

## ADMINISTRATIVE PANEL DECISION

SODEXO v. Orliac Christophe

Case No. D2025-3051

### 1. The Parties

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

The Respondent is Orliac Christophe, France.

### 2. The Domain Name and Registrar

The disputed domain name <groupes-sodexo.com> is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 31, 2025. On July 31, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 1, 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 August 5, 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 6, 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 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 31, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 3, 2025.

The Center appointed Alexandre Nappey as the sole panelist in this matter on September 9, 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 the French company SODEXO, founded in 1966, a major company specialized in food services and facilities management.

With 423 000 employees serving daily 80 million consumers in 45 countries, SODEXO is one of the largest employers worldwide.

The Complainant is the owner of numerous trademarks registered prior to the disputed domain name, among which:

- figurative French trademark SODEXO registered on July 16, 2007, under Registration No. 3 513 766 and renewed in 2017, in international classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45;
- European word mark SODEXO registered on February 1, 2010, under Registration No. 008346462 and renewed in 2019 in international classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45;
- French word mark SODEXO registered on November 3, 2020, under Registration No. 20 4 697 571, in international classes 7, 29, 30, 32, 33 and 35.

The company SODEXO also owns numerous domain names consisting and/or containing "Sodexo" among which: <sodexo.com>, <sodexo.fr>, or <sodexogroup.com>.

The disputed domain name <groupes-sodexo.com> was registered on July 30, 2025.

The disputed domain name is not active at the time of the decision.

#### **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 similar to its earlier trademark SODEXO, to the point of creating confusion.

Indeed, the disputed domain name incorporates the SODEXO mark in its entirety with the addition of the French generic word GROUPES ("groups" in English) which clearly refers to an affiliation with SODEXO.

Then, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name:

- the Respondent has no rights on SODEXO as corporate name, trade name, shop sign, mark or domain name that would be prior to the Complainant's rights on SODEXO;
- the Respondent was not commonly known by the concerned domain name prior to the adoption and use by the Complainant of the corporate name, business name and mark SODEXO / SODEXHO;
- the Respondent does not have 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 concerned disputed domain name and to use it.

Third, the Complainant claims that the disputed domain name was registered and is being used in bad faith.

The Complainant contends that the sign SODEXO is purely fanciful and nobody could legitimately choose this word or any variation thereof (especially when combined with the word GROUPES), unless seeking to create an association with the Complainant's activities and SODEXO mark.

The Complainant asserts that given the well-known character and reputation of the SODEXO / SODEXHO mark, the Respondent knew its existence when he registered the domain name <groupes-sodexo.com>, so that he perfectly knew that he had no rights or legitimate interests in the disputed domain name and that he cannot lawfully use it.

According to the Complainant, the Respondent not only knows the SODEXO mark but wants to benefit of its reputation.

The Complainant claims that it is obvious that the Respondent registered the domain name <groupes-sodexo.com> with actual knowledge of Complainant's rights in the SODEXO mark very likely for the purpose of creating confusion with Complainant's mark to divert or mislead third parties for Respondent's illegitimate profit.

The Complainant contends that even if the disputed domain name does not currently appear to point to a website with active content, a passive holding of a domain name does not prevent a finding of bad faith. Moreover, The Complainant claims that the Respondent supposedly called Christophe ORLIAC was already involved in previous UDRP and Syreli proceedings filed by the Complainant concerning domain names composed of the elements SODEXO and GROUP(E).

In most of these cases, the Complainant claims that it had proof of phishing with these domain names. So, the Complainant asserts that the Respondent's aim is to perpetrate phishing attacks with the disputed domain name at issue.

## **B. Respondent**

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

## **6. Discussion and Findings**

Notwithstanding the default of the Respondent, the Complainant has the burden of proof to make its case in accordance with paragraph 4(a) of the Policy, and to demonstrate 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.

However, under paragraph 14(b) of the Rules, where a Party does not comply with any provision of the Rules, the Panel "shall draw such inferences therefrom as it considers appropriate".

Having considered the Complainant's submissions, the Policy, the Rules, and applicable law, the Panel's findings on each of the above-mentioned elements are the following:

### **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, (hereafter "[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 “groupes” (the French word for “groups”) and a hyphen, 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.

See for instance: *Sodexo v. orliac Christophe*, WIPO Case No. [D2025-2334](#)

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 Complainant has shown that its SODEXO trademark has been registered and used for years and is enjoying a reputation of goodwill for its products and services across the world.

Thus, the Respondent could not reasonably be unaware of the Complainant’s rights when it registered the disputed domain name, and the Panel cannot conceive any use that the Respondent could make of the disputed domain name that would not interfere with the Complainant’s trademark rights.

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. [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 fact that the Respondent supposedly called Christophe ORLIAC was already involved in UDRP and Syreli proceedings introduced by the Complainant involving domain names composed of the elements SODEXO and GROUP(E) further supports Panel's finding on bad faith.

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 <groupes-sodexo.com> be transferred to the Complainant.

*/Alexandre Nappey/*

**Alexandre Nappey**

Sole Panelist

Date: September 17, 2025