

ADMINISTRATIVE PANEL DECISION

Gambling Management S.A. v. Zhanna Sokoliuk
Case No. D2026-0910

1. The Parties

The Complainant is Gambling Management S.A., Belgium, represented by COGITUS SRL, Belgium.

The Respondent is Zhanna Sokoliuk, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <circus-be.com> (the “Disputed Domain Name”) is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 3, 2026. On March 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On March 3, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information (Unknown) for the Disputed Domain Name which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on March 6, 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 March 9, 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”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on March 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 2, 2026.

The Center appointed Marilena Comanescu as the sole panelist in this matter on April 10, 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. Further Procedural Considerations

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceeding takes place with due expedition.

Since the Respondent's mailing address is stated to be in Ukraine which is subject to an international conflict at the date of this Decision that may impact case notification, it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceeding should continue. Having considered the circumstances of the case, the Panel is of the view that it should.

The Panel notes that the Center has used the Respondent's email address as registered with the Registrar for the purpose of notifying the Complaint, and to the postmaster email address associated with the Disputed Domain Name, as specified by the Rules. Furthermore, the Center used the Registrar's contact request form, and the Complaint was forwarded to the Respondent's postal address as registered in the WhoIs. There is no evidence that the case notification through the Registrar's contact form was not successfully delivered.

It is moreover noted that, for the reasons which are set out later in this Decision, the Panel has no doubt (albeit in the absence of any Response) that the Respondent registered and has used the Disputed Domain Name in bad faith and with the intention of unfairly targeting the Complainant's goodwill in its trademark. The Panel concludes that the Parties have been given a fair opportunity to present their case so that the administrative proceeding should take place with due expedition. Therefore, the Panel will proceed to a Decision accordingly.

5. Factual Background

The Complainant is a licensee of Circus Belgium S.A., the holder of the trademark CIRCUS, and provides licensed online gambling and sports betting in Belgium, according to the regulations provided under the Belgian gambling law.

The Complainant provides its online services on the website at the domain name <circus-casino.be>, registered on January 21, 2010; and its licensor operates a website at the domain name <circus.be>.

Circus Belgium S.A., the Complainant's licensor, holds trademark rights for CIRCUS, such as the following:

- the European Union Trademark Registration number 018025773 for CIRCUS (figurative), filed on May 13, 2019, registered on October 20, 2020, covering goods and services in International Classes 9, 28, 41; and
- the Benelux Trademark Registration number 615084 for CIRCUS (stylized), filed on April 3, 1997, and registered on April 1, 1998, covering goods and services in International Classes 9, 28, and 41.

The Disputed Domain Name was registered on November 6, 2025, and, at the time of filing the Complaint, it was used in relation to an online gambling website, displaying the CIRCUS trademark and logo placed at the very top of the home page, and presenting itself as "Circus Online Belgian Casino". The website under the Disputed Domain Name uses the same favicon as that used on the Complainant's official website, has content in Dutch language (which is one of the official languages of Belgium), and claims to operate under "les normes de la Commission des jeux de hasard belge" (English: "the standards of the Belgian Gaming

Commission”). Also, the Internet users trying to click on the games displayed on the first page at the Disputed Domain Name or on any active button, were automatically redirected to a third-party gambling website.

6. 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:

