

ADMINISTRATIVE PANEL DECISION

Circus Belgium S.A. v. Ksenia Nikolajeva, Yevhen Horodenskyi
Case No. D2026-3540

1. The Parties

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

The Respondents are KSENIA NIKOLAJEVA, Estonia, and Yevhen Horodenskyi, Ukraine.

2. The Domain Names and Registrars

The disputed domain name <casino1-be.com> is registered with Spaceship, Inc.

The disputed domain name <casino1i.com> is registered with Devexpanse Ltd d/b/a Regery.com.

Both registrars will be referred to collectively below as the “Registrars”.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 10, 2026. On August 11, 2026, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On August 12, 2026, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Privacy service provided by Withheld for Privacy ehf and Redacted for Privacy) and contact information in the Complaint.

The Center sent an email communication to the Complainant on August 13, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, 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 amendment to the Complaint on August 14, 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 Respondents of the Complaint, and the proceedings commenced on August 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 7, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on September 9, 2026.

The Center appointed Zoltán Takács as the sole panelist in this matter on September 11, 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 headquartered in Belgium, and its line of business includes gambling and betting.

The Complainant is the owner of the Benelux Trademark Registration No. 1525162 for the figurative mark containing the textual elements CASINO1 GAMING REVOLUTION registered on August 22, 2025.

The Complainant has been using its trademark in Belgium through its licensees at the website "www.casino1.be" under a unique operation license issued by the Belgian Gaming Commission. The corresponding domain name <casino1.be> was registered on September 23, 2024.

The disputed domain name <casino1-be.com> was registered on June 21, 2026, and has been used to resolve to a French language gambling website prominently displaying the Complainant's exact figurative trademark and lists the Complainant's official email address for support availability.

The disputed domain name <casino1i.com> was registered on July 10, 2026, and has been used to resolve to a French language gambling website prominently displaying the Complainant's exact figurative trademark and adopting the same visual identity as that of the Complaint's licensees' official website. The gaming platform at this website claims to be operated under the same unique operational license as that of the Complainant's licensees.

Furthermore, upon clicking on the "Login" icons, the websites at the disputed domain names redirect users to unrelated third-party gambling platforms.

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, which incorporate the verbal element CASINO1 of its trademark, are confusingly similar to the Complainant's trademark since the addition the letter "i", the hyphen and the term "be", which is commonly understood as a two-letter country code for Belgium, does not prevent a finding of confusing similarity between the disputed domain names and the trademark;
- the Respondents have no rights or legitimate interests in respect of the disputed domain names and are unable to rely on any of the circumstances set out in paragraphs 4(c)(i), (ii), or (iii) of the Policy; and

- the Respondents' deliberate copying of the Complainant's trademark and reference to the Complainant's licensee's exact operational license are evidence of deliberate targeting and impersonation of the Complainant's authorized Belgian business.

The Complainant requests that the disputed domain names be transferred from the Respondents to the Complainant.

B. Respondents

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

6. Discussion and Findings

6.1. Procedural Issue: Location of the Respondent

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 proceedings take place with due expedition.

The location of the registrant of the disputed domain name <casino1-be.com> disclosed by the Registrar appears to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification. It is therefore appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceedings should continue.

Having considered all the circumstances of the case, the Panel is of the view that it should.

The Panel notes that the disputed domain name was registered by the Respondent during the above-referenced international conflict. The Panel has no doubts – for the reasons set out later in this Decision – that the Respondent registered and has been using the disputed domain name in bad faith. These facts and circumstances suggest that the Respondent maintained access to the Internet and has control over the disputed domain name.

The Panel also notes that the Center sent the Notification of Complaint by email to the Respondent at its email address as registered with the Registrar and to a postmaster email address as specified by the Rules. There is no indication that the email sent to the Respondent's email address was not delivered. Thus, it is fair for the Panel to assume that the Complaint reached the Respondent.

Having considered all the circumstances of the case, the Panel concludes that the Respondent who is allegedly located in Ukraine has been given a fair opportunity to present its case and so that the administrative proceeding takes place with the due expedition the Panel will proceed to a Decision accordingly.

6.2. Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.11.2.

As regards common control, the Panel notes that:

- both disputed domain names target the exact trademark of the Complainant; and
- the websites at the disputed domain names follow the same operational mechanism, namely capture Internet traffic intended for the Complainant and then redirect Internet users to unrelated gambling operators.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

6.3. Substantive Issues

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](#), sections 1.2.1 and 1.2.3.

The Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are 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, the letter "i", the hyphen and the term "be" 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. [WIPO Overview 3.1](#), section 1.8.

The Panel finds that 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 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.

The Complainant has submitted sufficient and uncontested evidence that it holds well-established prior trademark rights for the purposes of the Policy.

There is no relationship with or permission from the Complainant for the Respondent's use of its mark, in domain names, or otherwise. There is also no evidence that the Respondent has been commonly known by the disputed domain names within the meaning of paragraph 4(c)(ii) of the Policy.

As mentioned above, the Respondent has been using the disputed domain names to resolve to gambling websites that prominently display the Complainant's exact figurative trademark, list the Complainant's support email address, adopt the same visual identity and refer to the same unique operational license as that of the Complainant's licensees. Panels have held that the use of a domain name for illegitimate activity here, impersonation and passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1. Also, upon clicking on the "Login" icons, the websites at the disputed domain names redirect users to unrelated third-party gambling platforms.

The evidence on record points towards the Respondent's targeting of the Complainant, and, as such, the Respondent's use of the disputed domain names does not constitute a bona fide offering of goods or services nor a legitimate noncommercial or fair use and cannot confer any rights or legitimate interests in the disputed domain names on the Respondent.

The Panel finds that 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.

Having reviewed the record, the Panel finds that the Respondent's purpose in registering and using the disputed domain names was to profit from, exploit, or otherwise target the Complainant's specific trademark.

The Respondent's use of the disputed domain names to resolve to gambling websites that use the Complainant's exact figurative mark and support email address, purport to provide identical services to those offered by the Complainant, falsely refer to the same regulatory license as that of the Complainant and ultimately redirect users to third party competing websites is evidence that the Respondent registration and use of the disputed domain names constitutes bad faith under the Policy.

In the Panel's view, the Respondent registered the disputed domain names with knowledge of the Complainant's mark and used them in order to confuse Internet users to believe that the websites are somehow affiliated or related to the Complainant, for its financial benefit. The Respondent is opportunistically targeting the Complainant and its mark for commercial gain within the meaning of paragraph 4(b)(iv) of 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 names <casino1-be.com> and <casino1i.com> be transferred to the Complainant.

/Zoltán Takács/

Zoltán Takács

Sole Panelist

Date: September 17, 2026