

ADMINISTRATIVE PANEL DECISION

Société Anonyme des Bains de Mer et du Cercle des Etrangers à Monaco v.
Kieran Holmes, Hanna Verutina, Zhanara Ismailova, and Evgeniy Oborskiy
Case No. D2025-1939

1. The Parties

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

Respondents are Kieran Holmes, Afghanistan; Zhanara Ismailova, Kazakhstan; Hanna Verutina, and Evgeniy Oborskiy, Ukraine.

2. The Domain Names and Registrars

The disputed domain names <monte-carloplay.com>, <montecarloplay.lol>, <monte-carlo-t.click>, <montecarloplay.click>, <montecarloplay.digital> and <montecarloplay.live> are registered with NameCheap, Inc. ("Namecheap").

The disputed domain name <monte-carlo-casino.online> is registered with NameSilo, LLC ("NameSilo") (collectively, the "Domain Names" and the "Registrars").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 14, 2025. On May 15, 2025, the Center transmitted by email to the Registrars a request for registrar verification in connection with the Domain Names. On May 15, 2025, the Registrars transmitted by email to the Center their verification response disclosing registrant and contact information for the 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 30, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaint(s) for the Domain Names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. Complainant filed an amended Complaint on June 3, 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 Respondents of the Complaint, and the proceedings commenced on June 6, 2025. In accordance with the Rules, paragraph 5, the due date for the Response was June 26, 2025. Respondents did not submit any responses. Accordingly, the Center notified Respondents' default on July 2, 2025.

The Center appointed John C. McElwaine as the sole panelist in this matter on July 7, 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

Complainant is a Monaco-based company that operates the renowned Casino de Monte-Carlo and related luxury entertainment facilities. Relevant to this matter, Complainant owns trademark registrations including:

- CASINO DE MONTE-CARLO, Monegasque Registration No. 96.17407, registered on October 30, 1996, in International Classes 3, 7, 9, 12, 14, 16, 28, 34, 35, 38, 39, 41, 42, 43, and 45; and
- MONTE-CARLO, Monegasque Registration No. 14.30170, filed on December 31, 2013 and registered on February 12, 2014, in International Class 41.

Collectively, these registered trademark rights are referred to as the "MONTE-CARLO Marks."

The Domain Names were registered between January 27, 2025, and March 18, 2025, and at the time of filing the Complaint, all were linked to active webpages.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the following Domain Names.

1. <monte-carloplay.com>

Registrant: Evgeniy Oborskiy

Registration Date: January 27, 2025

Content: Complainant alleges this domain name is being used for phishing attempts imitating a page from Google Play, allowing users to download a casino application. The evidence includes a screenshot showing a fake Google Play Store page featuring "Casino Monte-Carlo" with alleged fake reviews and download statistics, and using Complainant's logo.

2. <montecarloplay.lol>

Registrant: Zhanara Ismailova

Registration Date: March 18, 2025

Content: Complainant alleges this domain name redirects to a fictitious webpage where the contact details appearing on this webpage all point to businesses with no connection whatsoever with the services allegedly offered. Evidence submitted by Complainant shows the website displays contact information for unrelated businesses.

3. <monte-carlo-t.click>

Registrant: Kieran Holmes

Registration Date: March 5, 2025

Content: Complainant alleges this Domain Name resolves to a phishing webpage imitating a page from Google Play, allowing users to download a casino application. Like the other phishing domains, it allegedly features fake reviews and uses Complainant's branding without authorization.

4. <montecarloplay.click>

Registrant: Zhanara Ismailova

Registration Date: March 18, 2025

Content: Complainant alleges this Domain Name redirects to a fictitious webpage with fraudulent contact information. Complainant provided a screenshot of a contact page and alleges that the contact information is in fact the contact address and phone number of unrelated entity.

5. <montecarloplay.digital>

Registrant: Zhanara Ismailova

Registration Date: March 18, 2025

Content: Complainant alleges this Domain Name redirects to a fictitious webpage with deceptive contact information. Evidence from Complainant shows the website displays contact information which allegedly point to unrelated businesses.

6. <montecarloplay.live>

Registrant: Zhanara Ismailova

Registration Date: March 18, 2025

Content: Complainant alleges this Domain Name redirects to a fictitious webpage where the contact details appearing on these websites all point to businesses with no connection whatsoever with the services allegedly offered. Complainant provided a screenshot showing that the contact information is in fact the contact address and phone number of an unrelated business.

