

ADMINISTRATIVE PANEL DECISION

Carrefour SA, Atacadão - Distribuição, and Comércio E Indústria LTDA. v. Charles E Petty, capsulecopr, Himan Washington, hunterfast, Ridick Iastri, camilz, julio tena, fastG, GRIGORUTA BENIAMIN, Not Applicable, Clyde M Jacobs, Not Applicable, No Name, No Name
Case No. D2025-0966

1. The Parties

The Complainant is Carrefour SA, France (“First Complainant”), and Atacadão - Distribuição, Comércio E Indústria LTDA. Brazil (“Second Complainant”), jointly represented by IP Twins, France.

The Respondents are Charles E Petty, capsulecopr, United States of America (“United States”), Himan Washington, hunterfast United States, Ridick Iastri, camilz, United States, julio tena, fastG, United States, GRIGORUTA BENIAMIN, Not Applicable, Italy, Clyde M Jacobs, Not Applicable, United States, No Name, United States, and No Name, Angola.

2. The Domain Names and Registrars

The disputed domain names <alertascarrefourpass.info>, <aviso-carrefourpass.digital>, <aviscoscarrefourpass.digital>, <aviscoscarrefourpass.info>, <carrefourpass-avisos.info>, <carrefourpassconfirma.com>, <carrefourpass.digital>, <carrefourpassd.online>, <carrefourpasspsd2.com>, <carrefourpassverifdatos.com>, <confirmacarrefourpass.com>, <iniciocarrefourpass.info>, <soportecarrefourpass.info> are registered with PDR Ltd. d/b/a PublicDomainRegistry.com.

The disputed domain names <carrefour-cliente.com>, <carrefour-clientes.com>, <carrefour-inicio.com>, <carrefour-soporte.com>, <carrefour-soportes.com> are registered with Sav.com, LLC (the “Registrars”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 10, 2025. On March 10, 2025, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On March 10 and 12, 2025, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondents (GDPR Masked, REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainants on March 12, 2025, with the registrant and contact information of nominally multiple underlying registrants

revealed by the Registrars, requesting the Complainants to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainants filed amended Complaints on March 12 and 13, 2025.

The Center verified that the Complaint together with the amended Complaints 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 Respondents of the Complaint, and the proceedings commenced on March 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 9, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on April 11, 2025.

The Center appointed Kaya Köklü as the sole panelist in this matter on April 17, 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 First Complainant, founded in 1959, is a widely-known operator of super and hypermarkets with more than 12,000 stores in over 30 countries.

The Second Complainant is a Brazilian chain of wholesale and retail stores established in 1960 and was acquired by the First Complainant in 2007. In 2010, the Second Complainant started expanding activities in other Latin American countries beyond Brazil.

The First Complainant has long-standing trademark rights in the CARREFOUR trademark. Among many others, the Complainant is the registered owner of the International Trademark Registration No. 563304, registered on November 6, 1990, for CARREFOUR, covering protection for various goods and services as protected in international classes 1 to 42. The First Complainant further owns many CARREFOUR trademark registrations across the world, which are combined with further terms, like CARREFOUR PASS, for instance, International Trademark Registration No. 719166, for CARREFOUR PASS, covering protection for services as protected in class 36.

The Respondents are reportedly located in the United States, Italy, and Angola respectively. The true identity of the Respondents remains unclear due to seemingly false or incomplete name and contact information.

The disputed domain names were all registered between January 19 and February 25, 2025, namely on the following dates:

<alertascarrefourpass.info>	January 30, 2025
<aviso-carrefourpass.digital>	January 20, 2025
<avisoscarrefourpass.digital>	January 30, 2025
<avisoscarrefourpass.info>	January 19, 2025
<carrefour-cliente.com>	February 17, 2025
<carrefour-clientes.com>	February 21, 2025
<carrefour-inicio.com>	February 13, 2025
<carrefourpass-avisos.info>	February 21, 2025
<carrefourpassconfirma.com>	February 15, 2025
<carrefourpass.digital>	January 29, 2025
<carrefourpassd.online>	February 21, 2025

<carrefourpasspsd2.com>	February 11, 2025
<carrefourpassverifdatos.com>	February 15, 2025
<carrefour-soporte.com>	February 5, 2025
<carrefour-soportes.com>	February 21, 2025
<confirmacarrefourpass.com>	February 15, 2025
<iniciocarrefourpass.info>	February 10, 2025
<soportecarrefourpass.info>	February 11, 2025

According to the un rebutted evidence provided by the Complainants, the disputed domain names have so far not been actively used and do not resolve to active websites.

5. Parties' Contentions

A. Complainants

The Complainants contend that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

B. Respondents

The Respondents did not reply to the Complainants' contentions.

6. Discussion and Findings

6.1. Consolidation of Multiple Complainants

The Complaint contains a request for consolidation of the First and Second Complainant on the basis that they are related companies with a common grievance against the Respondents.

