

ADMINISTRATIVE PANEL DECISION

Bal Du Moulin Rouge v. Cesar Castellanos Blanco, Bombo Comunicación SL
Case No. D2025-3114

1. The Parties

The Complainant is Bal Du Moulin Rouge, France, represented by CASALONGA, France.

The Respondent is Cesar Castellanos Blanco, Bombo Comunicación SL, Spain.

2. The Domain Name and Registrar

The disputed domain name <moulinrougemadrid.com> is registered with IONOS SE (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on August 5, 2025. On August 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 7, 2025, 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 (Anonymous) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 13, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint.

On August 13, 2025, the Center informed the parties in Spanish and English, that the language of the registration agreement for the disputed domain name is Spanish. On August 14, 2025, the Complainant filed an amended Complaint containing a request for English to be the language of the proceedings. The Respondent did not submit any comments on the Complainant’s submission.

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 in English and Spanish of the Complaint, and the proceedings commenced on August 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 4, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 5, 2025.

The Center appointed Kiyoshi Tsuru as the sole panelist in this matter on September 9, 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 French Public limited company, created in 1889, that offers musical dance entertainment in Paris, for visitors from around the world. The Complainant operates as a theater for dance parties, entertainment, and receptions and offers its services and facilities to groups, companies and individuals.

The Complainant owns the following trademark registrations, among others:

Trademark	Registration No.	Date of Registration	Classes	Jurisdiction
	010841567	September 24, 2012	3, 4, 9, 11, 14, 16, 18, 20, 21, 24, 25, 26, 28, 29, 30, 32, 33, 41 and 43, (duly renewed)	European Union
MOULIN ROUGE	000110437	November 5, 1998	3, 14, 18, 25, 32, 33 and 41 (duly renewed)	European Union
MOULIN ROUGE	613199	February 2, 1994	33	Algeria, Benelux Office for Intellectual Property, Bulgaria, Croatia, Czech Republic, Iceland, Japan, Kazakhstan, Madagascar, Morocco, Monaco, Montenegro, Portugal, Republic of Korea, Romania, Russian Federation, Spain, Türkiye, Ukraine, Viet Nam, (duly renewed in those jurisdictions).

The Complainant owns the domain name <moulinrouge.fr> which was registered on March 23, 1999, and which resolves to the Complainant's official website.

The Complainant also claims to own the following domain names: <moulin-rouge.com>, <moulinrouge.com>, <moulin-rouge.fr>, <moulinrougeticket.store>, <moulinrougetickets.com>, <moulinrougetickets.net>, and <moulinrougeticket.com>, the oldest of which was registered in 1998.

The disputed domain name was registered on March 25, 2025. At the time of this Decision, the disputed domain name is inactive. However, the Complainant has provided evidence demonstrating that the domain was previously used to promote a forthcoming restaurant in Spain, specifically located in Madrid. The website prominently displayed the Complainant's mark.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for the transfer of the disputed domain name.

Notably, the Complainant contends:

I. Identical or Confusingly Similar

That by virtue of its trademark registrations, it holds exclusive rights to the MOULIN ROUGE trademarks.

That the Top-Level Domain ("TLD") ".com" in the disputed domain name should not be considered when comparing the Complainant's MOULIN ROUGE trademarks and the disputed domain name (and cites *AGFA-GEVAERT N.V. v. 黄凯超 (Huang Kaichao)*, WIPO Case No. [D2021-0146](#)).

That the disputed domain name captures the Complainant's MOULIN ROUGE trademarks in their entirety, and that the addition of the term "madrid" does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's MOULIN ROUGE trademarks (and cites *PRL USA Holdings, Inc., The Polo/Lauren Company L.P. v. Client Care, Web Commerce Communications Limited, DianaBeichDE, Gerber Christina, Bachmeier Frank, Friedmann Anke, Lulu Couch, Holtzmann Dieter, Angelika Drechsler, Anne Scherer, Stephanie Kaestner, Schmitz Tom*, WIPO Case No. [D2023-5190](#) and *Accor v. Lee Dong Youn*, WIPO Case No. [D2008-0705](#)).

II. Rights or Legitimate Interests

That the copyrights, trademarks, and other intellectual property rights relating to MOULIN ROUGE, its associated universe, and distinctive visual elements including, notably, the iconic red windmill façade, are held and operated by the Complainant.

That the Complainant is the owner of the trademark MOULIN ROUGE, which has been in continuous use in France since 1889 in connection with its renowned cabaret, and that over a century of uninterrupted commercial use and global recognition, the trademark MOULIN ROUGE has incontestably acquired worldwide notoriety.

