

ADMINISTRATIVE PANEL DECISION

Carrefour SA v. Ridick Lastri, Camilz, Clyde M Jacobs
Case No. D2025-0519

1. The Parties

Complainant is Carrefour SA, France, represented by IP Twins, France.

First Respondent is Ridick Lastri, Camilz, United States of America.

Second Respondent is Clyde M Jacobs, United States of America.

2. The Domain Names and Registrar

The disputed domain names <alertacarrefourpass.info>, <avisocarrefourpass.digital>, and <carrefourpass-alerta.info> (the “Domain Name” and/or “Domain Names”) are registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 10, 2025. On February 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On February 10, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names. The Center sent an email communication to Complainant on February 11, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting Complainant to either file separate complaint(s) for the 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. Complainant filed an amended Complaint on February 12, 2025.

The Center verified that the Complaint, together with the amended 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 Respondent of the Complaint, and the proceedings commenced on February 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 5, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on March 7, 2025.

The Center appointed Clive L. Elliott K.C. as the sole panelist in this matter on March 17, 2025. 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. Consolidation

Complainant has requested consolidation of the disputes for all three Domain Names as it claims that although the named Respondents appear to be different, the Domain Names are in fact under the control of the same person.

This claim is supported by the following:

(a) All three Domain Names were registered within a short period of time, January 22, 23, and February 4, 2025 with the same Registrar.

(b) All three Domain Names follow the same pattern of Complainant's Mark and the addition of a Spanish term, either "alerta" and/or "aviso". Both terms are related to the business field of Complainant, with "alerta" meaning "warning" or "alert", while "aviso" meaning "advice". Both terms are directly related to the banking activity of Complainant and its pass credit card, which is a CARREFOURPASS product, and customers owning this credit card frequently receive alerts and warnings about their financial activities.

(c) A pattern can be identified in the composition of the Registrants' email addresses, using protomail and the ccTLD ".me". Complainant notes that the contact information displayed is likely to be false information made up by Respondent in order to conceal his identity. For example, a reference to two different states within the same physical address.

5. Factual Background

Complainant is a French company and a worldwide retailer, with the introduction of the hypermarket in 1963, as well as offering travel, banking, insurance and ticketing services. Operating more than 12,000 stores in more than 30 countries worldwide, Complainant is also listed on the Paris Stock Exchange (CAC40).

Complainant is the registered owner of several hundred trade marks worldwide in the term "CARREFOUR" and "CARREFOUR PASS" (Complainant's Mark), including but not limited to:

Trade Mark	Jurisdiction	Registration No.	Registration Date	Class
CARREFOUR	International Registration	563304	November 6, 1990	1 - 42
CARREFOUR PASS	International Registration	719166	August 18, 1999	36
CARREFOUR PASS	France	99780481	August 27, 1999	36
CARREFOUR PASS	Brazil	821744739	August 2, 2005	36
CARREFOUR	European Union	8779498	July 13, 2010	35
CARREFOUR	United States of America	6763415	June 21, 2022	35

In addition, Complainant is the owner of a significant number of domain names identical to, or comprising Complainant's Mark, including:

- (a) <carrefour.com>, registered October 25, 1995;
- (b) <carrefour.fr>, registered June 23, 2005;
- (c) <carrefourpass.com>, registered May 31, 2010; and
- (d) <carrefourpass.net> registered October 16, 2013.

Complainant uses all these domain names, amongst many others, in order to develop its brand and promote its products and services.

According to the publicly available Whois the Domain Names were registered as follows:

- 1. <alertacarrefourpass.info> registered on January 22, 2025;
- 2. <avisocarrefourpass.digital> registered on January 23, 2025; and
- 3. <carrefourpass-alerta.info> registered on February 4, 2025.

As at the date of the Complaint no active websites were associated with the Domain Names and the Domain Names either resolved to an error page and/or a default “website under construction” page.

6. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, Complainant contends that all three Domain Names are highly similar to Complainant’s Mark CARREFOUR and CARREFOUR PASS and pose a risk of confusing similarity with Complainant’s Mark, as set out below:

- 1. <alertacarrefourpass.info>

This Domain Name includes Complainant’s Mark CARREFOURPASS following the suffix of the generic Spanish word “alerta”, which means “alert” or “warning”. The addition of the descriptive generic term to Complainant’s Mark is not sufficient to avoid misleading Internet users into believing there is a likelihood of an affiliation with Complainant, especially as customers using Complainant’s credit card product would expect to see communications with these terms.

- 2. <carrefourpass-alerta.info>

This Domain Name includes Complainant’s Mark CARREFOURPASS, together with the addition of a hyphen followed by the generic Spanish term “alerta”, meaning “alert” or “warning”. The addition of this generic word to Complainant’s Mark, including a hyphen to separate the two, is not sufficient to avoid confusion to those customers of Complainant using its “pass credit card” product.

