



**DECISION OF THE THIRD-PARTY DECIDER
CITEXAR SA / SVITLANA ZHARIUK
Case no. 444268/goldenpalace-casino.be**

1 The Parties

1.1. Complainant: Citexar SA

**Avenue des Croix de Guerre 120
1120 Brussels
Belgium**

Hereinafter referred to as “The Complainant”

Represented by:

Mr. Jean-Christophe TROUSSEL, Mr. Guillaume DE VILLEGAS, Ms. Lisa GIUS
Attorneys at law – Bird & Bird
Avenue Louise 235/1
1050 Brussels
Belgium

1.2. Domain name holder: Svitlana Zhariuk

**Street Lesi Ukrainky, building 17
59353, Drachyntsi, Chernivetska
Ukraine**

Hereinafter referred to as “The Domain Name Holder”

Not represented.

2 Domain name

Domain name: **goldenpalace-casino.be**

Registered on: 19 September 2025

Hereafter referred to as "the Domain Name".

3 Procedure

On 27 February 2026, the Complainant filed its complaint with CEPANI, requesting the transfer of the Domain Name to the Complainant.

The Domain Name Holder did not submit any response.

On 27 March 2026, pursuant to Article 7.2 of the CEPANI rules for domain name dispute resolution (hereafter referred to as the "Rules"), CEPANI appointed Mr Pierre-Yves Thoumsin as the Third-Party Decider to settle the dispute regarding the Domain Name.

On 3 April 2026, pursuant to Article 13 of the Rules, the deliberations were closed.

In application of Article 6.4 and 15 of the Rules, the Third-Party Decider shall decide the dispute based on the Complaint, in the absence of any Response from the Domain Name Holder.


In accordance with Article 11.4 of the Rules, the Third-Party Decider rules on the admissibility, relevance and weight of the evidence submitted.

4 Factual Background information

The Complainant is a Belgian company active since 1992 in the area of leisure and entertainment under the brand name GOLDEN PALACE. The Complainant operates dozens of gaming halls licensed by the Belgian Gaming Commission.

Since 2011, the Complainant also operates an online platform under the domain name "goldenpalace.be" where, among others, games of chance, sports betting, virtual races and online poker are offered.

The Complainant is the holder of the following trademarks (Annex 11 of the Complainant), on which its complaint is based:

- Benelux figurative trademark no. 1485926 "" registered on 29 August 2023 in classes 9, 28, 41 and 43;



- Benelux figurative trademark no. 1485926 “Golden Palace” registered on 29 August 2023 classes 9, 28, 41 and 43;
- French word trademark no. 1485926 “GOLDEN PALACE” registered on 9 August 2019 in classes 9, 28, 41 and 43.

(hereinafter together referred to as the “Golden Palace Trademarks”)

Since the Domain Name Holder’s information was not available in the data available on WHOIS (Annex 1 of the Complainant), the Complainant requested such information from DNS Belgium. On 25 February 2026, DNS Belgium provided the complete data of the Domain Name Holder (Annex 3 of the Complainant).

5 Position of the parties

5.1. Position of the Complainant

The Complainant contends that:

- The Disputed Domain Name is identical or confusingly similar to the Golden Palace Trademarks, since the core element of the Golden Palace Trademarks is entirely integrated into the Disputed Domain Name;
- The Domain Name Holder has no rights or legitimate interests to the Disputed Domain Name;
- The Disputed Domain Name has been registered or is being used in bad faith, allegedly to attract, for commercial gain, Internet users to the Complainant’s website or other online location.

5.2. Position of the Domain name holder

The Domain Name Holder did not submit a response.

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 of DNS Belgium and the CEPANI rules for domain name dispute resolution.

Pursuant to Article 10b (1) of the Terms and conditions of domain name registrations under the ".be" domain operated by DNS BE, 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 name 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."*

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

The Disputed Domain Name "goldenpalace-casino.be" consists of the addition of the verbal elements of the Golden Palace Trademarks, followed by the word "casino", which refers to the Complainant's casino-related activities as well as the activities purportedly offered by the Domain Name Holder on the website linked to the Domain Name (Annex 2 of the Complainant).

Adding descriptive and usual terms, such as the word "casino" or the hyphen ("-") to a registered trademark in a domain name is not sufficient to differentiate the domain name from that registered trademark¹.

