

ADMINISTRATIVE PANEL DECISION

Groupe Lucien Barrière v. Yaroslav Kariakin, Acenture
Case No. D2026-0425

1. The Parties

The Complainant is Groupe Lucien Barrière, France, represented by SELAS Lexington Avocats, France.

The Respondent is Yaroslav Kariakin, Acenture, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <casinosbarriere-bordeaux.com> is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 3, 2026. On February 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. 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 which differed from the named Respondent (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 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 amendment to the Complaint on February 6, 2026.

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 the Respondent of the Complaint, and the proceedings commenced on February 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 12, 2026.

The Center appointed Gareth Dickson as the sole panelist in this matter on March 27, 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 is Groupe Lucien Barrière, which operates in the hotel, restaurant, and casino sector. The Complainant operates under its BARRIÈRE trade mark (the “Mark”), and has registered trade marks for or incorporating the Mark, including in particular:

- European Union Trade Mark No. 006760433 BARRIÈRE CASINO, registered on January 7, 2009, in class 41;
- European Union Trade Mark No. 008563462 BARRIÈRE, registered on June 9, 2010, in classes 3, 9, 14, 16, 18, 24, 25, 28, 35, 36, 38, 39, 41, 43 and 44;
- European Union Trade Mark No. 13752324 B BARRIÈRE (figurative), registered on June 17, 2015, in classes 3, 4, 9, 16, 18, 24, 25, 28, 35, 36, 39, 41, 43 and 44.

The Complainant states that the Mark has been used intensively and continuously for many years in connection with its hotel, restaurant, and casino activities and has acquired a strong reputation, as noted in a previous decision under the Policy.

The disputed domain name <casinosbarriere-bordeaux.com> was registered on December 20, 2025.

It has been used to resolve to a website that imitates the Complainant’s official casino website, including similar layout, visuals, and references to Barrière casinos, and offers gambling services, which are prohibited in France.

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.

The Complainant contends that the disputed domain name is confusingly similar to the Mark because it incorporates the BARRIÈRE Mark in its entirety with the addition of a descriptive term (“casinos”) and a geographical term (“Bordeaux”) which serve only to underline the similarity of the disputed domain name to the Mark given the Mark’s protection for casino services and the Complainant’s establishment in France.

The Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name, as the Complainant has not granted any authorization, licence, or consent to the Respondent to use the Mark, and the Respondent is not making a bona fide or legitimate noncommercial use of the disputed domain name.

The Complainant alleges that the disputed domain name was registered and is being used in bad faith. In particular, the Complainant asserts that the Respondent intentionally attempted to attract Internet users for commercial gain by creating a likelihood of confusion with the Mark and by imitating the Complainant’s website. The Complainant further alleges that the Respondent is diverting users to online gaming services and thereby misappropriating the reputation of the Mark.

B. Respondent

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

6. Discussion and Findings

6.1. Preliminary Procedural Considerations

The Panel notes that the Respondent's postal address is stated to be in Ukraine and that no communication has been received from the Respondent. Noting that Ukraine is subject to an international conflict at the date of this Decision, the Panel is to consider, in accordance with paragraph 10 of the Rules, whether the proceeding should continue.

The Panel notes that it appears that the Notification of Complaint emails were delivered to the Respondent's email address, as provided by the Registrar, and that the Written Notice was delivered by post to the Respondent. Therefore, there is no evidence that the case notification was not successfully delivered to the disclosed Respondent. It is moreover noted that, for the reasons which are set out later in this Decision, the Panel has no serious doubt (albeit in the absence of any Response) that the Respondent registered and has used the disputed domain name in bad faith.

The Panel is thus of the view that the Parties have been given a fair opportunity to present their case and will proceed to a Decision accordingly.

6.2. Substantive Matters

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 of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of the Mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 3.1](#), section 1.7.

Although the addition of other terms, here "casinos" and "Bordeaux", 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 3.1](#), 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 that 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 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.

Panels have held that the use of a domain name for illegal activity, here, claimed to be the provision of online gambling services prohibited by law, can never confer rights or legitimate interests on a respondent, particularly where those services are offered while impersonating the Complainant. [WIPO Overview 3.1](#), section 2.13.1.

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, 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 3.1](#), section 3.2.1.

In the present case, the Panel notes that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Mark as to the source, sponsorship, affiliation, or endorsement of the website.

Panels have held that the use of a domain name for illegal activity, here, claimed to be the provision of gambling services prohibited by law, while impersonating the Complainant, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Such consideration applies here. Therefore, having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 name <casinosbarriere-bordeaux.com> be transferred to the Complainant.

/Gareth Dickson/

Gareth Dickson

Sole Panelist

Date: April 10, 2026