7. <monte-carlo-casino.online>

Registrant: Hanna Verutina

Registration Date: February 10, 2025

Content: Complainant alleges this Domain Name resolves to a phishing webpage imitating a page from Google Play, allowing users to download a casino application. Complainant provided a screenshot showing "Le Casino Monte-Carlo Online" with allegedly fake app store styling, fake reviews, and unauthorized use of Complainant's branding.

As background, Complainant asserts that it operates the world-famous Casino de Monte-Carlo in Monaco and has extensive trademark rights in MONTE-CARLO and CASINO DE MONTE-CARLO Marks that have been recognized by courts and UDRP panels worldwide. Complainant notes that its casino is ranked among the top casinos globally and has been acknowledged in numerous legal proceedings.

With respect to the first element of the Policy, Complainant asserts that the Domain Names are either identical or highly similar to Complainant's MONTE-CARLO Marks. Complainant alleges that the Domain Names incorporate the key element "monte-carlo" which is distinctive and well-known in the field of gambling and luxury entertainment.

With respect to the second element of the Policy, Complainant alleges that Respondents have no rights or legitimate interests in the Domain Names. Complainant contends it has never authorized Respondents to use its marks and that Respondents are using the Domain Names to mislead consumers through websites that copy Complainant's content and imagery.

With respect to the third element of the Policy, Complainant alleges that Respondents deliberately registered the Domain Names incorporating Complainant's MONTE-CARLO Marks to falsely imply legitimacy and affiliation with Complainant. Complainant further alleges that Respondents used the Domain Names to operate websites that copied Complainant's content without authorization and that the coordinated registration pattern demonstrates bad faith intent.

B. Respondents

Respondents did not reply to Complainant's contentions.

6. Discussion and Findings

6.1 Consolidation: Multiple Respondents

The amended Complaint was filed against four different Domain Name registrants, but alleges that the registrants of the Domain Names are the same entity or mere alter egos of each other, or under common control. Complainant requests the consolidation of the Complaint against the multiple registrants pursuant to paragraph 10(e) of the Rules.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder. In addressing Complainant's request, the Panel will consider whether (i) the Domain Names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

The Panel finds consolidation appropriate under paragraph 10(e) of the Rules. Here, the evidence demonstrates common control of the Domain Names through multiple factors. First, all Domain Names were registered within a concentrated timeframe between January and March 2025, with four Domain Names registered on the exact same day (March 18, 2025).

Second, six of the seven Domain Names were registered with the same registrar (NameCheap). Third, the Domain Names follow an identical or highly similar naming pattern, each incorporating "monte-carlo" or variations thereof with descriptive terms, specifically targeting Complainant's trademark. Fourth, the Domain Names allegedly resolve to websites with similar content that misleadingly reference Complainant's Casino de Monte-Carlo. Despite being registered with a different Registrar (NameSilo, LLC), <monte-carlo-casino.online> shares several key characteristics with the other Domain Names that demonstrate common control. It was registered within the same concentrated timeframe (February 10, 2025) as the other Domain Names which were registered between January and March 2025, it follows the same naming pattern incorporating "monte-carlo" and "casino" terms that specifically target Complainant's trademarks, it allegedly resolves to similar phishing content that imitates Google Play Store pages featuring fake casino applications using Complainant's exact logo, and it is part of the same coordinated cybersquatting scheme designed to mislead consumers into believing they are accessing official Complainant service.

Fifth, the registration details contain suspicious inconsistencies suggesting fictitious information, with addresses listed in different countries but using privacy protection services. The coordinated approach to registration and website operation demonstrates that the Domain Names are subject to common control.

As regards fairness and equity, the Panel notes that none of the Domain Name registrants commented on or otherwise opposed Complainant's request. Moreover, consolidation promotes procedural efficiency given the connection between the Domain Names and their apparent common control, and the Panel sees no reason why consolidation would be unfair or inequitable to any party. Accordingly, the Panel decides to consolidate the disputes regarding the nominally different registrants (referred to collectively as "Respondents") in a single proceeding.

6.2 Substantive Matters

Even though Respondents are in default, paragraph 4 of the Policy requires that, in order to succeed in this UDRP proceeding, Complainant must still prove its assertions with evidence demonstrating:

- (i) the Domain Names are identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondents have no rights or legitimate interests in respect of the Domain Names; and
- (iii) the Domain Names have been registered and are being used in bad faith.

