

ADMINISTRATIVE PANEL DECISION

Société Anonyme des Bains de Mer et du Cercle des Étrangers à Monaco v.
Maria Carolina Neocleous
Case No. D2025-5405

1. The Parties

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

The Respondent is Maria Carolina Neocleous, Afghanistan.

2. The Domain Names and Registrar

The disputed domain names <montecarlosbn.com>, <montecarlossbm.com>, and <montecarl0sbm.com> are registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint¹ was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 26, 2025. On December 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On December 26, 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 (unknown and Maria Carolina Neocleous) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 5, 2026, 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 January 10, 2026.

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”).

¹ The Complaint was originally filed regarding four domain names, one of which was removed from the proceedings due to the settlement between the Complainant and the registrant of that domain name.

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on January 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 5, 2026. The proceedings were suspended on January 27, 2026, and upon the Complainant's request, the proceedings were reinstated on March 2, 2026 with a new Response due date of March 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 12, 2026.

The Center appointed Ganna Prokhorova as the sole panelist in this matter on March 17, 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

The Complainant has been operating a casino under the name "Casino de Monte-Carlo" in Monaco. It is the founder and manager of the Casino of Monte-Carlo. Since April 2, 1863, it has been granted a monopoly for casino and gambling industries for the territory of the Principality of Monaco by the national authorities. The Complainant's casino and resort in Monaco has become famous worldwide as one of the most luxurious gambling facilities in the world.

The Complainant is the owner of multiple trademark registrations incorporating the mark MONTE-CARLO SBM, including, inter alia:

- Monaco trademark registration MONTE-CARLO SBM (word), No. 22.00456, registered on November 26, 2022, in classes 9, 28, 41, 43, and 45; and
- International trademark registration MONTE-CARLO SBM (word), No. 1779052, registered on January 16, 2024, in class 41.

The Complainant is known by consumers both as "Monte-Carlo Société des Bains de Mer" and "Monte-Carlo SBM" and is using the domain name <montecarlosbm.com> since 2007.

The disputed domain names were registered on December 9, 2025. When the complaint was submitted and at the time of this Decision, the disputed domain names redirect, after a security check, to the Complainant's website under domain name <montecarlosbm.com>.

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:

(1) the disputed domain names are identical or at least highly similar to Complainant's trademark MONTE-CARLO SBM with only minor changes compared to this prior mark (i.e. replacement of the letter "O" by the number zero in the disputed domain name <montecar10sbm.com>, the replacement of the final letter "m" by the letter "n" in the disputed domain name <montecarlosbn.com> or the additional letter "s" in the disputed domain name <montecarlossbm.com>);

(2) the Respondent has no rights or legitimate interests in respect of the disputed domain names. The Respondent registered the disputed domain names years after the Complainant established and widely used the MONTE-CARLO SBM trademark. The Respondent is not affiliated with the Complainant, has no license

or authorization to use the MONTE-CARLO SBM mark, and is not commonly known by the disputed domain names. The disputed domain names resolve to the website at the Complainant's domain name, creating a misleading impression of affiliation with the Complainant's MONTE-CARLO SBM mark, which is not a bona fide offering of goods or services. The Respondent owns no trademark corresponding to the disputed domain names. Such conduct negates any claim of rights or legitimate interests.

(3) the disputed domain names were registered and are being used in bad faith. The disputed domain names were registered on December 9, 2025. Registering the disputed domain names so obviously connected to a well-known mark without authorization is itself evidence of bad faith. The disputed domain names redirect Internet users to the Complainant's website, however, the Complainant has never authorized such redirection. The Respondent's registration and use of the disputed domain names lead Internet users to believe that the disputed domain names are owned and registered by the Complainant. Such conduct aims to attract Internet users by creating a likelihood of confusion as to source, sponsorship, or affiliation. At this stage, the Complainant is unable to determine whether the Respondent has sent emails using the disputed domain names, but it cannot be ruled out that this may occur.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted in accordance with the Policy, the Rules, and any rules and principles of law that it deems applicable.

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

- (i) the disputed domain names are 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 names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

The Respondent was given proper notice of the Complaint and had the opportunity to respond. Under paragraph 5(a) of the Rules, the Respondent was required to submit its response within 20 days of the commencement of the proceedings. The Respondent failed to submit a formal response.

Pursuant to paragraph 5(f) of the Rules, in the event of such a default, the Panel shall proceed to a decision based on the Complaint. However, the Respondent's default does not mean that the Complainant automatically prevails; the Complainant continues to bear the burden of proof on each element. The Panel may draw appropriate inferences from the Respondent's silence, and, where appropriate, accept as true the reasonable allegations in the Complaint that are not contradicted by evidence.

