

ADMINISTRATIVE PANEL DECISION

Carrefour SA v. Selma T Bustillos, fastservices
Case No. D2025-1586

1. The Parties

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

The Respondent is Selma T Bustillos, fastservices, United States of America.

2. The Domain Name and Registrar

The disputed domain name <serviciocarrefourpass.info> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 18, 2025. On April 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 23, 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 (Redacted, fastservices) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 30, 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 May 1, 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 2, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 22, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 29, 2025.

The Center appointed Yuri Chumak as the sole panelist in this matter on June 6, 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 Carrefour SA, a French public limited company established in 1959. It operates over 12,000 stores in more than 30 countries and employs over 384,000 individuals. Its online platforms attract over 1.3 million unique visitors daily, and its annual turnover is approximately EUR 80 billion.

The Complainant provides a broad range of services, including retail and financial products. In particular, it offers branded financial services under the CARREFOUR PAY and CARREFOUR PASS trademarks.

The Complainant owns various trademark registrations for the CARREFOUR mark. Representative registrations include:

- CARREFOUR, International Registration No. 191353, registered March 9, 1956 (Annex 5-1 to the Complaint)
- CARREFOUR, International Registration No. 351147, registered October 2, 1968 (Annex 5-2 to the Complaint)
- CARREFOUR, International Registration No. 353849, registered February 28, 1969 (Annex 5-3 to the Complaint)

These registrations cover a wide array of goods and services across numerous classes.

The Complainant also owns a portfolio of domain names incorporating its trademark, including <carrefour.eu>, <carrefour.fr>, <carrefour.com>, and <carrefour.net>. These are used in connection with its commercial operations and corporate communications. The Complainant further maintains an extensive presence on social media, with millions of followers, including over 12 million on Facebook France and more than 1.12 million on LinkedIn Global.

The Complainant submits that its CARREFOUR mark is widely recognized and well-known. Prior WIPO UDRP decisions have acknowledged the reputation of the CARREFOUR trademark (Annex 8 to the Complaint).

The disputed domain name was registered on April 2, 2025.. The disputed domain name has not been used for any active website and resolves to a page with no content.

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 its well-known CARREFOUR trademark. The inclusion of the terms "servicio" and "pass" (one being descriptive in Spanish and the other directly referencing the Complainant's CARREFOUR PASS services) does not prevent a finding of confusing similarity. Rather, it increases the risk of confusion by reinforcing an apparent association with the Complainant's business. The Complainant further notes that the generic Top-Level Domain ".info" is irrelevant for the purposes of this analysis.

The Complainant states that the Respondent has no rights or legitimate interests in the disputed domain name. There is no relationship between the Parties, and the Complainant has not authorized the Respondent's use of its trademarks. The disputed domain name does not resolve to any active website or content. Nor has the Respondent made any demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services, or for any noncommercial or fair use. The composition of the disputed domain name, combining the Complainant's distinctive trademark with descriptive terms linked to its operations, targets the Complainant's goodwill and misleads Internet users.

The Complainant further asserts that the disputed domain name was registered and is being used in bad faith. The Complainant's trademark rights predate the registration of the disputed domain name. The use of privacy services to conceal the Respondent's identity, combined with the passive holding of a domain name that incorporates a well-known mark, is consistent with a finding of bad faith. The Complainant submits that the disputed domain name may be activated at any time for phishing or other deceptive purposes.

Accordingly, the Complainant requests that the disputed domain name be transferred to it.

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.

The Panel finds the mark is recognizable 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 other terms (here, "servicio" and "pass") 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 name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel agrees with the Complainant that the disputed domain name incorporates the well-known CARREFOUR mark in its entirety and that the inclusion of descriptive terms referring to the Complainant's services does not prevent a finding of confusing similarity.

Accordingly, the Panel finds that 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 indication that the Respondent has used or prepared to use the disputed domain name in connection with a bona fide offering of goods or services. Nor is there any evidence that the Respondent is commonly known by the disputed domain name, or that the disputed domain name has been used for any legitimate noncommercial or fair use.

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 finds that the Respondent registered the disputed domain name, which incorporates the Complainant’s well-known trademark in its entirety, combined with descriptive terms related to the Complainant’s services, in a manner likely intended to suggest affiliation with the Complainant.

Moreover, the Respondent’s contact address could not be verified, as delivery to that location was unsuccessful. The address provided for the Respondent by the Registrar does not follow standard United States address formatting. The courier engaged by the Center reported “Last check point: Bad address” when attempting delivery. While not determinative on its own, this supports the broader pattern of concealment consistent with 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.

Panels have found that the non-use of a domain name (including a blank or “coming soon” 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 and reputation of the Complainant’s trademark, the composition of the disputed domain name, and the Respondent’s failure to provide any explanation or response, 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 <serviciocarrefourpass.info> be transferred to the Complainant.

/Yuri Chumak/

Yuri Chumak

Sole Panelist

Date: June 16, 2025