

ADMINISTRATIVE PANEL DECISION

Société Anonyme des Bains de Mer et du Cercle des Etrangers à Monaco v.
Melona Richards, yumeteki
Case No. D2025-1925

1. The Parties

The Complainant is Société Anonyme des Bains de Mer et du Cercle des Etrangers à Monaco, Monaco, represented by De Gaulle Fleurance & Associés, France.

The Respondent is Melona Richards, yumeteki, United Kingdom.

2. The Domain Names and Registrar

The disputed domain names <casino-de-montecarlo-online.com> and <casino-monaco-online.net> are registered with CNOBIN Information Technology Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 14, 2025. On May 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On May 16, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 19, 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 May 23, 2025.

The Center verified that the Complaint together with the amended Complaint 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 May 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 23, 2025.

The Center appointed Daniel Peña as the sole panelist in this matter on July 1, 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.

4. Factual Background

The Complainant is a company founded in 1863 by a Sovereign Decree, organized under the laws of Monaco, and with its registered office in the Principality of Monaco. Its main shareholders are the Principality of Monaco and its ruling family, namely, the House of Grimaldi. The Complainant now employs more than 4,000 people, and is the largest employer in the Principality of Monaco. The Complainant was set up as a public company to run the famous Casino de Monte-Carlo. For that purpose, it was granted a monopoly by way of Sovereign Order for the provision of casino gaming services in the Principality of Monaco. The Complainant has been the sole corporation with the state permission to operate casinos in the Principality of Monaco since April 2, 1863. The most recent renewal of the Complainant's Privilège des Jeux was granted by the Ordonnance Souveraine No. 15.732, dated March 13, 2003.

Since 1863, the Complainant has operated the Casino de Monte-Carlo, which is one of the most famous casinos in the world as demonstrated by the frequent references to it in popular culture. Images of, references to or parodies of the Casino de Monte-Carlo feature in many well-known films, books, television programs and magazine and newspaper articles, such that it has become iconic. For example, the Casino de Monte-Carlo has been referenced or used as a setting in novels such as "Rebecca", by Daphne Du Maurier, and films such as the James Bond films "Goldeneye" and "Never Say Never Again", amongst others. The Complainant's trademarks or premises have also been featured in several other films including James Bond's GoldenEye, Cars 2, Ocean Twelve, Iron Man 2 and Madagascar 3.

The Complainant provided evidence that it has obtained registrations in Monaco of the following trademarks: Trademark No. 96.17407 for the word trademark CASINO DE MONTE-CARLO (registered on October 30, 1996); Trademark No. 14.30170 for the word trademark MONTE CARLO (registered on February 12, 2014); and Trademark No. 02.23234 for the word trademark CASINO DE MONACO (registered on September 30, 2002).

The disputed domain names were registered on November 27, 2024. They resolved to gambling websites featuring content such as logos, images, location information, and premises details that are generally associated with the core business activities of the Complainant.

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 names.

The Complainant contends that the disputed domain names are confusingly similar to its trademarks CASINO DE MONACO, MONTE-CARLO and CASINO DE MONTE-CARLO, as the inclusion of the generic term "online" does not prevent the confusing similarity with the trademark. The Complainant's marks remain clearly recognizable. Therefore, the disputed domain names are confusingly similar to trademarks in which the Complainant has rights.

The Complainant contends that the Respondent does not have any rights or legitimate interests in the disputed domain names, on the following grounds, among others. The Respondent does not own any trademarks CASINO DE MONACO, MONTE CARLO and CASINO DE MONTE-CARLO.

The Complainant has never authorized the Respondent to use its famous marks CASINO DE MONACO, MONTE CARLO and CASINO DE MONTE-CARLO or its other trademarks, or to register and use the disputed domain names.

The Respondent is not making a bona fide use of the disputed domain names because it is exploited in connection with online casinos, and other related gaming services that are traditionally provided by casinos, which is a bad faith use of Complainant's trademarks for an activity which is identical or similar to that of Complainant's famous casino.

The Respondent therefore has no rights or legitimate interests in the disputed domain names.

The Complainant contends that the Respondent has registered and is using the disputed domain names in bad faith, on the following grounds, among others. The reputation and world renown of the Complainant's trademarks render it impossible for the Respondent to have been unaware that the registration and use of the disputed domain names would violate the Complainant's rights.

The Respondent deliberately decided to register the terms "casino de monaco" and "casino de montecarlo" since it refers to the Complainant's trademarks, and to associate this term with the generic term "online". Such decision is clearly a proof of bad faith registration especially when, on its website.

The Respondent's decision to register the disputed domain names in the same field of activity as the Complainant is clearly a proof of bad faith registration.