- 3. <avisocarrefourpass.digital>

This Domain Name includes Complainant’s Mark CARREFOURPASS, following the suffix of the generic Spanish word “aviso”, which means “advice”. Customers of Complainant using its “pass credit card” are likely to require communicating with Complainant’s financial advisors regarding their activities, and thereby having the generic word “aviso” in front of Complainant’s Mark is likely to create a likelihood of affiliation with Complainant and therein cause confusion in the mind of a consumer.

Complainant states that it has never authorized Respondent to use Complainant's Mark in any manner, nor has it given consent for registration of the Domain Names. Complainant further states that it has found no evidence that Respondent is known by the Domain Names, nor has Respondent used the Domain Names in relation to a bona fide offering of goods or services, but rather the Domain Names have been inactive on the web and resolve to an error page.

Complainant therefore submits that Respondent has no rights or legitimate interests in the use of the Domain Names, and by reproducing Complainant's Mark in the Domain Names, Respondent strengthens the impression that Respondent is affiliated with Complainant thereby causing confusion with Internet users. Complainant further submits that the Domain Names have been registered, and are being used, in bad faith.

B. Respondent

Respondent did not reply to Complainant's contentions.

7. Discussion and Findings

Preliminary Matter: Consolidation

Set out above is Complainant's argument in support of consolidation. In the Panel's view, it is unlikely that two different persons, both located in the United States of America, both using the same mailbox service, would both register domain names including the same trade mark and the same pattern in the composition of "CARREFOURPASS" plus Spanish words. It is equally unlikely that these facts are coincidences but rather more likely that all Domain Names were registered by, and are under the control of the same person, being Respondent. Moreover, the Panel finds consolidation would be fair and equitable to all Parties.

For these reasons, consolidation is ordered.

A. Identical or Confusingly Similar

The first element of the Policy functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between Complainant's Mark and the Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

Complainant's Mark is recognizable within the Domain Names. That is, on the basis that the Domain Names differ only to the extent of adding the Spanish word "alerta", which means "alert" or "warning", either with or without a hyphen and the Spanish word "aviso", which means "advice". Accordingly, the Domain Names are confusingly similar to Complainant's Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of the above word/s and hyphen may be relevant in terms of assessing the second and third elements, the addition of the word/s and hyphen does not, in and of itself, prevent a finding of confusing similarity between the Domain Name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds 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 Respondent may demonstrate rights or legitimate interests in the Domain Names.

Although the overall burden of proof in UDRP proceedings is on the 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 the 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. [WIPO Overview 3.0](#), section 2.1.

Based on the record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Domain Names. Respondent has failed to rebut Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Names, such as those enumerated in the Policy or otherwise.

Of particular significance in the present case, it is alleged that the Domain Names do not resolve to an active website. Instead, they resolve to error pages. Complainant submits that this indicates that there is no bona fide offering of goods or services and the Domain Names are being passively held by Respondent.

Such activity on its own is not indicative of any rights or legitimate interests. Instead, it carries a risk that the Domain Names may be used to impersonate Complainant. In this regard, the composition of the Domain Names, incorporating Complainant’s distinctive trade mark with the word “alerta”, which means “alert” or “warning” in Spanish, either before or after Complainant’s Mark and either with or without a hyphen and the word “aviso”, which means “advice” in Spanish. Complainant asserts that these words are descriptive and that Complainant’s customers using Complainant’s credit card products would expect to see communications with these terms. In the Panel’s view, such composition of the Domain Names carries a risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.

In addition, there is no evidence that Respondent is actually commonly known by the Domain Names.

Accordingly, the Panel finds 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.

The Panel notes that the composition of the Domain Names, incorporating Complainant’s distinctive and long-standing mark with terms/indicia related to its operations, suggests Respondent knew of and sought to take advantage of Complainant’s Mark when registering the Domain Names.

As noted above, Respondent has not put forward any credible explanation for the choice of the Domain Names. Absent such explanation the Panel considers that there is a significant risk that communications originating from or associated with the Domain Names would be misleading or deceptive, falsely suggesting a connection with Complainant.

Furthermore, from the inception of the UDRP, panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding; this is especially so as the Domain Names are inherently confusing or deceptive, for the reasons discussed above. Further, it appears that Respondent provided incomplete contact information when registering the Domain Names, such as conflicting state information. Such conduct reinforces a finding of bad faith in this case.

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

8. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Domain Names <alertacarrefourpass.info>, <avisocarrefourpass.digital> and <carrefourpass-alerta.info> be transferred to Complainant.

/Clive L. Elliott K.C./

Clive L. Elliott K.C.

Sole Panelist

Date: March 31, 2025