ADMINISTRATIVE PANEL DECISION

Circus Belgium S.A. v. Henrik Toomsalu, Astramania, Media Solutions OU, Name Redacted, and Katerina Ioannou, Contrago Digital Ltd
Case No. DNL2026-0032

1. The Parties

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

The registrants of the disputed domain names are Henrik Toomsalu, Estonia; Astramania, Bulgaria; Media Solutions OU, Kazakhstan; Name Redacted; and Katerina Ioannou, Contrago Digital Ltd, Cyprus, ("Respondent").

2. The Domain Names and Registrars

The disputed domain names <circuscasino-be.nl>, <circuscasino7.nl>, <circus1.nl> and <circus2.nl> are registered with SIDN through Registrar.eu.
The disputed domain name <circuscasinonl.nl> is registered with SIDN through Dynadot LLC.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 29, 2026. On July 1, 2026, the Center transmitted by email to SIDN a request for registrar verification in connection with the disputed domain names.

On July 2, 2026, SIDN 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 and contact information in the Complaint.

The Center sent an email communication to Complainant on July 9, 2026, providing the information disclosed by SIDN, and inviting Complainant to amend the Complaint in this light. Complainant filed an amended Complaint on July 10, 2026.

The Center verified that the Complaint as amended satisfies the formal requirements of the Dispute Resolution Regulations for .nl Domain Names (the "Regulations").

In accordance with the Regulations, articles 5.1 and 16.4, the Center formally notified Respondent of the Complaint and the proceedings commenced on July 14, 2026. In accordance with the Regulations, article 7.1, the due date for Response was August 3, 2026. The Center did not receive any written response.

On July 27, 2026, the Center received an email communication from an Italian counsel purporting to act on behalf of the registrant of record of the disputed domain name <circuscasino7.nl>, attaching a submission and supporting annexes and alleging that the registration of that disputed domain name had been made without that registrant's knowledge or authorization by a third party using his identity and contact information.

On August 3, 2026, the Center informed that party's counsel that it was not in a position to make a substantive assessment of the claims made therein, that this was a matter for the Panel upon appointment, and that it would not treat the communication as a Response. On the same date, the Center notified the Parties that it had received a communication from a third party regarding the alleged unauthorized use of that party's identity and contact details, to be forwarded to the Panel for its consideration.

The Center appointed Moïra Truijens as the panelist in this matter on August 14, 2026. The Panel finds that it was properly constituted. The Panelist has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required to ensure compliance with the Regulations, article 9.2.

4. Factual Background

The following facts are undisputed.

Complainant is Circus Belgium S.A., a company established in Belgium that operates, or licenses the operation of, online and land-based gambling and casino services under the CIRCUS and CIRCUS CASINO brands.

Complainant is the owner of, among other trademark registrations:

- European Union trademark registration No. 018025773, CIRCUS (word mark), filed May 13, 2019, and registered October 20, 2020;
- Benelux trademark registration No. 1409860, CIRCUS (word mark), filed January 21, 2020, and registered April 25, 2020; and
- European Union trademark registration No. 018544938, a figurative mark corresponding to a distinctive red device used by Complainant, filed September 1, 2021, and registered March 10, 2022.

Complainant's official Dutch-facing platform, <circus.nl>, is operated by BETCA B.V., which holds a licence from the Dutch Gambling Authority (Kansspelautoriteit, “KSA”) permitting it to offer online betting and casino services to Dutch consumers. Under Belgian law, “Circus Casino” branded services are separately offered by Gambling Management S.A., holder of Belgian A+ licence No. 20635, as confirmed in the register of the Belgian Gaming Commission.

The disputed domain names, registrar, and registration dates are as follows:

- <circuscasino-be.nl> registered with Registrar.eu; first registered April 17, 2025; current registration dated March 6, 2026 (by change of registrant);
- <circus1.nl> registered with Registrar.eu; registered July 18, 2025;
- <circuscasino7.nl> registered with Registrar.eu; registered March 25, 2026;
- <circuscasinonl.nl> registered with Dynadot LLC; registered May 11, 2026;
- <circus2.nl> registered with Registrar.eu; registered May 12, 2026.

