

ADMINISTRATIVE PANEL DECISION

SODEXO v. Taylor Iaga, Sodexo
Case No. D2025-2259

1. The Parties

The Complainant is SODEXO, France, represented by AREOPAGE, France.

The Respondent is Taylor Iaga, Sodexo, Australia.

2. The Domain Name and Registrar

The disputed domain name <sodexoagency.com> is registered with Gransy, s.r.o. d/b/a subreg.cz (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 10, 2025. On June 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 17, 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 (My Domain Provider) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 17, 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 June 17, 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 June 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 10, 2025.

The Center appointed Dilek Zeybel as the sole panelist in this matter on July 16, 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 SODEXO, a French limited company founded in 1966, operating in the fields of food services and facilities management. With approximately 423,000 employees serving 80 million consumers daily in 45 countries, the Complainant is among the largest private employers in the world. For fiscal year 2024, consolidated revenues reached EUR 23.8 billion, with 47% generated in North America, 35% in Europe, and 18% in the rest of the world.

The Complainant is the owner of several trademark registrations worldwide, including but not limited to the following:

- International trademark, SODEXO, no. 964615 registered on January 8, 2008, in classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45.
- European Union trademark registration ("EUTM"), SODEXO, no. 8346462 registered on February 1, 2010, in classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45.

The Complainant also owns a portfolio of domain names incorporating its SODEXO trademark, including, but not limited to, <sodexo.com>, <uk.sodexo.com>, <sodexoprestige.co.uk>, <sodexo.fr>, <sodexoca.com>, <sodexousa.com>, <cn.sodexo.com>, <sodexho.fr>, and <sodexho.com>.

The Respondent registered the disputed domain name on June 4, 2025. As of the date of this Decision, the disputed domain name resolves to an inactive (hosting) webpage.

There is no evidence of any relationship between the Complainant and 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 the disputed domain name is confusingly similar to its earlier well-known trademark SODEXO, being used to suggest an affiliation with the Complainant, misleadingly, and to take unfair advantage of the reputation of its marks.

Further, the Complainant submits that the addition of the term "agency" is not sufficient to avoid a finding of confusing similarity with the SODEXO trademark. The Complainant also states that the Respondent is not authorized to use the Complainant's mark, has no rights or legitimate interests in the disputed domain name, and is not related in any way to the Complainant.

Additionally, the Complainant refers to earlier UDRP decisions in which the SODEXO trademark was recognized as well-known and distinctive.

The Complainant further asserts that it has no business relationship with the Respondent. The Respondent is neither an authorized distributor nor a licensee of the Complainant and has not been otherwise permitted to use its trademark.

The Complainant further argues that the Respondent registered the disputed domain name with actual knowledge of the Complainant's rights in the SODEXO trademark, likely intending to create confusion and divert third parties for commercial gain. Although the disputed domain name does not currently resolve to active content, the Complainant submits that the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules directs the Panel as to the principles to be applied in determining the dispute: "A Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable."

The Policy provides, at paragraph 4(a), that each of the three elements must be made for a complaint to prevail:

- (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;
- (iii) the disputed domain name has been registered and is being used in bad faith.

Pursuant to paragraph 14(b) of the Rules, where a party does not comply with any provision of the Rules, the Panel may draw such inferences as it considers appropriate.

Considering the Parties' submissions, the Policy, the Rules, the Supplemental Rules, and applicable law, the Panel's findings with respect to each of the above elements are set out below.

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 a descriptive term, here "agency", may bear on assessment of the second and third elements, the Panel finds that the addition of such term does not prevent a finding of confusing similarity between the disputed domain name <sodexoagency.com> 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.

Furthermore, the Respondent registered the disputed domain name without the Complainant's authorization or approval and is neither a distributor, partner, nor a licensee of the Complainant. The disputed domain name resolves to an inactive (hosting) website where no indication of bona fide offering of goods and services has been seen, which underlines the Panel's view of no rights or legitimate interests.

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.

The disputed domain name almost entirely reproduces the Complainant's well-known trademark SODEXO, where the additional term "agency" in the disputed domain name <sodexoagency.com> is not material. The Panel finds it implausible that the Respondent arrived at the trademark by mere coincidence. This suggests that the Respondent either knew or should have known the Complainant's trademark and deliberately targeted it.

Additionally, Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar, particularly domain names comprising typographical errors or incorporating the mark together with a descriptive term, such as "agency" in this case, to a famous or widely-known trademark by an unaffiliated entity, can, by itself, create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4. The Panel shares this view.

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 or reputation of the Complainant's trademark, the composition of the disputed domain name, and the failure of the Respondent to submit a 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.

Given the well-known nature of the Complainant's trademark and its international presence, the Panel finds it implausible that the Respondent adopted the disputed domain name without awareness of the Complainant's rights. The use of a domain name incorporating the well-known and distinctive SODEXO trademark cannot credibly be viewed as a coincidence. This finding is reinforced by several prior UDRP decisions in which the Complainant's SODEXO trademark has been recognized as well-known and distinctive. This further supports the Panel's finding of bad faith.

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 <sodexoagency.com> be transferred to the Complainant.

/Dilek Zeybel /

Dilek Zeybel

Sole Panelist

Date: July 30, 2025