

## **ADMINISTRATIVE PANEL DECISION**

Carrefour SA v. Marc Laroche and Guy Laroche  
Case No. D2025-1379

### **1. The Parties**

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

The Respondents are Marc Laroche, France, and Guy Laroche, France.

### **2. The Domain Names and Registrars**

The disputed domain name <csfcarrefour.com> is registered with EuroDNS S.A.

The disputed domain name <csf3-carrefour.com> is registered with Cronon GmbH (the “Registrars”).

### **3. Procedural History**

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on April 4, 2025. On April 4, 2025, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On April 8, 2025, the Registrars transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names, which differed from the named Respondents (Undisclosed) and contact information in the Complaint.

The Center sent an email communication to the Complainant on April 17, 2025, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant 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 Complainant filed an amended Complaint on April 18, 2025.

Again, on April 17, 2025, the Center informed the parties in French and English, that the language of the registration agreement for one of the disputed domain names is French. On April 18, 2025, the Complainant confirmed its request that English be the language of the proceeding. The Respondents did not submit any comment on the Complainant’s submission.

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 Respondents of the Complaint in both English and French, and the proceedings commenced on April 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 12, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on May 13, 2025.

The Center appointed Marie-Emmanuelle Haas as the sole panelist in this matter on May 16, 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 one of the leaders in retail and a pioneer of the concept of hypermarkets back in 1968. The Complainant owns several hundred trademark rights worldwide composed with CARREFOUR.

In particular, the Complainant is the owner of the following trademarks registered well before the registration of the disputed domain names:

- International trademark CARREFOUR No. 191353, registered on March 9, 1956, duly renewed and designating services in class 3.
- International trademark CARREFOUR No. 351147, registered on October 2, 1968, duly renewed, and designating goods in classes 1 to 34;
- International trademark CARREFOUR No. 353849, registered on February 28, 1969, duly renewed, and designating services in classes 35 to 42;
- EU trademark CARREFOUR No. 005178371, registered on August 30, 2007, duly renewed and designating services in class 9, 35 and 38.

The Complainant is the registrant of the domain names <carrefour.eu> and <carrefour.fr>.

The disputed domain names <csfcarrefour.com> and <csf3-carrefour.com> were registered on March 19, 2025, in the name of, respectively Marc Laroche and Guy Laroche, mentioning the same postal address.

The name provided as organizational, administrative, technical and billing contact for <csfcarrefour.com> is Guy Laroche.

According to the Whois data, both disputed domain names were registered only one minute apart.

The disputed domain name <csfcarrefour.com> resolves to an error webpage.

The disputed domain name <csf3-carrefour.com> resolves to a placeholder/parking page provided by the hosting provider mentioning “this domain name is reserved. As of now no content has been uploaded”.

#### **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 its earlier trademarks are well-known.

The Complainant asserts that its fame and notoriety is evidenced on the Internet, by the fact that its Facebook page is currently “liked” by more than 11 million followers.

### **Confusing similarity**

The disputed domain names <csfcarrefour.com> and <csf3-carrefour.com> are both confusingly similar to the Complainant’s earlier well-known CARREFOUR trademark.

The addition of the prefixes “csf” and “csf3” does not prevent a finding of confusing similarity, since the earlier Complainant’s CARREFOUR trademark is clearly recognizable within the disputed domain names.

The addition of a hyphen in the disputed domain name <csf3-carrefour.com> is of no significance. It does not affect the visual or phonetic impression of the Complainant’s trademark.

Therefore, the Complainant contends that the disputed domain names are confusingly similar to the Complainant’s earlier CARREFOUR trademarks.

The Complainant contends that the first condition under the Policy should be deemed satisfied.

### **Absence of rights or legitimate interests**

The Complainant has not authorized or licensed the Respondents to use its CARREFOUR trademark in any manner, including in domain names. There is no affiliation or business relationship between the Complainant and the Respondents that would justify the Respondents use of the Complainant’s well-known trademark.

To the best of the Complainant’s knowledge, the Respondents are not commonly known by the disputed domain names, or by the term “carrefour” in any form.

The disputed domain names do not resolve to any active website, but instead to error pages.

The Complainant submits that it has made a prima facie case that the disputed domain names were registered without right or legitimate interest.

