Decision for dispute CAC-UDRP-108919

Case number	CAC-UDRP-108919
Time of filing	2026-08-11 21:16:18
Domain names	casino-circus.co.nl, circuscasino.co.com, circuscasinos.co.nl

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Circus Belgium SA

Complainant representative

Organization	COGITUS SRL

Respondents

Name	Pablo Navarro Garcia
Name	Max Koselev
Organization	Digital Innov'Action inc.

OTHER LEGAL PROCEEDINGS

The Panel is unaware of any other pending or decided legal proceedings in respect of the domain names <casino-circus.co.nl>, <circuscasino.co.com> and <circuscasinos.co.nl> (the "disputed domain names").

IDENTIFICATION OF RIGHTS

The Complainant, Circus Belgium S.A., is the proprietor of numerous registrations for trade marks consisting of or incorporating CIRCUS, including:

• Benelux CIRCUS trade mark registration no. 615084, registered on 1 April 1998; and

• European Union CIRCUS CASINO trade mark registration no. 006071914, registered on 23 October 2008.

The Complainant also owns the domain names <circus.nl>, <casinocircus.nl> and <circuscasino.nl> and operates online gambling services under the CIRCUS brand.

FACTUAL BACKGROUND

A. Procedural History

The Complaint was originally filed in respect of five disputed domain names registered in the names of five nominally different Respondents. The Complainant requested consolidation in a single proceeding.

Following Registrar verification, the Complainant submitted supplemental observations in support of consolidation.

During the proceeding, the Respondents corresponding to <circus-casino.co.com> and <casinocircus.co.nl> entered into settlement with the Complainant. Those domain names were transferred to the Complainant and ceased to be the subject of this proceeding.

The proceeding accordingly continued in respect of the three remaining disputed domain names and Respondents.

On 20 September 2026, the Panel issued Procedural Order No.1 ("PO1"), inviting further submissions concerning consolidation in light of the partial settlement. The Complainant was afforded until 23 September 2026 to submit its observations and the Respondents until 25 September 2026 to respond.

The Complainant submitted its observations within the prescribed time, maintaining its request for consolidation. No Respondent submitted any observations by the applicable deadline.

The issue of consolidation is addressed further under Procedural Factors below.

B. Complainant's Factual Allegations

The Complainant is a Belgian company operating in the gambling and gaming sector under the CIRCUS brand.

The Complainant states that its CIRCUS-branded online platform in the Netherlands is operated through BETCA B.V. at <circus.nl> under a Dutch gambling licence.

The Complainant submits that the disputed domain names target its CIRCUS Marks and online gambling activities. It further submits that the corresponding websites reproduce the CIRCUS branding and information concerning operators, licences and regulatory arrangements associated with its business, thereby creating the appearance of official or authorised CIRCUS websites.

According to the evidence submitted by the Complainant, the websites have been used to direct Internet users to third-party gambling operators unrelated to the Complainant.

C. Respondents' Position

No administratively compliant Response was filed by any Respondent. Nor did any Respondent submit observations in response to PO1.

D. Disputed Domain Names

The disputed domain names were registered between 11 May and 16 June 2026.

The Registrar verifications disclosed three different registrants:

- Pablo Navarro Garcia - <casino-circus.co.nl>, registered on 8 June 2026;
- Max Koselev - <circuscasino.co.com>, registered on 11 May 2026; and
- Vincent Mathot / Digital Innov'Action inc. - <circuscasinos.co.nl>, registered on 16 June 2026.

The respective registrant addresses are stated to be in Spain, Estonia and Canada. Each registrant supplied a telephone number using the Ukrainian international country code +380.

The evidence shows that the corresponding websites reproduced CIRCUS branding and presented themselves as CIRCUS-branded gambling websites. Calls to action on the websites directed Internet users to third-party gambling operators.

PARTIES CONTENTIONS

A. Complainant

A.1 The disputed domain names are identical or confusingly similar to a trade mark in which the Complainant has rights

The Complainant relies on its registered rights in the CIRCUS and CIRCUS CASINO trade marks and that each disputed domain name incorporates the CIRCUS trade mark together with "casino" or "casinos". The differences between the disputed domain names consist principally of hyphenation, pluralisation or reversal of word order and, in the Complainant's case, do not prevent the CIRCUS trade mark from remaining recognisable.

A.2 The Respondent has no rights or legitimate interests in respect of the disputed domain names

The Respondents are not affiliated with the Complainant and have never been authorised to use the CIRCUS Marks. The

Complainant contends that there is no evidence that any Respondent is commonly known by any disputed domain name or owns any corresponding right.

