

ADMINISTRATIVE PANEL DECISION

Société Anonyme des Bains de Mer et du Cercle des Etrangers à Monaco v.
Gabriela Valenzuela, luxor casinos vip
Case No. D2026-2980

1. The Parties

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

The Respondent is Gabriela Valenzuela, luxor casinos vip, Chile.

2. The Domain Names and Registrar

The disputed domain names <monacocasinosvip.com> and <monakocasinosvip.com> are registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 7, 2026. On July 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On July 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 9, 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 July 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”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on July 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 3, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 4, 2026.

The Center appointed Alexander Duisberg as the sole panelist in this matter on August 18, 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 a Monegasque company founded on April 6, 1863, by a Sovereign Decree passed by Prince Charles III. Approximately 70% of the Complainant's share capital is owned by the Government of the Principality of Monaco and its ruling family, the House of Grimaldi. The Complainant employs almost 3,500 people and is the largest employer in the Principality of Monaco.

Since April 2, 1863, the Complainant has been granted by the Prince of Monaco an exclusive monopoly for casino and gambling activities (*Privilège des Jeux*) for the territory of the Principality of Monaco. The most recent renewal of this *Privilège des Jeux* was granted by the *Ordonnance Souveraine* No. 15.732 of March 13, 2003. The Complainant has been operating the Casino de Monte-Carlo, known interchangeably as the Casino de Monaco, for more than 150 years.

The Complainant is the owner of the following registered trademarks in Monaco:

- Monaco word mark CASINO DE MONACO No. 02.23234, registered on September 30, 2002, and duly renewed since then;
- Monaco word mark CASINO DE MONTE-CARLO No. 96.17407, registered on October 30, 1996, and duly renewed since then.

The Complainant has an extensive history of UDRP proceedings to protect its marks. In this respect, the WIPO already ordered the transfer of many domain names to the Complainant (see e.g. WIPO Cases: *Société des Bains de Mer et du Cercle des Etrangers à Monaco v. Britannia Finance et al.*, WIPO Case No. [D2000-1315](#); *Société des Bains de Mer et du Cercle des Etrangers à Monaco v. Javier Llorens*, WIPO Case No. [D2000-1319](#); *Société Des Bains De Mer Et Du Cercle Des Etrangers A Monaco V. Iggi Networks Media Group*, WIPO Case No. [D2000-1324](#); *La Société des Bains de Mer et du Cercle des Etrangers à Monaco v. Integroweb (Bahamas) Ltd.*, WIPO Case No. [D2000-1325](#); and *Société des Bains de Mer et du Cercle des Etrangers à Monaco v. Casino on-line*, WIPO Case No. [D2000-1329](#)).

The disputed domain name <monacocasinosvip.com> was registered on September 6, 2025. The disputed domain name <monakocasinosvip.com> was registered on October 29, 2025. Both disputed domain names were registered through the same Registrar and redirect Internet users to a strictly identical website.

According to the uncontested evidence submitted by the Complainant, both disputed domain names resolved to an online gambling platform offering various casino games (including slot machines, roulette, and other gambling activities), which exactly resembled the Complainant's core business and the activities for which its trademarks are known. The website was presented primarily in Spanish, with additional language options including Russian and English. The website's logo incorporated a depiction of a building that closely resembled the Complainant's Casino de Monte-Carlo. The website footer displayed "MONACOCASINOSVIP © 2026 All rights reserved." Nothing on the website indicated that the disputed domain names were not affiliated with the Complainant.

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 <monacocasinosvip.com> and <monakocasinosvip.com> are similar to the Complainant's trademark CASINO DE MONACO, as they include the terms "Monaco" (or "Monako", with a barely perceptible typo) and "Casino", which are directly recognizable within the disputed domain names and correspond to the main element of the Complainant's trademark. The Complainant further contends that the disputed domain names are also confusingly similar to the Complainant's prior trademark CASINO DE MONTE-CARLO, submitting that the names "Monaco" and "Monte-Carlo" are used interchangeably by the public when referring to the Complainant's casino, and that this has been confirmed in numerous prior WIPO panel decisions. In addition, the Complainant submits that the website content of the disputed domain names, which operates in the gambling sector, confirms similarity with the Complainant's trademarks.

The Complainant states that it has never authorized the Respondent to register and use the disputed domain names. The Complainant argues that the Respondent cannot claim any legitimate interest or bona fide use of the disputed domain names.

The Complainant submits that the strong reputation and world renown of the Complainant's trademarks render it impossible for the Respondent to have been unaware that the registration and use of the disputed domain names would violate the Complainant's rights. The Complainant contends that the Respondent intentionally attempted to attract, for commercial gain, Internet users to its website by offering an online gambling platform to unduly benefit from the Complainant's notoriety. The Complainant further notes that the Respondent's logo contains a directly recognizable depiction of the Complainant's world-famous casino, demonstrating awareness of the Complainant's reputation.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, the Complainant must prove each of the following:

- (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 Panel acknowledges the consensus view that the Respondent's default to respond to the Complaint does not automatically result in a decision in favor of the Complainant. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3.

