

## **ADMINISTRATIVE PANEL DECISION**

**Carrefour SA v. John Deecon, TrafficDomains INC**  
**Case No. D2025-1240**

### **1. The Parties**

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

The Respondent is John Deecon, TrafficDomains INC, Malaysia.

### **2. The Domain Name and Registrar**

The disputed domain name <carrefouruae-24.shop> is registered with Web Commerce Communications Limited dba WebNic.cc (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 26, 2025. On March 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 27, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 27, 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 March 27, 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").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on April 2, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 22, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 25, 2025.

The Center appointed Saisunder Nedungal Vidhya Bhaskar as the sole panelist in this matter on May 2, 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 retail store operating hypermarkets since 1968, having a revenue of EUR 84 billion in 2023. The Complainant operates more than 14,000 stores in more than 40 countries worldwide. The Complainant is one of the well-known entities worldwide operating retail stores and hypermarkets. The Complainant additionally offers travel, banking, insurance and ticketing services.

The Complainant owns several CARREFOUR trademarks including the following trademarks:

- International trademark CARREFOUR No. 351147, registered on October 2, 1968, designating goods in international classes 1 to 34;
- International trademark CARREFOUR No. 353849, registered on February 28, 1969, designating services in international classes 35 to 42; and
- European Union trademark CARREFOUR No. 005178371, registered on August 30, 2007, designating goods and services in international classes 9, 35 and 38.

The Complainant also owns various domain names comprising of the trademark such as <carrefour.com>, <carrefour.fr>, and in particular <carrefouruae.com>, registered on July 29, 2000.

The disputed domain name was registered on March 14, 2025. The disputed domain name currently resolves to an inactive page. However, the Complainant has submitted evidence of the disputed domain name previously resolving to an active page, reproducing the Complainant's trademark and the overall look of one of the official websites of the Complainant at "www.carrefouruae.com".

#### **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 the disputed domain name is confusingly similar to its earlier well-known CARREFOUR trademark with addition of the letters "uae", followed by a hyphen and the number "24", which does nothing to diminish the confusing similarity to the mark of the Complainant. The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name. Finally, the Complainant asserts that the Respondent has registered and used the disputed domain name in bad faith by impersonating the Complainant in an attempt to mislead Internet users into believing that the Respondent's website is directly operated, authorized, affiliated, sponsored, or endorsed by the Complainant. The Complainant also submits that the Respondent has already been involved in previous UDRP proceedings for unauthorised registrations of domain names reproducing third-party trademarks, thereby further strengthening the argument of bad faith on the Respondent's part.

##### **B. Respondent**

The Respondent did not reply to the Complainant's contentions

#### **6. Discussion and Findings**

For this Complaint to succeed in relation to the disputed domain name 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 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 Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 3.0](#), section 1.7.

Although the addition of other terms, here the letters "uae" followed by a hyphen and the number "24", 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 name and the 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 of proof 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 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.

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 the Respondent had reproduced the well-known mark of the Complainant in the contents of the disputed domain name as evidenced by the Complainant, although the disputed domain name resolves to an inactive webpage presently. Considering the fact that the Complainant holds rights over the mark CARREFOUR since 1968 and the fact that the Respondent has also used such mark on the previous website at the disputed domain name, it is undeniable that the Respondent was aware of the mark at the time of registration of the disputed domain name. By reproducing the mark in the disputed domain name and using it for a website mimicking the Complainant's official website at

“www.carrefouruae.com” and purportedly offering for sale various products, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by riding on the goodwill of the Complainant and creating a likelihood of confusion with the Complainant’s mark, which constitutes bad faith under paragraph 4(b)(iv) of the Policy.

It is also pertinent to note that the Complainant has established that the Respondent has demonstrated a pattern of bad faith conduct because the Respondent was also found in bad faith in *LEGO Holding A/S v. John Deecon, TrafficDomains INC*, WIPO Case No. [D2025-0497](#).

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 <carrefouruae-24.shop> be transferred to the Complainant.

*/Saisunder Nedungal Vidhya Bhaskar/*  
**Saisunder Nedungal Vidhya Bhaskar**  
Sole Panelist  
Date: May 16, 2025