

## ADMINISTRATIVE PANEL DECISION

Société Anonyme des Bains de Mer et du Cercle des Etrangers à Monaco v.  
Jerry Harper, Jaroslav Svub  
Case No. D2025-4655

### 1. The Parties

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

The Respondents are Jerry Harper, Poland and Jaroslav Svub, Czech Republic (the).

### 2. The Domain Names and Registrar

The disputed domain names <casinomonacoargentina.com> and <casinomontecarloitalia.com> are registered with Nicenic International Group Co., Limited (the "Registrar").

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 10, 2025. On November 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name <casinomonacoargentina.com>. On November 12, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name <casinomonacoargentina.com> 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 November 12, 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 the first amended Complaint on November 20, 2025.

On November 20, 2025, the Complainant requested to include an additional domain name <casinomontecarloitalia.com> to the proceedings. On November 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the additional domain name <casinomontecarloitalia.com>. On the same day, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name <casinomontecarloitalia.com> 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 November 26, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaints for the disputed 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. The Complainant filed the second amended Complaint on November 28, 2025.

The Center verified that the Complaint together with the amended Complaints 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 Respondents of the Complaint, and the proceedings commenced on December 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 21, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on December 22, 2025.

The Center appointed Rebecca Slater as the sole panelist in this matter on December 30, 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 company registered in Monaco. The main shareholders of the Complainant are the Principality of Monaco and its ruling family, the House of Grimaldi. The Complainant is the largest employer in the Principality of Monaco, employing over 4,000 people.

Since 1863, the Complainant has been the sole corporation with permission to operate a casino in the Principality of Monaco. It runs the Casino de Monte-Carlo, which is also known as the "Casino de Monaco". It also runs another casino and gaming room in Monaco (the Casino Café de Paris), and other venues (including palaces, hotels, conference rooms, restaurants, bars, nightclubs, and spas). The Complainant's offering in Monaco is considered one of the most luxurious gambling facilities in the world.

The Complainant holds a number of trade mark registrations, including:

- Monaco Trade Mark Registration No. 02.23234 for CASINO DE MONACO word mark (registered September 30, 2002) (the "Monaco Mark"); and
- Monaco Trade Mark Registration No. 96.17407 for CASINO DE MONTE-CARLO (registered October 30, 1996) (the "Monte Carlo Mark").

The disputed domain names were registered on the following dates:

- <casinomonacoargentina.com>: June 22, 2025 (the "Monaco DDN"); and
- <casinomontecarloitalia.com>: September 25, 2025 (the "Monte Carlo DDN").

The Respondents are individuals with listed addresses in Poland and the Czech Republic. The Respondents did not submit a response, and, consequently, little information is known about the Respondents.

Each disputed domain name resolves to a gambling website. The websites at the disputed domain names have the same structure, identical text (in Spanish for the website at the Monaco DDN and in Italian for the website at the Monte Carlo DDN), and feature a similar picture of a seated woman surrounded by gambling-related imagery.

## **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 that:

- The Monaco DDN is confusingly similar to the Monaco Mark. The Monaco DDN reproduces the terms "casino" and "monaco" in the same position as the terms appear in the Monaco Trade Mark. The removal of the French preposition "de" in the Monaco DDN has a minimal, if any, impact on the comparison. The addition of the geographic term "argentina" in the Monaco DDN will lead Internet users to believe that this disputed domain name relates to a casino operated by the Complainant in Argentina.
- The Monte Carlo DDN is confusingly similar to the Monte Carlo Trade Mark. The Monte Carlo DDN contains the main elements of the Monte Carlo Trade Mark. The removal of the French preposition "de" and the addition of the geographic term "italia" in the Monte Carlo DDN have a minimal impact on the comparison.
- The Respondents have no rights or legitimate interests in respect of the disputed domain names. Neither Respondent holds any relevant trade mark registrations or applications. The Complainant has never authorized any person to use its trade marks (including as a domain name). The Respondents have not been making a bona fide use of the disputed domain names.
- The disputed domain names have been registered and are being used in bad faith. The Complainant's trade marks are world renowned, and it is impossible that the Respondents were not aware of the Complainant's rights prior to registration of the disputed domain names. In relation to the website at the Monaco DDN, the home page contains imagery of the Complainant's casino. In relation to the website at the Monte Carlo DDN, the logo of the Complainant's casino is reproduced at the top of the home page, a photo of the Complainant's casino (which originates from the Complainant's website) is featured, the location of the Complainant's casino is referenced, and general gambling imagery is used. Both websites offer gambling services and contain links to gambling websites. This creates a strong likelihood of confusion between the Complainant's trade marks and the disputed domain names. The Respondents are trying to create such confusion in the minds of Internet users to benefit from the Complainant's prestige and reputation.

### **B. Respondents**

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

## **6. Discussion and Findings**

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

1. the disputed domain names are identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;
2. the Respondents have no rights or legitimate interests in respect of the disputed domain names; and
3. the disputed domain names have been registered and are being used in bad faith.

The onus of proving these elements is on the Complainant.

### **6.1 Preliminary Issue: Consolidation of Multiple Respondents**

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

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 the Complainant's request, the Panel will consider whether (i) the disputed 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.

In relation to common control, the Panel notes that:

- the Respondents have not contested the Complainant's assertion that the disputed domain names are under current control;
- the disputed domain names are registered with the same registrar;
- the disputed domain names share an identical structure (i.e. association of the terms "casino" and "monaco" or "monte-carlo" (these terms being interchangeable) and the name of a country (being "argentina" and "italy"));
- the content of the websites that the disputed domain names resolve to is similar (i.e. a gambling website, with identical text in different languages and similar imagery);
- the disputed domain names were registered within a short time period (three months).

Considering the above, the Panel is satisfied that the disputed domain names are subject to common control and that, in the circumstances, consolidation is fair and equitable to all parties, and procedurally efficient.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants in a single proceeding.

## **6.2 Substantive Issues**

### **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 trade mark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

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

The Panel finds the Monaco Trade Mark is recognizable within the Monaco DDN and the Monte Carlo Trade Mark is recognizable in the Monte Carlo DDN. Accordingly, each disputed domain name is confusingly similar to a trade mark of the Complainant for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. The omission of the French preposition "de" in the disputed domain names does not prevent a finding of confusing similarity.

Although the addition of other terms (here, the geographic terms "argentina" in the Monaco DDN and "italia" in the Monte Carlo DDN) 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 Respondents 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 Respondents lack rights or legitimate interests in the disputed domain names. The Respondents have not rebutted the Complainant’s *prima facie* showing and have 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.

The Panel notes that the composition of the disputed domain names carries a risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1. The Complainant has not authorized the Respondents to use the Complainant’s trade marks and there is no evidence that the Respondents have ever been commonly known by the disputed domain names.

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.

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.

Having reviewed the record, the Panel finds the Respondents’ registration and use of the disputed domain names constitute bad faith under the Policy.

The Panel finds it highly unlikely that the disputed domain names were registered without knowledge of the Complainant and its trade marks, given the significant worldwide reputation of the Complainant and the composition of the disputed domain names. The Respondents’ goal in registering and using the disputed domain names appears, on the balance of probabilities, to be to attract Internet users by taking unfair advantage of the Complainant’s well-known trade marks for potential gain. This finding is reinforced by the Respondents’ use of the disputed domain names to host websites offering gambling services. This amounts to “opportunistic bad faith” under 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 names <casinomonacoargentina.com> and <casinomontecarloitalia.com> be transferred to the Complainant.

*/Rebecca Slater/*

**Rebecca Slater**

Sole Panelist

Date: January 13, 2026