

ADMINISTRATIVE PANEL DECISION

Bal du Moulin Rouge v. Tomas Bristoun
Case No. D2025-4344

1. The Parties

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

The Respondent is Tomas Bristoun, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <moulin-rouge-paris-tickets.com> is registered with Sav.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 23, 2025. On October 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 23, 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 (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 24, 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 October 27, 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 October 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 18, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 19, 2025.

The Center appointed John Swinson as the sole panelist in this matter on November 21, 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, founded in 1889 under the name “Moulin Rouge”, is best known as the birthplace of the modern form of the can-can dance. The Complainant’s theatre is a well-known tourist attraction in Paris, offering musical dance shows, dance parties, receptions, and other forms of entertainment. The Complainant’s MOULIN ROUGE mark has been recognized as being renowned in prior UDRP decisions. See e.g. *Bal du Moulin Rouge v. Domain Administrator*, See *Privacy Guardian.org / Doug Powell*, WIPO Case No. [D2022-2720](#).

The Complainant owns registrations for its mark in various jurisdictions, including United States Trademark Registration No. 3931511 MOULIN ROUGE in classes 9 and 41, having a registration date of March 15, 2011.

The disputed domain name was registered on July 7, 2025.

The Respondent did not file a Response, so little information is known about the Respondent. According to the Registrar’s records, the Respondent has an address in North Carolina, United States. (The Complainant asserts that the address for the Respondent is a fictitious address.)

As at the date of the filing of the Complainant, the website at the disputed domain name had the heading “Moulin Rouge Paris Tickets” and immediately under the heading the following text: “Experience the magic, the glamour, and the spectacle of the world’s most famous cabaret. Secure your seat for an unforgettable night in the heart of Montmartre.” Underneath that text is the following disclaimer: “This is not an official website. All content is for informational purposes only. We may earn commission from bookings.”

In the footer of the website at the disputed domain name is the following: “This website is strictly an informational resource. All information should be confirmed directly with the entities. We do NOT sell you anything. All purchases are made through our partners and we receive a small commission for every purchase. The prices for tours, tickets, and cards remain the same whether you purchase through our links or directly.”

The website at the disputed domain name advertises tickets for the Moulin Rouge show, and packages such as dinner packages that include the Moulin Rouge show, river cruises that include the Moulin Rouge show, and evening sightseeing tours of Paris that include the Moulin Rouge show.

As at the date of this decision, the disputed domain name does not resolve to an active website.

The Complainant emailed a formal cease and desist letter on September 3, 2025 to the email address listed on the Respondent’s website, and received delivery failure response.

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 name.

Notably, the Complainant contends that its mark is famous and known world over, including in the United States. After more than 135 years of shows, the Moulin Rouge has indubitably become the oldest, most sophisticated Parisian cabaret, and one of the most famous and legendary cabarets in the world.

The disputed domain name redirects to a fake and illegitimate website promoting MOULIN ROUGE activities which seems to be selling tickets for MOULIN ROUGE shows.

The website at the disputed domain name includes a disclaimer, but this disclaimer is ineffective, the repeated use of the Complainant's trademarks MOULIN ROUGE as a throughout the website at the disputed domain name is likely to cause confusion among consumers as to the source, affiliation, or endorsement of the services offered, especially since the overall presentation of the website at the disputed domain name exploits the Complainant's reputation and goodwill.

The website at the disputed domain name includes affiliate links to third-party websites where one can purchase products. The monetization of traffic generated by the unauthorized use of the Complainant's trademarks further aggravates the infringement. By capitalizing on the notoriety of the Complainant's MOULIN ROUGE trademark to divert consumers toward third-party sales platforms, the Respondent is unlawfully exploiting the Complainant's well-known trademarks for commercial gain, thereby infringing its exclusive rights.

The Respondent's mailing address in the Registrar's records does not seem to exist according to Google Maps research conducted by the Complainant.

The Complainant has no relationship with the Respondent.

The use of the disputed domain name does not constitute a bona fide offering of goods and services, a legitimate noncommercial or fair use, in application of relevant case law but demonstrates a misappropriation of the reputation and goodwill associated with the Complainant's trademarks.

The Respondent had knowledge of the Complainant's MOULIN ROUGE trademarks when registering the disputed domain name.

Not only does the disputed domain name wholly incorporate the Complainant's well-known MOULIN ROUGE trademark, but the Respondent has gone further by deliberately imitating the distinctive typographic style and visual presentation associated with the Complainant's trademarks.

Internet users may believe that the website at the disputed domain name is the Complainant's official website. Instead, the disputed domain name redirects to a fake platform selling false tickets for MOULIN ROUGE shows, noting that it is impossible to buy a ticket for a Moulin Rouge Show from the website at the disputed domain name. There is no "buy" button, nor any shopping cart available on the website at the disputed domain name, showing that there is no real activity behind this fake platform.

As a consequence, the Complainant claims that the Respondent is using the website at the disputed domain name to intentionally misdirect Internet users searching for information about the Complainant or searching for Complainant's authorized goods and services by creating a likelihood of confusion with the Complainant's trademarks. This is even more demonstrated here that the website at the disputed domain name is selling fraudulent tickets for Complaint's renowned show.

B. Respondent

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

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the 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 onus of proving these elements is on the Complainant.

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 name. 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, "paris" and "tickets") 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 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 Respondent's website admits that the Complainant's show is "the world's most famous cabaret". The respondent's website advertises packages aimed at tourists in Paris, and does not simply market the Complainant's show tickets. The Respondent is using the disputed domain name to advertise a range of tourism products, not merely the Complainant's products. In short, the Respondent is using the Complainant's famous mark to promote tourism products of others. Such use by the Respondent does not demonstrate rights or legitimate interests in the disputed domain name independent of an attempt to benefit from the Complainant's reputation.

Furthermore, the use of the disputed domain name, which is composed of the Complainant's distinctive mark with the additional terms "paris" and "tickets" implying tickets for the Complainant's show, as a vehicle to attract traffic to the Respondent's website advertising a range of tourism products, and with affiliate site links to the website of third parties (not the Complainant's website), does not qualify as a good faith offering of goods and services under the Policy. See *Estee Lauder Inc., Estee Lauder Cosmetics Ltd, Makeup Art Cosmetics Inc. v. Domain Ecommerce, Tolik Ebolik, TolikBinc*, WIPO Case No. [D2024-3331](#).

The Respondent did not provide any evidence to demonstrate rights or legitimate interests in the disputed domain name.

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

C. Registered and Used in Bad Faith

Generally speaking, a finding that a domain name has been registered and is being used in bad faith requires an inference to be drawn that the respondent in question has registered and is using the disputed domain name to take advantage of its significance as a trademark owned by (usually) the complainant.

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 Complainant's marks are famous, and the Respondent created a website that advertised the Complainant's show but also a range of other services from which the Respondent benefits. Moreover, the website at the disputed domain name includes other items associated with the Complainant, such as a windmill logo and photographs of the Complainant's theatre. Clearly, the Respondent was aware of the Complainant when registering the disputed domain name.

The use of the disputed domain name containing the Complainant's distinctive and famous trademark to attract traffic to a website advertising a range of tourism products, and with affiliate site links redirecting to third party websites, is not merely referential or fair use (ref. the well-known Oki Data UDRP case) but is rather evidence of bad faith registration and use under paragraph 4(b)(iv) of the Policy.

The fact that the disputed domain name is not currently being used does not prevent a finding of bad faith under the third element of the Policy.

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 <moulin-rouge-paris-tickets.com> be transferred to the Complainant.

/John Swinson/

John Swinson

Sole Panelist

Date: December 5, 2025