

ADMINISTRATIVE PANEL DECISION

Société Anonyme des Bains de Mer et du Cercle des Etrangers à Monaco v.
Carlitos Monte
Case No. D2025-3463

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.

Respondent is Carlitos Monte, Argentina.

2. The Domain Names and Registrar

The disputed domain names <montecarlo24.online> and <monte-carlo888.pro> are registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 27, 2025. On August 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On August 28, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on August 29, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on September 2, 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 Respondent of the Complaint, and the proceedings commenced on September 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 25, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on September 29, 2025.

The Center appointed Gabriel F. Leonardos as the sole panelist in this matter on October 13, 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 Monegasque company that operates the Casino de Monte-Carlo, one of the world's most luxurious and well-known gambling facilities. Complainant was founded on 1863 and currently has the monopoly for casino and gambling activities in Monaco.

As shown in the examples below, Complainant owns trademarks registration for MONTE CARLO and CASINO DE MONTE-CARLO. The reputation of said trademarks have already been recognized by numerous panels, as shown in previous UDRP decisions provided as Annex I of the Complaint.

| Registration Number | Trademark | Jurisdiction | International Class | Registration Date |
|----------------------------|-----------------------|---------------------|---|--------------------------|
| 96.17407 | CASINO DE MONTE-CARLO | Monaco | 3, 7, 9, 12, 14, 16, 18, 28, 34, 35, 38, 39, 41, 42, 43, 45 | October 30, 1996 |
| 14.30170 | MONTE CARLO | Monaco | 41 | February 12, 2014 |

The disputed domain names <monte-carlo888.pro> and <montecarlo24.online> were created on February 3, 2025, and February 5, 2025, respectively. The disputed domain names were used for online gambling platforms that reproduced Complainant's trademarks.

5. Parties' Contentions

A. Complainant

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

Notably, Complainant contends that the disputed domain names are highly similar to Complainant's trademarks MONTE CARLO and CASINO DE MONTE-CARLO with the mere addition of the numerals "888" and "24" - both related to the gambling industry -, and the removal of the hyphen of "monte carlo".

Therefore, according to Complainant, the disputed domain names are confusingly similar with Complainant's trademarks MONTE CARLO and CASINO DE MONTE-CARLO, fulfilling paragraph 4(a)(i) of the Policy.

Complainant affirms that it has never authorized Respondent to register or use the disputed domain names. In this manner, Complainant states that Respondent lacks rights or legitimate interests, fulfilling paragraph 4(a)(ii) of the Policy.

Finally, Complainant urges that the disputed domain names were registered and are being used in bad faith. According to Complainant, the strong reputation and world renown of its trademarks render it impossible to Respondent to be unaware of Complainant's rights. Complainant affirms that the disputed domain names are being used to attract Internet users for commercial gain by offering a gambling website that unduly benefits from Complainant's notoriety.

Thus, according to Complainant, the requirements for the identification of a bad faith registration and use of the disputed domain names have been fulfilled, pursuant to paragraphs 4(a)(iii) and 4(b) of the Policy. Accordingly, requests the disputed domain names be transferred to Complainant.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

To succeed in a UDRP complaint, Complainant must demonstrate that all the elements listed in paragraph 4(a) of the Policy have been satisfied, as following:

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

The burden of proving these elements is upon Complainant.

Respondent had 20 days to submit a response in accordance with paragraph 5(a) of the Rules and failed to do so. Paragraph 5(f) of the Rules establishes that if a respondent does not respond to the Complaint, in the absence of exceptional circumstances, the Panel's decision shall be based upon the Complaint.

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 disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

Based on the available record, the Panel finds Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the trademark MONTE CARLO is being reproduced within the disputed domain names. The Panel finds that the addition of the numerals "888" and "24" do not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Therefore, based on the available record, the Panel finds that the disputed domain names are confusingly similar to the mark for the purposes of the Policy and 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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on 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 Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain names. Respondent has not rebutted 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.

Panels have held that the use of a domain name for illegitimate activity, here claimed as passing off, can never confer rights or legitimate interests on a Respondent. [WIPO Overview 3.0](#), section 2.13.1.

Based on the available record, Respondent is not entitled to any trademark, trade name, or any other right associated with the disputed domain names. Additionally, Respondent has not been authorized by the Complainant to use the MONTE CARLO trademark, and there is no commercial relationship between the Parties.

Respondent is not commonly known by the disputed domain names, and the Panel notes that Respondent is making an illegitimate use of the disputed domain name. In light of these circumstances, the Panel finds that no rights or legitimate interests can be found on behalf of Respondent.

Accordingly, 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 Respondent has registered the disputed domain names that are confusingly similar to Complainant's trademark MONTE CARLO. Also, based on the available record, it was established that Respondent has no affiliation with Complainant and the trademark MONTE CARLO, nor has it sought authorization or a license to utilize the referred trademark. Also, Respondent does not own any trademarks containing the term “monte carlo” or showed any rights over the trademark or any relating terms.

Respondent evidently knew or should have known of the existence of Complainant's prior trademark rights and domain names, which were matters of public record, before registering the disputed domain names. The registration of the disputed domain names was carried out by Respondent, who had the responsibility to verify the existence of the referred trademarks.

In this sense, considering Complainant's world renown in the gambling industry, it may be inferred that the registration of the disputed domain names was intentionally done with plans of passing off as Complainant and unduly benefit of its notoriety, since the disputed domain names resolved to online gambling platforms that reproduced Complainant's trademarks and made direct references to elements associated with Complainant. The likelihood of confusion was duly demonstrated.

Panels have held that the use of a domain name for illegitimate activity (i.e. passing off), constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

Therefore, the Panel finds that the circumstances of the present case allow for a finding of bad faith in the registration and use of the disputed domain names, since Respondent intended to financially profit by passing off as Complainant through the use of confusingly similar domain names and the reproduction of Complainant's marks in its related websites.

Based on the available record, the Panel finds that 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 names <monte-carlo888.pro> and <montecarlo24.online> be transferred to Complainant.

/Gabriel F. Leonardos/

Gabriel F. Leonardos

Sole Panelist

Date: October 27, 2025