

ADMINISTRATIVE PANEL DECISION

Sodexo v. James Milner
Case No. D2025-1812

1. The Parties

The Complainant is Sodexo, France, represented by Areopage, France.

The Respondent is James Milner, France.

2. The Domain Name and Registrar

The disputed domain name <sodexoc.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 6, 2025. On May 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 7, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 8, 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 12, 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 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 4, 2025.

The Center appointed Isabelle Leroux as the sole panelist in this matter on June 11, 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, Sodexo (previously called Sodexho Alliance), is a French company founded in 1966. It is one of the world's largest providers of food services and facility management solutions. The Complainant employs 423,000 people and serves 80 million consumers every day across 45 different countries. From 1996 to 2008, it operated under the trademark and business name SODEXHO. In 2008, the company rebranded and simplified its name to SODEXO.

The Complainant is the owner of numerous trademarks consisting of or containing the word "Sodexo" including the following European Union trademark registrations, which therefore also cover France, where the Respondent is located:

- European Union Trademark Registration SODEXO No. 008346462, registered on February 1, 2010, for goods and services in classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45;

- European Union Trademark Registration SODEXO (figurative trademark) No. 006104657, registered on June 27, 2008, for goods and services in classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45,

hereafter "the SODEXO trademarks".

In addition, several prior UDRP decisions have recognized that the Complainant's trademarks are well known, including *Sodexo v. Contact Privacy Inc. Customer 1247189803 / NorAm Accounts Receivable*, WIPO Case No. [D2020-1683](#), and *SODEXO v. Super Privacy Service LTD c/o Dynadot / Zhichao*, WIPO Case No. [D2020-1762](#).

The Complainant is also the owner of domain names such as <sodexo.com> and <sodexo.fr>.

The disputed domain name <sodexoc.com> was registered on May 2, 2025 (the "Disputed Domain Name") and is currently inactive.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the conditions 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 SODEXO trademark in its entirety, with the mere addition of the letter "c" at the end, which does not prevent a finding of confusing similarity.

The minor typographical variation does not materially alter the visual or phonetic impression of the SODEXO mark.

- The Complainant emphasizes that it is widely established in various countries, including the country where the Respondent is located, and that the SODEXO and SODEXHO trademarks are globally recognized and enjoy a strong reputation.

- The Respondent has no rights or legitimate interests in the Disputed Domain Name. In particular, the Complainant states that it has never authorized, licensed, or otherwise permitted the Respondent to use the SODEXO trademark in any form, nor is the Respondent commonly known by the Disputed Domain Name.
- The Respondent registered and is using the Disputed Domain Name in bad faith. The Complainant argues that given the global recognition of the SODEXO brand, the Respondent could not have been unaware of the Complainant's well-known trademarks at the time of registration.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that the Complainant proves each of the following three elements in order to succeed in its Complaint:

- (i) the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and
- (iii) the Disputed Domain Name has been registered and is being used in bad faith.

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 other terms, here the letter "c", may bear on assessment of the second and third elements, the Panel finds the addition of such letter does not prevent a finding of confusing similarity between the Disputed Domain Name and the SODEXO trademarks 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 that the Respondent is commonly known under the Disputed Domain Name. The Respondent has not been licensed or otherwise authorized by the Complainant to use its SODEXO trademarks in any manner. Furthermore, the Disputed Domain Name resolves to an inactive page, and there is no indication that the Respondent is using, or has made any demonstrable preparations to use, the Disputed Domain Name in connection with a legitimate noncommercial or fair use 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 given the strong reputation and long-standing use of the Complainant's SODEXO trademarks in France, where both the Complainant is established and the Respondent is located, it is implausible that the Respondent was unaware of the Complainant's trademarks at the time of registration. The Panel observes that (i) the Complainant's trademark registrations predate the registration of the Disputed Domain Name by many years; (ii) the SODEXO trademarks are distinctive and have no descriptive meaning; (iii) the Disputed Domain Name does not resolve to any active or legitimate website, but rather to an inactive page; and (iv) the Respondent has failed to provide any evidence of actual or contemplated good faith use of the Disputed Domain Name, having also failed to respond to the Complaint.

These circumstances strongly suggest that the Respondent was aware of and deliberately targeted the Complainant's trademarks and consequently their consumers, when registering the Disputed Domain Name. The Respondent's conduct indicates an intention to take unfair advantage of the Complainant's reputation in France, which constitutes bad faith registration and use under paragraph 4(a)(iii) of the Policy.

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 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 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 <sodexoc.com> be transferred to the Complainant.

/Isabelle Leroux/

Isabelle Leroux

Sole Panelist

Date: June 30, 2025