

ADMINISTRATIVE PANEL DECISION

Carrefour SA v. Name Redacted

Case No. D2025-0654

1. The Parties

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

The Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain name <moncompte-carrefours.com> is registered with Tucows Domains Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 19, 2025. On February 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 19, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 20, 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 February 21, 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").

¹ The Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent's name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on February 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 16, 2025. On March 12 and 17, 2025, the Center received several emails from a third party.

The Center notified the Parties of the commencement of panel appointment process on March 17, 2025

The Center appointed Peter Burgstaller as the sole panelist in this matter on March 24, 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 is a French based company and a worldwide leader in retail and operates stores around the world; it also offers travel, banking, insurance, and ticketing services.

The Complainant owns numerous trademark registrations containing the mark CARREFOUR around the world, inter alia:

- European Union trademark registration (word), Reg. No 008779498, registered July 13, 2010;
- French trademark registration (word), Reg. No. 1565338, registered May 25, 1990;
- United States of America trademark registration (word), Reg. No. 6763415, registered June 21, 2022; and
- International trademark registration (word), Reg. No 563304, registered November 6, 1990, designated for several countries around the world (Annexes 3 – 7 to the Complaint).

It further owns several domain name registrations containing the mark CARREFOUR, e.g. <carrefour.com>, registered October 25, 1995, and <carrefour.fr>, registered June 23, 2005 (Annex 11 to the Complaint).

The Complainant also has online presences on Facebook, TikTok, and Instagram (Annexes 8 – 10 to the Complaint).

The disputed domain name was registered February 7, 2025 (Annex 1 to the Complaint). At the time of filing the Complaint, the disputed domain name did not resolve to an active website (Annex 15 to 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 names.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the distinctive CARREFOUR mark in which the Complainant has rights. The only difference to the CARREFOUR mark is the descriptive prefix "moncompte" (which means "my account" in French) and an additional "s" at the end of the CARREFOUR mark. These descriptive terms cannot eliminate the confusing similarity towards the Complainant's CARRAFOUR mark. In fact, the Complainant alleges that the word "moncompte", associated with the CARREFOUR mark rather increases the risk of confusion in the mind of the average Internet user, since it is directly linked to the Complainant's commercial activity, which makes the confusion even more likely to occur in the mind of a consumer, who would expect to find the Complainant or an affiliated, when seeing the disputed domain name.

Furthermore, the Complainant notes that the Respondent does not have any rights or legitimate interests in the disputed domain name. The Respondent is not linked to the Complainant in any way whatsoever and has never been authorized by the Complainant to register domain names that are similar to its trademark. The Respondent is moreover not commonly known by or associated with the disputed domain name and do not use it for any bona fide offering of goods or services.

Finally, the Complainant alleges that the disputed domain name was registered and used in bad faith by the Respondent. The disputed domain name was registered decades after the Complainant has established rights in the mark CARREFOUR and this mark is distinctive and well-known; hence, the Respondent must have been aware of the Complainant and its rights in the mark CARREFOUR when registering the disputed domain name.

Further, the Complainant contends that the disputed domain name resolved to an inactive website, which is also in the concept of bad faith use under the Policy and there is no plausible possible reason for a bona fide use of the disputed domain name.

B. Respondent

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

The Center received several emails from a third party indicating that the disputed domain name was registered using his name and contact details without his knowledge and permission.

6. Discussion and Findings

According to paragraph 4(a) of the Policy, the Complainant must prove that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests with respect to 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 Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

Based on the available record, the Panel finds the Complainant has shown rights in respect of the mark CARREFOUR for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

In the present case, the disputed domain name is confusingly similar to the mark CARREFOUR in which the Complainant has rights since it incorporates the entirety of the mark and only adds the term "moncompte" (French for "my account") as prefix together with a hyphen and the letter "s" at the end of the CARREFOUR mark.

It has long been established under UDRP decisions that where the relevant trademark is recognizable within the disputed domain name, the mere addition of other terms does not prevent a finding of confusing similarity under the first element of the Policy. This is the case at present. [WIPO Overview 3.0](#), section 1.8.

Finally, it has also long been held that generic Top-level Domains ("gTLDs") (in this case ".com") are generally disregarded when evaluating the confusing similarity of a disputed domain name. [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, 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.

While 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 often impossible 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. 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 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, since it has never assigned, granted, licensed, sold, transferred, or in any way authorized the Respondent to register or use the CARREFOUR trademark in any manner.

The Respondent is not known under the disputed domain name and the disputed domain name is not being used for a bona fide offering of goods or services; rather the disputed domain name is passively held by the Respondent which does not establish legitimate rights in the disputed domain name under the circumstances of this case.

The Respondent did not provide any evidence showing its rights or legitimate interests in the disputed domain name. To the contrary, the disputed domain name was more likely than not registered by the Respondent using a third party's name and contact details, which cannot confer rights or legitimate interests on the Respondent.

Based on the available record, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

As stated in many decisions rendered under the Policy, both conditions, registration and use in bad faith, must be demonstrated; consequently, the Complainant must show that:

- the disputed domain name was registered by the Respondent in bad faith; and
- the disputed domain name is being used by the Respondent in bad faith.

(i) The Complainant has established rights in the distinctive mark CARREFOUR decades before the registration of the disputed domain name. Furthermore, the Complainant is using the mark CARREFOUR as its primary domain name, <carrefour.com>, to address its business website; the Complainant has also a strong internet presence on Facebook, TikTok, and Instagram.

Because of the distinctiveness and the reputation of the CARRFOUR mark, it is inconceivable for this Panel that the Respondent has registered the disputed domain name without knowledge of the Complainant's rights. Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a distinctive trademark by an unaffiliated entity (as it is in the present case) can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

Moreover, the term “moncompte” (“my account”) as prefix to the CARRFOUR mark in the disputed domain name rather strengthens the impression that the Respondent must have been aware of the Complainant and its mark when registering the disputed domain name.

As discussed in above, the disputed domain name was most likely registered by the Respondent using a third party's name and contact details, which indicates bad faith.

Finally, a simple online search for "carrefour" would have shown the Complainant and its marks. [WIPO Overview 3.0](#), section 3.2.3.

Therefore, the Panel is convinced that the disputed domain name was registered in bad faith by the Respondent.

(ii) The disputed domain name is also being used in bad faith. The disputed domain name resolves to a website with no content. Panels have found that the non-use of a domain name (including a blank or "coming soon" page, a registrar's parking page or website with no active content like in the present case) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

The distinctiveness of the Complainant's trademark, and the nature of the disputed domain name support the finding 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.

Furthermore, this Panel's finding is reinforced by the following:

- the Complainant's trademark CARREFOUR is distinctive;
- the disputed domain name is inherently misleading, and is thus suited to divert or mislead potential Internet users from the website they are trying to visit (the Complainant's site) and giving the false impression that the Respondent may be in some way related with the Complainant, which is not the case;
- it appears that the Respondent has used the name and contact information of a third party when registering the disputed domain name which in itself constitutes bad faith; and
- there is no conceivable, plausible bona fide use with regard to the disputed domain name considering it clearly targets the Complainant's trademark.

The evidence and documents produced and put forward by the Complainant together with the fact that the Respondent has failed to present any evidence of any good faith registration and use with regard to the disputed domain name further supports the finding of bad faith.

Based on the available record, 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 <moncompte-carrefours.com> be transferred to the Complainant.

/Peter Burgstaller/

Peter Burgstaller

Sole Panelist

Date: April 7, 2025