The Complainant submits that the websites reproduce CIRCUS branding and information concerning its business and regulatory arrangements so as to create the appearance of official or authorised CIRCUS gambling websites, while directing Internet users to unrelated third-party gambling operators for commercial purposes.

A.3 The disputed domain names were registered and are being used in bad faith

The Complainant contends that the Respondents registered the disputed domain names with knowledge of, and an intention to target, the Complainant and its CIRCUS Marks.

It relies upon the composition of the disputed domain names and the content and use of the corresponding websites, which it submits demonstrate specific knowledge of the Complainant and intentionally create confusion in order to divert Internet users to unrelated gambling operators for commercial gain.

A.4 Consolidation

The Complainant requests consolidation pursuant to paragraph 10(e) of the UDRP Rules.

Following PO1, the Complainant maintained the request and relied principally upon:

(a) the use by all three nominal Respondents of Ukrainian +380 telephone numbers despite addresses in Spain, Estonia and Canada;

(b) registration of the disputed domain names within 36 days and their closely related CIRCUS/CASINO naming pattern;

(c) anomalies or inconsistencies in the disclosed registrant information; and

(d) the materially similar nature and commercial function of the corresponding websites, including their reproduction of CIRCUS branding and redirection of Internet users to third-party gambling operators.

The Complainant acknowledges that the websites are not identical and redirect to different operators, but submits that the evidence considered cumulatively establishes common control.

The Complainant further submits that consolidation would be fair and equitable and procedurally efficient.

A.5 Relief sought

The Complainant requests transfer of the disputed domain names.

B. Respondents

No administratively compliant Response was filed. Nor did the Respondents make any submission in response to PO1.

The Panel therefore proceeds on the basis of the evidence before it and may draw such inferences from the Respondents' default as it considers appropriate under the UDRP Rules. The Respondents' failure to participate does not relieve the Complainant of its burden of establishing each element of paragraph 4(a) of the UDRP Policy.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain names are confusingly similar to a trade mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the UDRP Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown that the Respondents have no rights or legitimate interests in respect of the disputed domain names (within the meaning of paragraph 4(a)(ii) of the UDRP Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain names were registered and are being used in bad faith (within the meaning of paragraph 4(a)(iii) of the UDRP Policy).

PROCEDURAL FACTORS

PROCEDURAL FACTORS

1. Consolidation

Following settlement and transfer of two of the five domain names originally comprised in the Complaint, the proceeding continues against three nominal Respondents in respect of the three disputed domain names.

Paragraph 10(e) of the UDRP Rules confers upon the Panel discretion to consolidate multiple domain name disputes. In determining whether consolidation is appropriate, panels generally consider whether the disputed domain names or corresponding websites are subject to common control and whether consolidation would be fair and equitable to all parties. Procedural efficiency may also be taken into account.

Having considered the evidence as a whole, the Panel is satisfied, on the balance of probabilities, that the three disputed domain names are subject to common control.

First, all three nominal Respondents supplied telephone numbers using the Ukrainian international country code +380, notwithstanding stated addresses in Spain, Estonia and Canada. While that circumstance would carry little weight in isolation, its occurrence across all three nominally unrelated registrants is a relevant correlation.

Second, the disputed domain names were registered within 36 days and follow a highly specific naming pattern. Each combines CIRCUS and CASINO/CASINOS, differing essentially only by word order, hyphenation or pluralisation.

Third, and more significantly, each corresponding website reproduces CIRCUS branding, presents itself as a CIRCUS-branded gambling website, uses materially similar categories of promotional and regulatory content and directs Internet users to a third-party gambling operator.

The Panel has taken into account that the websites are not identical, the disputed domain names do not all share the same Registrar, and the websites redirect to different third-party gambling operators. Those differences do not, however, outweigh the cumulative evidence of common control. The apparent irregularities in the registrant information provide some additional support for that inference, although the Panel does not regard them as independently establishing common control.

Taken as a whole, the evidence is sufficient to establish, on the balance of probabilities, that the disputed domain names and corresponding websites are subject to common control.

The Panel is further satisfied that consolidation is fair and equitable to the Parties and promotes procedural efficiency. The claims concern the same Complainant and trade marks, closely related domain names and materially similar conduct. Each Respondent was afforded an opportunity to participate and, specifically, to address consolidation following PO1. None objected or otherwise responded.

Accordingly, the Panel grants the Complainant’s request for consolidation and refers below to the three Respondents collectively as the "Respondent".