Because of Respondents' default, the Panel may accept as true the reasonable factual allegations stated within the Complaint and may draw appropriate inferences therefrom. See *St. Tropez Acquisition Co. Limited v. AnonymousSpeech LLC and Global House Inc.*, WIPO Case No. [D2009-1779](#); *Bjorn Kassoe Andersen v. Direction International*, WIPO Case No. [D2007-0605](#); see also paragraph 5(f) of the Rules ("If a Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the complaint"). Having considered the Complaint, the Policy, the Rules, the Supplemental Rules and applicable principles of law, the Panel's findings on each of the above-cited elements are as follows.

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 Complainant's trademark and the Domain Name. [WIPO Overview 3.0](#), section 1.7. Complainant has shown rights in respect of a trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. Complainant has provided evidence of trademark registrations for the MONTE-CARLO Marks in the European Union and an International Registration.

The Panel finds the MONTE-CARLO trademark is recognizable within the Domain Names. The Domain Names incorporate Complainant's MONTE-CARLO trademark in its entirety or with minor variations, with the addition of related terms such as "play," "casino," and the letter "t" which do not prevent a finding of confusing similarity. Accordingly, the Domain Names are confusingly similar to the marks for the purposes of the Policy.

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

B. Rights or Legitimate Interests

Complainant must make a prima facie case that Respondents lack rights or legitimate interests in the Domain Names, after which the burden of production shifts to Respondents to come forward with relevant evidence demonstrating rights or legitimate interests. See section 2.1 of the [WIPO Overview 3.0](#).

Here, Complainant has stated that it has not licensed or otherwise authorized Respondents to use its MONTE-CARLO Marks. There is no evidence that Respondents have been commonly known by the Domain Names or that Respondents have acquired any trademark rights in the terms "monte-carlo".

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondents lack rights or legitimate interests in the Domain Names. Respondents have not rebutted Complainant's prima facie showing and have not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Names, such as those enumerated in the Policy¹ or otherwise.

Moreover, Respondents cannot claim that their operation of websites at the Domain Names provides legitimate interests. The evidence demonstrates that Respondents are using the Domain Names for impersonation, phishing, and providing false information. With respect to <monte-carloplay.com>, <monte-carlo-t.click>, and <monte-carlo-casino.online>, Complainant provided evidence that these Domain Names resolve to a page from Google Play (allowing users to download a casino application posing as being associated with Complainant). These websites allegedly feature fake reviews and unauthorized use of Complainant's exact logo, creating the false impression of official Google Play Store applications.

¹ The Policy, paragraph 4(c), provides a non-exhaustive list of circumstances in which a respondent could demonstrate rights or legitimate interests in a disputed domain name: "(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or (ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or (iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue."

For <montecarloplay.click>, <montecarloplay.digital>, <montecarloplay.live>, and <montecarloplay.lol>, Complainant demonstrated that these Domain Names “redirect to similar fictitious pages” where “the contact details appearing on these websites all point to businesses with no connection whatsoever with the services allegedly offered.” For instance, the website at <montecarloplay.click> displays contact information that is in fact the contact address and phone number of an unrelated entity. Similarly, other Domain Names display false business addresses and contact information that correspond to unrelated legitimate businesses rather than any services connected to the Domain Names.

The evidence shows that Respondents are engaged in a coordinated scheme using fictitious registration details. As Complainant demonstrated, “At least 2 addresses are fictitious or incoherent,” including the address for <monte-carlo-t.click>, which “combines a UK postal code while the recorded country is Afghanistan, evidencing an obvious fabrication.”

Such activities involving impersonation and the provision of false contact information can never confer rights or legitimate interests on Respondents. As established in UDRP jurisprudence, “Panels have categorically held that the use of a domain name for illegal activity (e.g., the sale of counterfeit goods or illegal pharmaceuticals, phishing, distributing malware, unauthorized account access/hacking, impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent.” [WIPO Overview 3.0](#), section 2.13.1.

In addition, it is not necessary for the Panel to make any ultimate determination as to the allegedly fraudulent nature of the mobile applications or services associated with the Domain Names, as the evidence clearly shows Respondents have attempted to pass themselves off as Complainant. The use of the inherently misleading Domain Names to divert Internet traffic to a webpage impersonating Complainant is not a bona fide offering of goods or services. See *Chicago Mercantile Exchange Inc., CME Group Inc. v. Registration Private, Domains By Proxy, LLC, DomainsByProxy.com / Nikolay Korobeynikov*, WIPO Case No. [D2016-0654](#) (finding no legitimate interests in a website resolving from the disputed domain name, which mirrored, and purported to be, the website of “CME Group” and which provided information relating to the trading of futures and options).