All disputed domain name registrations therefore postdate Complainant's trademark registrations referred to above, as well as the commencement of BETCA B.V.'s KSA-licensed operation of <circus.nl> in March 2022.

At the time the Complaint was filed, each of the disputed domain names resolved to a Dutch-language landing page presenting itself, in substance, as an official or authorised CIRCUS or CIRCUS CASINO website, reproducing Complainant's figurative device and favicon, and, in the case of <circus1.nl> and <circus2.nl>, further invoking the KSA licence held by BETCA B.V. and the Belgian A+ licence held by Gambling Management S.A. respectively. Each website offered a welcome bonus and registration call-to-action, and, upon user interaction, redirected — via a tracked URL recording the relevant disputed domain name as referrer — to a third-party, apparently offshore, online casino unconnected with Complainant: HolyLuck (<circus1.nl>), WinBeast (<circus2.nl>), SpinGranny (<circuscasino-be.nl>), VOX (<circuscasino7.nl>), and SpinAura (<circuscasinonl.nl>).

None of the registrants of record have any business, licence, or other authorised connection with Complainant, BETCA B.V., or Gambling Management S.A.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Regulations for it to become the registrant of the five disputed domain names instead of Respondent.

Complainant contends that its registered CIRCUS trademarks predate all disputed domain name registrations, and that each disputed domain name reproduces the CIRCUS mark in its entirety, in three instances combined with the generic/descriptive term "casino" and, in two further instances, with a numeral or the country/language indicator "nl" or "be". Complainant contends that none of these additions prevents a finding of confusing similarity.

Complainant contends that none of the registrants of record has any licence, authorisation, or other relationship with Complainant, BETCA B.V., or Gambling Management S.A. permitting use of the CIRCUS or CIRCUS CASINO marks, and that none is commonly known by any of the disputed domain names. Complainant further contends that the use made of the disputed domain names — reproducing Complainant's figurative mark and favicon, and in certain cases the BETCA/KSA and Belgian A+ licence narratives, in order to present the resolving websites as official, before redirecting visitors to unrelated third-party gambling operators for what Complainant contends is affiliate-style commercial gain — is illegitimate and incapable of conferring rights or legitimate interests.

Complainant contends that its trademark rights and the KSA-licensed operation of <circus.nl> clearly predate all five disputed domain name registrations, and that Respondent's actual knowledge of Complainant's rights is confirmed by the content of the resolving websites, which reproduce Complainant's exact figurative mark and favicon and appropriate the genuine BETCA/KSA and Belgian A+ licensing narratives. Complainant states that the disputed domain names are used to create a likelihood of confusion as to source, sponsorship, or affiliation, in order to divert traffic, for commercial gain, to unrelated gambling platforms (HolyLuck, WinBeast, SpinGranny, VOX, and SpinAura) via tracked or affiliate-style links.

Complainant requests consolidation of the proceeding against all five registrants of record, holding that the disputed domain names and the websites to which they resolve are subject to common control, based on a shared naming convention as well as disclosed telephone numbers bearing the Ukrainian (+380) country code inconsistent with three registrants' disclosed addresses in Estonia, Bulgaria, and Cyprus. Additionally, Complainant holds that the disclosed e-mail addresses bear no relationship to the corresponding registrant names, and that several are hosted on free or privacy-oriented webmail services. It further contends that there is an internally incoherent combination of an Estonian corporate form and a Kazakh address for one registrant, there is a common registrar for four of the five disputed domain names, and all five resolving websites use the same, common website template, look-and-feel, and modus operandi across all five resolving websites.

B. Respondent

Respondent did not reply to Complainant's contentions.

