



DECISION OF THE THIRD-PARTY DECIDER
Circus Belgium S.A. / Vincent Dufour
Case no. 444283 / circusdice.be

1. The Parties

1.1.1 Complainant:

Circus Belgium S.A.
rue des Guillemins 129
4000 Liège
BELGIUM

Represented by:

Mr. Philippe PARTOUNE
Cogitus SRL
Avenue des Bouleaux 30
4053 Embourg
Belgium

1.1.2 Domain name holder:

Mr. Vincent Dufour
20 VLA DES AIGRETTES
75019 PARIS
Île-de-France
FRANCE

Self-represented

2. Domain name

Domain name: circusdice.be
Registered on: 24 March 2026

Hereafter referred to as "the Domain Name".

3. Procedure

On 31 August 2026, the Complainant filed a Complaint with CEPANI requesting that the Domain Name be transferred.

On 28 September 2026, CEPANI appointed Diégo Noesen as Third-Party Decider. On 5 October 2026, the deliberations have been closed. No response was received.

The Third-Party Decider renders his decision based on the Complaint, Article 10 of the "Terms and conditions for .be domain name registrations" of DNS Belgium, entitled "Dispute resolution policy" (the "Policy"), and the Rules for Domain Name Dispute Resolution of CEPANI (the "Rules").

4. Factual Background information

The Complainant, Circus Belgium S.A., is a Belgian company active in the gambling and gaming sector. It uses the CIRCUS sign in connection with gaming establishments and related online services. The Complainant holds, among others, the following trademark registrations:

 **Circus**

– , European Union figurative trademark No. 018025773, registered on 20 October 2020 in classes 9, 28 and 41;



– , European Union figurative trademark No. 018544938, registered on 10 March 2022 in classes 9, 28 and 41.

The Complainant operates, among other websites, <circus-dice.be>, which is identified in the Belgian Gaming Commission's register of B+ licences in connection with the Complainant and another operator. The Complaint identifies the Complainant's licence No. 4031 for this website.

The Domain Name was registered on 24 March 2026. The website associated with the Domain Name presents itself as "Circus Casino België", displays the Complainant's trademarks and contains registration-related links redirecting visitors to a third-party gambling website.

5. Position of the parties

Position of the Complainant

In summary, the Complainant submits that the Domain Name incorporates its CIRCUS trademark and is confusingly similar to that mark. The Complainant also points to the near identity between the Domain Name and its <circus-dice.be> domain name, which differs only by the omission of a hyphen, and the fact that the Domain Name is registered under the same country-code Top-Level Domain ("ccTLD") as the Complainant's official domain names.

The Complainant argues that the Domain Name Holder has no rights or legitimate interests in the Domain Name. According to the Complainant, the Domain Name Holder:

- has no relationship of any kind with the Complainant;
- has not been authorized to use the Domain Name or the Complainant's marks;



- is not commonly known by the Domain Name, and the related website does not identify the person or entity operating it;
- is not using the Domain Name in connection with any *bona fide* offering, as the associated website reproduces the Complainant's trademarks, uses images copied from the Complainant's official websites, falsely suggests a Belgian gaming license and directs visitors to another gambling operator rather than providing services of its own. The favicon of this website is identical to the favicon used by the Complainant and corresponds to one of the Complainant's trademarks;
- is not making a legitimate non-commercial or fair use of the Domain Name.

The Complainant further alleges bad faith registration and use, relying on the deliberate imitation of its domain name, official websites and visual identity, the redirection of Internet users for commercial gain, the targeting of Belgium and the Complainant specifically, the false suggestion of a Belgian gaming license and the absence of any identification of the entity operating the website linked to the Domain Name.

Position of the Domain name holder

The Domain Name Holder did not reply.

6. Discussion and findings

Pursuant to Article 16.1 of the Rules, the Third-Party Decider shall rule on domain name disputes with due regard for the Policy and the Rules.

Pursuant to Article 10b (1) of the Policy, the Complainant must provide evidence of the following:

- *"the registrant's domain name is identical or confusingly similar to a trademark, a trade name, a registered name or a company name, a geographical designation, a designation of origin, a designation of source, a personal name or name of a geographical entity in which the complainant has rights; and*
- *the registrant has no rights or legitimate interests in the domain name; and*
- *the registrant's domain name has been registered or is being used in bad faith."*

The Domain Name is identical or confusingly similar to trademarks in which the Complainant has rights

The Complainant has established rights in the CIRCUS trademark, including through one of the European Union trademark registrations identified above. The Domain Name incorporates the textual element of this mark in its entirety, followed by the term "dice". In the Third-Party Decider's view, the CIRCUS trademark remains clearly recognizable within the Domain Name.



