ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Sodexo v. Jules Kiely
Case No. D2026-1446

1. The Parties

The Complainant is Sodexo, France, represented by AREOPAGE, France.

The Respondent is Jules Kiely, United States of America.

2. The Domain Name and Registrar

The disputed domain name <sod1exo.com> is registered with Spaceship, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 3, 2026. On April 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 8, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 9, 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 April 13, 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 April 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 11, 2026.

The Center appointed Paula Bezerra de Menezes as the sole panelist in this matter on May 19, 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 French limited company founded in 1966.

The company specializes in food services and facilities management. It has more than 426,000 employees and serves 80 million consumers in 43 countries, including in the United States of America.

The Complainant registered its SODEXO trademark, and variations, either in word or logo presentations, in a series of jurisdictions worldwide, including in the United States of America, among those the following:

• International Trademark sodexo , number 964615, in classes 09, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45, registered on January 8, 2008, based on French registration 073513766;

• International Trademark SODEXO, number 1240316, in classes 09, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45, registered on October 23, 2014, based on the European Union Trademark registration 008346462; and

• European Union Trademark sodexo , number 006104657, in classes 09, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45, registered on June 27, 2008.

The Respondent appears to be an individual with an address in the United States of America.

The Respondent registered the disputed domain name <sod1exo.com> on March 30, 2026. The disputed domain name does not resolve to an active website (Annex 13 of the Complaint).

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) Its mark SODEXO has a strong reputation and is widely known all over the world, having been acknowledged by UDRP panels as well-known;

ii) The disputed domain name <sod1exo.com> is very close to the mark and company name SODEXO, as it reproduces the relevant mark, with all the letters in the same order of appearance, with the addition of the number "1" between the letters "D" and "E";

iii) The disputed domain name is intentionally confusingly similar to its mark, because the addition of the number "1" does not change the appearance of the mark as a whole and is a characteristic of typosquatting practice;

iv) The consumers perceive the disputed domain name as SODEXO and given the almost identity of the disputed domain name with the relevant mark, the public will undoubtedly believe that the disputed domain name is related to the Complainant or its group;

v) The disputed domain name and the Respondent are unknown to the Complainant. The Respondent has no legitimate interests in the disputed domain name as it has no similar corporate name, trade name, shop sign or domain name that predates the Complainant's rights. The Respondent is not commonly known by the disputed domain name. Neither has the Respondent any connection with the Complainant nor any authorization whatsoever to register the disputed domain name;

vi) Given the renown of the SODEXO mark, the Respondent knew of the mark before registering the disputed domain name. The Complainant strongly fears that the disputed domain name is used for fraudulent purposes, as it has recently faced several attacks.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, for the transfer of the disputed domain name the Complainant must establish that:

(i) the disputed domain name is 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 name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

The Rules provide that if the Respondent does not comply with the time periods established, or with any provision or requirement under paragraph 14 of the Rules, the panel shall proceed to a decision on the complaint and draw such inferences as it considers appropriate.

Pursuant to paragraph 15(a) of the Rules, a panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

The Panel has reviewed the case and found the following:

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 Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

The Complainant's registered trademark is SODEXO. The disputed domain name is <sod1exo.com>. The number "1" was added in the middle of the Complainant's registered trademark. The addition of the number 1 to the disputed domain name is irrelevant because the Complainant's trademark is still recognizable. WIPO Overview 3.1, section 1.9.

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 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.

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.

There is no evidence that the Respondent used the disputed domain name with a bona fide offering, was commonly known by the disputed domain name or was using the disputed domain name with a legitimate noncommercial or fair use purpose.

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.

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.

Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. WIPO Overview 3.1, section 3.3.

Having reviewed the available record, the Panel notes the distinctiveness and 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.

The Respondent has not come forward to rebut the Complainant's evidence. Therefore, it appears more likely than not that the disputed domain name was registered and is being held in bad faith.

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 <sod1exo.com> be transferred to the Complainant.

/Paula Bezerra de Menezes/
Paula Bezerra de Menezes
Sole Panelist
Date: June 2, 2026