

ADMINISTRATIVE PANEL DECISION

Circus Belgium S.A. v. Yury Zanchenko
Case No. D2026-1443

1. The Parties

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

The Respondent is Yury Zanchenko, Ukraine.

2. The Domain Names and Registrar

The disputed domain names <circuscasino-online.com> and <circus-online-casino.com> are registered with Name.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 3, 2026. On April 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 8, 2026, 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 (Redacted For Privacy, Domain Protection Services, Inc., Redacted for Privacy, REDACTED FOR PRIVACY) and contact information in the Complaint.

The Center sent an email communication to the Complainant on April 13, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar(s), requesting the Complainant to either file separate complaint(s) 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 an amended Complaint on April 13, 2026. On the same date, the Complainant requested to withdraw its Complaint in regards the disputed domain name <circuscasino-online.com>. On April 14, 2026, the Center sent a Notification of (Requested) Partial Withdrawal for the disputed domain name <circus-casino-online.com>.

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 April 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 5, 2026.

The Center appointed Alfred Meijboom as the sole panelist in this matter on May 8, 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 offers online gambling services, particularly in the Netherlands (Kingdom of), where it holds a license from the Gaming Authority, and it also operates a land-based casino in Leusden, Netherlands (Kingdom of), under the name "CIRCUS Gran Casino".

The Complainant is owner of different stylized trademark registrations which include the element "CIRCUS", including:

- European Union trademark , with number 18025773, which is registered on October 20, 2020, for goods and services in classes 9, 28 and 41;
- Benelux trademark , with registration number 1409880, which is registered on April 25, 2020, for goods and services in classes 9, 28, 37, 41, and 42; and
- French trademark , with number 4663983, which is registered on December 18, 2020, for goods and services in classes 9, 28 and 41.

The Complainant is also owner of different domain names with the ".nl" Top Level Domain, which are used for its online gambling services, including <casinocircus.nl>, and <circus.nl> which resolve to the Complainant's official website.

Both disputed domain names were registered on November 7, 2025. The disputed domain names resolve to websites which both display the Complainant's CIRCUS stylized trademark as pictured above on the homepage, which assert to be to "Circus Casino Online Netherlands" and use the same favicon as the Complainant's websites use. The websites require Internet users to register.

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 disputed domain names are confusingly similar to the Complainant's CIRCUS and CIRCUS CASINO trademarks because they incorporate both elements of the Complainant's trademarks, namely CIRCUS and CASINO, which, taken together, directly reproduce the distinctive combination forming the Complainant's CIRCUS CASINO trademark. According to the Complainant, the disputed domain names merely introduce insignificant variations consisting of hyphenation and minor rearrangements of the terms, combined with the addition of the descriptive term "online", which directly refers to the Complainant's field of activity, which alterations are purely technical and non-distinctive and do not prevent a finding of confusing similarity.

The Complainant alleges that the Respondent has no rights or legitimate interests in respect to the disputed domain names because it is neither affiliated with nor authorized by the Complainant to use the CIRCUS trademark, nor has the Respondent been commonly known by either of the disputed domain names. Moreover, the Complainant asserts that the Respondent has not made any bona fide offering of goods or services, nor any legitimate non-commercial or fair use of the disputed domain names, but on the contrary operates websites that prominently reproduce the Complainant's CIRCUS trademark and systematically combine it with the term "casino" in order to present itself as official "Circus Casino" platforms, thereby creating the false impression of a legitimate and authorized Dutch-facing operation.

The Complainant asserts that the disputed domain names were registered and are being used in bad faith because the Respondent has not made any bona fide offering of goods or services, but rather operates websites that present themselves as official "Circus Casino" platforms and create the false impression of a legitimate and authorized Dutch-facing operation. The Complainant also alleges that the composition of the disputed domain names cannot be coincidental and demonstrates that the Respondent had the Complainant and its activities specifically in mind at the time of registration. According to the Complaint the Respondent is using the disputed domain names to intentionally attract Internet users, for commercial gain, by creating a likelihood of confusion with the Complainant's CIRCUS trademarks as to the source, sponsorship, affiliation or endorsement of the websites, within the meaning of paragraph 4(b)(iv) of the Policy.