2. Miscellaneous

The Panel is satisfied that all procedural requirements under the UDRP Policy, the UDRP Rules and the CAC Supplemental Rules have been met and that there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

A. Applicable Legal Framework

Pursuant to Rule 15 of the UDRP Rules, the Panel decides on the basis of the statements and evidence submitted, in accordance with the UDRP Policy, the UDRP Rules, and any applicable principles of law that it deems applicable.

Under paragraph 4(a) of the UDRP Policy, the Complainant must establish, on the balance of probabilities, that:

> (i) the disputed domain names are identical or confusingly similar to a trade mark 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 Respondent's default does not alter that burden. The Panel must be satisfied, on the evidence before it, that each of those requirements has been established.

B. Identical or Confusingly Similar

The Complainant has established longstanding registered rights in the CIRCUS trade mark, including rights which substantially predate the registration of the disputed domain names.

The comparison required under paragraph 4(a)(i) of the UDRP Policy is straightforward. Each disputed domain name incorporates the CIRCUS trade mark in its entirety together with the terms "casino" or "casinos". The trade mark remains plainly recognisable in each case. The hyphen and reversal of word order in <casino-circus.co.nl>, and the pluralisation of "casino" in <circuscasinos.co.nl>, do not alter that conclusion. In the context of the Complainant's business, the addition of "casino" or "casinos" does not diminish that similarity.

The Panel therefore finds that the first element of paragraph 4(a) of the UDRP Policy has been established.

C. Rights or Legitimate Interests

There is nothing in the record to suggest any independent right or legitimate interest on the part of the Respondent in the disputed domain names. There is no evidence that the Respondent has been authorised to use the CIRCUS trade mark, is commonly known by any disputed domain name, or otherwise possesses corresponding rights. Nor can the use actually made of the disputed domain names give rise to a right or legitimate interest.

The evidence shows that the disputed domain names have been used for websites reproducing CIRCUS branding and presenting themselves as CIRCUS-branded gambling services. The websites also direct Internet users to third-party gambling operators unrelated to the Complainant. The websites adopt the Complainant's branding and, in some instances, information associated with its authorised gambling operations, so as to convey an appearance of association or authorisation before diverting users to unrelated commercial gambling services. Such use cannot confer rights or legitimate interests in the disputed domain names.

The Complainant has accordingly established a prima facie case. The Respondent has not sought to rebut it. In those circumstances, the Panel finds that the second element of paragraph 4(a) of the UDRP Policy has been established.

D. Registered and Used in Bad Faith

The evidence establishes deliberate targeting of the Complainant.

The Complainant's registered rights substantially predate the disputed domain names. Each combines the CIRCUS trade mark with "casino" or "casinos", terms directly corresponding to the Complainant's field of activity. More importantly, the use made of the disputed domain names leaves no realistic doubt as to the Respondent's knowledge and purpose.

The corresponding websites reproduce CIRCUS branding together with specific operator and regulatory information relating to the Complainant's gambling business. In particular, the evidence shows that <casino-circus.co.nl> identified BETCA B.V. as its operator - the same company that operates the Complainant's Dutch CIRCUS platform - and referred to a Dutch gambling licence. The Panel is satisfied that this appropriation of the Complainant's commercial and regulatory identity is inconsistent with any innocent selection of the disputed domain names and demonstrates deliberate targeting of the Complainant and its CIRCUS Marks.

The same circumstances establish bad faith use. The websites were used to create the appearance of official or authorised CIRCUS gambling services and to attract users to unrelated third-party gambling operators. The commercial character of the conduct is clear: Internet users are attracted by the CIRCUS name and branding and then diverted to unrelated gambling services. The fact that the ultimate destination differs between the three websites does not alter the essential nature of that conduct. The Panel is satisfied that this conduct falls squarely within paragraph 4(b)(iv) of the UDRP Policy: the Respondent has intentionally attempted to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant’s CIRCUS Marks as to the source, sponsorship, affiliation or endorsement of the websites.

The Panel accordingly finds that the disputed domain names were registered and are being used in bad faith. The third element of paragraph 4(a) of the UDRP Policy has therefore been established.

E. Decision

For the foregoing reasons, in accordance with paragraph 4(i) of the UDRP Policy and Rule 15 of the UDRP Rules, the Panel orders that the disputed domain names <casino-circus.co.nl>, <circuscasino.co.com> and <circuscasinos.co.nl> be transferred to the Complainant, Circus Belgium S.A.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **casino-circus.co.nl**: Transferred
2. **circuscasino.co.com**: Transferred
3. **circuscasinos.co.nl**: Transferred

PANELLISTS

Name	Gustavo Moser

DATE OF PANEL DECISION 2026-09-26

Publish the Decision