It is well established that the ccTLD “.be” may be disregarded when assessing confusing similarity.

Accordingly, the Third-Party Decider finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights. The first element of the Policy is met.

The Domain name holder has no rights or legitimate interests in the Domain Name

Under Article 10(b)(1), second bullet point of the Policy, the Complainant must establish that the Domain Name Holder has no rights or legitimate interests in the Domain Name. Once a *prima facie* case is made, it is for the Domain Name Holder to come forward with evidence of any such rights or interests.

The Complainant states that it has not authorized the Domain Name Holder to use its CIRCUS trademark. The record contains no indication that the Domain Name Holder is commonly known by the Domain Name or holds corresponding trademark rights.

Where a domain name consists of a trademark plus an additional term, the Third-Party Decider finds that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. In this case, the Domain Name incorporates the Complainant's CIRCUS trademark and adds the term “dice”. This term relates to gaming activities such as those offered by the Complainant. Moreover, the Domain Name is nearly identical to the Complainant's <circus-dice.be> domain name related to one of the Complainant's official websites. Therefore, the Third-Party Decider finds that the Domain Name carries a risk of implied affiliation with the Complainant and cannot constitute fair use.

The Third-Party Decider observes that the website associated with the Domain Name displays both figurative trademarks of the Complainant mentioned above, identifies itself as “Circus Casino België”, and includes links leading to a third-party gambling website as well as an email address linked to a domain name used by the Complainant. The favicon of the website linked to the Domain Name is identical to the favicon used by the Complainant and corresponds to one of the Complainant's trademarks. The Third-Party Decider finds that such use is clear evidence of impersonation or passing off, which can never constitute a *bona fide* offering of services or legitimate fair use.

The Domain Name Holder has not rebutted the Complainant's *prima facie* case. The Third-Party Decider therefore finds the second element established.

The Domain name holder's Domain Name has been registered or is being used in bad faith

The third element of Article 10(b)(1) of the Policy requires the Complainant to establish that the Domain Name was registered or is being used in bad faith. Article 10(b)(2) sets out non-exhaustive circumstances evidencing bad faith, including intentionally attracting Internet users for commercial gain by creating confusion with the complainant's trademark as to the source, sponsorship, affiliation or endorsement of the registrant's web site or location or of a product or service on his web site or location.



In the circumstances addressed above, the Third-Party Decider finds it inconceivable that the Domain Name Holder was unaware of the Complainant when registering or using the Domain Name:

- the Domain Name includes the Complainant's CIRCUS mark together with the term "dice" under the .be ccTLD, which makes it almost identical to the Complainant's <circus-dice.be> domain name;
- the Complainant's figurative marks are reproduced on the website linked to the Domain Name and related favicon.

The website's presentation as "Circus Casino België", its use of the Complainant's trademarks and images from the Complainant's official websites, and the contact address linked to one of the Complainant's domain names further support a finding of deliberate impersonation. The Third-Party Decider finds that the links on the website directing visitors to a third-party gambling operator indicate that the Domain Name is used to attract Internet users by creating confusion with the Complainant and its online gaming services.

The Third-Party Decider need not determine whether each allegation regarding regulatory compliance, copyright, or the registrant's contact details is independently established. In the Third-Party Decider's view, the combination of the Domain Name's composition and the use of the Complainant's trademarks and identity on the website suffice to establish bad faith use under the Policy.

By failing to respond to the Complaint, the Domain Name Holder did not take any initiative to contest the foregoing.

Therefore, the Third-Party Decider finds that the third element of the Policy is also met.



7. Decision

Consequently, pursuant to Article 10(e) of the Policy, the Third-Party Decider hereby rules that the domain name registration for the "**circusdice.be**" domain name is to be transferred to the Complainant.

Brussels, 14 October 2026.

Diégo Noesen
(Signature)

Digitally signed by Diégo
Noesen (Signature)
Date: 2026.10.14 18:19:12
+02'00'

Diégo NOESEN

The Third-party Decider