DISPUTE RESOLUTION SERVICE DECISION

Omaze Inc. v. Omaze Gb
Case No. DUK2026-0083

1. The Parties

1.1. The Complainants are Omaze Inc., United States of America (the), and Omaze UK Limited, represented by Bird & Bird, LLP, United Kingdom.

1.2. The Respondent is Omaze Gb, United Kingdom.

2. The Domain Name and Registry

2.1. The Registry of the disputed domain name <omazeuk.co.uk> (the "Domain Name") is Nominet UK ("Nominet" or the "Registry").

3. Procedural History

3.1. The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on 3 September 2026. On 4 September 2026, the Center transmitted by email to the Registry a request for registry verification in connection with the disputed domain name. On 9 September 2026, 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 Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on 9 September 2026, inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on 9 September 2026.

3.2. The Center verified that the Complaint satisfied the formal requirements of the Nominet Dispute Resolution Service Policy (the "Policy" or "DRS Policy").

3.3. In accordance with the Policy, paragraphs 3 and 6, the Center formally notified the Respondent of the Complaint on 11 September 2026. In accordance with the Policy, paragraph 7, the due date for Response was 2 October 2026. The Respondent did not submit any response. Accordingly, the Center notified the Parties on 5 October 2026 that no Response had been received and advised the Complainant of the option to pay the fee for an expert decision.

3.4. The Complainant paid the fee for an expert decision on 13 October 2026.

3.5. The Center appointed Nial Vivian as the Expert in this matter on 22 October 2026. The Expert has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Policy, paragraph 15.

4. Factual Background

4.1. The Complainants are Omaze Inc. and Omaze UK Limited, both part of the Omaze group, which they describe as a market-leading and well-known fundraising organisation which partners with and raises money for charities in the UK. The Complainant Omaze Incorporated is the registered proprietor of the trade mark “OMAZE” filed on 2 November 2017 and a related logo filed on 28 September 2021.

4.2. The Respondent, Omaze Gb, has not responded to communication or identified themselves in this case.

4.3. A WHOIS lookup for the Domain Name reveals it was registered by the Respondent on 20 August 2026. It is not disputed that the Respondent is the registrant of the Domain Name.

4.4. The Domain Name does not currently resolve to a website.

5. Parties’ Contentions

5.1. The Complainants contend that the website resolved to at the Domain Name, at the time the Complainants first made the Complaint, was a scam website that fraudulently copied content from the Omaze website. Towards evidencing this statement, the Complainants have provided a side-by-side comparison of the websites resolved to at <omaze.co.uk> and the Domain Name respectively on 2 September 2026, in Annex 2 of their submission. The Complainants state that they first registered the domain name <omaze.co.uk> in January 2019 and that they operate the website resolved to at this domain name for the purpose of promoting and selling their services to consumers.

5.2. The Complainants go on to state that the Domain Name was registered on 20 August 2026, when the Complainants had already built-up significant goodwill in the name “Omaze” and were the owner of trade mark registrations in the name “OMAZE” and the respective logo, filed on 2 November 2017 and 28 September 2021 respectively. The Complainants assert that the Domain Name is almost identical to the domain name <omaze.co.uk>, that the Domain Name wholly incorporates the word “OMAZE”, and that the website resolved to at the Domain Name identically reproduces sections of text, graphics, and the layout of the website resolved to at <omaze.co.uk>.

5.3. The Complainants then assert that the Respondent’s actions in registering the Domain Name and operating the website resolved to at the Domain Name constitute trade mark infringement, copyright infringement, passing off, and fraud. They state that the Complainants have not authorised usage of the OMAZE mark or logo by the Respondent, and that the marks used by the Respondent are identical to those covered by the trade mark registrations of the Complainant, Omaze Incoporated. Further to this, the Complainants argue that usage of material from the website operated at “omazeuk.co.uk” by the Respondent constitutes copyright infringement, and that taken together a potential customer visiting the website resolved to at the Domain Name would be deceived into believing that the Respondent was in some way associated with or authorised by the Complainants.

5.4. Finally, the Complainants assert that the Respondent's operation of the Domain Name constitutes fraud as defined by the Fraud Act 2006. They state that the Domain Name is being used to divert proceeds away from legitimate business of the Complainants, and is being used to scam and defraud the public into thinking they are participating in legitimate competitions carried out by the Complainants, and making a contribution to charitable partners of the Complainants whilst doing so, which are also being defrauded by the Respondent. They state that the Respondent does not provide a competition or participate in any prize-giving, and that the infringing website operated by the Respondent deceives customers into thinking that it is in some way associated with the Complainants. The Complainants state that they have received complaints from customer who have completed transactions via the website operated by the Respondent at the Domain Name.

5.5. The Respondent has not provided a Response to the Complaint in this case.

6. Discussion and Findings

6.1. It is set out under paragraph 2 of the DRS Policy that the Complainant must prove to the Expert, on the balance of probabilities, that they have Rights in respect of a name or mark which is identical or similar to the Domain Name, and that the Domain Name, in the hands of the Respondent, is an Abusive Registration. I will address both of these limbs below.

6.2. Section 1 of the DRS Policy defines Rights as:
"Rights enforceable by the Complainant, whether under English law or otherwise, and may include Rights in descriptive terms which have acquired a secondary meaning".

