

ADMINISTRATIVE PANEL DECISION

Carrefour SA, Atacadão S.A. v. carlos eduardo
Case No. D2026-0695

1. The Parties

The Complainants are Carrefour SA, France (the “First Complainant”) and Atacadão S.A., Brazil (the “Second Complainant”), represented by IP Twins, France. The First Complainant and the Second Complainant are collectively referred to as the “Complainants”.

The Respondent is carlos eduardo, Brazil.

2. The Domain Name and Registrar

The disputed domain name <cartaoatacado.com> 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 February 18, 2026. On February 19, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 20, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainants on February 20, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on February 23, 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 February 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 18, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 19, 2026.

The Center appointed Manuel Wegrostek as the sole panelist in this matter on March 26, 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 First Complainant is one of the global leaders in retail. With a total revenue amounting to approximately EUR 87,2 billion in 2024, the First Complainant is listed on the CAC 40 index of the Paris Stock Exchange. The First Complainant operates more than 14.000 stores in more than 40 countries worldwide, with more than 500.000 employees.

The Second Complainant is a Brazilian chain of wholesale and retail stores established in 1960 and was acquired by the First Complainant in 2007. With over 350 stores and distribution centers in all the Brazilian states and more than 76.000 employees, the Second Complainant is the largest wholesale network in Brazil, accounting for more than 30 percent of the sector's total revenue. In 2010 the Second Complainant began an internationalization program, expanding its activities in other countries beyond Brazil.

The Complainants are the owner of the following trademark registrations for CARTÃO ATACADÃO (“CARTÃO ATACADÃO Trademark”):

- Brazil Trademark Registration CARTÃO ATACADÃO No. 840880359, registered on July 24, 2018, and
- Brazil Trademark Registration CARTÃO ATACADÃO No. 840880367, registered on July 24, 2018.

Further, the Complainants are the owner of several trademark registrations for ATACADAO and ATACADÃO (“ATACADÃO Trademark”), including:

- Brazil Trademark Registration ATACADÃO No. 006785360, registered on October 10, 1978, and
- European Union Trademark Registration ATACADAO No. 012020194, registered on May 24, 2015.

More specifically, the trademark register lists the First Complainant as the holder of the above mentioned ATACADAO Trademark registered in the European Union and the Second Complainant as the holder of the ATACADÃO Trademark registered in Brazil.

The Complainants are also the owner of domain names including the CARTÃO ATACADÃO Trademark, such as the domain name <cartaoatacado.com.br>, registered on July 24, 2015 (the “Complainants’ official domain”). According to the Whois, the actual domain holder of this specific domain is “Carrefour Comércio e Indústria Ltda”, an entity affiliated with the Complainants.

The disputed domain name was registered on February 11, 2026. At the time of the Decision, the disputed domain name resolved to an inactive website. The Complainants provided evidence that the disputed domain name previously resolved to an active website prominently displaying the CARTÃO ATACADÃO Trademark as well as color schemes and images taken from the website under Complainants’ official domain, offering services relating to credit cards bearing the CARTÃO ATACADÃO Trademark.

5. Parties' Contentions

A. Complainants

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

On the first element of the Policy, the Complainants claim that the disputed domain name is confusingly similar to the ATACADÃO Trademark. The domain name completely incorporates the ATACADÃO Trademark together with the generic term "cartao", a Portuguese word meaning "card" in English. Moreover the addition of a generic term, such as "cartao", to a trademark in a domain name does nothing to diminish the likelihood of confusion arising from the disputed domain name. To the contrary, the inclusion of the term "cartao", together with "atacaao", in the disputed domain name, can only heighten the risk of confusion as this specific term is directly related to the Complainants' business activity, in particular, to one of their payment methods, therefore misleading Internet users into believing that the disputed domain name is affiliated with, or endorsed by, the Complainants. In fact, it cannot be ignored that the Complainants also manage a dedicated website for their payment services. The disputed domain name is also confusingly similar to the CARTÃO ATACADÃO Trademark, which is entirely reproduced with the use of the letters "a" instead of "ã", without the tilde accent. This minor difference does nothing to diminish the risk of confusion. The trademarks of the Complainants are immediately recognizable in the disputed domain name. The use of the lower-case letter format on the one hand and the addition of the Top-Level-Domain ".com" on the other hand are not significant in determining whether the domain name is identical or confusingly similar to the trademarks of the Complainants.

