

## **ADMINISTRATIVE PANEL DECISION**

Carrefour SA v. Lucas Mendes

Case No. D2025-3596

### **1. The Parties**

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

The Respondent is Lucas Mendes, Brazil.

### **2. The Domain Name and Registrar**

The disputed domain name <carrefour-brasil.online> is registered with Hostinger Operations, UAB (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 5, 2025. On September 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 8, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 8, 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 September 8, 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 of the Complaint, and the proceedings commenced on September 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 13, 2025.

The Center appointed Levan Nanobashvili as the sole panelist in this matter on October 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. Factual Background**

The Complainant, Carrefour SA, is an international retailer employing hypermarkets concept since 1968. The Complainant operates more than 14,000 stores in more than 40 countries worldwide. The Complainant has a global workforce exceeding 500,000 individuals and serves millions of customers daily. The Complainant additionally offers travel, banking, insurance, and ticketing services.

The Complainant has been present in Brazil (a country where the Respondent is supposedly resident) since 1975. The Complainant currently owns more than 140 hypermarkets, 50 supermarkets and 140 express convenience stores in Brazil.

The Complainant owns several hundred trademark rights worldwide in the "CARREFOUR" term, including the following:

- 1) International trademark "CARREFOUR", Registration No. 351147, registered on October 2, 1968, duly renewed, covering International Classes 01 to 34;
- 2) International trademark "CARREFOUR", Registration No. 353849, registered on February 28, 1969, duly renewed, covering International Classes 35 to 42; and
- 3) European Union trademark "CARREFOUR", Registration No. 5178371, registered on August 30, 2007, duly renewed, covering International Classes 9, 35, and 38.

The Complainant is also the owner of numerous domain names identical to, or comprising its trademarks, including <carrefour.com>, registered since 1995 and <carrefour.com.br>, registered since 1997. The Complainant is also present on Facebook, and its page is "liked" by more than 11 million Internet users.

The disputed domain name was registered on August 5, 2025. At the time of the filing of the Complaint and the Decision the disputed domain name is not active.

#### **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 name.

Notably, the Complainant contends that:

- (i) the disputed domain name is confusingly similar to the Complainant's earlier well-known CARREFOUR trademarks. The disputed domain name reproduces the CARREFOUR trademarks in their entirety, together with term "brasil", separated by a hyphen. The incorporation of the Complainant's CARREFOUR trademark in its entirety may be sufficient to establish that the disputed domain name is identical or confusingly similar to the Complainant's CARREFOUR trademark;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant found no CARREFOUR trademark owned by the Respondent. There is no evidence that the Respondent has been commonly known by the disputed domain name as an individual, business, or other organization. The Respondent reproduces the Complainant's earlier registered CARREFOUR trademarks in the disputed domain name without any license or authorization from the Complainant, which is a strong evidence of the lack of rights or legitimate interest;
- (iii) the Respondent has not, before the original filing of the Complaint, used or made preparations to use the disputed domain name in relation to a bona fide offering of goods or services. The disputed domain name is not active. The disputed domain name is inherently likely to mislead Internet users, and its specific composition carries a high risk of implied affiliation with the Complainant which cannot constitute fair use;

(iv) in light of the worldwide renown of the Complainant's CARREFOUR trademarks, the Complainant sees no plausible use of the disputed domain name that would be legitimately fair and noncommercial. Since the adoption and extensive use of its trademarks by the Complainant predated the registration of the disputed domain name, the burden is on the Respondent to establish rights or legitimate interests it may have or have had in the disputed domain name;

(v) the Respondent has registered and is using the disputed domain name in bad faith. The Complainant's trademarks were so widely-known that the Respondent necessarily had them in mind when registering the disputed domain name. It is highly likely that the Respondent chose the disputed domain name because of its similarity to the trademarks in which the Complainant has rights and legitimate interests;

(vi) the Complainant's trademark registrations significantly predate the registration date of the disputed domain name. Knowledge of the Complainant's trademarks at the time of the registration of the disputed domain name proves bad faith registration. A quick trademark search or search engine query would have revealed to the Respondent the existence of the Complainant's trademarks. A simple search on Google for "carrefour-brasil," with a browser virtually located where the Respondent is resident, returns the first results related to the Complainant only. The Respondent's failure to do so is a contributory factor to its bad faith; and

(vii) current use of the disputed domain name may not be considered as being in good faith. By simply maintaining the disputed domain name, the Respondent is preventing the Complainant from reflecting its trademarks in the corresponding disputed domain name. The Complainant cannot think of any future use of the disputed domain name that may be done by the Respondent in good faith.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

### **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 of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

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

The entirety of the mark is reproduced within the disputed domain name with the addition of the hyphen and the term "brasil". Accordingly, the disputed domain name is 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, "brasil" and generic Top-Level Domain (gTLD) ".online" 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 name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel concludes that the addition of a country name (in the present case, "brasil") to a trademark in a disputed domain name does not prevent a finding of confusing similarity (*LEGO Juris A/S v. 曹梦容 (Banks Michelle)*, WIPO Case No. [D2024-0427](#), *dm-drogerie markt GmbH + Co. KG v. Aleksey Maksimiyuk*, WIPO Case No. [D2011-0589](#)). Moreover, the presence of a hyphen is of negligible significance when assessing confusing similarity (*Aldi GmbH & Co. KG, Aldi Stores Limited v. Nanci Nette*, WIPO Case No. [D2025-1830](#), *Taylor Wessing Limited Liability Partnership v. Marcus Mekterovic*, WIPO Case No. [D2022-4728](#)).

