

ADMINISTRATIVE PANEL DECISION

Carrefour SA v. jack chen

Case No. D2025-2859

1. The Parties

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

The Respondent is jack chen, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <frcarrefourmarket.top> is registered with Gname.com Pte. Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 18, 2025. On July 21, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 22, 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/REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 22, 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 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 12, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 14, 2025.

The Center appointed Nels T. Lippert as the sole panelist in this matter on August 21, 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 one of the worldwide leaders in retail and a pioneer of the concept of hypermarkets. With a revenue of EUR 84.9 billion in 2023, the Complainant is listed on the index of the Paris Stock Exchange. The Complainant operates more than 14,000 stores in more than 40 countries worldwide with more than 500,000 employees worldwide. The Complainant additionally offers travel, banking, insurance and ticketing services.

The Complainant owns several hundred trademark rights worldwide in the CARREFOUR mark. In particular, the Complainant is the owner of the following trademarks registered before the registration of the disputed domain name:

- International trademark CARREFOUR No. 351147, registered on October 2, 1968, designating goods in international classes 1 to 34;
- International trademark CARREFOUR No. 353849, registered on February 28, 1969, designating services in international classes 35 to 42;
- European Union trademark CARREFOUR No. 5178371, registered on August 30, 2007, designating goods and services in international classes 9, 35, and 38; and
- European Union trademark CARREFOUR MARKET No. 6659643, registered on December 18, 2008, designating services in international class 35.

In addition, the Complainant is the owner of numerous domain names identical to, or comprising, its trademarks, both within generic and country code Top-Level Domains. For instance, <carrefour.com> has been registered since 1995, <carrefour.fr> since 2005, and <carrefourmarket.fr> since 2002.

The disputed domain name was registered on June 9, 2025. The Respondent is an individual. At the time of the Complaint, the disputed domain name apparently resolved to a website that was blocked by the Complainant's representative's Phishing and Malware protection feature. Currently, the disputed domain name does not resolve to an active website.

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 CARREFOUR and CARREFOUR MARKET trademarks because the disputed domain name reproduces the CARREFOUR trademarks in their entirety and the letters "fr", which correspond to the two-letter country code for France, does not diminish the likelihood of confusion with the Complainant's trademarks.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name because the Respondent has no trademark rights to the term Carrefour or Frcarrefourmarket, and there is no evidence that the Respondent has been commonly known by the disputed domain name. Furthermore, the Complainant asserts that it has not authorized the use of its trademarks to the Respondent, and the Respondent has not used or made preparations to use the disputed domain name for a bona fide offering of goods or services.

Moreover, the Complainant asserts that the Respondent has registered and used the disputed domain name in bad faith because the Respondent knew or should have known of the Complainant's trademarks which predate the Respondent's registration of the disputed domain name. The Complainant further alleges that the use of the disputed domain name in connection with a website containing potentially harmful material or used for fraudulent purposes such as phishing cannot be regarded as good faith use.

The Complainant further argues that the Respondent has been involved in prior UDRP proceedings (e.g., *The United States Playing Card Company v. jack chen*, WIPO Case No. [D2025-1084](#) and *The Procter & Gamble Company, Braun GmbH v. jack chen*, WIPO Case No. [D2025-0904](#)) which highlights a pattern of cybersquatting conduct amounting to bad faith.

B. Respondent

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

6. Discussion and Findings

As noted above, the Respondent did not respond to the Complainant's allegations. Under the Rules, paragraphs 5(f) and 14(a), the effect of a default by the Respondent is that, in the absence of exceptional circumstances, the Panel shall proceed to a decision on the basis of the Complaint. The Panel does not find any exceptional circumstance in this case.

Paragraph 4(a) of the Policy provides that in order to divest a respondent of a domain name, a complainant must demonstrate each of the following:

- (i) the domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) the respondent has no rights or legitimate interests in respect of the domain name; and
- (iii) the domain name has been registered and is being used in bad faith.

Under paragraph 15(a) of the Rules, "[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

In this case, the Panel finds that as a result of the default, the Respondent has failed to rebut any of the reasonable factual assertions that are made and supported by evidence submitted by the Complainant. By defaulting and failing to respond, the Respondent has failed to offer the Panel any of the types of evidence set forth in paragraph 4(c) of the Policy or otherwise, from which the Panel might conclude that the Respondent has any rights or legitimate interests in the disputed domain name.

Moreover, the Respondent failed to provide any information or reasoning that might rebut the Complainant's arguments that the Respondent has acted 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 Complainant's marks, CARREFOUR and CARREFOUR MARKET are reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other letters, here "fr" or the term "market" may bear on assessment of the second and third elements, the Panel finds the addition of such letters and term do not prevent a finding of confusing similarity between the disputed domain name and the marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Furthermore, it is well established that the applicable Top-Level Domain in a domain name is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.

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.

At the time of the Complaint, the disputed domain name apparently resolved to a website that was blocked by the Complainant's representative's Phishing and Malware protection feature. Were the website indeed used for illegal activity, panels have held that such use of a domain name, claimed as applicable to this case, phishing, or distributing malware can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 not only incorporates the Complainant's prior registered trademarks CARREFOUR and CARREFOUR MARKET, but also adds the additional term "fr" (for France) where the Complainant is located. In addition, the disputed domain name is also very similar to the Complainant's prior registered domain name <carrefourmarket.fr>. Therefore, the Panel finds that most likely the Respondent was aware of the Complainant when registering the disputed domain name.

The Panel further notes that the Complainant has presented compelling evidence that the Respondent has registered the disputed domain name in order to prevent the Complainant from reflecting the mark in a corresponding domain name and has engaged in a pattern of bad faith conduct which constitutes bad faith. [WIPO Overview 3.0](#), section 3.1.2.

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.

As discussed above, at the time of the Complaint, the disputed domain name apparently resolved to a website that was blocked by the Complainant's representative's Phishing and Malware protection feature. Were the website indeed used for illegal activity, panels have held that such use of a domain name, claimed as applicable to this case, phishing, or distributing malware, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Although the disputed domain name is now inactive, considering the reputation of the Complainant's marks and composition of the disputed domain name clearly targeting the Complainant, the Panel finds that the current non-use of the disputed domain name does not prevent a finding of bad faith. [WIPO Overview 3.0](#), section 3.3. Having reviewed the record, 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 <frcarrefourmarket.top> be transferred to the Complainant.

/Nels T. Lippert/

Nels T. Lippert

Sole Panelist

Date: September 3, 2025