On the second element of the Policy, the Complainants contend that the Respondent has no rights or legitimate interests in respect of the disputed domain name. Firstly, there is no evidence that the Respondent has been commonly known by the disputed domain name as an individual, business or other organization. Secondly, the Respondent has reproduced the ATACADÃO Trademark respectively CARTÃO ATACADÃO Trademark within the disputed domain name and the associated website without any license or authorization, which strongly indicates a lack of legitimate standing. Thirdly, 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. To the contrary, there is evidence of the Respondent's malicious intention to mislead Internet users, impersonating the Complainants with a rogue website which reproduces the ATACADÃO Trademark and CARTÃO ATACADÃO Trademark and imitates the overall look and feel of the website under Complainants' official domain. The unauthorized use of the Complainants' trademarks in order to give the appearance of a legit website authorized, or managed, by the Complainants, cannot be considered a bona fide offering of goods or services, and can never confer rights or legitimate interests. Fourthly, since the adoption and extensive use of its trademarks by the Complainants predates by far the registration of the disputed domain name, the burden is on the Respondent to establish the Respondent's rights or legitimate interests the Respondent may have or have had in the disputed domain name.

On the third element of the Policy, the Complainants assert that the Respondent has registered and used the disputed domain name in bad faith. Firstly, the Complainants submit that the Respondent necessarily had the Complainants' name and trademarks in mind when registering the disputed domain name. The Complainants and its trademarks are so widely well-known in Brazil, where the Respondent is resident, that it is inconceivable that the Respondent ignored the Complainants or their earlier rights. The Respondent's choice of the disputed domain name cannot have been accidental, reproducing both, the ATACADÃO Trademark and CARTÃO ATACADÃO Trademark, and must have been influenced by the fame of the Complainants and their earlier trademarks. Secondly, the Complainants submit that it is very likely that the Respondent chose the disputed domain name because of its identity with, or similarity to, a trademark in which the Complainants have rights and legitimate interest. This was most likely done in the hope and expectation that Internet users searching for the Complainants' services and products would instead come across the Respondent's domain name. Such use cannot be considered a good faith use. Thirdly, the Complainants' trademark registrations significantly predate the registration date of the disputed domain name. Evidence available supports the conclusion that the Respondent was clearly aware of the existence

of the Complainants. Therefore, at the very least, the Respondent knew or should have known that, when acquiring and using the disputed domain name, he would do so in violation of the Complainants' earlier rights. Fourthly, the use of the disputed domain name may not be considered a good faith use. By simply maintaining the disputed domain name, the Respondent is preventing the Complainants from reflecting its name and trademarks in the corresponding disputed domain name. In addition, the use of the disputed domain name to impersonate the Complainants is evidence of bad faith. By registering and using the disputed domain name, the Respondent has intentionally attempted to attract Internet users to its website by creating a likelihood of confusion with the Complainants' marks as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. Even without such website, the disputed domain name is inherently likely to mislead Internet users and its specific nature carries a high risk of implied affiliation with the Complainants which cannot constitute fair use as it effectively impersonates or suggests sponsorship or endorsement by the Complainants. The Complainants cannot think of any future use of the disputed domain name that may be done by the Respondent in good faith. In light of all the elements above, the Complainants contend that the domain name was registered and is being used in bad faith by the Respondent. The combination of all the elements listed and detailed above unequivocally show that the Respondent has acted in bad faith when registering, in line with the Policy.

B. Respondent

The Respondent did not reply to the Complainants' contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules requires that the Panel's decision be made "on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

The Complainants must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the Complaint with respect to each disputed domain name, namely that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainants have rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been 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 Complainants' trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainants have shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The applicable Top-Level-Domain in a domain name (e.g., ".com", ".club", ".nyc") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

The disputed domain name contains the ATACADÃO Trademark in its entirety with the only addition of the generic term "cartao", which means card in Portuguese. The Panel finds the mark is recognizable within the disputed domain name. The addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise), in this case "cartao", does not prevent a finding of confusing similarity under the first element. [WIPO Overview 3.1](#), section 1.8.

