

ADMINISTRATIVE PANEL DECISION

BAL DU MOULIN ROUGE v. Peter Svoboda, 3Dimenzia, sro
Case No. D2025-5141

1. The Parties

Complainant is BAL DU MOULIN ROUGE, France, represented by CASALONGA, France.

Respondent is Peter Svoboda, 3Dimenzia, sro, Slovakia.

2. The Domain Name and Registrar

The disputed domain name <moulinrougeai.com> is registered with Gransy, s.r.o. d/b/a subreg.cz (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 10, 2025. On December 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 11, 2025, the Registrar transmitted by email to the Center its verification response, confirming that Respondent is listed as the registrant and providing additional registrant and contact details. The Center sent an email communication to Complainant on December 12, 2025, providing the registrant and contact information disclosed by the Registrar. Complainant filed an amendment to the Complaint on December 17, 2025.

The Center verified that the Complaint together with the amendment to the 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 December 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 7, 2026. The Response was filed with the Center on January 2, 2026.

The Center appointed Marina Perraki as the sole panelist in this matter on January 14, 2026. 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 was created in 1889 and is known worldwide as MOULIN ROUGE. It is the spiritual birthplace of the modern form of the can-can dance and a famous touristic attraction in Paris, France. After more than 135 years, MOULIN ROUGE has become the oldest Parisian cabaret and one of the most famous cabarets in the world. Worldwide celebrities have performed on stage, like Ella Fitzgerald, Liza Minelli, Frank Sinatra, Elton John, Maurice Chevalier, Jean Gabin, Edith Piaf and Yves Montand. Complainant's main website is located at "www.moulinrouge.fr". Complainant's turnover for the year 2024 was at EUR 86,7 million. Complainant had significant presence in social media as of December 3, 2025, namely 481,000 followers on Facebook and 224,000 on Instagram.

Complainant owns trademark registrations for MOULIN ROUGE PARIS and MOULIN ROUGE including:

- the European Union trademark registration No. 010841567, MOULIN ROUGE PARIS (figurative), filed on April 26, 2012 and registered on September 24, 2012, for goods and services in international classes 3, 4, 9, 11, 14, 16, 18, 20, 21, 24, 25, 26, 28, 29, 30, 32, 33, 41 and 43; and
- the International Trademark Registration No. 1016676, MOULIN ROUGE (word), registered on June 12, 2009, for goods and services in international classes 3, 9, 11, 14, 16, 18, 20, 21, 24, 25, 32, 33, 41 and 43.

Complainant also owns domain name registrations for MOULIN ROUGE including <moulinrouge.com> and <moulinrouge.fr> registered on March 23, 1999.

The disputed domain name was registered on May 27, 2025, and led to different websites at different times: on July 16, 2025, the disputed domain name resolved to a holding page, indicating that it has been registered via WebHouse's services; on October 15, 2025, it redirected to Respondent's website at "www.3dimenzia.sk"; on October 27, 2025, it resolved to a website displaying the phrase "Welcome to Moulinrouge AI" followed by the image of a dancer and an inactive link "enter experience" and a statement "All Rights Reserved". Currently the disputed domain name leads to a website displaying the phrase "MoulinRougeAI", promoting "a new era of AI sensuality", presenting "sensual digital muses crafted with AI", and including sections such as "membership", "experiences", "shop" and "contact information".

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.

B. Respondent

On January 2, 2026, Respondent submitted his Response. Respondent denied all three elements. He stated that the disputed domain name was registered in connection with "an independent digital and technological project based on artificial intelligence" and "an independent digital and artistic platform utilizing artificial intelligence". The project is, per Respondent, entirely unrelated to live entertainment, cabaret performances and any other activity conducted by Complainant, is clearly distinguishable and does not compete with Complainant's activities. Respondent claimed that the disputed domain name has not yet been used and that this is consistent with early-stage development. Respondent acknowledged that there is intent to use the disputed domain name (*"the Respondent's intended use does not create any risk [...]"*). Respondent invoked *Family Policy Foundation v. John Skinner*, WIPO Case No. [D2024-0098](#), claiming that therein it was held that "non-commercial artistic or conceptual projects may constitute a valid interest under the UDRP where such use is not misleading or exploitative of the complainant's trademark". However, no such reference was found in the said decision. Furthermore, Respondent invoked WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 2.2, claiming that it

refers to “artistic or conceptual use” where it does not. As regards the first element, Respondent claimed that there is no confusing similarity due to the addition of “the distinctive and meaningful” element “AI” which fundamentally alters the overall impression. As regards the second element, per Response, the disputed domain name was registered for use in connection with a bona fide project, namely “an independent digital and artistic platform utilizing artificial intelligence”. Furthermore, Respondent claimed that the use of “common” French words “in a metaphorical and conceptual sense”, combined with the technological designation “AI”, constitutes a legitimate and good-faith basis. Per Response, the disputed domain name signals a technological and artificial intelligence-driven concept rather than a physical entertainment venue. The Respondent acknowledged that he is not commonly known by the Complainant’s trademark and stated that he does not seek to trade on the Complainant’s goodwill. As regards the third element, Respondent claimed that his conduct demonstrates no targeting, commercial misuse, or impersonation. The disputed domain name reflects, according to Respondent, a creative and technological concept in a field unrelated to Complainant’s business and therefore does not establish bad faith under the Policy.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists three elements, which Complainant must satisfy with respect to the disputed domain name:

- (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.

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 3.0](#), section 1.7.

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 MOULIN ROUGE 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, “ai” may bear on assessment of the second and third elements, the Panel finds the addition of such term 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 generic Top-Level Domain (“gTLD”) “.com” is disregarded, as gTLDs typically do not form part of the comparison test under the first element as they are required for technical reasons (*Rexel Developpements SAS v. Zhan Yequn*, WIPO Case No. [D2017-0275](#); and *Hay & Robertson International Licensing AG v. C. J. Lovik*, WIPO Case No. [D2002-0122](#)).

