

## **ADMINISTRATIVE PANEL DECISION**

Carrefour SA v. youssef belkhiraoui  
Case No. D2025-1506

### **1. The Parties**

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

The Respondent is youssef belkhiraoui, Morocco.

### **2. The Domain Name and Registrar**

The disputed domain name <carrefour.shop> 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 14, 2025. On April 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 14, 2025, the Registrar transmitted by email to the Center its verification disclosing registrant and contact information for the disputed domain name, which differed from the named Respondent (Undisclosed), and contact information in the Complaint. The Center sent an email communication to the Complainant on April 15, 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 18, 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 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 15, 2025. The Respondent sent email communications to the Center on April 16, 2025, on April 25, 2025, and on April 28, 2025. Taking into account the Respondent’s email communications, the Center sent an email on April 28, 2025 to the Parties indicating that the Complainant may suspend the proceeding to explore the possibility of a settlement agreement between the Parties. As the Complainant submitted no suspension request, the Center informed the Parties on May 16, 2025 that it would proceed to Panel appointment.

The Center appointed Theda König Horowicz as the sole panelist in this matter on May 22, 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 company founded in 1959 and a worldwide retailer, which introduced hypermarkets in 1963, and later developed services in the field of travel, banking, insurance, ticketing as well as web stores. The Complainant operates more than 12,000 stores in more than 30 countries worldwide, including in Morocco. The Complainant is listed on the Euronext Paris Stock Exchange (CAC40) and has been one of the main sponsors of the Summer Olympic Games 2024 in Paris.

The Complainant is the registered owner of an important number of trademark registrations comprising the in the term “Carrefour” in many jurisdictions. It notably owns the following registrations for CARREFOUR:

- International Registration No. 191353, of March 9, 1956, in international class 3;
- International Registration No. 351147, of October 2, 1968, in international classes 1 to 34; and
- European Union Registration No. 005178371, of August 30, 2007, in international classes 9, 35, and 38.

In addition, the Complainant is the owner of a significant number of domain names identical to, or comprising the Complainant’s mark, including <carrefour.com>, registered October 25, 1995 and <carrefour.fr>, registered June 23, 2005. These domain names have been linked by the Complainant to its official websites promoting its services.

The Complainant is also active on social media, notably on Facebook France and LinkedIn Global.

The disputed domain name was registered on March 15, 2025. At the time of the filing of the Complaint, the disputed domain name resolved to an active commercial website dedicated to interior design and containing on each webpage a logo “Carffour.ma + image of a cart” with a phrase “Décoration maison” (which means Home decoration in English).. The disputed domain name is no longer active and currently resolves to a webpage containing a warning “Your connection is not private”.

#### **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 its business, name and trademark CARREFOUR have been registered and used in many countries since decades. CARREFOUR enjoys a widespread reputation and are well known as recognized notably in several UDRP Panel decisions. In particular, the Complainant states that the disputed domain name is confusingly similar to its CARREFOUR trademarks, the only difference being the addition of a second “o” in the middle of the word, which is “carrefoor” instead of “carrefour”. The addition of the generic Top-Level Domain “.shop” increases the risk of confusion as it refers to the Complainant’s commercial activities.

The Complainant further contends that it has not authorized, licensed or otherwise permitted the Respondent to use its CARREFOUR trademark. The fact that the disputed domain name resolves to a fully functional web store dedicated to home interior website, which notably uses the Complainant’s brand identity, layout and trademark, creates a misleading association in the mind of consumers. The reference in the related

website to “Carffour.ma” increases such misleading association. Considering the similarity of the disputed domain name with the well-known CARREFOUR trademark, the Respondent’s objective was to benefit from Complainant’s reputation with the risk of damaging the latter. The fact that the disputed domain name and its related website did not implement security protocols can undermine consumers trust in the CARREFOUR brand. Consequently, the Respondent has no rights or legitimate interests in the disputed domain name.

Finally, the Complainant contends that the Respondent registered the disputed domain name in bad faith, as the Complainant’s CARREFOUR trademark is well known including in Morocco where the Respondent is located and seems to develop its commercial activity. The Respondent obviously knew or should have known about CARREFOUR when registering the disputed domain name. The disputed domain name is also being used in bad faith as the website operated under the disputed domain name:

- (i) imitates the Complainant’s branding;
- (ii) refers to “Carffour.ma” which suggests a fabricated link with the Complainant;
- (iii) is likely to harm consumers who might disclose their private data on the said website which has not been authorized by the Complainant; and
- (iv) is likely to mislead consumers.

## **B. Respondent**

The Respondent did not formally reply to the Complainant’s contentions, but stated in emails to the Center that he bought the disputed domain name by mistake and removed the disputed domain name.

## **6. Discussion and Findings**

### **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 trademark CARREFOUR for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds that the mark CARREFOUR is recognizable within the disputed domain name. Indeed, the only difference is that the disputed domain name replaces the “u” in CARREFOUR by the letter “o”. This misspelling does not change the fact that the disputed domain name contains sufficiently recognizable aspects of the relevant CARREFOUR mark. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7. and 1.9.

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.

In particular, the Complainant has shown that the disputed domain name is a misspelled version of its CARREFOUR trademark that has been recognized as well known by several panels. The Panel finds that the said mark is notorious in relation to hypermarkets particularly in countries where the French language is largely used, such as in Morocco. Furthermore, the Complainant has shown that the disputed domain name was linked by the Respondent to a commercial web shop active in home interior design which was referring to a logo "Carffour.ma + image of a cart". The word "carffour" contained in this logo is a misspelling of the Complainant's trademark. Under these circumstances, it is obvious that the Respondent aimed at surfing on the Complainant's reputation in order to promote its own products or services. This cannot be considered as a bona fide offering of goods or services.

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 and for the reasons already developed above in section B., the Panel finds that the Respondent knew about the Complainant's CARREFOUR trademark at the time of registration of 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 trademark and brand. In particular, the Respondent has used the disputed domain name in relation to a commercial website dedicated to the selling of home interior design goods. This activity is very close to the field of business in which the Complainant is known for. Furthermore, the Respondent chose ".shop" as a generic Top-Level Domain in order to increase such confusion and to mislead consumers into thinking that his website is or might be affiliated to the Complainant.

In addition, the Respondent's website mentioned another similar term to CARREFOUR, which is "Carfffour", shows that he intentionally misspelled the CARREFOUR trademark either as "carrefoor" or "carfffour" for his own commercial purposes which demonstrates bad faith registration and use.

The fact that the disputed domain name is currently inactive does 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 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 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 <carrefour.shop> be transferred to the Complainant.

*/Theda König Horowicz/*

**Theda König Horowicz**

Sole Panelist

Date: June 16, 2025