- the trademark CIRCUS enjoys full distinctiveness in relation to gaming and gambling services;
- the Disputed Domain Name is confusingly similar to the CIRCUS trademark since it incorporates it in its entirety with the addition of the geographical abbreviation “be”, commonly understood as coming from Belgium. In fact, since Belgium directly corresponds to the country in which the Complainant operates its licensed gambling activities, the Disputed Domain Name creates a strong and immediate association with the Complainant and its official website;
- the Respondent has no rights or legitimate interests in the Disputed Domain Name, the Complainant has never authorised or licensed the Respondent to use the CIRCUS trademark or any domain name incorporating it, the Respondent is not commonly known by the Disputed Domain Name. In fact, the Disputed Domain Name is used for an online gambling website that deliberately imitates the Complainant’s official platforms, presents itself as “Circus Online Belgian Casino” and falsely suggest regulatory supervision by the Belgian Gaming Commission, which constitutes a direct appropriation and misrepresentation of the Complainant’s Belgian licence and regulatory status. The Belgian Gaming Commission has not granted any license to the Respondent and the website under the Disputed Domain Name is created to mislead the online players;
- the Respondent registered and is using the Disputed Domain Name in bad faith mainly because: (i) the CIRCUS trademark holds a strong and recognisable position in the Belgian gambling market; (ii) at the time of registering the Disputed Domain Name, the Complainant’s CIRCUS-branded online casino services and the CIRCUS trademark portfolio - dating back at least to 1997 - were long established and widely known in Belgium and beyond; (iii) by reproducing the Complainant’s logo mark as the central visual anchor on the landing page of the Disputed Domain Name, precisely where consumers expect to find the official brand identification of an online gaming operator, the Respondent creates a direct and immediate association with the Complainant’s licensed services, thereby misleading users into believing that they are accessing an official website operated or endorsed by the Complainant; (iv) the website at the Disputed Domain Name contains multiple affiliate tracking parameters (“cxd”, “afp1”, “afp10”, “bta”), which clearly indicates the operation of a commercial affiliate marketing scheme and thus the Disputed Domain Name is used as a traffic funnel to redirect users to an unrelated offshore gambling platform for commission-based commercial gain; (v) in order to be able to offer online casino games to players in Belgium, the operator must be partnered with, and operationally connected to a physical casino located in Belgium. According to Complainant’s searches, the operator of the third party website where the Disputed Domain Name redirects, claims to hold an offshore licence, and such offshore licensing frameworks do not constitute authorisation under Belgian gambling law and do not permit the lawful offering of online casino services to Belgian consumers. The Respondent is therefore exploiting the reputation, goodwill and regulatory legitimacy associated with the Complainant’s CIRCUS mark and licence to lure Internet users to an unrelated offshore gambling operator. The Disputed Domain Name serves as a deceptive entry point, creating a false impression of affiliation with the Complainant’s licensed Belgian online casino platform, and then diverting users to a third-party commercial site; and (vi) the deliberate incorporation of the Complainant’s distinctive mark, the geographic targeting of Belgium players through the “-be” element in the Disputed Domain Name,

the impersonation of a licensed Belgian gambling operator, the original language in Dutch and the redirection of users to an unrelated offshore casino platform are all incompatible with any claim of good-faith registration or use.

B. Respondent

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

7. Discussion and Findings

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

- (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 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 the Complainant's trademark and the Disputed Domain Name. See 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 a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.2.1. and 1.4.1.

The Panel finds the mark is recognizable 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.

While the addition of other signs, here a hyphen and the term "be", may bear on assessment of the second and third elements, the Panel finds the addition of such elements 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 the 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 3.1](#), 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.

According to the evidence, the Respondent has used the Disputed Domain Name in connection with a website promoting services identical to those of the Complainant, displaying the Complainant's trademark and logo, presenting itself as being "Circus Online Belgian Casino" and utilizing the language of the Complainant's place of authorization, without providing any disclaimer regarding the relationship (in fact the lack thereof) between the Respondent and the Complainant. UDRP panels have held that the use of a domain name for illegitimate activity (such as claimed impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

The Panel also notes that the composition of the Disputed Domain Name itself carries a risk of implied affiliation given that the Complainant's trademark has been reproduced in the Disputed Domain Name, together with the term "be" (that may derive from Belgium), associated with the Complainant's location.

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.

In the present case, the Panel notes that the Disputed Domain Name was registered in bad faith, with knowledge of the CIRCUS trademark and the Complainant, because it fully incorporates the mark which predates the registration of the Disputed Domain Name with about 28 years, together with the geographical abbreviation, "be", commonly understood as coming from Belgium, the Complainant being a licensed Belgian online gambling operator. Further, the use of the Disputed Domain Name reinforces such finding.

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 3.1](#), section 3.2.1.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "to attract, for commercial gain, Internet users to [the respondent's] website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] website or location or of a product or service on [the respondent's] website or location" is evidence of registration and use in bad faith.

Creating a website using the Complainant's favicon, displaying the CIRCUS trademark and logo, providing identical services to those offered by the Complainant, presenting itself as "Circus Online Belgian Casino" and falsely suggesting regulatory supervision by the Belgian Gaming Commission, redirecting to a third party's competing website, in this Panel's view, the Respondent has intended to attract Internet users accessing the website at the Disputed Domain Name who may be confused and believe that the website is held, controlled by, or somehow affiliated or related to the Complainant, for its commercial gain.

The use of a domain name for illegal activity such as claimed impersonation/passing off can never confer rights or legitimate interests on a respondent and it is considered evidence of bad faith. [WIPO Overview 3.1](#), section 3.4.

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

8. 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, <circus-be.com>, be transferred to the Complainant.

/Marilena Comanescu/

Marilena Comanescu

Sole Panelist

Date: April 17, 2026