For these reasons, the Third-Party Decider rules that the Disputed Domain Name is at least confusingly similar to the Golden Place Trademarks.

¹ See in this respect CEPANI Cases No. 444160, 15 April 2022, Solvay SA v. Kurt Erwin Nätther, solvay-chimie.be; No. 444145, Disney Enterprise Inc. v. Koen Rademaekers, Disney-store.be; No. 44465, 29 April 2019, Umicore, SA v. Michael Hannart, umicore-group.be



6.2. The Domain Name Holder has no rights or legitimate interests in the Disputed Domain Name

According to Article 10.b.1, ii) of the Terms and Conditions for ".be" domain name registrations, the Complainant has to prove that the Domain Name Holder has no rights or legitimate interests in the Disputed Domain Name.

It is widely accepted that, considering the difficulty of proving a negative fact, a Complainant must only establish a *prima facie* case that the Domain Name Holder has no rights or legitimate interests. If the Complainant succeeds, the burden of proof then shifts to the Disputed Domain Name Holder to provide relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name². The Domain Name Holder must then provide relevant evidence to prove its rights or legitimate interests in the domain name. In the present case, however, the Domain Name Holder did not submit any response.

The Complainant's file and arguments contain sufficient evidence of the Domain Name Holder's lack of rights and legitimate interests in the Disputed Domain Name:

- The Domain Name Holder has no affiliation with the Complainant ;
- It appears from the trademark registrations submitted by the Complainant that the Complainant owned rights in the Golden Place Trademarks before the registration of the Disputed Domain Name, on 19 September 2025. The Golden Place Trademarks are indeed registered since 2019 (French trademark) and 2023 (Benelux trademarks) ;
- In addition, the operator of gaming activities (and in particular online gaming) must obtain a license from the Belgian Gaming Commission as they are strictly regulated activities in Belgium. In the present case, the Domain Name is redirecting to an illegal gambling website placed on the blacklist of the Belgian Gaming Commission (Annexes 6 and 12 of the Complainant)
- The Domain Name Holder's lack of reaction to the complaint also demonstrates his lack of legitimate interest in such Disputed Domain Name³.

Considering the above, the Third-Party Decider rules that the second element of Article 10.b(1) of the Terms and Conditions is met.

² See in this respect CEPANI case No. 444150, 29 November 2021, Supervizome srl v. X, sddeboucheur.be and sd-deboucheur.be

³ See in this respect CEPANI Cases No.444261, 25 February 2026, CASINO DE SPA v. Nikola Pischeda, 777-casino.be ; No. 444260, 29 January 2026, Gambling Management SA v. Lead Total Limited, circus-belgium.be.

6.3. The Domain Name Holder's Domain Name has been registered or is being used in bad faith

In accordance with Article 10, b), 2) of the Terms and Conditions, the evidence of bad faith registration or use of a domain name can *i.a.* be demonstrated by the following circumstances:

- o *the domain name was intentionally used to attract, for commercial gain, Internet users to the registrant's web site or other on-line location, by creating confusion with the complainant's trademark, trade name, registered name or company name, geographical designation, name of origin, designation of source, personal name or name of a geographical entity 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 case at hand, the Domain Name Holder is aware of the existence of the Complainant prior rights on the sign "Golden Place". Indeed, the Domain Name Holder used the Complainant's Golden Place Trademarks (including its distinctive logos) on its website, as it appears from Annex 2 of the Complainant.

In addition, as demonstrated by the Complainant in its Annexes 6 and 12, the website linked to the Disputed Domain Name was considered an illegal gambling website blacklisted by the Belgian Gaming Commission. It also appeared that the website linked to the Disputed Domain Name was designed to mislead Internet users into clicking on pay-per-click links.

Considering the above, the Third-Party Decider rules that the third element of Article 10.b(1) of the Terms and Conditions is met.

7 Decision

Consequently, pursuant to Article 10(e) of the *Terms and conditions of domain name registrations under the ".be" domain operated by DNS BE*, the Third-Party Decider hereby rules that the domain name registration for the "**goldenpalace-casino.be**" domain name :

is to be transferred to the complainant.

Brussels, 16 April 2026.



Pierre-Yves, THOUMSIN

The Third-party Decider