

## **ADMINISTRATIVE PANEL DECISION**

Association des Centres Distributeurs E. Leclerc – A.C.D. Lec v.  
Giannis Papanikopaou  
Case No. D2025-2832

### **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 Giannis Papanikopaou, Greece.

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

The disputed domain name <leclerc-pl.com> is registered with One.com A/S (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 17, 2025. On July 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 21, 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 (N/C GR) 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 23, 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 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 14, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 19, 2025.

The Center appointed Nayiri Boghossian as the sole panelist in this matter on August 22, 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 named after its founder LECLERC and owns trademark registrations for LECLERC in numerous jurisdictions worldwide such as the following:

1. European Union Trade Mark Registration No. 002700656, registered on February 26, 2004;
2. French Trademark Registration No. 1307790, registered on May 2, 1985.

The disputed domain name was registered on April 7, 2025, and resolves to a waiting page of the registrar. MX records are created on the disputed domain name.

#### **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 identical or confusingly similar to the Complainant's trademark. The disputed domain name reproduces the Complainant's trademark. The letters "pl" do not eliminate confusing similarity. The Top-Level-Domain ".com" is a standard registration requirement and is as such disregarded.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant did not authorize the Respondent to use its trademark. There is no relationship between the Complainant and the Respondent. The Respondent does not seem to have any rights in the trademark LECLERC and is not commonly known by it and has used a false name. The disputed domain name resolves to a waiting page of the registrar and MX servers are set up on it. This is not a bona fide offering of goods or services.

The Complainant contends that the disputed domain name was registered and is being used in bad faith.

The Complainant's trademark is well-known and its reputation has been recognized by prior UDRP Panels. The Complainant's trademark is not a dictionary word but is the name of the founder. The disputed domain name incorporates the Complainant's trademark in its entirety. The letters "pl" refer to Poland where the Complainant operates. The Respondent had knowledge of the Complainant and its trademark. Concealing identity is a sign of bad faith and the Complainant has used a false name. There is no legitimate or fair use of the disputed domain name as it resolves to a waiting page of the registrar. MX servers are set up to operate with the disputed domain name, which can be used for phishing purposes. No response was received to the cease-and-desist letters sent by the Complainant. The disputed domain name disrupts the Complainant's business and causes harm to 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 here, "pl" 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 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 disputed domain name incorporates the Complainant's trademark in its entirety. The Complainant's trademark does not have a dictionary meaning, and while "Leclerc" also corresponds to a surname (e.g. the Complainant's founder surname), the Panel notes that the Respondent did not provide any explanation for the selection of the combination of LECLERC with the letters "pl" in the disputed domain name. The Panel considers that the letters "pl" in combination with LECLERC

could refer to Poland where the Complainant has had operations since 1991. Furthermore, the Panel notes that the Complainant's trademark was registered 40 years before the creation of the disputed domain name. The Respondent must have been aware of the Complainant's trademark.

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.

Having reviewed the record, noting the abovementioned circumstances, and in particular the composition of the disputed domain name and that it has been used to resolve to a waiting page of the registrar, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 <leclerc-pl.com> be transferred to the Complainant.

*/Nayiri Boghossian/*

**Nayiri Boghossian**

Sole Panelist

Date: August 26, 2025