The Complainant's trademark MOULIN ROUGE has inspired numerous film productions that have significantly contributed to its global renown. Between 1922 and 2011, various movies have featured or been inspired by the cabaret, including *Queen of the Moulin Rouge* (1922), *Le Fantôme du Moulin-Rouge* (1925), *Moulin Rouge* (1952), *French Cancan* (1955), *Moulin Rouge* (2001), and *Mystère au Moulin-Rouge* (2011), among others.

That the Complainant has not licensed, authorized or permitted the Respondent to register any domain name incorporating the Complainant's MOULIN ROUGE trademarks (and cites *HERMES INTERNATIONAL SCA, v. cui zhenhua*, WIPO Case No. [D2010-1743](#)).

The Respondent used the disputed domain name to direct Internet users to a website that promoted an upcoming restaurant in Spain, thereby misleadingly diverting consumers who were searching for the Complainant's products and services, notably information about the MOULIN ROUGE bar.

That the Complainant has been operating the official website to which the domain name <moulinrouge.fr> resolves for nearly 25 years, which serves as a central platform for presenting historical information about the company, detailing its services, and showcasing images and videos related to its activities.

That, in order to promote its reputation and strengthen its online presence, the Complainant has registered and duly used numerous domain names incorporating its well-known MOULIN ROUGE trademark, which dates of registration range from February 9, 1998, to August 14, 2024.

That the domain names <moulinrougetickets.com>, <moulinrougetickets.net>, and <moulinrougeticket.com>, were ordered to be transferred to the Complainant pursuant to decisions rendered under the Policy.

That a Google search using the keywords “moulin rouge” indicates that the term is commonly associated with the Complainant. That the search results include a dedicated Wikipedia page outlining the history and background of the Moulin Rouge establishment, along with various independent websites and sources referencing the said establishment and its presence in popular culture.

That the Complainant is also operating its online store through the websites to which the domain names <store.moulinrouge.fr> and/or <moulinrougestore.com> resolve.

That the MOULIN ROUGE trademarks are widely recognized by the public worldwide, as confirmed by a 2018 international survey showing high awareness and a strong positive image across Europe, Asia, and the United States of America, notably with 91% recognition in France and 79% in Spain.

That many panels have previously stated in UDRP decisions that the MOULIN ROUGE trademarks have acquired a well-known character (and cites *Moulin rouge v. Paul Helyer* WIPO Case No. [D2018-0642](#), *Moulin Rouge S.A. and Bal du Moulin Rouge S.A. v. Owgab Ltd*, WIPO Case No. [D2003-0731](#), *Bal Du Moulin Rouge v. Munetaka Sugimoto, Yatagarasu Co., Ltd*, WIPO Case No. [D2021-0862](#), *Bal du Moulin Rouge v. Domain Administrator, See Privacy Guardian.org / Doug Powel*, WIPO Case No. [D2022-2720](#), *Bal Du Moulin Rouge v Kun Tao*, WIPO Case No. [D2023-0941](#), *Bal Du Moulin Rouge v Bing Liu*, WIPO Case No. [D2023-0848](#), *Bal Du Moulin Rouge v. Hernan Ulloa, Ulloa y Asociados*, WIPO Case No. [D2023-5145](#), *Bal du Moulin Rouge v. David Millar*, WIPO Case No. [D2024-0877](#), *Bal du Moulin Rouge v. Name Redacted*, WIPO Case No. [D2024-2177](#), *Bal du Moulin Rouge 诉 吴艳荣 (Wu yanrong)*, WIPO Case No. [DCN2024-0027](#), *Bal Du Moulin Rouge v. Anthony Wilson, Agenda Communications, LLC*, WIPO Case No. [D2024-2879](#), *Bal Du Moulin Rouge v MASAKI FUKUI, WEB-AD Inc.*, WIPO Case No. [D2024-2923](#), *Bal du Moulin Rouge v. Ion Kostylev, vencom ltd.*, WIPO Case No. [D2024-3588](#), *Bal du Moulin Rouge v. Andrii Gava Andrii Gava*, WIPO Case No. [D2024-5080](#), *Bal du Moulin Rouge v. Paulo de Bastos, Moulin Rouge Café*, WIPO Case No. [D2025-5271](#), and *Bal Du Moulin Rouge v. Ion Kostylev, vencom ltd*, WIPO Case No. [D2025-0735](#)).

