

## **ADMINISTRATIVE PANEL DECISION**

Carrefour SA v. Host Master, Transure Enterprise Ltd  
Case No. D2025-1558

### **1. The Parties**

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

The Respondent is Host Master, Transure Enterprise Ltd, United States of America.

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

The disputed domain name <mercado-carrefour.site> is registered with Above.com, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 17, 2025. On April 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 22, 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 (Transure Enterprise Ltd) 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 22, 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 28, 2025. In accordance with the Rules, paragraph 5, the first due date for Response was May 18, 2025. The Center received an email from the Registrar indicating that the Respondent consent to transfer the disputed domain name. The Center sent a Possible Settlement email to the Parties on April 28, 2025. On April 29, 2025, the Complainant request to suspend the proceeding. The Center sent a Notification of Suspension email to the Parties on April 29, 2025 for purposes of settlement discussions concerning the disputed domain name until May 29, 2025. The Complainant sent an email on May 8, 2025 to reinstitute the proceeding as they were unable to obtain a

settlement form signed by the Respondent. The Center sent a Reinstitution of Proceeding email to the parties on May 9, 2025 to reinstitute the proceeding. Therefore, the Response due date was on May 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the parties on May 30, 2025 to proceed with Panel Appointment.

The Center appointed Jonathan Agmon as the sole panelist in this matter on June 5, 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 worldwide leader in retail and was a pioneer of the concept of hypermarkets back in 1968. The Complainant is listed on the index of the Paris Stock Exchange. The Complainant operates more than 14000 stores in more than 40 countries worldwide and employs over 500,000 employees globally. It has millions of daily unique visitors in its stores, and its revenue in 2023 was 84.9 billion euros.

The Complainant maintains a significant social media presence in the form of its Facebook page, which currently has over 11 million Internet users.

The Complainant owns numerous trademark registrations for CARREFOUR, including the following:

- International trademark registration no. 351147 for CARREFOUR, registered on October 2, 1968;
  - International trademark registration no. 353849 for CARREFOUR, registered on February 28, 1969;
- and

The Complainant owns numerous domain names comprising its CARREFOUR trademark, including:

- <carrefour.com>, registered on October 25, 1995;
- <carrefour.fr>, registered on June 23, 2005;
- <pass-carrefour.com>, registered on October 6, 2019;

The disputed domain name was registered on March 21, 2025, and at the time of filing the Complaint, resolved to a parked webpage displaying Pay-Per-Click (“PPC”) links.

#### **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 the CARREFOUR trademark in which the Complainant has rights. The disputed domain name consists of the Complainant’s CARREFOUR trademark in its entirety together with the additional term “mercado”, which means “market” in Spanish. It is established that the mere addition of a generic term together with a hyphen to a trademark in a domain name does nothing to diminish the likelihood of confusion arising from that domain name. The addition of the generic Top Level Domain (“gTLD”) “.site” is not significant in determining the confusing similarity of the disputed domain name.

- The Respondent has no rights or legitimate interests in respect of the disputed domain name. There is no evidence that the Respondent is commonly known by the disputed domain name. The Respondent has no trademark rights to CARREFOUR. The Respondent has not been licensed or authorized by the Complainant to use the Complainant's CARREFOUR trademark, in a domain name or otherwise. There is no evidence that the Respondent is making any legitimate or bona fide use of the disputed domain name. The disputed domain name resolves to a parked webpage displaying PPC links, which cannot constitute a bona fide offering of goods or services. The CARREFOUR trademark was used by the Complainant for many years, long predating the registration of the disputed domain name.

- The disputed domain name was registered and is being used in bad faith. The Complainant's CARREFOUR mark is well-known, and it is inconceivable that the Respondent ignored the Complainant or its earlier rights. The Complainant believes that therefore, at the time of registering the disputed domain name, the Respondent must have had the Complainant and/or its CARREFOUR trademark in mind when registering the disputed domain name. The Complainant believes that it is highly likely that the Respondent chose the disputed domain name hoping to confuse Internet users searching for the Complainant's services and products and come across the Respondent's website instead. The disputed domain name was registered long after the Complainant registered its CARREFOUR mark, and it is likely that the Respondent had knowledge of the CARREFOUR mark at the time of registering the disputed domain name. A quick search on Google for "mercado-carrefour" reveals results related to the Complainant. The Respondent is also not making active use of the disputed domain name, which prevents the Complainant from registering and using the disputed domain name. Further, the disputed domain name resolves to a parked website hosting PPC links, which advertise goods and/or services in Italian which relate to the Complainant's business activities. The Complainant believes that this indicates that the Respondent is targeting the Complainant. These advertised goods and/or services also compete with the Complainant's own offerings. Given the international fame of the Complainant and its CARREFOUR trademark, the Complainant cannot think of any good faith use of the disputed domain name that the Respondent may have, as the disputed domain name is likely to mislead Internet users to believe that the disputed domain name is affiliated with the Complainant. The Respondent has also been the subject of numerous past UDRP proceedings and is a serial cybersquatter.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions. On April 22, 2025, The Center received an email from the Registrar, stating that the Respondent is not contesting the disputed domain name, and a transfer could be arranged. However, no settlement was reached.

## **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.

The entirety of the mark is reproduced 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.

Although the addition of another term here, “mercado”, may bear on 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.

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.

There is no evidence to suggest that the Respondent is commonly known by the disputed domain name. The Complainant’s registration of its trademark predates the registration of the disputed domain name. The disputed domain name resolves to a parked website displaying PPC links which advertise goods and/or services which compete with the Complainant’s own offerings. This suggests that the Respondent was targeting the Complainant and was likely attempting to divert internet traffic away from the Complainant’s website. The Panel is of the view that there is no evidence that the Respondent is using or preparing to use the disputed domain name for any legitimate purpose.

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 registered the disputed domain name long after the Complainant registered its CARREFOUR trademark. Given the distinctiveness of the Complainant’s CARREFOUR trademark and the specific use the Respondent is making of the Complainant’s CARREFOUR trademark, it is highly unlikely that the Respondent was not aware of the Complainant and its trademark prior to the registration of the disputed domain name. This is especially so as the disputed domain name comprises of the Complainant’s CARREFOUR trademark, with the addition of the prefix “mercado” which means “market” in Spanish. This is particularly egregious as it points directly to the Complainant’s primary industry of supermarkets and hypermarkets.

Further, the disputed domain name resolves to a parked website hosting PPC links which advertise goods and/or services in Italian such as “mercato Spesa Online”, “Volantino Prodotti”, and “Volantini Spesa Online”, which translate to “online shopping market”, “product flyer”, and “online shopping flyers”. These advertised goods and/or services compete with the Complainant’s own offerings.

The evidence shown proves that the Respondent was targeting the Complainant and its trademarks. Respondent’s failure to file a formal response, despite requesting Complainant for a settlement is further evidence of bad faith.

The Panel also notes the Respondent’s past pattern of cybersquatting conduct and draws and adverse inference accordingly.

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 <mercado-carrefour.site> be transferred to the Complainant.

*/Jonathan Agmon/*

**Jonathan Agmon**

Sole Panelist

Date: June 19, 2025