ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
CIRCUS BELGIUM S.A. v. Name Redacted
Case No. D2026-1012

1. The Parties

The Complainant is CIRCUS BELGIUM S.A., Belgium, represented by COGITUS SRL, Belgium.

The Respondent is Name Redacted[1].

2. The Domain Name and Registrar

The disputed domain name <circus-stars.com> (the "Disputed Domain Name") is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 9, 2026. On March 10, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On March 11, 2026, the Registrar 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 (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 11, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed the first amended Complaint on March 11, 2026 and filed the second amended Complaint on March 13, 2026.

[1] The Respondent appears to have used the name of a third party when registering the Disputed Domain Name. In light of the potential identity theft, the Panel has redacted the Respondent's name from this Decision. However, the Panel has attached as Annex 1 to this Decision an instruction to the Registrar regarding transfer of the Disputed Domain Name, which includes the name of Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. D2009-1788.

The Center verified that the Complaint together with the amended Complaints satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on March 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 2, 2026. The Respondent sent an email communication to the Center on March 23, 2026. Accordingly, the Center notified the Parties of the Commencement of Panel Appointment Process on April 7, 2026.

The Center appointed Marilena Comanescu as the sole panelist in this matter on April 10, 2026. 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.

4. Factual Background

The Complainant is a Belgian company operating in sports, amusement, and recreation services.

The Complainant holds trademark rights for or including CIRCUS, registered for, inter alia, casino services, games of chance and sports betting services, such as the following:

- the European Union Trademark Registration number 018025773 for CIRCUS (figurative), filed on May 13, 2019, registered on October 20, 2020, covering goods and services in International Classes 9, 28, 41; and

- the Benelux Trademark Registration number 615084 for CIRCUS (stylized), filed on April 3, 1997, covering goods and services in International Classes 9, 28, and 41.

The Complainant, directly or via its licensees, is the registrant of several domain names incorporating the mark CIRCUS, such as <circus.nl>, <circus.be>, <circus-sport.be>, and <circus-casino.be>.

The CIRCUS-branded online casino and betting services offered through the website <circus-casino.be> are part of a regulated and licensed gambling ecosystem in Belgium.

The Disputed Domain Name was registered on April 16, 2024, and, at the time of filing the Complaint, it was used in relation to an online gambling website, displaying the Complainant's trademark, logo and official photos, uses the same favicon as that used on the Complainant's official website, presents its operator as "Circus Be" and lists as contact address an email address corresponding to one of the Complainant's domain names.

Further, the website under the Disputed Domain Name prominently displays multiple call-to-action buttons such as "Get bonus", "Obtenez bonus!", and "Login", which encourage Internet users to register or claim promotional offers. When Internet users click these buttons, they are redirected to third-party gambling platforms unrelated to the Complainant where they are offered welcome bonuses and invited to register/create accounts.

The Respondent is a physical person located in Germany.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

Notably, the Complainant contends that:

- the trademark CIRCUS enjoys full distinctiveness in relation to gaming and gambling services and that independent third-party sources confirm the market recognition of the CIRCUS brand in Benelux area;

- the Disputed Domain Name is confusingly similar to the CIRCUS trademark, since it incorporates it in its entirety with the addition of the term "stars", which does not prevent a finding of confusing similarity;

- the Respondent has no rights or legitimate interests in the Disputed Domain Name, the Complainant has never authorised, licensed or otherwise permitted the Respondent to register or use a domain name incorporating the CIRCUS trademark. In fact, the Respondent has copied and reproduced the Complainant's trademarks, official photos without authorisation, copied the look and feel of the Complainant's official websites, and redirected Internet players to third party's online gambling websites;

- the Respondent registered and is using the Disputed Domain Name in bad faith mainly because: (i) at the time of registering the Disputed Domain Name, the Complainant's CIRCUS-branded online casino services and the CIRCUS trademark portfolio—dating back at least to 1997—were long established and widely known in the Benelux; (ii) the website associated with the Disputed Domain Name reproduces the Complainant's branding elements, including the CIRCUS trademark, favicon and visual presentation, and uses photographs and marketing material copied from the Complainant's official websites. The layout and structure of the Respondent's website closely imitate the look and feel of the Complainant's online casino interfaces, thereby creating the false impression that the website is affiliated with or authorised by the Complainant. At the same time, the website at the Disputed Domain Name is presented in French and targets the same audience as the Complainant's licensed gambling services, including consumers located in the French speaking part of Belgium. Moreover, the Disputed Domain Name is used as a deceptive gateway to redirect Internet users to unrelated third-party gambling platforms for commercial gain.

