

ADMINISTRATIVE PANEL DECISION

Carrefour SA v. a b
Case No. D2025-1380

1. The Parties

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

The Respondent is a b, New Zealand.

2. The Domain Name and Registrar

The disputed domain name <carefoursa.sbs> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 4, 2025. On April 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 4, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 10, 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 April 11, 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 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 13, 2025.

The Center appointed Dilek Zeybel as the sole panelist in this matter on May 19, 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 Carrefour SA, a public limited company incorporated in France, which operates a business in the field of retail and hypermarket services and is the owner of the worldwide well-known CARREFOUR brand.

The Complainant is the owner of several trademark registrations worldwide, including but not limited to the following:

- New Zealand trademark, CARREFOUR No. 817747 registered on June 24, 2010, in class 35.
- French trademark, CARREFOUR No. 1487274 registered on September 2, 1988, in classes 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45.
- International trademark, CARREFOUR No. 563304 registered on November 6, 1990, in classes 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, and 42.

The Complainant owns numerous domain names incorporating its CARREFOUR trademark, including <carrefour.com> and <carrefour.fr>, which serve as the Complainant's official websites. These domain names are used to promote the Complainant's products and services.

The Complainant operates more than 12,000 stores worldwide and is active in over 30 countries in retail and hypermarket services. It maintains a substantial presence on social media, with over 11 million followers on Facebook, 6.2 million users on TikTok, and 740 thousand followers of the official CARREFOUR Instagram account.

The Respondent registered the disputed domain name on March 14, 2025. According to the evidence submitted, the disputed domain name resolves to a landing page that displays an error message in French, which translates to: "Sorry, this page cannot be accessed."

There is no evidence of any relationship between the Complainant and the Respondent.

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 and famous trademarks, CARREFOUR, and is being used to suggest an affiliation with the Complainant, misleadingly, and to take unfair advantage of the reputation of its marks.

The Complainant states that the term "sa" included in the disputed domain name refers to "Société Anonyme" in French, which is the legal status of the Complainant. This term does not significantly affect the appearance or pronunciation of the disputed domain name and is not sufficient to avoid misleading Internet users or to prevent a likelihood of confusion.

Further, the Complainant contends that the omission of the letter “r” in the spelling of CARREFOUR within the disputed domain name does not significantly affect its appearance or pronunciation.

The Complainant asserts that the Respondent is not authorized to use its trademarks and maintains that the Respondent has no rights or legitimate interests in the disputed domain name, and is neither a distributor, partner, nor a licensee of the Complainant. The Respondent is unknown to the Complainant.

Moreover, the Complainant claims that the Respondent does not own any trademark rights that could confer any rights or legitimate interests in the disputed domain name.

The Complainant also refers to the Respondent’s landing page at the disputed domain name, which contains no content, and states that the Respondent has not, prior to the filing of the Complaint, used or made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services.

Finally, the Complainant asserts that CARREFOUR is a well-known mark worldwide, and argues that, given its reputation, it is inconceivable that the Respondent was unaware of the Complainant’s prior rights at the time of registering the disputed domain name.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules directs the Panel as to the principles to be applied in determining the dispute: “A Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

The Policy provides, at paragraph 4(a), that each of the three elements must be made for a complaint to prevail:

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

Pursuant to paragraph 14(b) of the Rules, where a party does not comply with any provision of the Rules, the Panel may draw such inferences as it considers appropriate.

Considering the Parties’ submissions, the Policy, the Rules, the Supplemental Rules, and applicable law, the Panel’s findings with respect to each of the above elements are set out below.

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 mark is recognizable 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.

The Panel further notes that a domain name consisting of a common, obvious, or intentional misspelling of a trademark is considered confusingly similar to the relevant mark for the purposes of the first element of the Policy. The omission of the letter “r” of the CARREFOUR mark in the disputed domain name <carefoursa.sbs> does not prevent a finding of confusing similarity. [WIPO Overview 3.0](#), section 1.9.

Although the addition of other terms, here “sa”, may bear on the assessment of the second and third elements, the Panel finds the addition of such a term 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.

In addition, it is well established that the generic Top-Level Domain “.sbs” is typically disregarded when assessing confusing similarity under the first element of the Policy. [WIPO Overview 3.0](#), section 1.11.1.

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 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.

Furthermore, the Respondent registered the disputed domain name without the Complainant’s authorization or approval and is neither a distributor, partner, nor a licensee of the Complainant. The disputed domain name resolves to a default website where no indication of bona fide offering of goods and services has been seen, which underlines the Panel’s view of no rights or legitimate interests.

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.

The disputed domain name almost entirely reproduces the Complainant’s well-known trademark CARREFOUR, where the omission of the letter “r” in the disputed domain name <carefoursa.sbs> is not material. The Panel finds that it is implausible that the Respondent arrived at the disputed domain name

combination without the “r” by coincidence. This indicates that the Respondent either knew or should have known the Complainant’s trademark and deliberately targeted it.

The Panel notes that the use of the term “sa” in the disputed domain name very likely refers to “Société Anonyme”, the French legal status of the Complainant. This addition may reinforce an impression of affiliation with the Complainant, thereby misleading Internet users.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can, by itself, create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4. The Panel shares this view.

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.

Considering that the Respondent’s given name is listed as “a” and the surname as “b”, combined with a randomly composed street address of “wqed” and city name recorded as “wqde”, the Panel finds that the Respondent has likely used irregular or fictitious contact details.

Providing such nonsensical or incomplete information undermines the credibility of the Respondent. Panels have previously found that the use of false or deceptive registrant information may support a finding of bad faith. This includes the use of false contact details or a privacy shield to conceal the registrant’s identity, the failure to submit a response, the implausibility of any response, or other circumstances that cast doubt on the registrant’s bona fides. [WIPO Overview 3.0](#), section 3.3.

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 distinctiveness or reputation of the Complainant’s trademark, the composition of the disputed domain name, and the failure of the Respondent to submit a response, and finds 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.

The Panel finds it highly unlikely that the adoption of a domain name incorporating a well-known and distinctive trademark such as CARREFOUR was a mere coincidence. Given the well-known nature of the Complainant’s trademark, it is implausible that the Respondent registered the disputed domain name without awareness of the Complainant’s rights. This further supports the finding 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 <carefoursa.sbs> be transferred to the Complainant.

/Dilek Zeybel/

Dilek Zeybel

Sole Panelist

Date: June 2, 2025