

## **ADMINISTRATIVE PANEL DECISION**

Sodexo v. Rishi Kalakeya  
Case No. D2025-1897

### **1. The Parties**

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

The Respondent is Rishi Kalakeya, India.

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

The disputed domain name <s0dex0india.com> is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 12, 2025. On May 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 13, 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 (“Registration Private, Domains By Proxy, LLC”) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 14, 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 19, 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 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 10, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 12, 2025.

The Center appointed Masato Dogauchi as the sole panelist in this matter on June 20, 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**

Founded in 1966, the Complainant, a French company, is one of the largest companies in the world specialized in food services and facilities management, with 423,000 employees serving daily 80 million consumers in 45 countries. In 2004, the core part of the mark of the Complainant was changed from SODEXHO to SODEXO, and since then it has been providing its services under the mark of SODEXO.

The Complainant has registered trademarks such as:

- International Trademark Registration No. 964615 for SODEXO registered on January 8, 2008;
- European Union Trademark Registration No. 008346462 for SODEXO, registered on February 1, 2010;
- International Trademark Registration No. 1240316 for SODEXO registered on October 23, 2014;

In addition, the Complainant and its group promote its activities under domain names, such as <sodexo.com>, <uk.sodexo.com>, <sodexo.fr>, <sodexoca.com>, and <sodexousa.com>.

The disputed domain name was created on May 7, 2025. It points to a page provided by the Registrar with the heading "SODEXO INDIA" and the text "Launching Soon".

#### **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.

##### **B. Respondent**

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

#### **6. Discussion and Findings**

In accordance with the Rules, paragraph 15(a), a panel shall decide a case on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable. Since the Respondent has not made any substantive arguments in this case, the following decision is rendered on the basis of the Complainant's contentions and other evidence submitted by the Complainant.

In accordance with the Policy, paragraph 4(a), in order to qualify for a remedy, the Complainant must prove each of the following:

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

The last part of the disputed domain name, i.e. “.com” represents one of the generic Top-Level Domains, which is irrelevant in the determination of the confusing similarity between the disputed domain name and the SODEXO trademark.

The first part of the disputed domain name, i.e. “s0dex0india” can be divided into “s0dex0” and “india”. The part “s0dex0” is different from the SODEXO trademark in that the alphabet letters “o” are both replaced by the number “0”. The disputed domain name consists of an obvious misspelling of the trademark and this is a typical example of typosquatting. [WIPO Overview 3.0](#), section 1.9. And the other part “india” is a name of a country, which is inoperative to distinguish it from the Complainant’s trademark.

Therefore, the Panel finds that the disputed domain name, being a typosquatted version of the Complainant’s SODEXO trademark, is confusingly similar to the trademark in which the Complainant has rights.

Accordingly, the Panel finds the first element of the Policy has been established.

## **B. Rights or Legitimate Interests**

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.

Accordingly, 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, in consideration of the fact that the Complainant has been doing business in food services and facilities management sector since 1966, and the present name of the Complainant has been used since 2004, it is highly unlikely that the Respondent could have been unaware of the Complainant’s SODEXO trademark at the time of registration of the disputed domain name on May 7, 2025. Therefore, it is found that the Respondent registered the disputed domain name in bad faith.

On the other hand, with regard to the requirement that the disputed domain name is being used in bad faith, the disputed domain name is inactive. According to panel decisions, such non-use of the disputed domain name 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 Respondent’s suspicious intention inferred by the typosquatting in this case, the distinctiveness and reputation of the Complainant’s trademark,

and the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, 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.

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 <s0dex0india.com> be transferred to the Complainant.

*/Masato Dogauchi/*

**Masato Dogauchi**

Sole Panelist

Date: June 22, 2025