The Respondent's use of the disputed domain names is made in bad faith since it is used to access gambling platforms and websites, which is exactly the Complainant's core business. The Respondent clearly tries to create in the mind of the Internet user an association with the Complainant and to unfairly benefit from the Complainant's prestige and reputation.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, the Complainant must satisfy each of the three following elements: (i) the disputed domain names are identical or confusingly similar to a trademark in which the Complainant has rights; and (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and (iii) the disputed domain names has been registered and are being used in bad faith. No Response or any kind of communication has been submitted by the Respondent, despite the Center has properly notified the Complaint to the Respondent in accordance with paragraph 2(a) of the Rules. Therefore, this Panel shall decide this dispute based on paragraph 15(a) of the Rules and will analyze the evidence submitted by the Complainant on the "balance of probabilities" or "preponderance of the evidence" standard. See, paragraphs 14 and 15(a) of the Rules, and WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([WIPO Overview 3.0](#)), section 4.2.

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. [WIPO Overview 3.0](#), section 1.7.

Based on the evidence submitted by the Complainant, the Panel finds that the Complainant has shown rights in respect of the trademarks CASINO DE MONACO, MONTE CARLO and CASINO DE MONTE-CARLO the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the Complainant's trademarks are recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. The term "online" is a term that refers to a state of being connected to a network, typically the Internet, allowing for communication, data exchange, or access to digital services and resources. The addition of the term "online" does not prevent a finding of confusing similarity. [WIPO Overview 3.0](#), section 1.8. The Panel further notes that the generic Top-Level Domains ("gTLDs") ".com" and ".net" are required only for technical reasons and are generally ignored for the purposes of comparison of the Complainant's trademark to the disputed domain names. [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds that the disputed domain names are confusingly similar to the Complainant's trademarks and that the first element of paragraph 4(a) of the Policy is satisfied.

B. Rights or Legitimate Interests

Pursuant to paragraph 4(a)(ii) of the Policy, the Complainant must prove that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant bears the burden of proof in establishing this requirement. In view of the difficulties inherent in proving a negative and because the relevant information is mainly in the possession of the Respondent, it is sufficient for the Complainant to establish a prima facie case which, if not rebutted by relevant evidence from the Respondent, will lead to this ground being satisfied.

The Panel finds that the Complainant has established a prima facie case demonstrating that the Respondent lacks any rights or legitimate interests in the disputed domain names. The Respondent is not commonly known by the disputed domain names, has no affiliation with the Complainant, and has never been authorized by the Complainant to use its trademarks CASINO DE MONACO, MONTE CARLO and CASINO DE MONTE-CARLO or to register any domain name incorporating them. Furthermore, the disputed domain names appear to be used in connection with deceptive websites that prominently feature the Complainant's registered trademarks and host gambling-related content. This includes logos, images, location details, and descriptions of venues that are closely tied to the Complainant's core business operations.

The Panel notes that the Respondent has not filed any Response and thus did not deny the Complainant's assertions, nor brought any information or evidence for demonstrating any rights or legitimate interests.

Accordingly, the Panel finds that the Complainant satisfied the requirements of paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy states that any of the following circumstances, in particular but without limitation, shall be considered evidence of the registration and use of a disputed domain name in bad faith: (i) circumstances indicating that the respondent registered or 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 the complainant, for valuable consideration in excess of documented out-of-pocket costs directly related to the domain name; (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; (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 its 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 its website or location.

With regard to the bad faith at the time of registration, the Panel notes that "casino de monaco" and "casino de monte carlo" are not a common or descriptive term, but renowned trademarks in and to which the Complainant has demonstrated has rights. The disputed domain names reproduce, without any

authorization or approval, the Complainant's registered trademarks. Moreover, the disputed domain names are inherently misleading as it reproduces the Complainant's trademark together with the term "online", which refers to being connected to the Internet or a network. In addition, given the Complainant's worldwide recognition as a place of excellence and leadership in the gambling industry, it is highly unlikely that the Respondent was unaware of the Complainant's trademarks at the time of registering the disputed domain names.

The Panel finds that the disputed domain names resolve to deceptive websites that falsely suggest an affiliation with the Complainant. In fact, the website at the disputed domain names displays the Complainant's trademark and hosts gambling-related content, including logos, images, location details, and descriptions of premises, all of which are closely associated with the Complainant's core business activities. Therefore, it is more likely than not that the Respondent, when registering the disputed domain names, had knowledge of the Complainant's earlier rights to the trademarks CASINO DE MONACO and CASINO DE MONTE-CARLO.

Considering all circumstances, the Panel concludes that the Respondent has unlawfully attempted to impersonate the Complainant. As outlined in [WIPO Overview 3.0](#), section 3.4, such use is evidence of bad faith registration and use.

Accordingly, the Panel finds, based on the evidence presented, that the Respondent registered and is using the disputed domain names in bad faith. Therefore, the Complainant has satisfied paragraph 4(a)(iii) of the Policy.

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 names <casino-de-montecarlo-online.com> and <casino-monaco-online.net> be transferred to the Complainant.

/Daniel Peña/

Daniel Peña

Sole Panelist

Date: July 15, 2025