The Panel has reviewed the entire case file and the evidence provided. The Panel is also guided, where pertinent, by the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), which reflects consensus positions of UDRP panels on many common issues. The Panel will make reference to these consensus views in the analysis below as applicable.

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 mark and the disputed domain name. [WIPO Overview 3.1](#), section 1.7.

Based on the evidence submitted by the Complainant, the Panel finds that the Complainant has shown rights in respect of its MONTE-CARLO SBM mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds that the Complainant's mark is recognizable within the disputed domain names. The disputed domain names incorporate the Complainant's MONTE-CARLO SBM mark, with the only differences being by eliminating the hyphen and the replacement of the letter "O" by the number zero in the disputed domain name <montecarl0sbm.com>, the replacement of the final letter "m" by the letter "n" in the disputed domain name <montecarlosbn.com>, and the addition of the letter "s" in the disputed domain name <montecarlosbm.com>. In accordance with [WIPO Overview 3.1](#), section 1.9, this misspelling in the disputed domain names would not prevent a finding of confusing similarity under the first element, as the Complainant's mark remains clearly recognizable within the disputed domain name. See *Spectris plc v. James Desmond*, WIPO Case No. [D2025-4924](#).

The Panel further notes that the generic Top-Level Domain ("gTLD") ".com" is required only for technical reasons and is generally ignored for the purposes of comparison of the Complainant's mark to the disputed domain names. [WIPO Overview 3.1](#), section 1.11.1.

Accordingly, the Panel concludes that the disputed domain names are confusingly similar to the Complainant's mark and that the first element of paragraph 4(a) of the Policy is satisfied.

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 the disputed domain names.

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 3.1](#), 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.

At the time of the submission of the Complaint and this Decision, the disputed domain names redirect, after a security check, to the Complainant's website, creating a false impression of affiliation or endorsement. The fact that the disputed domain names redirect to the Complainant's website reinforces that it is not being used as an identifier for any legitimate enterprise.

The Panel further notes that the Complainant has established trademark rights in MONTE-CARLO SBM and has confirmed that it has no relationship with the Respondent. The Respondent has not been authorized, licensed, or otherwise permitted to use the Complainant's trademark. There is also no evidence that the

Respondent is commonly known by the disputed domain names within the meaning of paragraph 4(c)(ii) of the Policy.

In light of the absence of any credible evidence of rights or legitimate interests, the Panel concludes that the Respondent has no rights or legitimate interests in the disputed domain names.

Accordingly, the Complainant has satisfied the requirement of paragraph 4(a)(ii) 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.

In the present case, the Panel notes that the Respondent registered and is using the disputed domain names in bad faith under paragraph 4(b) of the Policy.

The Complainant is well known in Monaco for being as the operator of the Casino de Monte-Carlo and related luxury resort facilities since 1863 and having a sovereign monopoly over casino gaming under the MONTE-CARLO SBM name. The Complainant is best known for being one of the most famous casinos in the world. The Complainant has also operated the domain name <montecarlosbm.com>

Given the Complainant's reputation in Monaco, internationally and the distinctive nature of its MONTE-CARLO SBM mark, the Panel finds it implausible that the Respondent was unaware of the Complainant's rights. The fact that the disputed domain names, after a security check, redirect to the Complainant's website and the fact that the disputed domain names are misspellings of the Complainant's MONTE-CARLO SBM trademark, demonstrates a clear targeting of the Complainant's well-known brand. Under [WIPO Overview 3.1](#), section 3.2.1, the above circumstances strongly suggest deliberate targeting.

By registering multiple disputed domain names that are obvious misspellings of the Complainant's well-known MONTE-CARLO SBM trademark, the Respondent has created a risk of confusion as Internet users may not notice the subtle difference between the disputed domain names and the Complainant's mark and has intentionally placed itself in a position to exploit that confusion. This conduct falls squarely within paragraph 4(b)(iv) of the Policy, as the Respondent has intentionally attempted to attract Internet users by creating a likelihood of confusion with the Complainant's mark as to source, sponsorship, or endorsement. The choice of three nearly identical variations each differing only by a single substituted or added letter confirms that the Respondent engaged in classic typosquatting, a practice consistently recognized by UDRP panels as indicative of bad faith.

Considering the totality of circumstances, the Panel concludes that the disputed domain names were registered and are being used in bad faith under paragraph 4(a)(iii) of the Policy.

Accordingly, the third element of paragraph 4(a) of the Policy has been established.

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 <montecarlosbn.com>, <montecarlossbm.com>, and <montecarl0sbm.com> be transferred to the Complainant.

/Ganna Prokhorova/

Ganna Prokhorova

Sole Panelist

Date: March 26, 2026