Using a domain name for illegal activity, like here impersonation, infringement of trademark rights, misleading internet users for commercial purposes, can never confer rights or legitimate interests on a respondent.

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

Paragraph 4(b) of the Policy sets out examples of circumstances that will be considered by a Panel to be evidence of bad faith registration and use of the disputed domain name.

It provides that:

For the purposes of paragraph 4(a)(iii), the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

(i) circumstances indicating that the respondent has registered, or the respondent has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or

(ii) the respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or

(iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent's website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location.

The fact that the Respondent impersonated the Complainant using its trademark, contact details and offering access to a gambling website proves that it targeted the Complainant when registering the disputed domain name.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith.

Panels have held that the use of a domain name for an illegal activity, like in this case, impersonation, trademark infringement, and other types of fraud, constitutes bad faith. Furthermore, online gambling is a regulated activity, to protect the public. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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.

PRINCIPAL REASONS FOR THE DECISION

The ROCKETPLAY trademark is clearly recognizable within the disputed domain name<rocketplaylast.com>.

The Respondent is not making a legitimate noncommercial or fair use of the disputed domain name, since he is using the disputed

domain name for the purposes of an illegal activity.

The Respondent targeted the ROCKETPLAY trademark when it registered the disputed domain name, what constitutes bad faith.

The use for impersonating the Complainant, infringing the ROCKETPLAY trademark and diverting the internet users to a gambling website constitutes bad faith in the sense of Paragraph 4(b)(iv) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **rocketplaylast.com**: Transferred

PANELLISTS

Name	Marie-Emmanuelle Haas Avocat
-------------	-------------------------------------

DATE OF PANEL DECISION **2026-06-24**

Publish the Decision
