ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Carrefour SA v. jerome goutte
Case No. D2026-2345

1. The Parties

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

The Respondent is jerome goutte, France.

2. The Domain Name and Registrar

The disputed domain name <carrefour-commerce.com> (the "Disputed Domain Name") 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 May 30, 2026. On June 1, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On June 1, 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 Complainant on June 3, 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 June 4, 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 June 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 29, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 3, 2026.

The Center appointed Isabelle Leroux as the sole panelist in this matter on July 9, 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, 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 CARREFOUR No. 351147, registered on October 2, 1968, duly renewed, and designating goods in International Classes 1 to 34;
- International Trademark CARREFOUR No. 353849, registered on February 28, 1969, duly renewed, and designating services in International Classes 35 to 42; and
- European Union Intellectual Property Office (“EUIPO”) Trade Mark CARREFOUR No. 005178371, registered on August 30, 2007, duly renewed, and designating goods and services in International Classes 9, 35, and 38.

In addition, the Complainant is also the owner of numerous domain names identical to or comprising “carrefour,” both under generic and country-code Top-Level Domains. For instance, the domain name <carrefour.com> has been registered since 1995 and the domain name <carrefour.fr> since 2005.

The Disputed Domain Name was registered on April 21, 2026.

The Disputed Domain Name resolves to a parking page.

According to the information communicated by the Registrar following the verification request, the Respondent is domiciled in France.

5. Parties’ Contentions

A. Complainant

The Complainant contends that it has satisfied each of the conditions 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 earlier well-known trademarks. The Disputed Domain Name reproduces the earlier trademarks of the Complainant CARREFOUR in their entirety, together with the word “commerce,” separated by a hyphen. The addition of descriptive words to a trademark does not prevent a finding of confusing similarity. In fact, the inclusion of the word “commerce” can only heighten the risk of confusion. Subsidiaries and partners of the Complainant have used this exact phrase in different languages to name corporate entities, such as “Carrefour Commerce Co. Ltd.” in China (Annex 12) and “Carrefour Comércio e Indústria Ltda.” in Brazil (Annex 13).

- As regards the absence of rights or legitimate interests, the Complainant searched trademark records and found no CARREFOUR trademark owned by the Respondent (Annex 14), asserting that the Respondent has acquired no trademark right in the name “Carrefour” which could have granted the Respondent rights in the Disputed Domain Name. The Respondent reproduces the Complainant’s earlier registered trademarks CARREFOUR in the Disputed Domain Name without any licence or authorisation from the Complainant, which is strong evidence of the lack of rights or legitimate interests. The Complainant confirms that it has not authorised the use of the term “carrefour” or terms similar thereto in the Disputed Domain Name in any manner or form.

- As regards bad faith, the Complainant submits that the Complainant and its trademarks were so widely well known that it is inconceivable that the Respondent could have ignored the Complainant or its earlier rights, and further notes that the Respondent is ostensibly a resident of Paris, France, the same metropolitan area in which the Complainant is based and enjoys nearly universal brand awareness.

B. Respondent

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

6. Discussion and Findings

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

(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.

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 entirety of the mark 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 3.1, section 1.7.

Although the addition of the term "commerce," may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the Disputed Domain Name and the CARREFOUR trademarks for the purposes of the Policy. WIPO Overview 3.1, 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 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 is commonly known under the Disputed Domain Name. The Respondent has not been licensed or otherwise authorized by the Complainant to use its CARREFOUR trademarks in any manner. Furthermore, the Disputed Domain Name resolves to a parking page, and there is no indication that the Respondent is using, or has made any demonstrable preparations to use, the Disputed Domain Name in connection 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.

In the present case, the Panel notes that given the strong reputation and long-standing use of the Complainant's CARREFOUR trademarks in France, where the Complainant is established and the Respondent is located, it is implausible that the Respondent was unaware of the Complainant's trademarks at the time of registration. The Panel observes that (i) the Complainant's trademark registrations predate the registration of the Disputed Domain Name by many years; (ii) the CARREFOUR trademarks are distinctive; (iii) the Disputed Domain Name does not resolve to any active or legitimate website, but rather to an inactive page; and (iv) the Respondent has failed to provide any evidence of actual or contemplated good faith use of the Disputed Domain Name, having also failed to respond to the Complaint.

These circumstances strongly suggest that the Respondent was aware of and deliberately targeted the Complainant's trademarks and consequently their consumers, when registering the Disputed Domain Name. The Panel further notes that the inclusion of the word "commerce" in the Disputed Domain Name can only heighten the risk of confusion, as subsidiaries and partners of the Complainant have used this exact phrase in different languages to name other corporate entities of the same group, such as Carrefour Commerce Co. Ltd. in China and Carrefour Comércio e Indústria Ltda. in Brazil.

Panels have found that the non-use of a domain name (including a blank or "coming soon" page) 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 or reputation of the Complainant's trademark, 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's conduct indicates an intention to take unfair advantage of the Complainant's reputation in France, which constitutes bad faith registration and use under paragraph 4(a)(iii) of 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 <carrefour-commerce.com> be transferred to the Complainant.

/Isabelle Leroux/
Isabelle Leroux
Sole Panelist
Date: July 23, 2026