6.3. In this case, the Complainants have provided evidence, in the form of screen prints of the records held by the UK Intellectual Property Office, of UK trade mark rights in the name "OMAZE" initially filed on 2 November 2017 and entered into the register on 3 August 2018, and a related logo initially filed on 28 September 2021 and entered into the register on 24 December 2021, held by the Complainant, Omaze Incorporated. They have also stated that they have been operating a website at the domain name <omaze.co.uk> since January 2019 and have built up significant goodwill and reputation in the name through carrying out business through the website resolved to at that domain name, and through advertising and promoting business using the name "OMAZE".

6.4. The name "OMAZE" is an exact match to the Domain Name, when the final two characters "UK" normally used to denote the political entity of the United Kingdom, are removed.

6.5. The Complainants' registration of their UK trademarks significantly predates the registration of the Domain Name by the Respondent, on 20 August 2026. Accordingly, I am satisfied that the Complainants have Rights in the name "OMAZE", as set out in DRS Policy, as it is identical to the Domain Name, save for the letters "UK" which have been added at the end of the Domain Name. The Complainants have made assertions indicating that unregistered trade mark Rights exist, however given that I have established that they have trade mark Rights and that this is sufficient to pass the first limb, I do not consider it necessary to make comment on that here.

6.6. The DRS Policy, under section 1, states that an Abusive Registration is “a Domain Name which either:

i. was registered or otherwise acquired in a manner which, at the time when the registration or acquisition took place, took unfair advantage of or was unfairly detrimental to the Complainant's Rights; or
ii. is being or has been used in a manner which has taken unfair advantage of or has been unfairly detrimental to the Complainant's Rights;”

6.7. The Complainants have provided screenshots dated 2 September 2026 of the website resolved to at the Domain Name, side by side with screenshots taken from the website resolved to at “omaze.co.uk” and operated by the Complainants. In the absence of any argument to the contrary from the Respondent, I am satisfied with the veracity of this assertion, on the balance of probabilities. The website to which the Domain Name resolved on 2 September 2026 appears almost identical to the website to which “omaze.co.uk” resolves, save for some formatting differences. The images, text, colour scheme, use of logos, and even the Trustpilot scoring, appears to be an exact copy. The goal, in my mind, of the Respondent could only have been to deceive visitors to the website resolved to at the Domain Name that they were visiting a website operated by the Complainants and that, should they have clicked the prominent yellow “Enter Now” button and transferred funds to the Respondent, a potential customer would have been extremely likely to believe they would now be taking part in a competition arranged by the Complainants.

6.8. It has been established in the previous section that the Domain Name is an almost exact match for a name in which the Complainants hold Rights as set out in DRS Policy, in that they hold trade mark rights in the name “OMAZE” and that this is almost an exact match for the Domain Name. This trade mark name appears throughout the website resolved to at the Domain Name on 2 September, as argued by the Complainants and accepted by this Expert. What goes further is that the Respondent appears to have used the trade mark logo of the Complainants in their attempt to clone the website resolved to at <omaze.co.uk> in addition. In the complete absence of any argument from the Respondent, though in the mind of this Expert in the face of the evidence presented a persuasive argument is not presently conceivable, these are two overt infractions of the Complainants’ Rights that have intended to take unfair advantage of said Rights. A customer visiting the website resolved to at the Domain Name would be hard pressed to distinguish between this website and that resolved to at <omaze.co.uk> unless they were shown them side by side. If visiting the Domain Name through a hyperlinked image or a truncated link especially, as is often found on social media and which is a prevalent way of accessing websites, it stands to reason that a potential customer of the Complainants would need to undertake thorough checks to ensure they were indeed visiting a website operated by the Complainants and not a copycat with no affiliation to the Complainants.

6.9. The Complainants have advised that they have received complaints from potential customers who have paid money through the website resolved to at the Domain Name and have not been entered into a competition operated by the Complainants. The Complainants have not provided any evidence of these complaints, however it seems likely to me that such transactions could have taken place, to the benefit of the Respondent, and to the detriment of the consumer in question, and to the Complainant, and any partners of the Complainant who might have expected to receive part of the fee paid by the consumer in question. It is outside the remit of this Expert to make a finding as to whether this alleged activity on the part of the Respondent might constitute Fraud by False Representation as set out under

section 2 of the Fraud Act 2006, however this Expert would certainly urge that this matter be reported to the appropriate law enforcement body through Report Fraud, at the next available opportunity, if the Complainants have not already done so.

6.10. In short, I stand with the Complainants on every point they have raised to the DRS. The Domain Name is almost an exact match to a name in which the Complainants have Rights, the website resolved to at the Domain Name features trade marks held by the Complainants which predate the registration of the Domain Name by the Respondent considerably, the website resolved to at the Domain Name features content copied directly from a website operated by the Complainants in a manner as to mimic it to a strong degree, and it is very conceivable that the Complainants have received complaints from consumers who believed that they were transacting with the Complainants when entering a competition advertised on the website resolved to at the Domain Name. This usage of the Domain Name by the Respondent was in the opinion of this Expert a flagrant attempt to deceive consumers into believing they were conducting business with the Complainants, when in fact they were not. It is without doubt in the mind of this Expert therefore that the Registration of the Domain Name is an Abusive Registration as set out under Section 1 of the DRS Policy, more specifically in that there are ”Circumstances indicating that the Respondent is using … the Domain Name in a way which has confused or is likely to confuse people or businesses into believing that the Domain Name is registered to, operated or authorised by, or otherwise connected with the Complainant” as set out under paragraph 5.1.1.3 of the DRS Policy.

7. Decision

7.1. For the foregoing reasons, in accordance with paragraphs 18 and 19 of the Policy, the Expert orders that the disputed domain name <omazeuk.co.uk> be transferred to the Complainant.

Nial Vivian
Expert
Date: 12 November 2026