

ADMINISTRATIVE PANEL DECISION

SODEXO v. Kiran Walton, Fbsodex

Case No. D2025-2298

1. The Parties

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

The Respondent is Kiran Walton, Fbsodex, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <fbsodexo.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 June 12, 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 12, 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 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 16, 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 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 10, 2025.

The Center appointed Zineb Naciri Bennani 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 is a French multinational company founded in 1966, with EUR 23.8 billion of consolidated revenues, employing 423,000 people in 45 countries and specialized in food services related to restaurant and catering services and facility management services combining reception, hospitality, and cleaning services and infrastructure maintenance services.

From 1966 to 2008, SODEXO promoted its business under the SODEXHO mark and trade name. In 2008, SODEXHO simplified the spelling of its mark and name to SODEXO.

The Complainant holds rights in trademark registrations for the SODEXO mark in many jurisdictions around the world, among which:

- European Union trademark registration registered on June 27, 2008, registered under No. 006104657 (figurative) for classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45, and
- International trademark registration No. 964615 registered on January 8, 2008 for classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45,
- International trademark registration No. 1240316 registered on October 23, 2014, for classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45.

The Complainant is also the owner of multiple domain names which all are registered prior to the disputed domain name, including <sodexo.fr> and <sodexo.com>.

The disputed domain name was registered on June 9, 2025, and directs to an inactive page.

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 SODEXO mark has a strong reputation and is widely known all over the world and that the prior panels already recognized the well-known character of the SODEXO mark.

According to the Complainant, the disputed domain name is composed of the mark SODEXO and the letters "fb", which can be understood as the abbreviation of the social network "Facebook". The Complainant asserts that the addition of a generic or descriptive term to a mark will not alter the fact that the disputed domain name is confusingly similar to the mark SODEXO.

The Complainant notes that when searching for "fb sodexo" on Google's search engine, the Complainant's Facebook's French page is the first result.

Moreover the Complainant contends that the Respondent has no rights nor legitimate interests in the disputed domain name and was not commonly known by the disputed domain name nor it has any affiliation, association, sponsorship, or connection with the Complainant and has not been authorized, licensed or otherwise permitted by the Complainant or by any subsidiary or affiliated company to register the disputed domain name and to use it.

The Complainant asserts that the Respondent obviously knew its existence when he registered the disputed domain name for the purpose of creating confusion with the Complainant's mark to divert or mislead third parties.

B. Respondent

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

6. Discussion and Findings

The Panel should decide a complaint based on the statements and documents submitted and in accordance with the Policy and Rules, and any rules and principles of law that it deems applicable.

Paragraph 4(a) of the Policy directs that the Complainant must establish each of the following:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that 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, "fb" 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, and *Sodexo v. 石磊 (Lei Shi)*, WIPO Case No. [D2024-3214](#).

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 Panel notes that there is no evidence use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services as the disputed domain name in this case directs to an inactive page.

The Respondent, as an individual, is not commonly known by the domain name and is not making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Panel notes that the Respondent has used "Fbsodex" as its organization name when registering the disputed domain name. Such use cannot confer rights or legitimate interests on the Respondent under the circumstances of this case.

Therefore, the Respondent lacks rights or legitimate interests in the disputed domain name and did not show a use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering or legitimate noncommercial or fair use.

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 reproducing the Complainant's distinctive and internationally reputed trademark with the addition the term "fb".

An Internet search on the terms "fb sodexo" shows that the Complainant's Facebook's French page is the first result which can create a likelihood of confusion with the Complainant's mark.

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 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 disputed domain name was registered and is being used in bad faith, and 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 <fbsodexo.com> be transferred to the Complainant.

/Zineb Naciri Bennani/

Zineb Naciri Bennani

Sole Panelist

Date: July 28, 2025