III. Registered and Used in Bad Faith

That the Complainant's prior trademarks MOULIN ROUGE are well known. That they have been extensively used for over a century in the fields of theater, musical entertainment, and related products and venues, including bars, and that they were registered long before the Respondent registered the disputed domain name.

That the Respondent had then necessarily knowledge of the Complainant's marks MOULIN ROUGE when registering the disputed domain name on March 25, 2025, even more so as the trademarks MOULIN ROUGE are highly renowned worldwide (and cites *Bal du Moulin Rouge v. Paulo de Bastos, Moulin Rouge Café*, WIPO Case No. [D2024-5271](#)).

That the Respondent's use of MOULIN ROUGE in the disputed domain name, together with the imitation of the Complainant's typographic and visual identity, can only be interpreted as a deliberate attempt to mislead Internet users into believing that the website to which the disputed domain name resolved was affiliated with or endorsed by the Complainant. That, therefore, Internet users who accessed the disputed domain name were likely to believe they were visiting the Complainant's official website and would reasonably expect to

find information related to the Complainant or its venues, its official or commercial website, or any products or services associated with the MOULIN ROUGE bar, when in fact the disputed domain name directed users to a page that promoted an upcoming restaurant named “MOULIN ROUGE”, which is unrelated to the Complainant (and cites *DPH Holdings, LLC v. Josh Brody*, WIPO Case No. [D2017-2462](#)).

That the Respondent ignored the Complainant’s attempts to resolve this dispute non-contentiously by sending cease and desist letters, and that past panels have held that the failure to respond to cease and desist letters may be considered a factor in finding bad faith registration and use (and cites *Altarea v. Loretta Zayas*, WIPO Case No. [D2020-2337](#)).

That the Respondent is making unfair commercial use of the disputed domain name with the intention of obtaining a commercial advantage by misleading consumers and taking advantage of the Complainant’s MOULIN ROUGE trademarks.

B. Respondent

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

6. Discussion and Findings

6.1 Language of the Proceedings

The language of the Registration Agreement for the disputed domain name is Spanish. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceedings shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant has requested that the language of the proceedings be English, arguing difficulties in communicating in Spanish, and that requiring the Complainant to translate the Complaint would unfairly disadvantage and burden the Complainant, and would delay the proceedings and the adjudication of the matter (and cites *iptiQ Group Holding Ltd v. Meilssa Boehm*, WIPO Case No. [DEUL2024-0002](#) and *Volkswagen AG v. Antonio Piedras Perez*, WIPO Case No. [D2016-0242](#)). The Complainant submitted the following arguments to request that English be the language of the proceedings:

- That English is one of the most spoken languages in the world, listed as number one of the 100 languages most spoken in the world, with more than 1.5 billion total speakers in 2025;
- That, pursuant to the Respondent’s website, the said Respondent has agencies in Madrid, which is an international business and touristic area;
- That the Respondent is a full-service marketing, design, communications and events agency, a field where English is the main spoken language;
- That the Respondent’s website invokes partnerships with several international companies, with which English is predominant and that use only English;
- That the disputed domain name includes the French words “moulin” and “rouge”, rather than the Spanish words “molino” and “rojo”. That the choice of such a domain name composed of foreign words implies an intent to reach or target an international audience rather than a purely Spanish-speaking one; and
- That the above supports the argument that English, as a global lingua franca, should be the appropriate language of the proceedings.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties’ ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 4.5.1).

Having considered all the matters above, and taking into account that the Respondent has not submitted any comments on the language of the proceedings, but has chosen to register the disputed domain name which entirely incorporates the name (in French) of an internationally renowned show, and that said disputed domain name targets a French establishment, brand, and company, as well as considering the diversity of the domiciles of the Parties, i.e., French and Spanish, the Panel determines under paragraph 11(a) of the Rules that it is reasonable to infer that, in order to preserve the spirit of the Policy, which is to make available a dispute resolution mechanism that is simple, expeditious and cost-effective, it is fair that the language of the proceedings be English.

6.2. Substantive Issues

Paragraph 4(a) of the Policy sets out the three requirements that the Complainant must prove in order to successfully request remedies:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark to which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in connection to the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

Given the Respondent's default and therefore, failure to address the case merits as they relate to the three UDRP elements, the Panel may decide these proceedings based on the Complainant's undisputed factual allegations under paragraphs 5(f), 14(a), and 15(a) of the Rules (see *Joseph Phelps Vineyards LLC v. NOLDC, Inc., Alternative Identity, Inc., and Kentech*, WIPO Case No. [D2006-0292](#); *Encyclopaedia Britannica, Inc. v. null John Zuccarini, Country Walk*, WIPO Case No. [D2002-0487](#); see also [WIPO Overview 3.0](#), section 4.3).

