

ADMINISTRATIVE PANEL DECISION

Carrefour SA v. Umut Dirican
Case No. D2025-1398

1. The Parties

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

The Respondent is Umut Dirican, Türkiye.

2. The Domain Names and Registrar

The disputed domain names <carrefourexpress.cyou>, <carrefoursaexpres.cyou> and <carrefoursaexpres.xyz> are registered with Atak Domain Hosting Internet ve Bilgi Teknolojileri Limited Sirketi d/b/a Atak Teknoloji (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 6, 2025. On April 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 8, 2025, the Registrar transmitted by email to the Center its verification response, confirming that the Respondent is listed as the registrant and providing additional contact details.

The Center verified that the 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 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 30, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 2, 2025.

The Center appointed Anita Gerewal as the sole panelist in this matter on May 9, 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, founded in 1959, is a public limited company registered in the trade and companies register of Evry (France). The Complainant is engaged in the business of hypermarkets since 1963. The Complainant operates more than twelve thousand stores in more than 30 countries, including in Türkiye. The Complainant has more than 384,000 employees worldwide, 1.3 million daily unique visitors in its webstores, and a turnover around EUR 80 billion every year.

The Complainant is the owner of numerous CARREFOUR trademark registrations, including:

- International Registration No. 191353 in class 3, registered on March 9, 1956;
- International Registration No. 351147 in classes 1 to 34, registered on October 2, 1968;
- International Registration No. 353849 in classes 35 to 42, registered on February 28, 1969; and
- European Union Registration No. 005178371 in classes 9, 35 and 38, registered on August 30, 2007.

The Complainant is also the owner of the domain names <carrefour.eu>, <carrefour.fr>, <carrefour.net> and <carrefour.com>. The Complainant operates an extensive network of stores and has online presence.

The disputed domain names were registered on March 23, 2025. Both <carrefourexpress.cyou> and <carrefoursaexpres.cyou> resolve to the Registrar's default hosting webpage and <carrefoursaexpres.xyz> resolves to an error page.

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 names are confusingly similar to the Complainant's CARREFOUR trademarks. The Complainant is the owner of several registered trademarks for the term CARREFOUR, including International and European Union trademark registrations that predate the registration of the disputed domain names by several decades. The CARREFOUR trademark is distinctive, well-known, and enjoys wide recognition in many jurisdictions. All three disputed domain names reproduce the CARREFOUR trademark in its entirety, which remains the dominant and distinctive element of the domain names. The addition of the descriptive term "express" or its misspelled variants "saexpres" does not prevent a finding of confusing similarity. In this case, the term "express" is commonly associated with retail services and delivery, which further strengthens the likelihood of confusion, as the Complainant operates various store formats, including "Carrefour Express" convenience stores in multiple countries. The use of "sa" as a reference to the Complainant's corporate form (Carrefour SA), followed by "expres" (a typographical variant of "express"), reinforces the connection with the Complainant's identity and business.

The Complainant also contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names. The Respondent is not a licensee of the Complainant, nor has the Respondent ever been authorized or otherwise permitted by the Complainant to use its CARREFOUR trademark in any manner, including in domain names. There is no contractual or legal relationship between the Parties that would justify the Respondent's use of the CARREFOUR trademark. Further, there is no evidence that the Respondent is commonly known by the disputed domain names. The registrant's name, as indicated in the Whois record, is "Umut Dirican," which bears no resemblance to the disputed domain names or the CARREFOUR trademark. The Respondent has not made any legitimate, noncommercial, or fair use of the domain names.

Further, the Complainant contends that the disputed domain names were registered and are being used in bad faith. The Respondent could not have been unaware of the Complainant's rights in the CARREFOUR

trademark at the time of registration, being a brand that is widely recognized and has been registered internationally, including under several trademarks dating back to the 1950s and 1960s. The Complainant operates thousands of stores in over 30 countries (including Türkiye) and is consistently ranked among the world's leading retailers. It is therefore inconceivable that the Respondent selected the term "carrefour" by coincidence, particularly in conjunction with the terms "express" or "saexpres," which refer to known elements of the Complainant's commercial structure and brand family (e.g., Carrefour Express convenience stores and Carrefour SA, the Complainant's corporate name).

The three disputed domain names were registered simultaneously on March 23, 2025, suggesting a deliberate, coordinated effort to exploit variations of the Complainant's trademark across different Top-Level Domains ("TLDs") – a tactic typical of cybersquatting. The Respondent has not demonstrated any legitimate or good-faith intent to use the domain names, all of which remain inactive or resolve to error/default pages. Such passive holding of domain names incorporating a well-known trademark, without explanation or legitimate use, is evidence of bad faith. Given the fame of the trademark and the nature of the domain names, it is unlikely they were registered for any purpose other than to benefit unfairly from the Complainant's brand and reputation.

The Complainant has cited several prior decisions under the Policy involving the Complainant's CARREFOUR trademark to support its Complaint.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, the Complainant must establish each of the following elements:

- (i) The disputed domain names are identical or confusingly similar to the trademark or service mark in which the Complainant has rights;
- (ii) The Respondent has no rights or legitimate interest in respect of the disputed domain names; and
- (iii) The disputed domain names have been registered and 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 the CARREFOUR trademark 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 names and the mark is recognizable therein. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Additionally, the inclusion of the terms "express". "expres" and/or the term "sa" does not prevent a finding of confusing similarity between the disputed domain names and the Complainant's trademark (see [WIPO Overview 3.0](#), section 1.8).

The addition of the generic TLD “.cyou” and “.xyz” shall be disregarded for the purposes of assessing confusing similarity, as it is a standard requirement of registration.

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 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. There is no evidence before the Panel that the Respondent used the disputed domain names (or had demonstrable plans for such use) with a bona fide offering, is commonly known by the disputed domain names, or has made or intends to make legitimate noncommercial or fair use of them.

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 finds that given the widespread recognition of the Complainant’s trademark, which has been registered since the 1950s and is associated with a global retail brand, it is implausible that the Respondent was unaware of the Complainant’s rights at the time of registration. The Respondent registered several disputed domain names adding to the Complainant’s trademark the terms “express” and “saexpres” associated with the Complainant’s business and corporate structure, which further supports this finding. The disputed domain names remain inactive, indicating passive holding. Given the trademark’s prominence, the Respondent’s intent appears to be to unfairly capitalize on the Complainant’s trademark.

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. [WIPO Overview 3.0](#), section 3.3.

Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant’s trademark, the composition of the disputed domain names, and the lack of response, 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 <carrefourexpress.cyou>, <carrefoursaexpres.cyou> and <carrefoursaexpres.xyz> be transferred to the Complainant.

/Anita Gerewal/

Anita Gerewal

Sole Panelist

Date: May 23, 2025