The Complainant contends that the second condition under the Policy should be deemed satisfied.

### **Bad faith registration and use**

The CARREFOUR trademark is highly distinctive and well-known, particularly in the field of retail and consumer goods.

Given the global renown of the CARREFOUR trademark, it is inconceivable that the Respondents registered the disputed domain names without knowledge of the prior CARREFOUR trademark.

The passive holding of both disputed domain names may satisfy the requirements of Paragraph 4(b) of the Policy:

- the CARREFOUR trademark is well-known internationally and inherently distinctive.
- the Respondents have not made any attempt to make legitimate use of the disputed domain names.
- the Respondents identities are concealed.
- the registration of both disputed domain names one minute apart with two different registrars suggests deliberate evasive behavior.

## **B. Respondents**

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

## **6. Discussion and Findings**

### **Consolidation: 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 of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 4.11.2.

As regards common control, the Panel notes that the name "Guy Laroche" is listed in the respective Whois data of both the disputed domain names:

- as the registrant of the disputed domain name <csf3-carrefour.com>;
- as the organizational, administrative, technical and billing contact for the disputed domain name <csfcarrefour.com>, with the only exception being the registrant listed as "Marc Laroche".

Both disputed domain names were registered on the same day and only one minute apart.

The postal address mentioned in the Whois data is identical for both disputed domain names.

As a result, the only difference in first names between Marc Laroche and Guy Laroche as registrant is regarded as a subterfuge to make people believe that they are two different persons.

The Whois data submitted proves that the same person, supposed to be Guy Laroche, if this person even exists, is in charge of and controls both disputed domain names.

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

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

### **Language of Proceeding**

The language of the registration agreement is English for <csfcarrefour.com> and French for <csf3-carrefour.com>.

The Complainant asks that English shall be the language of the proceeding.

The Complainant contends that, should the Respondent fail to submit a Response or otherwise participate in

the proceedings, such inaction should be interpreted as a lack of objection to the use of English as the language of the proceeding.

It adds that, in such circumstances, it would be reasonable for the Panel to conclude that the Respondent has waived any right to rely on a different language, and that the proceeding on both disputed domain names should proceed in English to ensure fairness and procedural efficiency.

Given this situation and given the fact that the Panel decides to consolidate the disputes regarding both disputed domain names, the language of the consolidated proceeding shall be English.

#### **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 names. [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 Panel finds the addition of the terms (here, "csf" and "csf3-") to the CARREFOUR trademark does not prevent a finding of confusing similarity between the disputed domain names and the mark, for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds the CARREFOUR mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the first element of the Policy has been established.

#### **B. Rights or Legitimate Interests**

Pursuant to paragraph 4(c) of the Policy, the Respondent may establish rights or legitimate interests in the disputed domain name by demonstrating any of the following:

- (i) before any notice to it of the dispute, the Respondent's use of, or demonstrable preparations to use, the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services; or
- (ii) the Respondent has been commonly known by the disputed domain name, even if it has acquired no trademark or service mark rights; or
- (iii) the Respondent is making a legitimate non-commercial or fair use of the disputed domain name, without intent for commercial gain, to misleadingly divert consumers, or to tarnish the trademark or service mark at issue.

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 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.

The Respondent was not authorized to use or register the disputed domain names, and neither made any bona fide use of the disputed domain names (or demonstrable plans for such use), nor any legitimate noncommercial or fair use. Moreover, it is not being commonly known by the disputed domain names.

The Panel finds the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

For the purposes of paragraph 4(a)(iii) of the Policy, the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

(i) circumstances indicating that the Respondent has registered, or the Respondent has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name registration to the Complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or

(ii) the Respondent has registered the disputed domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the Respondent has engaged in a pattern of such conduct; or

(iii) the Respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location.

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, who is domiciled in France, could not ignore the Complainant's well-known CARREFOUR trademark, when it decided to register the disputed domain names.

Panels have found that the non-use of a domain name, including a blank or "coming soon" page, would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the reputation of the Complainant's trademark, and the composition 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.

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 <csfcarrefour.com> and <csf3-carrefour.com> be transferred to the Complainant.

*/Marie-Emmanuelle Haas/*

**Marie-Emmanuelle Haas**

Sole Panelist

Date: May 30, 2025