

ADMINISTRATIVE PANEL DECISION

Association des Centres Distributeurs E. Leclerc – A.C.D. Lec v. Richard Gilbert, TLC HQ Ltd
Case No. D2025-5454

1. The Parties

The Complainant is Association des Centres Distributeurs E. Leclerc – A.C.D. Lec, France, represented by MIIP MADE IN IP, France.

The Respondent is Richard Gilbert, TLC HQ Ltd, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <leclerc-cadeau-vosavantagesbebe.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 31, 2025. On January 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 4, 2026, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 5, 2026, 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 January 6, 2026.

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 January 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 5, 2026.

The Center appointed Christelle Vaval as the sole panelist in this matter on February 6, 2026. 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 is a renowned chain of supermarkets and hypermarkets in France that has been in existence for almost 70 years. The Complainant owns more than 750 stores in France and around 100 stores in other European countries.

The Complainant owns the trademarks LECLERC and E LECLERC in multiple jurisdictions, including France and the European Union, as indicated in Annex 4 of the Complaint.

European Union Trademark Registration No. 002700664 for E LECLERC (word mark), registered on January 31, 2005.

French Trademark Registration No. 1307790 for LECLERC (word mark), registered on May 2, 1985.

The Complainant owns the domain name <e.leclerc>.

The disputed domain name was registered on November 27, 2025, by the Respondent. The disputed domain name resolves to a website features the Complainant's E LECLERC trademark.

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:

- The disputed domain name is confusingly similar to its LECLERC trademark. The disputed domain name incorporates the LECLERC trademark in its entirety and, in part, the E LECLERC trademark.
- The Respondent has no rights or legitimate interest in the LECLERC and E LECLERC trademarks. The disputed domain name resolves to a fraudulent website reproducing the Complainant's E LECLERC trademark.
- The disputed domain name was registered and is being used in bad faith. The Respondent was likely aware of the Complainant's trademarks and business activities. The disputed domain name misuses the Complainant's trademarks to defraud users and harm the Complainant's brand and image.

B. Respondent

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

6. Discussion and Findings

Under Paragraph 4(a) of the Policy, the Panel must find the three conditions satisfied to transfer the disputed domain name:

- (i) The disputed domain name is identical or confusingly similar to the Complainant's trademark; and
- (ii) The Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name was registered and is being used in bad faith.

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 a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the LECLERC trademark is reproduced within the disputed domain name. 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, "cadeau", "vos", "avantages" and "bebe", 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 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.

Panels have held that the use of a domain name for illegal activity, here impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The disputed domain name fully incorporates the Complainant's LECLERC trademark, with the addition of the terms "cadeau", "vos", "avantages" and "bebe", it impersonates or suggests sponsorship or endorsement by the Complainant. The disputed domain name also directs Internet users to a website displaying the Complainant's E LECLERC trademark, misleading them into thinking it is operated by the Complainant.

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 the following circumstances indicate that the disputed domain name was registered and is being used in bad faith:

- The Respondent's use of privacy service to conceal his identity when registering the disputed domain name.
- The use of the Complainant's trademarks LECLERC and E LECLERC, well-known in France and recognizable in the disputed domain name and displayed on the website, suggests an attempt to disrupt the Complainant's business.
- The collection of personal information of Internet users, such as names and email addresses, under the guise of offering gifts and activities, suggests an intent to exploit the Complainant's trademarks in order to mislead the Internet users and potentially misuse their data.

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 held that the use of a domain name for illegal activity, here hosting a copycat version of the Complainant's website to obtain personal information 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 name 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 name <leclerc-cadeau-vosavantagesbebe.com> be transferred to the Complainant.

/Christelle Vaval/

Christelle Vaval

Sole Panelist

Date: February 9, 2026