

## **ADMINISTRATIVE PANEL DECISION**

Carrefour SA v. John Deecon, TrafficDomains INC  
Case No. D2025-1511

### **1. The Parties**

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

The Respondent is John Deecon, TrafficDomains INC, Malaysia.

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

The disputed domain name <carefour-uae.com> is registered with Mat Bao Corporation (the “First Registrar”).

The disputed domain name <carrefouruae.icu> is registered with Web Commerce Communications Limited dba WebNic.cc (the “Second Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 14, 2025. On April 15, 2025, the Center transmitted by email to the Registrars requests for registrar verification in connection with the disputed domain names. On April 16, 2025 and May 2, 2025, the Second Registrar and the First Registrar, respectively, transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Domain Admin, Whoisprotection.cc / TrafficDomains INC) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 2, 2025, providing the registrant and contact information disclosed by the Registrars, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on May 5, 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 May 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 27, 2025.

The Center appointed Nayiri Boghossian as the sole panelist in this matter on June 3, 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 worldwide leaders in retail and a pioneer of the concept of hypermarkets since 1968. It operates in more than 40 countries worldwide. The Complainant owns many trademark registrations for CARREFOUR such as:

- International trademark registration No. 351147, registered on October 2, 1968;
- International trademark registration No. 353849, registered on February 28, 1969; and
- European Union trademark registration No. 5178371, registered on August 30, 2007.

The disputed domain name <carefour-uae.com> was registered on March 15, 2025, and hosts a website purportedly offering goods for sale, intended to impersonate the Complainant.

The disputed domain name <carrefouruae.icu> was registered on March 24, 2025, and 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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to a trademark in which the Complainant has rights. The Complainant's trademark has been recognized by prior UDRP panels as a well-known trademark. The disputed domain names incorporate the Complainant's trademark together with the letters "uae", which are an abbreviation for United Arab Emirates. The addition of geographical or descriptive terms does not diminish the likelihood of confusion. The hyphen in <carefour-uae.com> is of negligible significance. The domain name <carefour-uae.com> reproduces the Complainant's trademark with a minor misspelling (the letter "r" is missing). This difference does not diminish the confusing similarity. The addition of the Top-Level Domains ".com" and ".icu" are not significant in the assessment of confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain names. The Respondent has no rights in "carefour" or CARREFOUR. There is no evidence that the Respondent is commonly known by any of the disputed domain names. The Complainant did not authorize the Respondent to use its trademark in the disputed domain names. The Respondent has not used or made preparations to use the disputed domain names in relation to a bona fide offering of goods or services. In fact, the disputed domain name <carrefouruae.icu> resolves to an error page while <carefour-uae.com> hosts a website intended to impersonate the Complainant. There is no evidence of a legitimate noncommercial or fair use of the disputed domain names particularly in light of the worldwide renown of the Complainant's trademark. The use and registration of the Complainant's trademark long predates the registration of the disputed domain names.

The Complainant contends that the disputed domain names were registered and are being used in bad faith. The Respondent knew of the Complainant's trademark given the composition of the disputed domain names and the use of the domain name <carefour-uae.com>. The Complainant's trademark is well known and that alone creates a presumption of bad faith. It is very likely that the Respondent chose the domain names in order to attract Internet users searching for the Complainant's products. The registration of the trademark by

the Complainant significantly predates the registration of the disputed domain names. By maintaining the current registration of the domain names, the Respondent is preventing the Complainant from reflecting its name and trademark in corresponding domain names. The domain name <carrefouruae.icu> resolves to an error page. Passive holding does not prevent a finding of bad faith.

## **B. Respondent**

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

## **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 a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

Although the addition of other terms here, "uae", may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 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**

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.

In relation to <carefour-uae.com>, UDRP panels have held that the use of a domain name for illegitimate activity here, claimed, impersonation/passing off can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

In the present case, the Panel notes that the Respondent was aware of the Complainant's trademarks as the website to which the disputed domain name <carefour-uae.com> resolves displays the Complainant's trademark with its logo for the United Arab Emirates. Also, the said website purports to sell products which are sold by the Complainant. Additionally, the Complainant's trademark is reproduced in the disputed domain names along with the letters "uae", which represent the Complainant's geographical presence. Another indication of knowledge is that the registrations of the Complainant's trademark long predate the registration of the disputed domain names and the Complainant's trademark is well known.

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 relation to <carrefouruae.icu>, panels have found that the non-use of a domain name (including a blank 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, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name <carrefouruae.icu> does not prevent a finding of bad faith under the Policy.

In relation to <carefour-uae.com>, panels have held that the use of a domain name for illegitimate activity here, claimed impersonation/passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes 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 <carefour-uae.com> and <carrefouruae.icu> be transferred to the Complainant.

*/Nayiri Boghossian/*  
**Nayiri Boghossian**  
Sole Panelist  
Date: June 17, 2025