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 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not effectively rebutted Complainant’s prima facie showing and has not come forward with any evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

On the contrary, as Complainant demonstrated, the disputed domain name resolved to different websites at different times, not connected to Complainant, including redirecting to Respondent’s website, and currently resolves to a website purporting to promote AI-generated “sensual muses”.

The claims of Respondent that the use of the disputed domain name is fair and that he has legitimate interests in the disputed domain name are not convincing. Respondent does not provide any comment or rebuttal in relation to the past uses, including his use of an image of a dancer in relation to his purported AI muses-related services, which does not align with his statement that the claimed project is “entirely unrelated to live entertainment, cabaret performances [...]”.

Respondent did not prove that he was commonly known by the disputed domain name prior to the notice of the dispute. Furthermore, Respondent has not denied that he was aware of Complainant’s trademark prior to the registration of the disputed domain name. There is no evidence on record giving rise to any rights or legitimate interests in the disputed domain name on the part of Respondent within the meaning of paragraphs 4(c)(ii) and 4(c)(iii) of the Policy. Any use prior to the notice of the dispute or preparatory acts of use by Respondent do not appear to be bona fide under the terms of the Policy, as Respondent was, as he has not denied, aware of Complainant and its worldwide famous trademark, when he registered the disputed domain name, and was targeting it. Respondent claimed that the current use of the disputed domain name is noncommercial however on the current website sections such as “events” and “shop” are included. [WIPO Overview 3.0](#), section 2.5.3.

Furthermore, Respondent has not provided any respective evidence or clarification of the claimed planned artistic or “conceptual” content nor more importantly how the inclusion of the world-famous MOULIN ROUGE mark would factor into any such plans. In this respect, as regards the allegation of Respondent that the disputed domain name incorporates two French dictionary terms, the Panel finds that this argument fails. The services provided under the current website have no relation with the French terms “moulin” (in English “the mill”) or “rouge” (in English “red”) and the prior use, evidenced by Complainant, as noted above, of a dancer image on the website does not support Respondent’s claimed fair use but rather suggests, on balance, that Respondent has intended to capitalize on the reputation and goodwill inherent in the Complainant’s trademark.

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.

The Panel concludes that Respondent has registered and is using the disputed domain name in bad faith. MOULIN ROUGE, a famous mark that enjoys goodwill and reputation (see *Bal Du Moulin Rouge v. Ion Kostylev, vencom ltd*, WIPO Case No. [D2025-2410](#), *Bal Du Moulin Rouge v. 艺伟 (Yi Wei Ren)*, WIPO Case No. [DME2025-0013](#), and *Bal du Moulin Rouge v. Ricky L Towers Sr, Towers Sports and Marketing*, WIPO Case No. [D2025-3488](#)) is entirely incorporated in the disputed domain name.

Because the MOULIN ROUGE trademark had been widely registered and used at the time of the disputed domain name registration by Respondent, the Panel finds it more likely than not that Respondent had Complainant's mark in mind when registering the disputed domain name (see *Tudor Games, Inc. v. Domain Hostmaster, Customer ID No. 09382953107339 dba Whois Privacy Services Pty Ltd / Domain Administrator, Vertical Axis Inc.*, WIPO Case No. [D2014-1754](#)).

Respondent should have known about Complainant's rights, as such knowledge is readily obtainable through a simple Internet search due to Complainant's use of the MOULIN ROUGE mark (*Compart AG v. Compart.com / Vertical Axis, Inc.*, WIPO Case No. [D2009-0462](#)).

Furthermore, Respondent could have conducted a trademark search and would have found Complainant's prior registrations in respect of the MOULIN ROUGE mark (*Citrix Online LLC v. Ramalinga Reddy Sanikommu Venkata*, WIPO Case No. [D2012-1338](#)).

As regards bad faith use, the disputed domain name resolved to different sites at different times. These included an inactive page, redirecting to Respondent's website at "www.3dimenzia.sk"; to a website displaying the phrase "Welcome to Moulinrouge AI" followed by the image of a dancer and the current website displaying the phrase "MoulinRougeAI", promoting "a new era of AI sensuality" and presenting "sensual digital muses crafted with AI" with access to sections such as "membership", "experiences", "shop" and "contact information".

The Panel finds that the disputed domain name was used intentionally to attract, for commercial gain, Internet users to Respondent's website by creating a likelihood of confusion with Complainant's trademark as to the source, sponsorship, affiliation or endorsement of the website, which is bad faith registration and use ([WIPO Overview 3.0](#), section 3.1.4).

The allegations of Respondent that he was not acting in bad faith and was not targeting Complainant fail. Respondent has not denied knowledge of Complainant's prior trademark and field of business. The Panel further notes that even though Respondent claims to be active in a totally different field of business unrelated to entertainment, on the current website, as Complainant demonstrated, sections such as "events" are included and in the past the website featured an image of a dancer. Furthermore, the Panel does not find that the disputed domain name reflects a "creative and technological concept" as Respondent claims on the basis of the addition of "ai" to MOULIN ROUGE which, as combined, is the Complainant's world famous trademark. This along with the finding that Respondent lacks rights to or legitimate interests in the disputed domain name, that the disputed domain name redirected to Respondent's website on at least one occasion, and the use of the MOULIN ROUGE mark on the website on other occasions in connection with AI-generated "digital muses" and an image of a dancer, confirms the Panel's finding of bad faith.

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 <moulinrougeai.com> be transferred to Complainant.

/Marina Perraki/

Marina Perraki

Sole Panelist

Date: January 28, 2026