On July 27, 2026, the Center received a communication from an Italian counsel purporting to act on behalf of a third party, in relation to the disputed domain name <circuscasino7.nl>, contending that the registration of that disputed domain name had been made without this individual's knowledge or authorization, and that the individual concerned had himself been the victim of identity theft. This communication is addressed further in Section 6 below.

6. Discussion and Findings

Pursuant to article 2.1 of the Regulations, Complainant must prove each of the following three elements:

a) the disputed domain name is identical or confusingly similar to: I) a trademark, trade name or geographical indication protected under Dutch law in which Complainant has rights; or II) a personal name registered in the General Municipal Register (Gemeentelijke Basisadministratie) of a municipality in the Netherlands, or the name of a Dutch public legal entity or the name of an association or foundation registered in the Netherlands under which Complainant undertakes public activities on a permanent basis; and
b) Respondent has no rights to or legitimate interests in the disputed domain name; and
c) the disputed domain name has been registered or is being used in bad faith.

Respondent did not provide a response to the Complaint. Therefore, based on article 10.3 of the Regulations, the Panel decides on the dispute on the basis of the Complaint. In this case, the Complaint shall be granted, unless the Panel considers it to be without basis in law or in fact.

First two procedural matters will be addressed: (i) Request for consolidation, and (ii) Identity theft allegation.

(i) Request for consolidation

Complainant named five nominally distinct registrants, as disclosed by SIDN, and requested consolidation, pursuant to the principles summarized in the WIPO Overview of WIPO Panel Views on Selected UDRP Questions ("WIPO Overview 3.1"), section 4.11, which the Panel considers equally applicable under the Regulations.[1] Consolidation requires (a) common control of the disputed domain names or resolving websites, and (b) fairness to all parties.

Individually, a shared naming convention, a common registrar (Registrar.eu, for four of the five), and a narrow registration window carry limited weight on their own. Due to the following circumstances, the Panel finds that there is common control. (i) Three registrants sharing a Ukrainian (+380) phone number despite disclosed addresses of other countries (Estonia, Bulgaria, and Cyprus); (ii) The email addresses disclosed for several registrants bear no discernible relationship to registrants' disclosed names, notwithstanding that at least two of the disclosed registrants purport to be corporate entities. All such email addresses are hosted on free, non-corporate, or privacy-oriented webmail services; (iii) one registrant styled as an Estonian "OÜ" at a Kazakh address; (iv) The websites to which all five disputed domain names resolve share a common template: each reproduces Complainant's CIRCUS figurative device and favicon, adopts an equivalent regulatory-trust narrative invoking genuine third-party licences, and redirects — via tracked, referrer-bearing URLs — to a third-party offshore gambling platform. The variation in ultimate redirect destination across the five disputed domain names does not detract from, but rather is consistent with, operation by a single affiliate-driven actor monetizing traffic opportunistically across multiple casino programmes.

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[1]Given that the Regulations are largely based on the UDRP, the Panel considers UDRP precedents, and thus the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), to be relevant to the present proceedings and will refer to them where appropriate (see, inter alia, *Aktiebolaget Electrolux v. Beuk Horeca B.V.*, WIPO Case No. DNL2008-0050).

The Panel sees no unfairness to any party: each registrant retained the same notice and opportunity to respond as in a separate proceeding, and dispersed, apparently fabricated registration data cannot compel five separate proceedings. The proceeding is therefore consolidated in respect of all five disputed domain names.

(ii) Identity theft allegation

A communication alleging identity theft was received in this proceeding for the disputed domain name <circuscasino7.nl>.

Italian counsel submitted a police complaint on a third party's behalf alleging identity theft. Taken alone, this evidence is weak: the complaint concerns telephone fraud, predates the disputed domain name's registration by about two months, does not mention the disputed domain name or Complainant, and cites a different telephone number than the one disclosed in WhoIs. However, viewed together with the broader pattern of fabricated registrant data established above — including a residential address with no business connection, as Complainant itself notes — the Panel finds it more likely than not that this third party's identity was used without his knowledge, consistent with *Insured Aircraft Title Company, LLC v. Name Redacted*, WIPO Case No. D2025-0890.

