

ADMINISTRATIVE PANEL DECISION

Carrefour SA v. Espacio Las Lomas Rivas Llorente
Case No. D2025-1481

1. The Parties

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

The Respondent is Espacio Las Lomas Rivas Llorente, Spain.

2. The Domain Names and Registrar

The disputed domain names <carrefourarroyo.com> and <carrefourexpressarroyo.com> are registered with IONOS SE (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on April 11, 2025. On the same day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 14, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Undisclosed) and contact information in the Complaint.

The Center sent an email communication to the Complainant on April 22, 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 24, 2025.

On April 22, 2025, the Center informed the parties that the language of the registration agreement for the disputed domain name is Spanish. On April 24, 2025, the Complainant requested English to be the language of the proceeding. The Respondent 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 Respondent of the Complaint in English and Spanish, and the proceedings commenced on April 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 19, 2025. The Respondent sent communications on May 14, 2025, and on May 26, 2025, but did not submit any formal response. Accordingly, the Center notified the Commencement of Panel Appointment Process on May 26, 2025.

The Center appointed Mauricio Jalife Daher as the sole panelist in this matter on June 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 French multinational company founded in 1959 dedicated to operating retail stores (hypermarkets).

The Complainant owns more than twelve thousand stores in more than 30 countries.

The Complainant has profusely used its trademark CARREFOUR to distinguish its retail stores, therefore, its trademark is widely well known.

The Complainant owns numerous registered trademarks CARREFOUR, including the following:

International Registration No. 351147 CARREFOUR granted on October 2, 1968 to distinguish products included in classes 1, 2, 3, 4, 5, 6, 7, 8, 9, 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 (Nice Classification);

International Registration No. 353849 CARREFOUR granted on February 28, 1969 to distinguish products included in classes 35, 36, 37, 38, 39, 41, 42 (Nice Classification);

European Union Trade Mark No. 005405832 CARREFOUR EXPRESS granted on October 18, 2007 to distinguish products included in classes 29, 30, 31, 32, 33, 35 (Nice Classification).

The Complainant owns numerous domain names which include its trademark CARREFOUR, including the following:

<carrefour.eu>, created on March 10, 2006;
<carrefour.fr>, created on June 23, 2005;
<carrefour.net>, created on June 10, 2018;
<carrefour.com>, created on October 25, 2025.

The disputed domain names <carrefourarroyo.com> and <carrefourexpressarroyo.com> were created on March 17, 2025.

The disputed domain names currently resolve to a standard registrar-hosted holding pages.

Although the Respondent did not file a formal response, but sent an e-mail in Spanish to the Center on May 14, 2025, stating that the Respondent had quit the ownership of the disputed domain names.

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:

It is the owner of numerous trademark registrations for CARREFOUR and CARREFOUR EXPRESS, which are widely known and have been used extensively in connection with its retail operations around the world.

The disputed domain names are confusingly similar to CARREFOUR trademark, since they entirely incorporate it. The addition of the geographic term "arroyo" does not prevent a finding of confusing similarity. The term "arroyo," which refers to a locality or stream in Spanish, may even enhance the confusion by suggesting a specific regional branch or location of the Complainant's.

The disputed domain name <carrefourexpressarroyo.com> is also confusingly similar to the Complainant's CARREFOUR EXPRESS trademark. This domain name reproduces the CARREFOUR EXPRESS mark in full.

The Respondent has no rights or legitimate interests in the disputed domain names for the following reasons: (i) the Respondent is not a licensee nor an authorized user of CARREFOUR trademark; (ii) the Respondent is not commonly known by the disputed domain names; (iii) the Respondent has made no legitimate use of the disputed domain names; both disputed domain names currently resolve to standard registrar-hosted holding pages with no content.

