

## **ADMINISTRATIVE PANEL DECISION**

Sodexo v. Samantha Ellison, soadexo  
Case No. D2025-2819

### **1. The Parties**

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

The Respondent is Samantha Ellison, soadexo, United States of America (“United States”).

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

The disputed domain name <soadexo.com> is registered with Squarespace Domains II LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 17, 2025. On July 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 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 (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 21, 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 July 22, 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 July 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 22, 2025.

The Center appointed Leo (Yi) Liu as the sole panelist in this matter on August 28, 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 states that it is one of the largest companies in the world specialized in food services and facilities management, serving daily 80 million consumers in 45 countries. It is also one of the largest employers worldwide with 423,000 employees.

The Complainant states that its consolidated revenues reached EUR 23.8 billion which represent by region: 47% North America, 35% Europe, and 18% for the rest of the world for fiscal year 2024.

The Complainant is the owner of several trademarks for SODEXO, including:

- International trademark registration No. 964615 for SODEXO & Design, registered on July 8, 2008, in Classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45;
- International trademark registration No. 1240316 for SODEXO, registered on October 23, 2014, in Classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45;
- European Union Trade Mark No. 006104657 for SODEXO & Design, registered on June 27, 2008, in Classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45;
- European Union Trade Mark No. 008346462 for SODEXO, 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 several domain names corresponding to its brand, including but not limited to <sodexo.com>, <uk.sodexo.com>, <sodexo.fr>, <sodexoca.com>, <sodexousa.com>, and <cn.sodexo.com>.

The disputed domain name was registered by Samantha Ellison, soadexo. The disputed domain name resolves to an inactive "under construction" parking page sponsored by the Registrar.

#### **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 well-known and distinctive trademark SODEXO;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name;
- the disputed domain name was registered and is being used in bad faith.

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

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

## 6. Discussion and Findings

To obtain the relief it has requested, the Complainant must prove the presence of each of the three elements of the Policy: 1) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; 2) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and 3) 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.

Based on the record submitted, 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 entirety of the mark SODEXO is reproduced within the disputed domain name only adding the letter "a". In addition, the aural difference between "soadexo" and "sodexo" is insignificant. Accordingly, the disputed domain name is confusingly similar to the mark SODEXO for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

As for the applicable generic Top-Level Domain ".com", it is well established that such element may typically be disregarded when assessing whether a domain name is identical or confusingly similar to a trademark, as it is a technical requirement of registration. [WIPO Overview 3.0](#), section 1.11.1.

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.

As noted above, the disputed domain name resolves to an inactive "under construction" parking page. The Respondent has not come forward with any evidence that it has engaged in any demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services in accordance with paragraph 4(c)(i) of the Policy. While the Respondent's name includes the element "soadexo" as per the information provided by the Registrar, there is no evidence to support a finding that the Respondent is commonly known by the disputed domain name within the meaning of paragraph 4(c)(ii) of the Policy. Nor is the Respondent making any legitimate noncommercial or fair use of the disputed domain name pursuant to paragraph 4(c)(iii) of the Policy.

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 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, given that a well-known trademark such as SODEXO enjoys a worldwide presence and that the Complainant's trademark rights predates the registration date of the disputed domain name, it is evident that the Respondent knew or should have known about the Complainant's business and the mark SODEXO at the time of the registration of the disputed domain name, therefore registering it in bad faith. [WIPO Overview 3.0](#), section 3.2.2.

Regarding the inactivity of the website, 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. Having reviewed the available record, the Panel finds that the inactivity of the disputed domain name does not prevent a finding of bad faith in the circumstances of this proceeding. Although panels will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good faith use, (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put. [WIPO Overview 3.0](#), section 3.3.

The Panel notes the distinctiveness and worldwide reputation of the Complainant's SODEXO trademark, the Complainant's un rebutted allegations, and the fact that there is no company "Soadexo" at the listed contact address. The Panel therefore finds that the passive holding of the disputed domain name does not prevent the 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 <soadexo.com> be transferred to the Complainant.

*/Leo (Yi) Liu/*

**Leo (Yi) Liu**

Sole Panelist

Date: September 11, 2025