

ADMINISTRATIVE PANEL DECISION

Association des Centres Distributeurs E. Leclerc - A.C.D. Lec v. Corsicari Female
Case No. D2025-1972

1. The Parties

The Complainant is Association des Centres Distributeurs E. Leclerc - A.C.D. Lec, France, represented by MIIP MADE IN IP, France.

The Respondent is Corsicari Female, United States of America.

2. The Domain Name and Registrar

The disputed domain name <eleclerc-fr.shop> is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 16, 2025. On May 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 19, 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 (NC) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 20, 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 21, 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 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 15, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 20, 2025.

The Center appointed Andrea Cappai as the sole panelist in this matter on June 27, 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 French association, A.C.D. Lec (Association des Centres Distributeurs E. LECLERC). It was founded by Mr. Edouard Leclerc, whose surname forms the basis of the Complainant's name and trademarks.

The Complainant is one of the leading retail organisations in France, operating a network of approximately 750 stores throughout the country.

The Complainant is the owner of several trademarks consisting of the signs E LECLERC and E.LECLERC, including:

- E LECLERC European Union trademark No. 002700664, filed on May 17, 2002, and registered on January 31, 2005,
- E.LECLERC European Union trademark No. 011440807, filed on December 5, 2012, and registered on May 27, 2013.

These registrations predate the registration of the disputed domain name.

The Complainant operates the domain name <e.leclerc>, which it uses to offer its services.

The disputed domain name is <eleclerc-fr.shop>, registered on March 11, 2025.

The disputed domain name reproduces the Complainant's trademark in its entirety, with the addition of the two-letter code "fr", commonly understood to refer to France.

The disputed domain name currently resolves to an error page.

No further information is available about the Respondent.

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 it holds prior rights in the trademark E LECLERC, registered in the European Union and used extensively in connection with a large-scale retail chain operating throughout France and other European countries. The mark is said to be distinctive and well known, particularly in France.

The Complainant submits that the disputed domain name incorporates its trademark in its entirety, with the sole addition of "fr", a geographical abbreviation that reinforces the association with the Complainant.

The Respondent, according to the Complainant, has no rights or legitimate interests in the disputed domain name, is neither affiliated nor authorised, and is not commonly known by the disputed domain name. No evidence of any bona fide use has been identified.

The Complainant further argues that the disputed domain name was registered and is being held in bad faith, likely with knowledge of the Complainant's rights. The addition of the ".shop" Top-Level Domain ("TLD"), the lack of any substantive use, and the resolution to an error page are cited as further indicators of bad faith. Attempts to contact the Respondent were unsuccessful. The Complainant also notes that the disputed domain name may mislead users and damage its brand image.

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 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, such as the ISO code for France "FR", in this case, may bear on assessment of the second and third elements, the Panel finds the addition of such 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.

The Respondent is neither a licensee of the Complainant nor otherwise affiliated with it, and there is no indication that the Complainant has ever authorized the use of its trademark in a domain name or for any other purpose. The disputed domain name consists of the Complainant's well-known mark combined with the geographic abbreviation "fr", suggesting a non-existent approval by or connection to the Complainant.

There is no evidence that the Respondent is commonly known by the disputed domain name or holds any relevant trademark rights. The disputed domain name resolves to an inactive error page, and there is nothing on record to indicate any bona fide offering of goods or services. Moreover, the Complainant attempted to contact the Respondent through the Registrar to resolve the matter amicably but received no response.

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 well after the Complainant had acquired its trademark rights. The disputed domain name is not substantively in use and merely resolves to a static error page. There is no evidence of any preparations for genuine use, and the Respondent has neither provided an explanation for its choice nor indicated any legitimate purpose.

The composition of the disputed domain name indicates that the Respondent was likely aware of the Complainant at the time of registration. It combines a distinctive and well-known mark with the ISO code "fr", referring to the Complainant's country of origin and primary market, and adopts the ".shop" extension, which directly relates to the Complainant's commercial activities. This combination of brand reference, geographic indicator, and sector-related TLD strongly suggests an intent to target the Complainant.

Taken together, these circumstances support a finding that the disputed domain name was registered with knowledge of the Complainant's trademark and in 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 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, 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 <eleclerc-fr.shop> be transferred to the Complainant.

/Andrea Cappai/
Andrea Cappai
Sole Panelist
Date: July 11, 2025