ADMINISTRATIVE PANEL DECISION

Société Anonyme des Bains de Mer et du Cercle des Etrangers à Monaco v. Yaroslav Kariakin, Acenture
Case No. D2026-3048

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 Yaroslav Kariakin, Acenture, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <casinomonte-carlo-online.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 July 10, 2026. On July 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 14, 2026, 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 (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 15, 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 20, 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 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 17, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 19, 2026.

The Center appointed Richard C.K. van Oerle as the sole panelist in this matter on August 25, 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 company founded in 1863. It is organized under the laws of Monaco having the registered office in Monaco. The Complainant's main shareholders are Government of Monaco, and the ruling family. It has the monopoly for provision of casino gaming services in the Monaco. The Complainant is the largest employer in Monaco, employing over 3,500 people. It runs the Casino de Monte-Carlo, which is also known as the "Casino de Monaco". The Complainant's offering in Monaco is considered one of the most luxurious gambling facilities in the world.

The Complainant holds numerous trademarks registrations on a worldwide basis, among others:

- Monaco Trademark Registration MONTE CARLO (wordmark), No. 14.30170, registered on February 12, 2014;

- Monaco Trademark Registration CASINO DE MONTE-CARLO (wordmark), No. 96.17407, registered on October 30, 1996; and

- International Trademark Registration for CASINO DE MONTE-CARLO (wordmark), registration No. 773867, registered on January 21, 2002, designating Antigua and Barbuda, Austria, Benelux Office for Intellectual Property, Bosnia and Herzegovina, Croatia, Denmark, Finland, Germany, Greece, Italy, Japan, Liechtenstein, Montenegro, North Macedonia, Norway, Portugal, Serbia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom. [1]

All registrations have been duly renewed and are still valid. The registrations will jointly be referred to, in singular, as the "Trademark" or the "Complainant's Trademark".

According to the WhoIs records, the disputed domain name was registered on December 20, 2025.

Undisputed evidence provided by the Complainant proves that at the time of filing of the Complaint, the disputed domain name resolved to a gambling platform and reproduced the Complainant's logo and favicon on the website, as well as numerous references to locations associated with the Complainant's casino and references to third-party casinos with links inviting to "activate the bonus". At the time this Decision was drafted, it resolves to an inactive website.

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.

[1] Noting in particular the general powers of a panel articulated inter alia in article 10 of the Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision, in particular to affirm or corroborate a party's contention (see section 4.8 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("WIPO Overview 3.1")). Accordingly, the Panel added reference to an additional active trademark found in online databases.

Notably, the Complainant contends that the disputed domain name is identical, or at least highly similar, to the Complainant's Trademark. It incorporates the whole Trademark. It does not matter that the disputed domain name includes the additional descriptive word "online". The adjunction of this descriptive term does not erase the similarity that exists with the Trademark since the disputed domain name remains dominated by the words "casino", "de" and "Monte-Carlo".

The Complainant has searched in trademark databases for any possible trademark registration or application eventually owned by the Respondent. It searched, in particular, for any trademark containing the terms "online", "casino" and "monte-carlo" in any searchable jurisdiction, but did not find registered trademark consisting of such a term in the name of the Respondent. The Complainant also conducted a search on any "casino", "monte-carlo" and/or "online" trademark owned by the Respondent (Yaroslav Kariakin or Acenture), but this, too, revealed no result at all.

The Complainant has never authorized the Respondent to register and use the disputed domain name. The Respondent cannot claim legitimate interests or bona fide use of the disputed domain name.

The Respondent therefore has no rights or legitimate interests in the disputed domain name.

The Complainant submits that the strong reputation and international renown of its Trademark in the gambling sector make it implausible that the Respondent was unaware of the Complainant when registering the disputed domain name. The disputed domain name is said to deliberately evoke the luxurious gambling environment associated with the Complainant's Casino de Monte-Carlo.

The Complainant further relies on the Respondent's reproduction of the Complainant's logo and favicon on the website of the Respondent. According to the Complainant, these elements faithfully reproduce the distinctive features of the Complainant's branding, including the casino name, and demonstrates that the Respondent was aware of the Complainant and its reputation before registering the disputed domain name.

The Complainant states that it has a longstanding and extensive policy of protecting its famous Trademark and combating cybersquatting. It indicates that numerous domain names have previously been transferred to it through UDRP proceedings and that, over nearly 20 years, its enforcement program has achieved a 97% success rate and resulted in the recovery of 1,195 domain names.

The Complainant argues that the Respondent was also aware of this active enforcement policy and of the Complainant's efforts to protect its intellectual property, reputation, and renown against unauthorized third-party use.

The Complainant also submits that the disputed domain name is registered and used in bad faith because the Respondent intentionally attempts to attract Internet users for commercial gain by operating an online gambling platform that benefits from the Complainant's notoriety.

The disputed domain name resolves to a gambling platform corresponding directly to the Complainant's core business and the activities for which its Trademark is well known. The website also contains numerous references to locations associated with the Complainant's Casino de Monte-Carlo.

The Complainant further submits that the website content creates the false impression that it originates from, or is affiliated with, the Complainant. The Respondent uses promotional language referring specifically to the Casino de Monte-Carlo and its services, while presenting the casino in the first person, through expressions such as "we" and "our casino". According to the Complainant, this gives the impression that the Respondent is the Complainant or is officially connected with it.