Taking into consideration that the Respondents have not rebutted the requested consolidation, the Panel finds that the Complainants have established that the Complaints can be consolidated based on a common grievance and interest of both Complainants, in particular as the Second Complainant is a subsidiary of the First Complainant. The Panel is convinced that it is fair and equitable in the circumstances of the case to order the consolidation as requested (section 4.11.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#))).

Consequently, the Panel accepts the First and Second Complainant in this administrative proceeding and, for the ease of reference, will jointly refer to them as "the Complainant" in the following, whenever appropriate.

6.2. Consolidation of Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See [WIPO Overview 3.0](#), section 4.11.2.

In light of the criteria set out above, the Panel finds that the Complainant has provided un rebutted evidence that all disputed domain names are likely under common control for the following reasons:

All disputed domain names were registered between a period of only one month between January and February 2025. Furthermore, all disputed domain names were registered by only two registrars, namely 13 out of 18 disputed domain names were registered by one registrar while the remaining 5 disputed domain names were registered by a second registrar. Additionally, the disputed domain names provide for a similar nature and composition pattern, all of them comprising the Complainant's CARREFOUR trademark in combination with a generic Portuguese or Spanish term respectively.

The Panel concludes that the Respondents are more likely than not somehow connected. Hence, the Panel accepts that all disputed domain names are under common control.

As regards fairness and equity, the Panel sees no reason why a consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different registrants of disputed domain names (referred to below as "the Respondent", whenever appropriate) in a single proceeding.

6.3. Substantive Issues

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain names are identical or confusingly similar to a trademark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

Paragraph 4(a) of the Policy states that a complainant bears the burden of proving that all these requirements are fulfilled, even if a respondent has not substantively replied to the complainant's contentions. *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

However, concerning the uncontested information provided by a complainant, the Panel may, where relevant, accept the provided reasonable factual allegations in a complaint as true. [WIPO Overview 3.0](#), section 4.3.

It is further noted that the Panel has taken note of the [WIPO Overview 3.0](#) and, where appropriate, will decide consistent with the consensus views captured therein.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of the CARREFOUR trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the CARREFOUR mark is reproduced within all of the respective disputed domain names. Some of the disputed domain names even comprise the Complainant's further trademark CARREFOUR PASS in its entirety. Accordingly, the disputed domain names are confusingly similar to the CARREFOUR mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, such as "alerta", "inicio", "cliente", "confirma" and/or similar terms, 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 names and the CARREFOUR 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 names. The Panel particularly notes that the nature of the disputed domain names, all of them comprising the Complainant's CARREFOUR trademark together with generic terms or terms related to the Complainant's business, indicates the Respondent's awareness of the Complainant and its CARREFOUR and CARREFOUR PASS trademarks, and hence, its illicit intent to take unfair advantage of such, which does not support a finding of rights or legitimate interests of the Respondent.

In addition, none of the disputed domain names have apparently ever resolved to active websites which also does not support a finding of any rights or legitimate interests under the circumstances of this case.

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 names such as those enumerated in the Policy or otherwise.

Accordingly, 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 3.0](#), section 3.2.1.

In the present case, the Panel notes that the Respondent must have had the Complainant and its CARREFOUR and CARREFOUR PASS trademarks in mind when registering the disputed domain names, particularly considering the nature and composition of the disputed domain names. It is obvious to the Panel, that the Respondent has deliberately chosen the disputed domain names, which are confusingly similar to the Complainant's CARREFOUR and CARREFOUR PASS trademarks, to target and benefit from the reputation of the Complainant. Consequently, the Panel is convinced that the Respondent has registered the disputed domain names in bad faith.

The fact that the disputed domain names have so far never resolved to active websites does not prevent a finding of bad faith. Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. Having reviewed the available record, the Panel finds the non-use of the disputed domain names does not prevent a finding of bad faith in the circumstances of this proceeding. Although panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the longstanding reputation of the Complainant's CARREFOUR trademark, the inherently misleading composition of the disputed domain names (partly incorporating even further trademarks of the Complainant like CARREFOUR PASS), and the unlikelihood of any good faith use of the disputed domain names and finds that in the circumstances of this case, the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names 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 names <alertascarrefourpass.info>, <aviso-carrefourpass.digital>, <avisoscarrefourpass.digital>, <avisoscarrefourpass.info>, <carrefourpass-avisos.info>, <carrefourpassconfirma.com>, <carrefourpass.digital>, <carrefourpassd.online>, <carrefourpasspsd2.com>, <carrefourpassverifdatos.com>, <confirmacarrefourpass.com>, <iniciocarrefourpass.info>, <soportecarrefourpass.info>, <carrefour-cliente.com>, <carrefour-clientes.com>, <carrefour-inicio.com>, <carrefour-soporte.com>, and <carrefour-soportes.com> be transferred to the Complainant.

/Kaya Köklü/

Kaya Köklü

Sole Panelist

Date: May 1, 2025