

ADMINISTRATIVE PANEL DECISION

Sodexo v. Joyce Byrum, Byrum Little World LLC
Case No. D2025-1263

1. The Parties

The Complainant is Sodexo of France, represented by Areopage, France.

The Respondent is Joyce Byrum, Byrum Little World LLC, of United States of America

2. The Domain Name and Registrar

The Disputed Domain Name <s0dexo.net> 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 March 27, 2025. On March 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On March 31, 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 (Domain Admin) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 31, 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 31, 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”). References to the Complaint hereafter are to the Complaint as amended.

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.

On April 3, 2025, the Complainant lodged a supplemental filing comprising an item of evidence that only came to light after the Complaint had been filed (see discussion below).



The Center appointed Philip N. Argy as the sole panelist in this matter on May 1, 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. The Panel is satisfied that all procedural requirements have been met.

4. Factual Background

The following facts, taken from the Complaint, remain uncontested.

The Complainant was founded in France in 1966. It is one of the largest companies in the world specialising in food services and facilities management, with 423,000 employees serving 80 million consumers in 45 countries every day. It is also one of the largest employers in the world.

For fiscal year 2024 Complainant's consolidated revenues reached EUR23.8 billion of which EUR11.2 billion was attributable to its North American business. FORTUNE Magazine lists Complainant as one of the world's Most Admired Companies.

Between 1966 and 2008 Complainant promoted its business under the trade mark SODEXHO and matching tradename. However, since 2008 it has simplified the spelling of its mark and name to SODEXO (the word mark) and changed its logo from  to  (the logo mark).

Both the word mark and the logo mark are used throughout the world in connection with food services such as restaurant and catering services and facility management services which combine reception, hospitality and cleaning services with infrastructure maintenance services. The Complainant also owns numerous domain names which incorporate the word mark: <sodexo.com>, <uk.sodexo.com>, <sodexoprestige.co.uk>, <sodexo.fr>, <sodexoca.com>, <sodexousa.com>, <cn.sodexo.com>, <sodexho.fr> and <sodexho.com>.

Both the word mark and the logo mark are used continuously and extensively worldwide. In particular, the logo mark is the subject of international trademark registration number 964615 filed on January 8, 2008, inheriting priority from the French registration 073513766 of July 16, 2007, renewed in 2018, in classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45 in 35 countries including the United States of America. Furthermore, the SODEXHO marks in use prior to 2008 are the subject of trademark registrations dating back to 1996.

A large number of previous UDRP panels have recognised the fame of the Complainant's trademarks.¹

The Disputed Domain Name was first registered on March 25, 2025 (by the Respondent). At the time of filing the Complaint and writing this Decision, it is parked with the Registrar. The Wayback Machine² has not captured any webpages associated with the Disputed Domain Name. However, the Complainant has provided evidence showing that the Disputed Domain Name is being used for email communications to impersonate a senior employee of the Complainant.

¹ *Sodexo v. Registration Private, Domains By Proxy, LLC / Carolina Rodrigues, Fundacion Comercio Electronico*, WIPO Case No. [D2020-1580](#); *Sodexo v. Contact Privacy Inc. Customer 1247189803 / NorAm Accounts Receivable*, WIPO Case No. [D2020-1683](#); *SODEXO v. Super Privacy Service LTD c/o Dynadot / Zhichao*, WIPO Case No. [D2020-1762](#); *SODEXO v. Zhichao Yang*, WIPO Case No. [D2020-2686](#); *SODEXO v. Ashutosh Dwivedi, Food & Beverages*, WIPO Case No. [D2020-2286](#); *SODEXO v. 李金梁 (Li Jin Liang)*, WIPO Case No. [D2020-3064](#); *Sodexo v. Domains By Proxy, LLC, DomainsByProxy.com / Carolina Rodrigues, Fundacion Comercio Electronico*, WIPO Case No. [D2020-3085](#); *Sodexo v. Domain Administrator, Fundacion Privacy Services LTD*, WIPO Case No. [D2021-0472](#); and *Sodexo v. Carolina Rodrigues, Fundacion Comercio Electronico*, WIPO Case No. [D2021-0485](#).

² "www.archive.org"

Little is known about the Respondent, she having failed to file any Response.

5. Parties' Contentions

A. Complainant

The Complainant contends that:

- a) The Disputed Domain Name is confusingly similar to both its word mark and its logo mark, each being a trademark in which it has rights;
- b) The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and
- c) The Disputed Domain Name was registered and is being used in bad faith.

In relation to the first element of the Policy the Complainant essentially alleges that the Respondent is engaged in typosquatting and that "s0dexo" is confusingly similar to SODEXO. In other words, the Disputed Domain Name matches the word mark save that the first "o" is replaced with a zero.

The Complainant also cites prior UDRP panel decisions in which the Complainant's name or mark has been the subject of character substitution of a "0" for the letter "O".³

Although, as noted above, the Disputed Domain Name is parked with the Registrar and is not associated with any website operated by the Respondent, the Complainant bases the Complaint on evidence that it is being used to perpetrate email scams sent to the Complainant's clients requesting payment of false invoices on fake bank accounts or to order products by impersonating Complainant's identity or that of its employees.