B. Respondent

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

6. Discussion and Findings

6.1. Preliminary Matters

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.

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

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. The delivery to the Respondent's email address seems to have been complete.

Further, the Respondent apparently registered the disputed domain names as recently as November 2025, and hence would appear to be capable of controlling the disputed domain names and the related content. Also, for the reasons which are set out later in this decision, the Panel has no serious doubt (albeit in the absence of a formal Response) that the Respondent registered and has used the disputed domain names with the intention of unfairly targeting the Complainant's goodwill in its trademark.

Finally, the Panel notes that the Complainant has selected as the mutual jurisdiction the courts at the location of the principal office of the Registrar, such courts not being subject to an international conflict. Therefore, the Panel finds that proceeding with the present decision does not preempt the Respondent from asserting its rights under paragraph 4(k) of the Policy to submit this dispute to the courts at the applicable mutual jurisdiction.

In view of the above, the Panel considers it appropriate to proceed to a decision.

6.2. Substantive Elements of the Policy

The Respondent did not file a Response. However, as set out in section 4.3 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), the consensus view of UDRP panels is that the respondent’s default does not automatically result in a decision in favor of the Complainant. The Complainant must still establish each of the three elements required by paragraph 4(a) of the Policy. Although the Panel may draw appropriate inferences from the Respondent’s default, paragraph 4 of the Policy requires the Complainant to support its assertions with actual evidence in order to succeed in this proceeding. Paragraph 14(b) of the Rules provides that, in the absence of exceptional circumstances, the panel shall draw such inferences as it considers appropriate from a failure of a party to comply with a provision or requirement of the Rules. The Panel finds that in this case there are no such exceptional circumstances.

Under the Policy, the Complainant must prove 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 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 the Complainant’s trademark and the disputed domain name. [WIPO Overview 3.1](#), section 1.7.

The Panel finds that the disputed domain names are confusingly similar to the Complainant’s CIRCUS and CIRCUS CASINO trademarks. The disputed domain names incorporate these trademark in their entirety, and merely adds the term “online”, which does not prevent a finding of confusing similarity between the disputed domain name and the Complainant’s CIRCUS and CIRCUS CASINO trademarks (see section 1.7 of the [WIPO Overview 3.1](#): “Although each case is judged on its own merits, in cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark”).

Consequently, the first element of paragraph 4(a) of the Policy is met.

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 names. The Panel takes note of the Complainant's various allegations and more specifically that no authorization has been given by the Complainant to the Respondent to use the Complainant's CIRCUS and CIRCUS CASINO trademarks or to register the disputed domain names, that the Respondent is not commonly known by the disputed domain names, and the disputed domain names resolves to websites that intentionally create confusion as to the source, sponsorship, affiliation, or endorsement of these websites. The Panel is satisfied that the Respondent designed and launched its websites with the intention to mislead Internet users into believing that they visit the Complainant's online gambling website and obtaining the Internet users' personal details upon registration, which does not constitute a bona fide offering of goods or services.

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 infers from the fact that the disputed domain names resolve to websites which offer similar gambling services as those offered by the Complainant, while prominently displaying the Complainant's CASINO trademark on the homepage and using the same favicon as used by the Complainant for its websites, that the Respondent must have had the Complainant and its CIRCUS and CIRCUS CASINO trademark in mind when registering the disputed domain names. It was incumbent upon the Respondent to explain why, under these circumstances, it would not have been aware of the Complainant's trademarks at the time of the registration of the disputed domain names, but the Respondent failed to do so. The Panel therefore finds that the disputed domain names have been registered in bad faith.

The aforementioned use of the disputed domain names to resolve to websites that, among other things, prominently display the Complainant's trademark and, under false pretenses by impersonating the Complainant and suggesting that the website operates under license from the Dutch gaming authorities, are invited to register and provide their personal details, unequivocally represents use of the disputed domain names in bad faith.

Therefore, the Panel finds that the third element of the Policy has also 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 <circuscasino-online.com> and <circus-online-casino.com> be transferred to the Complainant.

/Alfred Meijboom/

Alfred Meijboom

Sole Panelist

Date: May 13, 2026