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.

The Complainant has shown rights in respect of the MOULIN ROUGE trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name entirely reproduces the Complainant's MOULIN ROUGE trademarks. The Panel finds that the Complainant's MOULIN ROUGE trademark is recognizable within the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The addition of the term "madrid" does not prevent the finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy (see [WIPO Overview 3.0](#), section 1.8).

It is also well established that the addition of the generic TLD ".com" is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

Accordingly, the disputed domain name is confusingly similar to the Complainant's MOULIN ROUGE trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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 a 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 3.0](#), 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.

The Panel notes that the website at the disputed domain name displays MOULIN ROUGE against a red background and announces the upcoming opening of a restaurant in Madrid. Noting also other evidence available on file, it appears to have been acquired in the context of preparations for use in relation to the restaurant business (although in the absence of any Response, the evidence before the Panel is limited to that produced by the Complainant). Whether or not that business is operative, the prominent use of MOULIN ROUGE on the website in the stylized manner similar to that promoted by the Complainant, as well as the use of the Complainant’s colour scheme suggests, on balance, that the Respondent registered the disputed domain name incorporating MOULIN ROUGE seeking to take advantage of its significance as a well-known trademark owned by the Complainant. In this regard, the Respondent has not claimed (nor produced evidence) that the disputed domain name has been or is intended to be put to any use related to the dictionary meaning of the terms it comprises, nor more importantly how the inclusion of the world-famous MOULIN ROUGE mark would factor into any such plans. Furthermore, the registration of a matching business name (assuming it was registered) name does not on its own exclude the possibility that the registrant intended to take unfair advantage of another party’s trademark rights, particularly if, as here, such registration post-dates the registration of that trademark (and the establishment of related goodwill) to a considerable extent.

Therefore, 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.

The Complainant has ascertained its rights over the MOULIN ROUGE trademarks. The dates of registration of said trademarks significantly precede the date of registration of the disputed domain name. Additionally, the Panel agrees with decisions rendered by previous panels in the sense that the MOULIN ROUGE trademarks are well known (see, for example, *Moulin rouge v. Paul Helyer*, WIPO Case No. [D2018-0642](#), *Moulin Rouge S.A. and Bal du Moulin Rouge S.A. v. Owgab Ltd*, WIPO Case No. [D2003-0731](#), and *Bal Du Moulin Rouge v. Munetaka Sugimoto, Yatagarasu Co., Ltd*, WIPO Case No. [D2021-0862](#)).

In the present case, noting its findings above, the Panel finds that the fact that the Respondent registered the disputed domain name which entirely reproduces the Complainant’s MOULIN ROUGE trademark, the

manner in which the disputed domain name is used, the Complainant's substantial media presence, its prominence, and the absence of any explanation by the Respondent for its choice of the domain name, shows that the Respondent has registered the disputed domain name in the knowledge of the Complainant's mark and has targeted the Complainant, which constitutes opportunistic bad faith (see section 3.2.1 of the [WIPO Overview 3.0](#)).

The evidence submitted by the Complainant, which has not been rebutted by the Respondent, shows that the said Respondent has caused the disputed domain name to resolve to a website that promoted an upcoming restaurant in Spain, apparently located in Madrid, while prominently displaying the MOULIN ROUGE mark. The case file comprises evidence showing that the Respondent has imitated the typographic style and visual presentation associated with the Complainant's trademarks and establishment. Regardless of whether the Respondent's business is operative, such use of the disputed domain name (which itself fully incorporates the well-known trademark MOULIN ROUGE) is not legitimate, nor can it constitute fair use. On the contrary, the Panel infers the Respondent's intention to take unfair advantage of the Complainant's MOULIN ROUGE trademark and associated goodwill. Previous panels appointed under the Policy have found that this is an indication of bad faith use of a disputed domain name.

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 disputed domain name is currently inactive. Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the well-known nature of the Complainant's trademarks, the lack of Response and the composition of the disputed domain name, and finds that in the circumstances of this case the current passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy, but rather reinforces the finding that there was no good faith intention behind the registration and prior use of the disputed domain name.

The Panel finds that the Complainant has established the third element 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 name <moulinrougemadrid.com> be transferred to the Complainant.

/Kiyoshi Tsuru/

Kiyoshi Tsuru

Sole Panelist

Date: September 23, 2025