

ADMINISTRATIVE PANEL DECISION

Carrefour SA v. Severns Buglione
Case No. D2025-2921

1. The Parties

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

The Respondent is Severns Buglione, United States of America.

2. The Domain Name and Registrar

The disputed domain name <carefourae.shop> is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 23, 2025. On July 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 24, 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 (unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 4, 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 August 5, 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 August 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 2, 2025.

The Center appointed Debrett G. Lyons as the sole panelist in this matter on September 19, 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 factual findings pertinent to the Decision in this case are that:

(1) the Complainant is an international retailer providing goods and services under the trademark CARREFOUR;

(2) the Complainant is the owner of, inter alia, International trademark Reg. No. 351147, registered on 2 October 1968, for the mark, CARREFOUR;

(3) the disputed domain name was registered on July 8, 2025; and

(4) at the time the Complaint was filed the disputed domain name was no longer in use but, as recently as July 15, 2025, it resolved to a webpage which used the CARREFOUR trademark and presented as a portal to some kind of online shopping experience.

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 asserts trademark rights in CARREFOUR by reason of use and registration of that term and submits that the disputed domain name is confusingly similar to the trademark for the purposes of the Policy since it combines a misspelt iteration of the distinctive trademark with the known placename abbreviation, "uae" ("United Arab Emirates"), and the generic Top-Level Domain ("gTLD"), ".shop".

The Complainant alleges that the Respondent has no rights or legitimate interests in the disputed domain name because there is no relationship between the Parties and the Complainant has not authorized the Respondent to use its trademark or register any domain name incorporating that mark. Further, that the Respondent is not known by the disputed domain name, and the use of the disputed domain name has not been bona fide since it was used in connection with a website that shows the Complainant's trademark and purported to offer the same kind of services as those provided by the Complainant under the trademark.

The Complainant alleges that the Respondent registered the disputed domain name in bad faith being aware of the Complainant and its trademark and has used the disputed domain name in bad faith by associating it with a website likely to cause consumers to falsely believe that the services offered there were those of the Complainant.

The Complainant accordingly requests the Panel to order transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, the Complainant must prove that:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

It is the responsibility of the Panel to consider whether the requirements of the Policy have been met, regardless of the fact that the Respondent failed to submit a response. Having considered the Complaint and the available evidence, the Panel finds the following:

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires a two-fold enquiry – a threshold investigation into whether a complainant has rights in a trademark, followed by an assessment of whether the disputed domain name is identical or confusingly similar to the trademark.

Paragraph 4(a)(i) does not distinguish between registered and unregistered trademark rights. It is accepted that a trademark registered with a national or pan-national trademark authority is evidence of trademark rights for the purposes of the Policy.¹ The Panel finds that the Complainant has shown trademark rights in CARREFOUR since it provides proof of its registration of that term with WIPO, which administers the International trademark registration system.²

For the purposes of comparing the disputed domain name with the trademark, the gTLD can be disregarded.³ The disputed domain name then differs from the trademark by omission of one letter “R” from the trademark and addition of the country name abbreviation, “uae”, to the trademark. The consensus view of panelists is that where the trademark is recognizable within the disputed domain name (as it is here), the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) does not prevent a finding of confusing similarity.⁴ The Panel adopts that reasoning and finds that the disputed domain name is confusingly similar to the trademark.

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

B. Rights or Legitimate Interests

The Complainant has the burden to establish that the Respondent has no rights or legitimate interests in the disputed domain name. Nevertheless, it is well settled that the Complainant may first make out a prima facie case, after which the burden of production shifts to the Respondent to rebut such prima facie case by providing evidence demonstrating rights or legitimate interests in the disputed domain name.⁵

Notwithstanding the lack of a response to the Complaint, paragraph 4(c) of the Policy states that any of the following circumstances, in particular but without limitation, if found by the Panel to be proved based on its evaluation of all evidence presented, shall demonstrate rights or legitimate interests to a domain name for purposes of paragraph 4(a)(ii) of the Policy:

¹WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (“[WIPO Overview 3.0](#)”), section 1.1.1.

²[WIPO Overview 3.0](#), section 1.2.1.

³[WIPO Overview 3.0](#), section 1.7.

⁴[WIPO Overview 3.0](#), section 1.8.

⁵[WIPO Overview 3.0](#), section 2.1; see also *Do The Hustle, LLC v. Tropic Web*, WIPO Case No. [D2000-0624](#).

“(i) before any notice to you of the dispute, your 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; or

(ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or

(iii) you are 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 Respondent’s name does not suggest that the Respondent might be commonly known by the disputed domain name, and the Panel finds no other evidence that the Respondent might be commonly known by the disputed domain name. Further, the Complainant states that there is no association between the Parties and the Panel finds that there is nothing to contradict that claim. There is no evidence that the Respondent has any trademark rights. Finally, panels have held that the use of a domain name for an illegitimate activity, here, impersonation or passing off, can never confer rights or legitimate interests on a respondent.⁶

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. In failing to file a Response, the Respondent has not rebutted the Complainant’s prima facie case 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

Paragraph 4(b) of the Policy sets out circumstances, which shall be evidence of the registration and use of a domain name in bad faith. They are:

“(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the 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 your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the 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 you have engaged in a pattern of such conduct; or

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

(iv) by using the domain name, you have 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 your website or location or of a product or service on your website or location.”

The Panel finds that the use of the disputed domain name is caught by paragraph 4(b)(iv) above. The Panel has already found the disputed domain name to be confusingly similar to the trademark. Given the use to which the disputed domain name has been put, it is reasonable to infer that the Respondent knew of the Complainant and its trademark when it registered the disputed domain name. The recent use of the disputed domain name was for commercial gain in one form or another and so, in terms of paragraph 4(b)(iv), the Panel finds that the Respondent has used the disputed domain name intending to attract Internet users to its

⁶[WIPO Overview 3.0](#), section 2.13.1.

webpage for commercial gain by causing a likelihood of confusion as to the source or endorsement of that webpage.

In the alternative, if the Panel takes account only of the current position where the disputed domain name is no longer in use, then it finds registration in bad faith for the reason given above, and passive holding (use) in bad faith in keeping with the leading case of *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#) and evidence of the same circumstances of that case, namely, that (i) the Complainant's trademark is widely known, (ii) the Respondent has provided no evidence of any actual or contemplated good faith use by it of the disputed domain name, (iii) the Respondent has taken active steps to conceal its identity and has (most likely) provided false contact details, and (iv) it was not possible to conceive of any plausible use of the disputed domain name by the Respondent that would not be illegitimate in the sense of infringing the Complainant's rights.

The Panel finds that the Complainant has satisfied the third and final 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 <carefouruae.shop> be transferred to the Complainant.

/Debrett G. Lyons/

Debrett G. Lyons

Sole Panelist

Date: September 23, 2025