

ADMINISTRATIVE PANEL DECISION

Bal du Moulin Rouge v. Ricky L Towers Sr, Towers Sports and Marketing Case No. D2025-3488

1. The Parties

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

The Respondent is Ricky L Towers Sr, Towers Sports and Marketing, United States of America (“United States”).

2. The Domain Names and Registrar

The disputed domain names <moulinrougerebirth.com>, <moulinrougerebirth.net>, <moulinrougerebirth.org>, <moulinrougeshop.net> and <moulinrougeshop.org> are registered with Network Solutions, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 28, 2025. On August 28, 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 (Towers Sports And Marketing) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 2, 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 September 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 the Respondent of the Complaint, and the proceedings commenced on September 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 30, 2025.

The Center appointed Willem J. H. Leppink as the sole panelist in this matter on October 3, 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 following facts are undisputed.

The Complainant is a company duly organized under the laws of France and operates the internationally renowned "Moulin Rouge" theater, located in Paris, France. Established in 1889, the Moulin Rouge is widely recognized as the birthplace of the modern form of the can-can dance. It has since become one of the most famous cabarets in the world and a major tourist attraction. The Complainant offers musical and dance entertainment to an international clientele and also hosts events such as private receptions and corporate functions. In 2023 it has a turnover of EUR 83.7 million.

The Complainant has continuously used the mark MOULIN ROUGE in connection with its cabaret and related services for over a century and is known worldwide under this name.

The Complainant owns the various trademark registrations, among others, the European Union trademark registration MOULIN ROUGE (word), no. 000110437, registered on November 5, 1998, for goods and service in classes 3, 14, 18, 25, 32, 33 and 41 and United States trademark registration MOULIN ROUGE (word), no. 2667568, registered on December 31, 2002, for services in class 41.

The Complainant registered and uses numerous domain names for its own activities, e.g.:

- <moulin-rouge.com>, registered on February 9, 1998;
- <moulinrouge.com>, registered on May 15, 1998;
- <moulinrouge.fr>, registered on March 23, 1999;
- <moulin-rouge.fr>, registered on October 27, 1999.

The disputed domain names were all registered on January 21, 2025 and at the time of filing the Complaint all resolved to various similarly looking Pay-Per-Click ("PPC") parking pages displaying a series of commercial links. While the specific wording of these sponsored links may vary upon each reload, repeated visits from different devices and locations have consistently revealed links incorporating either the terms "moulin rouge paris", and/or the Complainant's activities (Cabaret/Spectacle), only in French language, and/or mentioning the city of Paris.

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.

Notably, the Complainant contends the following.

The Complainant's trademarks are entirely reproduced in the disputed domain names. The addition of the words "rebirth" or "shop" to the Complainant's trademarks is insufficient to exclude any likelihood of confusion with the Complainant's trademarks and will, instead, increase it for the following reasons. The descriptive word "rebirth", suggests a new version, revival, or extension of the Complainant's activities and

as such this is likely to give the false impression that the Respondent is affiliated with, endorsed by, or otherwise commercially linked to the Complainant, especially since the Complainant's trademarks MOULIN ROUGE are renowned worldwide. The term word "shop" is likely to lead Internet users to assume that the disputed domain names designate the official online store of the Complainant, or an authorized retail outlet associated with it.

To the Complainant's best knowledge, the Respondent is not currently and has never been known under the name "moulin rouge". The disputed domain names in issue are not used to promote a bonafide offering of goods or services, not to support a noncommercial legitimate use. The Complainant has no relationship whatsoever with the Respondent. No license, permission nor authorization to use the wording "moulin rouge" was ever granted to the Respondent by the Complainant.

It is well established that the unauthorized use of a trademark in a domain name, particularly where the domain name resolves to a parking page displaying commercial links, does not confer any legitimate interest upon the Respondent. On the contrary, it misleads Internet users by diverting them from the Complainant's official products and services toward third-party commercial links displayed on the parking page, thereby taking unfair advantage of the Complainant's reputation.

The Complainant's trademarks are well-known trademarks that have been extensively used for more than a century in the field of theater, musical entertainment and for derived products and entertainment venues including bars.

As a result, there is no doubt that the Respondent knew or should have known about the existence of the Complainant's trademarks. Indeed, the Complainant's trademarks are notably registered in a large number of countries. The Respondent had then knowledge of the Complainant's marks when registering the disputed domain names on January 21, 2025.

Internet users may believe that the disputed domain names resolve to the Complainant's official websites and they would be right to expect finding information concerning the Complainant and its shows, the Complainant's official website; or an authorized commercial platform for purchasing tickets to the Complainant's performances.

Contrary to such legitimate expectations, the disputed domain names resolve to parking pages with PPC links. Certain of these links redirect Internet users to third-party websites, including websites offering tickets to the Complainant's shows as well as competing shows organized by unrelated entities. Such a use is intended to redirect traffic from the Complainant's website. The Respondent or any related company is using the websites to which the disputed domain names resolve, to intentionally misdirect Internet users searching for information about the Complainant or searching for the Complainant's authorized goods and services by creating a likelihood of confusion with the Complainant's trademarks.

B. Respondent

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

6. Discussion and Findings

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

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

The entirety of the mark is reproduced within the disputed domain names. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here, “rebirth” and “shop”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 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 names. 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 names such as those enumerated in the Policy or otherwise.

Panels have found that the use of a domain name to host a parked page comprising PPC links does not represent a bona fide offering where such links compete with or capitalize on the reputation and goodwill of the complainant’s mark or otherwise mislead Internet users. [WIPO Overview 3.0](#), section 2.9.

The Panel finds that the Complainant has established the second element of the Policy.

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.

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 3.0](#), section 3.2.1.

The disputed domain names are used to host pages comprising PPC links associated with the Complainant’s business. The Panel finds that the Respondent’s registration and commercial use of the disputed domain name in such a manner demonstrates registration and use in bad faith pursuant to paragraph 4(b)(iv) of the Policy, because the Respondent is intentionally attempting to attract Internet users to the website to which the disputed domain name resolves for commercial gain. In the present case, the Panel notes that the Complainant and its activities are clearly known to the Respondent and the Respondent has sought to benefit himself with the Complainant’s success.

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 names <moulinrougerebirth.com>, <moulinrougerebirth.net>, <moulinrougerebirth.org>, <moulinrougeshop.net>, and <moulinrougeshop.org> be transferred to the Complainant.

/Willem J.H. Leppink/

Willem J.H. Leppink

Sole Panelist

Date: October 8, 2025