In relation to the second element of the Policy the Complainant notes that the Respondent is unknown to it and that she has no rights to the word mark or the logo mark as a corporate name, tradename, shop sign, mark or domain name that would be prior to Complainant's rights. It submits that the Respondent was not commonly known by the Disputed Domain Name prior to the adoption and use by the Complainant of its word mark and logo mark, or at all. Moreover, the Respondent does not have any affiliation, association, sponsorship or connection with the Complainant and has not been authorised, licensed or otherwise permitted by the Complainant or any subsidiary or affiliate of the Complainant to register or use the Disputed Domain Name.

In relation to the third element of the Policy the Complainant relies on paragraph 4(b) and notes that SODEXO is purely fanciful and that nobody could legitimately choose this word or any variant of it unless seeking to create an association with the Complainant's activities and marks. The Complainant says that given the well-known character and reputation of its marks, the Respondent knew of its existence when she registered the Disputed Domain Name and knew that she had no rights or legitimate interests in it.

The Complainant also cites previous UDRP decisions which have recognised that actual knowledge of the Complainant's trademarks and activities at the time of registration of a Disputed Domain Name may give rise to an inference of bad faith.⁴ It submits that the Respondent registered the Disputed Domain Name with actual knowledge of the Complainant's rights in its marks "very likely for the purpose of creating confusion with the Complainant's mark to divert or mislead third parties for Respondent's illegitimate profit".

In the Supplemental filing, the Complainant added that the Respondent was sending fraudulent emails from the MX record activated from the Disputed Domain Name. The Complainant argued that the Respondent had impersonated a senior officer to try to obtain commercial gain and concluded that this amounted to bad

³ See *Sodexo v. WhoisGuard, Inc. / Linda Carola*, WIPO Case No. [D2020-2181](#); *Sodexo v. 冉茂明 (Mao Ming Ran)*, WIPO Case No. [D2022-0767](#).

⁴ See, in particular, *Sodexo v. Shahzan - PrivacyProtect.org*, WIPO Case No. [D2013-1308](#)

faith registration and use.⁵

B. Respondent

The Respondent did not file a Response nor reply in any other way to the Complaint.

6. Discussion and Findings

Despite the Respondent's failure to file a Response the onus remains on the Complainant to make out each element of the Policy on the balance of probabilities.

6.1. Preliminary issue – Unsolicited Supplemental Filing

Paragraph 12 of the Rules expressly provides that it is for the panel to request, in its sole discretion, any further statements or documents from the parties it may deem necessary to decide the case. Unsolicited supplemental filings are generally discouraged, unless specifically requested by the panel. Panels have repeatedly affirmed that the party submitting or requesting to submit an unsolicited supplemental filing should clearly show its relevance to the case and why it was unable to provide the information contained therein in its complaint or response (e.g., owing to some "exceptional" circumstance). WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 4.6. In the present case, the Complainant submitted a supplemental filing showing that the Disputed Domain Name was used to send a fraudulent email on March 26, 2025, one day before the Complaint was filed. This circumstance further demonstrates the Respondent's bad faith according to the Complainant. Noting the timing of the fraudulent email and that the Complainant could not have detected it earlier, the Panel accepts the supplemental filing.

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.

Here the Respondent's conduct is classic typosquatting, with the digit zero replacing the letter "O" where it first appears in the Complainant's name and marks. When rendered in uppercase the letter "O" is almost indistinguishable from a "0".

Given the very extensive evidence of both the longevity of use and the long-standing multijurisdictional registrations of the Complainant's logo mark in word mark and their predecessors it is beyond doubt that the Complainant has rights in respect of its logo mark and work marks.

The whole point of typosquatting is for Internet users to confuse a Disputed Domain Name with a complainant's trademark. Here there is no doubt that the Disputed Domain Name visually resembles the Complainant's logo mark and word mark and is confusingly similar to them, and the Panel formally so finds: [WIPO Overview 3.0](#), sections 1.7 and 1.9.

Thus, 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. In the absence of any Response there is obviously

⁵ See *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#); *Novo Nordisk A/S v. CDMS Invest*, WIPO Case No. [D2012-0676](#).

no claimed reliance on that provision but for good order the Panel records its finding that there is no evidence that could have supported any such reliance.

In any event, the Complainant has made out a prima facie case that the Respondent lacks the requisite rights or legitimate interests, so the burden of proof on this element shifts to the Respondent. There being no Response the Respondent plainly has not discharged the burden. Accordingly, the Complainant is deemed to have satisfied the second element: [WIPO Overview 3.0](#), section 2.1.

It is also worth noting that prior UDRP panels have held that the use of a domain name for illegal activities, such as the fraudulent/phishing emails here alleged by the Complainant, can never confer rights or legitimate interests on a respondent: [WIPO Overview 3.0](#), section 2.13.1.

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) 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 Complainant has presented compelling evidence in support of its reliance on paragraph 4(b)(iv), namely, that by the use of fraudulent/phishing emails from the Disputed Domain Name the Respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark. Again, it is trite to observe that typosquatting is intended to have that very effect.

The evidence before the Panel includes examples of emails from the Respondent impersonating senior executives of the Complainant and mimicking its letterhead and purporting to advise the Complainant's customers of a new bank account to which they should remit funds for payment of the Complainant's invoices. Such flagrantly fraudulent activity is an exemplar of the acts which the Policy seeks to thwart.

The Panel is more than satisfied that the Respondent registered and is using the Disputed Domain Name for illegal purposes namely, to commit fraud – the most egregious example of 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 <s0dexo.net> be transferred to the Complainant.

/Philip N. Argy/

Philip N. Argy

Sole Panelist

Date: May 15, 2025