Either way, the disputed domain name (also) contains the CARTÃO ATACADÃO Trademark in its entirety, without any additional elements. The fact that the tilde above the letter “a” is not displayed in the disputed domain name can be disregarded.

Accordingly, the disputed domain name is identical resp. confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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 that 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 3.1](#), section 2.1.

Panels have categorically held that the use of a domain name for illegal activity (e.g., the sale of counterfeit goods or illegal pharmaceuticals, phishing, distributing malware, unauthorized account access/hacking, impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.

The Complainants have not authorized, licensed, or permitted the Respondent to register or use the disputed domain name or to use the ATACADÃO Trademark or CARTÃO ATACADÃO Trademark. The Panel finds that there are no indications that the Respondent is commonly known by the disputed domain name or otherwise has any rights to or legitimate interests in the disputed domain name. Further, the disputed domain name is not used for a bona fide offering of goods or services. Rather, the Complainants have provided evidence that the disputed domain name resolved to an active website prominently displaying the CARTÃO ATACADÃO Trademark as well as color schemes and images taken from the website under the Complainants’ official domain, offering services relating to credit cards bearing the CARTÃO ATACADÃO Trademark.

The website linked to the disputed domain name does not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainants, thus creating the false impression that the Respondent might be authorized by or affiliated with the Complainants.

This assessment is further supported by the nature of the disputed domain name. UDRP panels have found that domain names identical to a complainant’s trademark carry a high risk of implied affiliation. Even where a domain name consists of a trademark plus an additional term (at the second- or top-level), UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. [WIPO Overview 3.1](#), section 2.5.1. In the view of the Panel, the composition of the disputed domain name, which incorporates the CARTÃO ATACADÃO Trademark in its entirety, carries a risk of implied affiliation or association.

Having reviewed the available record, the Panel finds the Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainants’ 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.

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.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or 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. Panels also have held that the use of a domain name for illegitimate activity (here, claimed impersonation/passing off) can never confer rights or legitimate interests on a respondent, such behavior is manifestly considered evidence of bad faith. [WIPO Overview 3.1](#), section 3.1.4.

Further, panels have found the following types of evidence to support a finding that a respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark: (i) actual confusion, (ii) seeking to cause confusion (including by technical means beyond the domain name itself) for the respondent's commercial benefit, even if unsuccessful, (iii) the lack of a respondent's own rights to or legitimate interests in a domain name, (iv) redirecting the domain name to a different respondent-owned website, even where such website contains a disclaimer, (v) redirecting the domain name to the complainant's (or a competitor's) website, and (vi) absence of any conceivable good faith use. [WIPO Overview 3.1](#), section 3.1.4.

Moreover, 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 3.1](#), section 3.2.1.

In the present case the disputed domain name incorporates both the CARTÃO ATACADÃO Trademark as well as ATACADÃO Trademark in its entirety, whereas these trademarks were registered years before the registration of the disputed domain name. Considering the distinctiveness and public presence of the ATACADÃO Trademark and CARTÃO ATACADÃO Trademark, in particular in Brazil, Internet users may think the disputed domain name is connected to the Complainants and would resolve to a website related to the Complainants. Further, the Complainants provided evidence that the disputed domain name previously resolved to an active website prominently displaying the CARTÃO ATACADÃO Trademark as well as color schemes and images taken from the website under the Complainants' official domain, offering services relating to credit cards bearing the CARTÃO ATACADÃO Trademark. Moreover, the website linked to the disputed domain name did not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainants. As shown above, the Respondent lacks rights or legitimate interests in the disputed domain name.

The Panel finds that the Complainants have 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 <cartaoatacado.com> be transferred to the Complainants.

/Manuel Wegrostek/

Manuel Wegrostek

Sole Panelist

Date: April 9, 2026