The website also refers extensively to casino-related activities, including slot machines, French roulette, blackjack. Together with the use of the Complainant's Trademark, these references are said to reinforce the impression of an affiliation between the website and the Complainant.

The Complainant contends that the Respondent deliberately selected a domain name confusingly similar to its Trademark and that this could not have been coincidental. The combination of the disputed domain name, the Complainant's Trademark, and the website content allegedly creates a strong likelihood that Internet users will believe that the website is operated by, sponsored by, or otherwise affiliated with the Complainant.

The Complainant maintains that the Respondent's conduct demonstrates an intention to exploit the Complainant's reputation, prestige, and identity to attract Internet users to the Respondent's gambling platform for commercial gain. It therefore submits that both the registration and use of the disputed domain name constitute bad faith.

B. Respondent

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

6. Discussion and Findings

6.1. Preliminary 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 location is stated to be in Ukraine, which is subject to an international conflict at the date of this Decision that may affect case notification, it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceedings should continue.

While it is unclear if the Center's written communication was delivered by post to the Respondent, it appears that the Notification of Complaint emails were delivered at the Respondent's email address, as provided by the Registrar. Therefore, there is no evidence that the case notification was not successfully delivered to the disclosed the Respondent's email address. The Panel also notes that the website at the disputed domain name is in the French language, which may support an inference that the Respondent is not actually located in Ukraine.

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 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, and decides that the administrative proceedings should continue (see *Netbet Entreprises Ltd v. Privacy Service provided by Withheld for Privacy ehf / Vladimir Vladimir, Crowd inc*, WIPO Case No. D2022-1420).

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 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 the Trademarks are recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Trademarks for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms, here "online', and omitting the word "de" from CASINO DE MONTE-CARLO trademark may bear on assessment of the second and third elements, the Panel finds the addition of such term 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 passing off, can never confer rights or legitimate interests on a respondent. 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.

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.

Section 3.1.4 of the WIPO Overview 3.1 states that "the mere registration of a domain name that is identical or confusingly similar (particularly domain name comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith".

In the present case, the Panel notes that the Respondent must have been aware of the Trademark when it registered the disputed domain name given the reputation of the Trademark, previously acknowledged by numerous UDRP panels, in particular in the gambling/casino industry and the fact that the Complainant's

Trademarks were registered and in use well before the Respondent registered the disputed domain name. A simple Internet search, prior to registration of the disputed domain name would have informed the Respondent of the existence of the Trademark.

The Panel is convinced that the Respondent is using the confusingly similar disputed domain name to take unfair advantage of the reputation of the Complainant's well-known Trademark, and in so doing to disrupt the Complainant's business and to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's Trademark as to the source, sponsorship, affiliation, or endorsement (paragraph 4(b)(iv) of the Policy).

Panels have held that the use of a domain name for illegitimate activity, here, claimed passing off constitutes bad faith. WIPO Overview 3.1, section 3.4.

As regard the current lack of active use, panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. WIPO Overview 3.1, section 3.3.

Having reviewed the available record, the Panel notes the reputation of the Complainant's trademark, the composition and prior use of the disputed domain name, and finds that in the circumstances of this case the current passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Lastly, the Panel finds[2] that the disputed domain name appears to be the latest in a line of bad faith registrations on part of the Respondent Yaroslav Kariakin, construing a pattern of bad faith registrations that further reinforces the finding of bad faith. It concerns the following 6 cases, all from 2026: *Circus Belgium S.A. v. Dynadot Privacy Service, Dynadot, LLC, Yaroslav Kariakin, Accenture, Denis Krazok, Vitaliia Bolban, Sofiia Shkliaruk, Nazar Baila,* WIPO Case No. D2026-2277; *Groupe Lucien Barrière v. Yaroslav Kariakin, Acenture*, WIPO Case No. D2026-1684; *Groupe Lucien Barrière v. Yaroslav Kariakin,* WIPO Case No. D2026-1023; *Digital Division Limited v. Yaroslav Kariakin, meble TOV*, WIPO Case No. D2026-0672; *BoyleSports 2 Unlimited Company v. Yaroslav Kariakin, meble TOV*, WIPO Case No. D2026-0621; and *Groupe Lucien Barrière v. Yaroslav Kariakin, Acenture*, WIPO Case No. D2026-0425. In all these cases the Respondent failed to file a response and the transfer of the domain name in question was ordered. Notably, all of the infringing domain names resolved to websites providing online gaming and gambling, as is the case in the present proceedings. Although each case must be judged on its own merits, this circumstance can be taken into account to support a finding of a pattern of abusive registrations on the part of the Respondent.

The circumstances of the present case therefore fall within paragraph 4(b)(ii) of the Policy and support a finding that the disputed domain name was registered and is being used in bad faith.

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 <casinomonte-carlo-online.com> be transferred to the Complainant.

/Richard C.K. van Oerle/
Richard C.K. van Oerle
Sole Panelist
Date: September 8, 2026.

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[2] See footnote 1. The Panel added references to earlier UDRP cases that were found in the online WIPO database.