The addition of the gTLD “.online” is a standard registration requirements and, as such, is disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

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 name. 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 name such as those enumerated in the Policy or otherwise.

Having reviewed the available record, the Panel finds that there is no evidence that the Respondent has been commonly known by the disputed domain name as an individual, business, or other organization. There is no apparent relation, from the record, between the Complainant and the Respondent, nor does it arise that the Complainant has ever licensed or otherwise permitted the Respondent to use its CARREFOUR trademarks, or to use any domain name incorporating these trademarks.

The Complainant contends that there is no evidence that the Respondent, before any notice of the present dispute, used or made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services. The Respondent did not assert nor provide credible, relevant evidence of the existence of rights or legitimate interests.

At the time of the filing of the Complaint and the Decision, the disputed domain name is not active. Furthermore, the independent search performed by the Panel on “www.web.archive.org” using the disputed domain name returns the result “Wayback Machine has not archived that URL.” The Panel notes that this lack of archiving may support the inference that the disputed domain name has never been used for any bona fide commercial activity. The Panel may undertake limited factual research into matters of public record if such information is useful to assessing the case merits and reaching a decision. [WIPO Overview 3.0](#), section 4.8.

UDRP panels have constantly held that where a domain name consists of a trademark plus an additional term (at the top-level), as in the present case, such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. [WIPO Overview 3.0](#), section 2.5.1.

In light of the worldwide renown of the Complainant’s trademarks, the Respondent failed to demonstrate any plausible use of the disputed domain name that would be legitimate noncommercial or fair.

The Panel finds the second element of the Policy has been established.

### C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

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. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

A significant number of panels have consistently found that the Complainant's CARREFOUR trademarks are well-known worldwide (*Carrefour SA v. Youssefgcxh Elachourix*, WIPO Case No. [D2024-0840](#); *Carrefour SA v. Sui Yuan, Bao Bao Liu*, WIPO Case No. [D2023-3003](#); *Carrefour SA v. jean noel ballart*, WIPO Case No. [D2023-2225](#); *Carrefour SA. v. Reliant-web Domain Admin / Jean Marie Grolleau / Joanne Elvert*, WIPO Case No. [D2021-2389](#); *Carrefour SA v. hanib bas*, WIPO Case No. [D2020-1798](#); and *Carrefour v. Andre Machado*, WIPO Case No. [DIO2020-0004](#)).

The Panel finds that the Complainant's trademarks were so widely well-known that it is implausible that the Respondent was not aware of the Complainant's earlier rights. It is also implausible that the Respondent's choice of the disputed domain name was accidental, and it was not have been influenced by the well-known status of the Complainant's trademarks. It has been established in prior UDRP decisions that where the Respondent knew or should have known of a trademark prior to registering the disputed domain name, such conduct may be, in certain circumstances, sufficient evidence of bad faith registration and use. [WIPO Overview 3.0](#), section 3.2.2.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

The Panel finds that the Complainant's trademark registrations significantly predate the registration date of the disputed domain name. The evidence before the Panel demonstrates that the Complainant has been doing business using CARRFEOUR trademarks since the 1960's (and in Brazil since 1975), and the Respondent registered the disputed domain name in 2025. A gap of years, in the present case several decades, between registration of a Complainant's trademark and Respondent's registration of a disputed domain name containing the trademarks at issue can indicate the bad faith registration (*Hi-TEC Sports International Holdings B.V. v. Thomas Birch, Finlay Nolan, Anna Akhtar, Tyler Reynolds, Keira Donnelly*, WIPO Case No. [D2024-1891](#)).

A quick trademark search or search engine query would have revealed to the Respondent the existence of the Complainant's trademarks. As evidenced by the record, a simple search on Google for "carrefour-brasil", with a browser virtually located where the Respondent is supposedly resident, returns the first results related to the Complainant only. The Respondent's failure to make a prior search is a contributory factor to its bad faith. [WIPO Overview 3.0](#), section 3.2.3.

The Panel agrees with the Complainant's contention that it is difficult to think of any future use of the disputed domain name that may be done by the Respondent in good faith. The Respondent has failed to submit any response or provide any evidence of any actual or contemplated good faith use of the disputed domain name.

There is no credible explanation for the Respondent's choice of the disputed domain name. Coupled with the clear absence of rights or legitimate interests discussed in the preceding paragraph, this further demonstrates that the Respondent has registered and is using the disputed domain name in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

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 name <carrefour-brasil.online> be transferred to the Complainant.

*/Levan Nanobashvili/*

**Levan Nanobashvili**

Sole Panelist

Date: October 31, 2025