

ADMINISTRATIVE PANEL DECISION

Carrefour SA v. karen weeds, Guy Lemaire
Case No. D2025-0574

1. The Parties

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

The Respondents are karen weeds, United Kingdom and Guy Lemaire, France.

2. The Domain Names and Registrar

The disputed domain names (the “Disputed Domain Names”) <csf1-carrefour.com> and <csf2-carrefour.com> are registered with Combell NV and the disputed domain name <fr-carrefour.store> is registered with Key-Systems GmbH (together the “Registrars”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on February 13, 2025. On February 13, 2025, the Center transmitted by email to the Registrars a request for registrar verification in connection with the Disputed Domain Names. On February 14, 2025, and February 18, 2025, the Registrars 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 (unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 24, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on February 25, 2025.

On February 24, 2025, the Center informed the parties in French and English, that the language of the registration agreement for the Disputed Domain Names <csf1-carrefour.com> and <csf2-carrefour.com> are French. On February 25, 2025, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

The Center sent an email communication to the Complainant on February 24, 2025, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaint(s) for the Disputed 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. The Complainant filed an amended Complaint on February 25, 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 the Respondent in English and French of the Complaint, and the proceedings commenced on February 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 20, 2025. On the same date, the Respondent sent email communications to the Center.

The Center appointed Isabelle Leroux as the sole panelist in this matter on March 28, 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. Factual Background

The Complainant, Carrefour SA, is a French multinational retail corporation, operating over 14,000 stores in more than 40 countries worldwide. The Complainant is the owner of numerous trademarks consisting of or containing the word "CARREFOUR," including:

- International trademark No. 351147 CARREFOUR, registered on October 2, 1968, duly renewed, designating goods in classes 1 to 34;
- International trademark No. 353849 CARREFOUR, registered on February 28, 1969, duly renewed, designating services in classes 35 to 42;
- International trademark No. 1010661 CARREFOUR, registered on April 16, 2009, designating services in class 35; and
- European Union trademark No. 005178371 CARREFOUR, registered on August 30, 2007, designating goods and services in classes 9, 35 and 38.

The Complainant is also the owner of domain names such as <carrefour.com> (registered in 1995), <carrefour.fr> (registered in 2005), and <pass-carrefour.com> (registered in 2019).

The Disputed Domain Names <csf1-carrefour.com>, <csf2-carrefour.com>, and <fr-carrefour.store> were registered on February 5, 2025. At the time of filing the Complaint, the Disputed Domain Names did not resolve to any active website. The Disputed Domain Name <csf2-carrefour.com> has been used to send fraudulent emails impersonating the Complainant.

5. Parties' Contentions

A. Complainant

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

Notably, the Complainant contends that

- The Disputed Domain Names are confusingly similar to its well-known CARREFOUR trademark, reproduced in its entirety, with the addition of (i) generic or geographical terms such as “store”, and “fr”, (ii) or combination like “csf1”, “csf2”, which do not prevent a finding of confusing similarity.
- The Respondents have no rights or legitimate interests in the Disputed Domain Names. In particular, the Complainant states that it has never authorized or licensed the Respondents to use the CARREFOUR trademarks in any form.
- The Respondents registered and are using the Disputed Domain Names in bad faith. In particular, the Complainant argues that the Respondents could not have been unaware of the Complainant’s well-known trademarks when registering the Disputed Domain Names. The Disputed Domain Names do not resolve to any legitimate content and instead display generic registrar pages, suggesting a passive holding with no bona fide purpose.

B. Respondent

The Respondents did not reply formally to the Complainant’s contentions. On March 20, 2025, the Respondent named Guy Lemaire sent two email communications in French to the Center, one signed “Guy Laroche”, the other “Marc Laroche”, both asking for additional days to reply. The Panel notes that the due date for Response was March 19, 2025, and that no communication or Response was received before this date. Accordingly, the Panel does not find necessary to grant a supplemental delay to the Respondent for Response.

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that the Complainant proves each of the following three elements in order to succeed in its Complaint:

- (i) the Disputed Domain Names are identical or confusingly similar to a trademark 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.

Language of the Proceeding

The Panel notes that the registration agreement for <fr-carrefour.store> is in English while that for <csf1-carrefour.com> and <csf2-carrefour.com> are in French.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English citing the international nature of the dispute and the fact that English is widely understood and used in domain name disputes, particularly before the Center and emphasized procedural efficiency, given that one of the domain names’ registration agreements was already in English.

The Respondent Guy Lemaire did not comment on the Complainant’s request for the language of the proceeding be English but sent email communications in French.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties’ ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the Disputed Domain Names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

As regards common control, the Panel notes that the Disputed Domain Names were registered on the same day less than three hours apart from each other, they share a similar naming pattern as they reproduce the well-known CARREFOUR trademark preceded by some letters all referring to the Complainant and separated by a hyphen. In addition, the Disputed Domain Names resolve to the same landing page provided by Combell NV.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

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 the Complainant's trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

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

The entirety of the marks is reproduced within the Disputed Domain Names. Accordingly, the Disputed Domain Name are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, "csf1", "csf2" and "fr" may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the Disputed Domain Names and the CARREFOUR trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The generic Top-Level-Domains ("gTLDs") ".store" and ".com" are viewed as a standard registration requirement and as such are disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.

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 the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

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 the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Names. The Respondent has not rebutted the Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Names such as those enumerated in the Policy or otherwise.

There is no evidence that the Respondent is commonly known under the Disputed Domain Names. The Respondent was not licensed nor authorized by the Complainant to use the latter’s CARREFOUR trademarks. The Disputed Domain Names resolve to registrar parking pages, and there is no evidence that the Respondent is using or preparing to use it for any legitimate non-commercial or fair use.

On the contrary, the Disputed Domain Name <csf2-carrefour.com> has been used to send fraudulent emails impersonating the Complainant. Panels have held that the use of a domain name for illegal activity (here, claimed impersonation/passing off / unfair competition) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

In the present case, the Panel notes that given the worldwide fame and long-standing use of the Complainant’s CARREFOUR trademarks, it is implausible that the Respondent was unaware of the Complainant’s trademarks at the time of registration. In the present case, the Panel notes that (i) the Complainant’s trademark registrations predate the registration date of the Disputed Domain Names by many years, (ii) the CARREFOUR trademarks are distinctive (iii) the Disputed Domain Names do not currently resolve to any active, legitimate website but rather to generic registrar landing pages, and (iv) the Respondent has not provided any evidence of actual or contemplated good faith use of the disputed domain names, having failed to respond to the Complaint. On the contrary, the Disputed Domain Name <csf2-carrefour.com> has been used to send fraudulent emails impersonating the Complainant.

These circumstances indicate that the Respondent knew of and deliberately targeted the Complainant’s trademarks when registering the Disputed Domain Names. His conduct demonstrates an attempt to exploit the Complainant’s reputation. Such behavior constitutes bad faith registration and use under paragraph 4(a)(iii) of the Policy.

Panels have held that the use of a domain name for illegal activity (here, claimed impersonation/passing off/unfair competition) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Names constitutes bad faith under the Policy.

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

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Disputed Domain Names <csf1-carrefour.com >, <csf2-carrefour.com>, <fr-carrefour.store> be transferred to the Complainant

/Isabelle Leroux/

Isabelle Leroux

Sole Panelist

Date: April 11, 2025