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 Complainant's trademark, protected under Dutch law and the disputed domain name.

Complainant has shown rights in respect of a trademark for the purposes of the Regulations.

Each of the disputed domain names reproduces the CIRCUS mark in its entirety: <circus1.nl> and <circus2.nl> combine it with a numeral, <circuscasino-be.nl> and <circuscasinonl.nl> combine it with the descriptive term "casino" and a country/language indicator ("be" / "nl"), and <circuscasino7.nl> combines it with "casino" and a numeral. The addition of descriptive, geographic, or numeral elements does not prevent a finding of confusing similarity where, as here, the trademark remains clearly recognizable within the disputed domain name. The applicable ".nl" country-code suffix is disregarded as a standard registration requirement.

The Panel accordingly finds that each of the disputed domain names is confusingly similar to a trademark in which Complainant has rights, and that Complainant has satisfied article 2.1(a) of the Regulations in respect of all five disputed domain names.

B. Rights or Legitimate Interests

Article 3.1 of the Regulations provides a list of circumstances in which Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in .NL proceedings is on 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 Respondent. As such, where a Complainant makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element.

Having reviewed the available record, the Panel, taking into account that Respondent has not submitted a Response, finds that Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name.

Panels have held that the use of a domain name for illegitimate activity here, claimed passing off and other types of fraud, namely the impersonation of Complainant's authorised platforms in order to redirect visitors, for commercial gain, to unrelated third-party gambling operators, can never confer rights or legitimate interests on a Respondent.

The Panel finds the second element of the Regulations has been established.

C. Registered or Used in Bad Faith

In light of its considerations under Section 6.B, the facts presented by Complainant, and the lack of a response by Respondent, the Panel finds that the disputed domain names have been registered and/or are used in bad faith.

The Panel notes that, for the purposes of Article 2.1(c) of the Regulations, Article 3.2 of the Regulations establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration or use of a domain name in bad faith.

In the present case, the Panel notes that Respondent has, by using the disputed domain names, intentionally attempted to attract, for commercial gain, Internet users to the resolving websites, by creating a likelihood of confusion with Complainant's mark as to the source, sponsorship, affiliation, or endorsement of those websites. This is evidenced by the reproduction, on each resolving website, of Complainant's exact figurative mark and favicon, and, in several instances, the appropriation of the genuine BETCA/KSA and Belgian A+ licensing narratives — a degree of detail inconsistent with coincidence or independent adoption, and clearly predating registration of any of the disputed domain names.

Panels have held that the use of a domain name for illegitimate activity — here, claimed passing off and other types of fraud, namely the impersonation of Complainant's authorised platforms in order to redirect visitors, for commercial gain, to unrelated third-party gambling operators (HolyLuck, WinBeast, SpinGranny, VOX, and SpinAura) via tracked, referrer-bearing links — constitutes bad faith. Having reviewed the record, the Panel finds Respondent's registration and use of the disputed domain names constitutes bad faith under the Regulations.

The Panel adds that this finding is unaffected by its determination in Section 6 above that one of the five nominal registrants of record appears themself to be victim of identity misappropriation: the bad faith use found here is a property of the disputed domain names and the websites to which they resolve, attributable to whoever in fact controls them, regardless of whose name appears in the registration data.

The Panel finds that Complainant has established the third element of the Regulations.

7. Decision

For all the foregoing reasons, in accordance with articles 1 and 14 of the Regulations, the Panel orders that Complainant becomes the registrant of the disputed domain names <circuscasino-be.nl>, <circuscasinonl.nl>, <circuscasino7.nl>, <circus1.nl>, and <circus2.nl> instead of Respondent.

/Moïra Truijens/
Moïra Truijens
Panelist
Date: August 28, 2026