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 the UDRP proceeding.

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 Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds that the Complainant's CASINO DE MONACO mark is recognizable within the disputed domain names. The disputed domain name <monacocasinosvip.com> incorporates the terms "Monaco" and "casinos", which correspond to the main elements of the Complainant's CASINO DE MONACO trademark rearranged and combined with the descriptive term "vip" but with an additional letter "s" to the term "casino". The disputed domain name <monakocasinosvip.com> does the same, with the only difference being the substitution of "Monaco" by "Monako", a common phonetic misspelling. Panels have consistently held that such minor misspellings designed to evoke a trademark do not prevent a finding of confusing similarity (see *Alvazzi Holding SA v. Jefferey Stone, Enhance On Demand Labors Supply LLC*, WIPO Case No. [D2025-4661](#); *Amerisure Mutual Insurance Company v. willie Charles*, WIPO Case No. [D2025-0130](#); and *Halliburton Energy Services, Inc. v. office admin*, WIPO Case No. [D2023-0029](#)). [WIPO Overview 3.1](#), section 1.9.

Although the addition of other terms (here, "vip" and the pluralization "casinos") 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 names and the mark for the purposes of the Policy (see *LEGO Holding A/S v. John Bau dk*, WIPO Case No. [D2025-4362](#); *Soch Apparels Private Limited v. Navya Creation, Navya creation*, WIPO Case No. [D2025-0870](#); and *Société des Bains de Mer et du Cercle des Etrangers à Monaco v. Rohit Katoch*, WIPO Case No. [D2011-0402](#)). [WIPO Overview 3.1](#), section 1.8.

Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.7, 1.9.

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 (see *Wal-Mart Stores, Inc. v. WalMart Careers, Inc.*, WIPO Case No. [D2012-0285](#); and *Swedish Match North Europe AB, Philip Morris International, Inc v. durant Kevin, Host Master, Njalla Okta LLC*, WIPO Case No. [D2026-0081](#)). [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.

Based on the available record, the Panel notes that the Respondent does not own any rights in any trademark which comprises part or all of the disputed domain names. The Complainant has not given its consent for the Respondent to use its registered CASINO DE MONACO trademark in a domain name registration. The Respondent is not commonly known by the disputed domain names (see *Sanofi v. rahil ahmed, rahil foods*, WIPO Case No. [D2025-2234](#); and *OSRAM GmbH. v. Mohammed Rafi/Domain Admin, Privacy Protection Service INC d/b/a PrivacyProtect.org*, WIPO Case No. [D2015-1149](#)). [WIPO Overview 3.1](#), section 2.1.

Nothing on the website indicated that the disputed domain names were not affiliated with the Complainant. This implies to Internet users interested in gambling services associated with Monaco that the website is an official website from the Complainant, whereas the Respondent did nothing to distinguish the disputed domain names from the Complainant's trademarks. In these circumstances, and given what is said in relation to bad faith below, the likelihood is that the Respondent intended to take advantage of the Complainant's trade mark to attract users to its gambling sites for its commercial gain, which cannot confer rights or legitimate interests (see *President and Fellows of Harvard College v. Adam Mohd isa*, WIPO Case No. [D2022-3001](#)). [WIPO Overview 3.1](#), section 2.1.

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.

In the present case, the Panel notes that the Respondent registered and used the disputed domain names to intentionally attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's CASINO DE MONACO trademark. Based on the uncontested evidence submitted by the Complainant, the Respondent operated an online gambling platform under the disputed domain names, the exact core business of the Complainant, using a logo featuring a building resembling the Casino de Monte-Carlo building. Furthermore, the website did not disclose the Respondent's (lack of) relationship with the Complainant. Additionally, the Respondent could not reasonably ignore the reputation of the Complainant's casino and the goods and services offered under its trademarks. Taken together, these circumstances suggest that the website was deliberately assembled to attract Internet users seeking the Complainant's gambling services by creating confusion with the Complainant's famous trademark and business.

Panels have confirmed in a variety of UDRP decisions that where a complainant's trademark registrations significantly predate the registration of a disputed domain name and the mark is well known, the mere registration of a confusingly similar domain name by an unaffiliated entity can by itself create a presumption of bad faith, as there is no other plausible reason for such registration, and the respondent must be deemed to be trading on the goodwill of the complainant's mark (see *International Business Machines Corporation (IBM) v. Zachary Silva, Catenact.io*, WIPO Case No. [D2025-1941](#); and *International Business Machines Corporation (IBM) v. Tyler Dikman*, WIPO Case No. [D2025-2376](#)). [WIPO Overview 3.1](#), section 3.1.4.

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 names <monacocasinosvip.com>, and <monakocasinosvip.com> be transferred to the Complainant.

/Alexander Duisberg/

Alexander Duisberg

Sole Panelist

Date: September 1, 2026