The disputed domain names were registered in bad faith within the meaning of paragraph 4(a)(iii) and paragraph 4(b) of the Policy, for the following reasons: (i) CARREFOUR and CARREFOUR EXPRESS trademarks are well known internationally and enjoy strong recognition in the retail sector. They have been in use for many years and are the subject of numerous trademark registrations worldwide. It is therefore inconceivable that the Respondent was unaware of the Complainant's rights at the time of registration of the disputed domain names; (ii) the timing and manner of the registrations further support a finding of bad faith. The disputed domain names were registered on the same day, March 17, 2025, and at the exact same time (21:51:24 UTC), suggesting a deliberate, automated attempt to acquire multiple domain names targeting the Complainant's marks; (iii) the Respondent has taken steps to conceal its identity by using privacy protection services; (iv) although both disputed domain names currently resolve to standard registrar-hosted holding pages, such passive holding constitute bad faith, considering the following circumstances which, taken together, support the conclusion that the Respondent is intentionally holding the disputed domain names in reserve, either to obstruct the Complainant's online presence, mislead future users, or potentially sell or otherwise exploit the domain names for commercial gain:

- The distinctiveness and renown of the Complainant's trademarks;
- The Respondent's lack of rights or legitimate interests in the disputed domain names;
- The absence of any plausible use of the disputed domain names that would not infringe upon the Complainant's rights;
- The concealment of the Respondent's identity;
- The deliberate structure of the domain names to suggest affiliation with a localized or branded Carrefour operation.

(e.g., *Telstra Corporation Ltd. v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#)).

B. Respondent

The Respondent did not formally reply to the Complainant's contentions. However, the Respondent sent an email communication indicating that he renounced its rights over the disputed domain names and demanded the termination of the current proceedings.

6. Discussion and Findings

Language of Proceeding

After being notified by the Center that the language of the Registration Agreement for the disputed domain names is Spanish and, accordingly, being requested to amend its Complaint to include a request, should it wish for English to be the language of the proceedings, the Complainant filed an amended Complaint on April 24, 2025, and requested that the language of the proceeding be English, in accordance with the Panel's discretion under Paragraph 11(a).

The sole panelist agrees that the language of the proceeding be English after considering: i) that the translation of the Complaint and annexes to Spanish would impose an unnecessary burden and expense on the Complainant; ii) one of the disputed domain names includes the English word "express"; iii) the websites resolving from the disputed domain names are in English; and iv) English is a neutral option, frequently used in international business, that is not the first language of either the Complainant or Respondent. In any event, the Panel has considered the Respondent's submissions in Spanish in its determinations 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 disputed domain names entirely include the marks CARREFOUR and CARREFOUR EXPRESS. The addition of the geographic term "arroyo" does not prevent a finding of confusing similarity.

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

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 with 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 disputed domain names currently resolve to standard registrar-hosted holding pages with no content. This type of passive holding does not constitute a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy, nor does it indicate a legitimate interest. Moreover, rather than put forward any contentions or evidence of possible rights or legitimate interests, the Respondent disclaimed its interest in the disputed domain names and sought to terminate the proceeding upon receiving notice of the present dispute.

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

C. Registered and Used in Bad Faith

The Complainant contends that the Respondent registered and is using (passively) the disputed domain names in bad faith, in violation of paragraph 4(b) of the Policy.

The Respondent did not file a response to the Complaint, and there is no evidence nor allegation that the Respondent makes fair use of the disputed domain names (rather the Respondent has disclaimed its interest in the disputed domain names).

The Respondent registered the disputed domain names on March 17, 2025; 56 years after the Complainant register its international trademark CARREFOUR (1968).

The Complainant has provided evidence that CARREFOUR is a well-known trademark in several countries.

The sole panelist considers that the Respondent registered the disputed domain names in full knowledge of the Complainants' trademark rights and with the intention of taking advantage of such rights. The Panel therefore finds that the Respondent registered the Domain Name in bad faith.

The disputed domain names currently resolve to standard registrar-hosted holding pages with no content.

Panel have found that the non-use of a domain name would not prevent the 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 (e.g. either to obstruct the Complainant's online presence, mislead future users, or potentially sell or otherwise exploit the domain names for commercial gain).

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 <carrefourarroyo.com> and <carrefourexpressarroyo.com> be transferred to the Complainant.

/Mauricio Jalife Daher/

Mauricio Jalife Daher

Sole Panelist

Date: June 16, 2025