Lastly, Respondent’s use of the Domain Names is not noncommercial or fair use under paragraph 4(c)(iii) of the Policy.

Accordingly, the Panel finds that Complainant has made a prima facie case that Respondent lacks rights or legitimate interests in the Domain Names, which Respondents have not rebutted. The Panel concludes that Complainant has satisfied the second element of the Policy.

C. Registered and Used in Bad Faith

According to paragraph 4(a)(iii) of the Policy, Complainant must show that Respondents registered and are using the Domain Names in bad faith. A non-exhaustive list of factors constituting bad faith registration and use is set out in paragraph 4(b) of the Policy.

Bad faith registration can be found where a respondent “knew or should have known” of a complainant’s trademark rights and nevertheless registered a domain name in which it had no rights or legitimate interests. See *Accor v. Kristen Hoerl*, WIPO Case No. [D2007-1722](#). As detailed above, Respondent registered the Domain Names which are confusingly similar to the well-known, if not famous, MONTE-CARLO Marks. There is no explanation for Respondents to have chosen to register the Domain Names other than to intentionally trade off the goodwill and reputation of Complainant’s trademark or otherwise create a false association with Complainant. With no response from Respondents, this claim is undisputed.

The evidence demonstrates that Respondents have engaged in two distinct types of bad faith uses of the Domain Names:

With respect to <monte-carloplay.com>, <monte-carlo-t.click>, and <monte-carlo-casino.online>, Complainant provided evidence that these Domain Names resolve to fake Google Play webpages, allowing

users to download a casino application and that these websites feature fake reviews and download statistics, using Complainant's logo to create the false impression of official Google Play Store applications. For <montecarloplay.click>, <montecarloplay.digital>, <montecarloplay.live>, and <montecarloplay.lol>, Complainant demonstrated that these Domain Names redirect to fictitious pages, where the contact details appearing on these websites all point to businesses with no connection whatsoever with the services allegedly offered. For instance, the website at <montecarloplay.click> displays contact information that Complainant proved that the contact information was in fact for unrelated business. The coordinated registration pattern demonstrates bad faith, with multiple Domain Names registered on the same day, March 18, 2025, and following similar naming conventions targeting Complainant's trademarks. Also, the evidence shows that "Kieran Holmes," identified as one of the Respondents, "has already been the subject of four prior UDRP decisions before the WIPO Center, namely WIPO Case No. [D2025-0510](#), WIPO Case No. [D2024-4992](#), and WIPO Case No. [D2024-0807](#)," establishing a pattern of repeat cybersquatting activity. In sum, Respondents are using the Domain Names to attract Internet users for commercial gain by creating confusion with Complainant's famous casino brand. The Domain Names incorporate terms like "play," "casino," and variations of "monte-carlo" specifically to capitalize on Complainant's reputation in the gambling industry.

Respondents' use of false and contradictory contact information during the Domain Name registration provides additional evidence of bad faith. The registrant information disclosed by the Registrars contains deliberately false details, including:

- For <monte-carlo-t.click>, the address combines a UK postal code while the recorded country is Afghanistan, evidencing an obvious fabrication
- For <monte-carloplay.com>, the address is incomplete or inaccurate.
- For <montecarloplay.click>, the address leads to a McDonald's restaurant rather than any professional or residential premises.

[WIPO Overview 3.0](#), section 3.2.1, notes that the use of false contact details can be considered as evidence of bad faith registration and use. Panels have consistently found that respondents who deliberately provide false contact information to avoid being contactable demonstrate bad faith conduct, particularly when combined with other evidence of illegitimate activity.

The Panel finds on the record before it that Respondents' intention in registering the Domain Names was to attract, for commercial gain, Internet users to Respondents' websites by creating a likelihood of confusion with Complainant's marks as to the source, sponsorship, affiliation, or endorsement. Thus, the Panel holds that Complainant has met its burden of providing sufficient evidence that Respondents registered and are using the Domain Names in bad faith under paragraph 4(b)(iv) of the Policy.

For the reasons set forth above, the Panel holds that Complainant has met its burden under paragraph 4(a)(iii) of the Policy and has established that Respondents registered and are using the Domain Names in bad faith.

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 Domain Names <monte-carloplay.com>, <montecarloplay.lol>, <monte-carlo-t.click>, <montecarloplay.click>, <montecarloplay.digital>, <montecarloplay.live>, and <monte-carlo-casino.online> be transferred to Complainant.

/John C. McElwaine/

John C. McElwaine

Sole Panelist

Date: July 20, 2025