B. Respondent

The Respondent did not respond to the Complaint, but she sent an informal communication to the Center on March 23, 2026 stating mainly that her account was hacked and accessed without her authorization, and her personal data might have been used without her authorization to register domain names but she:

"(i) did not create, register, or manage any of these domains;
(ii) did not receive any income from them;
(iii) did not provide my personal data for the purpose of domain registration."

The Respondent added that "to the best of my knowledge, my personal data have now been removed from the relevant services and domains."

Further the Respondent states that she is ready to consent to the transfer of the Disputed Domain Name and to enter into an amicable settlement with the Complainant.

The Respondent provided two emails received from the Registrar before commencing the present procedures, in the second communication, the Respondent was advised by the Risk Management Team of the Registrar to create a new email address and submit a new email from such new address, since the current correspondence may be compromised.

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, in order to decide on the remedy sought by the Complainant, each of the following three elements will be examined:

(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 the Disputed Domain Name; and
(iii) the Disputed Domain Name has been registered and is being used in bad faith.

Considering section 4.10 of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), the Panel has the discretion to order the remedy sought by the Complainant on the basis of the Respondent's unilateral consent to transfer without a need for substantive consideration of the UDRP grounds.

In the case at hand, the Panel finds that the Respondent states she is willing to transfer the Disputed Domain Name to the Complainant, denies being the person who registered the Disputed Domain Name, and asserts that the real registrant had stolen her personal information to register the Disputed Domain Name, thus committing identity theft.

The evidence attached to the Respondent's email sent to the Center contains a chat communication between the Respondent and the Registrar, from March 8, 2026, regarding an unauthorized registration but there is no detail on the exact subject of such claim.

Also, on March 24, 2026, the Complainant informed the Center that the parties failed to reach an amicable settlement because the Respondent advised that she cannot transfer the Disputed Domain Name because her account with the Registrar was compromised and she no longer has access to the account or to the email address associated with the registration of the Disputed Domain Name.

In the circumstances, it is unclear whether the individual is the true registrant of the Disputed Domain Name, or whether her name and contact details were hacked. Hence, the Panel finds appropriate to proceed to analyze the elements of the Policy.

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 the Complainant's trademark and the Disputed Domain Name. See WIPO Overview 3.1, section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel finds the mark is recognizable within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

While the addition of other signs, here a hyphen and the term "stars", may bear on assessment of the second and third elements, the Panel finds the addition of such elements does not prevent a finding of confusing similarity between the Disputed Domain Name and the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in the Disputed Domain Name.

Although the overall burden of proof in UDRP 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. WIPO Overview 3.1, section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name such as those enumerated in the Policy or otherwise.

According to the evidence, the Respondent has used the Disputed Domain Name in connection with a website that copy the look and feel of the Complainant's website by promoting services identical to those of the Complainant, displaying the Complainant's trademarks and visuals, presenting itself as being "Circus Be". UDRP panels have held that the use of a domain name for illegitimate activity (such as claimed impersonation/passing off, copycat sites or other types of fraud) can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

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

C. Registered and Used in Bad Faith

The Panel notes that for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular but without limitation, that if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the Disputed Domain Name was registered in bad faith, with knowledge of the Complainant and its CIRCUS trademark, because it fully incorporates the mark which predates the registration of the Disputed Domain Name with about 27 years, with an additional dictionary term. Further, the use of the Disputed Domain Name reinforces such finding.

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. WIPO Overview 3.1, section 3.2.1.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "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" is evidence of registration and use in bad faith.

Creating a website that has the look and feel of the Complainant's genuine websites by using the Complainant's favicon and visuals, displaying the CIRCUS trademark and logo, promoting identical services to those offered by the Complainant and redirecting on third party's websites providing identical services, presenting itself as "Circus Be", using language and email address that corresponds to the Complainant's

legitimate websites, in this Panel's view, the Respondent has intended to attract Internet users accessing the website at the Disputed Domain Name who may be confused and believe that the website is held, controlled by, or somehow affiliated or related to the Complainant, for its commercial gain.

The use of a domain name for illegal activity such as claimed impersonation/passing off/copycat sites can never confer rights or legitimate interests on a respondent and it is considered evidence of bad faith. WIPO Overview 3.1, section 3.4.

The Panel finds the third element of the Policy has been established.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Disputed Domain Name, <circus-stars.com>, be transferred to the Complainant.

/Marilena Comanescu/
Marilena Comanescu
Sole Panelist
Date: April 20, 2026