

ADMINISTRATIVE PANEL DECISION

Carrefour SA v. DELPHINE MAILLET

Case No. D2025-2271

1. The Parties

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

The Respondent is DELPHINE MAILLET, France.

2. The Domain Name and Registrar

The disputed domain name <sas-carrefour.online> 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 June 11, 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 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 June 13, 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 13, 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 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 6, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 9, 2025.

The Center appointed Marie-Emmanuelle Haas as the sole panelist in this matter on July 15, 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, Carrefour SA, is a worldwide leader in retail and a pioneer of the concept of hypermarkets back in 1968. With a turnaround of 76 billion euros in 2018, the Complainant is listed on the index of the Paris Stock Exchange (CAC 40). It operates more than 12,000 stores in more than 30 countries worldwide. With more than 384,000 employees worldwide and 1.3 million daily unique visitors in its stores, the Complainant is worldwide well-known in retail. It additionally offers travel, banking, insurance, and ticketing services.

The Complainant is the owner of numerous trademarks, and notably of the following trademarks, all registered prior to the disputed domain name:

- European trademark CARREFOUR No. 008779498, registered on July 13, 2010, protected in class 35, duly renewed;
- International trademark registration CARREFOUR No. 563304, registered on November 6, 1990, protected in classes 1 to 42, duly renewed;
- French trademark CARREFOUR No. 1565338, registered on May 25, 1990, protected in classes 1 to 34, duly renewed.

The Complainant submits that the earlier trademarks CARREFOUR enjoy a wide-spread continuous reputation.

The Complainant also owns numerous domain names integrating “CARREFOUR” such as <carrefour.com> and <carrefour.fr>.

The Complainant’s notoriety is also evidenced on the Internet. Indeed, the Complainant’s Facebook page is currently “liked” by more than 11 million Internet users, whereas the TikTok account is liked by almost 6.2 million Internet users and the Instagram CARREFOUR account has more than 740,000 followers on the Instagram account.

The disputed domain name <sas-carrefour.online> was registered on May 6, 2025 in the name of an individual domiciled in France. It resolves to a webpage on which a copyright mention “©SAS Carrefour 2025 – all rights reserved” appears. According to the provided exhibit, this is a “contact us” webpage on which contact details such as name and email can be provided, including the possibility to send an email.

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.

Confusing similarity with the Complainant’s trademark

The disputed domain name includes the earlier trademark CARREFOUR, with the only addition of the term “sas” and a hyphen. SAS” is the French acronym meaning “Société par Actions Simplifiée”, which is the term to designate of a certain type of company in France.

This composition makes the CARREFOUR trademark very easily recognizable in the disputed domain name.

The first condition under the Policy should be deemed satisfied.

The Respondent has no rights or legitimate interests in respect of the domain name

The Respondent has never been authorized by the Complainant to use the CARREFOUR trademark in any manner. The Complainant never gave consent for the registration of the disputed domain name, neither in an explicit nor an implicit way. The Respondent is not a partner, distributor or licensee of the Complainant, and there is no contractual or commercial relationship between the Complainant and the Respondent. The Respondent does not own any CARREFOUR and is not known by the disputed domain name.

The Respondent has not, before the original filing of the Complaint, used or made preparations to use the disputed domain name in relation to a bona fide offering of goods or services. On the contrary, the disputed domain name resolves to a default parking page set up by the Registrar and website hosting provider. The Complainant made a prima facie case that the Respondent has no legitimate interests nor rights in the disputed domain name and the burden of the proof switches to the Respondent.

The second condition under the Policy should be deemed satisfied.

Bad faith registration and use

The domain name was registered in bad faith.

The disputed domain name suggests an affiliation with the Complainant's trademark, to mislead internet users.

A simple search on "carrefour" on an online search engine shows results only related to the Complainant. The CARREFOUR trademarks predate the registration of the disputed domain name.

Given the reputation of the CARREFOUR trademark, and the addition of the French acronym "sas" the Complainant asserts that the Respondent had the CARREFOUR trademark in mind when registering the disputed domain name.

The registration of a domain name with the intention of taking advantage of the reputation of the targeted trademark should be considered as bad faith registration.

As a consequence, the Complainant asks the Panel to conclude that the disputed domain name was registered in bad faith.

The domain name is being used in bad faith.

Since the registration, the disputed domain name has been resolving to a default parking page. Regarding the notoriety of the CARREFOUR trademark, it is hard to imagine that the Respondent could use this disputed domain name in good faith in the future. Each attempt to use the disputed domain name for commercial or non commercial activities would necessarily be seen as an illegitimate exploitation of the notoriety of the CARREFOUR trademark. Thus, any attempt to use the disputed domain name would constitute bad faith use.

The Complainant relies on the doctrine of passive holding, such as described in the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 3.3, on the basis of the case *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#).

Therefore, the third element under the Policy should be deemed satisfied.

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.

The Panel finds the addition of the acronym "sas" and of a hyphen mark does not prevent a finding of confusing similarity between the disputed domain names and the mark, for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds that the CARREFOUR trademark 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.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Pursuant to paragraph 4(c) of the Policy, the Respondent may establish rights or legitimate interests in the disputed domain name by demonstrating any of the following:

- (i) before any notice to it of the dispute, the Respondent's use of, or demonstrable preparations to use, the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services; or
- (ii) the Respondent has been commonly known by the disputed domain name, even if it has acquired no trademark or service mark rights; or
- (iii) the Respondent is making a legitimate non-commercial or fair use of the disputed domain name, without intent for commercial gain, to misleadingly divert consumers, or to tarnish the trademark or service mark at issue.

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 was not authorized to use or register the disputed domain names, and neither made any bona fide use of the disputed domain names (or demonstrable plans for such use), nor any legitimate noncommercial or fair use. Moreover, it is not being commonly known by the disputed domain names.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

For the purposes of paragraph 4(a)(iii) of the Policy, the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

(i) circumstances indicating that the Respondent has registered, or the Respondent has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name registration to the Complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or

(ii) the Respondent has registered the disputed domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the Respondent has engaged in a pattern of such conduct; or

(iii) the Respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location.

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.

In the present case, the Panel notes that the Respondent, who is domiciled in France, could not ignore the Complainant's well-known CARREFOUR trademark, when it decided to register the disputed domain name.

Moreover, as explained, the French acronym "SAS" means "Société par actions simplifiée". Accordingly, the composition of the disputed domain name suggests that the Respondent wanted to impersonate a company called CARREFOUR SAS, which Internet users would naturally regard as belonging to the Complainant.

The Panel finds that this is bad faith registration under the Policy.

The Complainant contends that the disputed domain name resolved to a default parking page of the Registrar.

In case this webpage would not be under the direct control of the Respondent, but of the Registrar, which provides its usual default landing page, it does not make any difference, since the owner of the domain name at issue is responsible for the content associated with its disputed domain name.

Panels have found that the non-use of a domain name (such as here a “launching 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 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 <sas-carrefour.online> be transferred to the Complainant.

/Marie-Emmanuelle Haas/

Marie-Emmanuelle Haas

Sole Panelist

Date: July 28, 2025