

ADMINISTRATIVE PANEL DECISION

Carrefour SA. v. kio gusan, gofast2, Lisa Donofrio, kio gusanagui
Case No. D2025-3329

1. The Parties

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

The Respondents are kio gusan, gofast2, United States of America ("United States" or "U.S."), Lisa Donofrio, United States and kio gusanagui, Spain.

2. The Domain Names and Registrars

The disputed domain names <app-carrefourpass.info>, <carrefourpasslogin.info>, <carrefourpass-net.info>, and <web-carrefourpass.info>, are registered with PDR Ltd. d/b/a PublicDomainRegistry.com.

The disputed domain name <carrefourpassnet.info> is registered with Nicenic International Group Co., Limited.

The disputed domain names <webcarrefourpass.click>, <webscarrefourpass.click> and <webscarrefourpass.com> are registered with Dynadot Inc.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 19, 2025. On August 19, 2025, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On August 19, 2025, August 20, 2025, and August 22, 2025, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondents (Super Privacy Service Ltd and Redacted for Privacy) and contact information in the Complaint.

The Center sent an email communication to the Complainant on August 25, 2025, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on August 25, 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 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 16, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 17, 2025.

The Center appointed Alistair Payne as the sole panelist in this matter on September 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 retailer (also offering banking, insurance, travel and ticketing services) based in France. It developed the hypermarket concept in 1968 and is publicly listed on the Paris Stock Exchange. The Complainant operates more than 14,000 stores in more than 40 countries. With more than five hundred thousand employees worldwide and 1.3 million daily unique visitors to its stores, and a turnover of 84.9 billion Euros in 2023, the Complainant is a significant international retailer.

The Complainant owns numerous trade mark registrations worldwide for its CARREFOUR mark, including International trade mark No. 351147 for CARREFOUR registered on October 2, 1968, which is designated in several countries, and International trademark No. 719166 for CARREFOUR PASS, registered on August 18, 1999, also designated in several countries. The Complainant owns numerous domain names incorporating its CARREFOUR mark including <carrefour.com> from which it operates its main website, and it also owns the domain name <carrefourpass.com> which was registered in 2010. The Complainant operates a “Carrefour Pass” payment service which is accessible via an “app”. Its CARREFOUR mark and business has a considerable social media presence.

The disputed domain name <app-carrefourpass.info> was registered on August 6, 2025, <carrefourpasslogin.info> was registered on August 11, 2025, <webcarrefourpass.click> was registered on August 31, 2025, <webscarrefourpass.click> was registered on August 7, 2025, and <webscarrefourpass.com> was registered on August 13, 2025. Each of these disputed domain names divert to an identical page indicating that the website is under construction and inviting Internet users to check back soon.

The disputed domain name <carrefourpassnet.info> was registered on August 1, 2025, <carrefourpass-net.info> was registered on July 31, 2025, and <web-carrefourpass.info> registered on August 5, 2025, have client hold status applied and resolve to error pages. Prior to having “client hold” status applied, the first two disputed domain names in this group resolved to the same website under construction page as noted above.

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 names.

Notably, the Complainant contends that it owns registered trade mark rights for its CARREFOUR and CARREFOURPASS marks as set out above. It submits that each of the disputed domain names incorporate one of the Complainant's earlier trade marks, namely CARREFOUR or CARREFOUR PASS, together with generic terms related to the Internet. Accordingly, says the Complainant, each of the disputed domain names is confusingly similar to its earlier well-known trade marks.

The Complainant submits that, based upon its searches, it has found no evidence whatsoever that the Respondents own any trade mark registrations including the CARREFOUR OR CARREFOURPASS marks, or that they are commonly known by any of the disputed domain names, whether as an individual, business, or other organisation. Secondly, it says that the Respondents have reproduced the Complainant's earlier registered trade marks CARREFOUR and CARREFOUR PASS in the disputed domain names without any licence or authorisation from the Complainant, which it submits is strong evidence of the lack of legitimate interest. Thirdly, the Complainant asserts that the Respondents have not, before the original filing of the Complaint, used or made preparations to use the disputed domain names in relation to a bona fide offering of goods or services. It says that the non-use of a disputed domain name, including blank or "coming soon" pages, is not a bona fide offering of goods or services under the Policy. Fourthly, says the Complainant, since the adoption and extensive use of its trade marks by the Complainant predates by far the registration of the disputed domain names, the burden is on the Respondents to establish that they have rights or legitimate interests in each of the disputed domain names. None of the circumstances which set out how a respondent can prove rights or legitimate interests in the disputed domain names are present in this case according to the Complainant. Considering all the elements mentioned above, the Respondents should be considered as having no rights or legitimate interests in any of the disputed domain names.

As far as registration and use in bad faith are concerned, the Complainant submits that considering the degree of prior reputation attached to the Complainant's marks, the Respondents necessarily had the Complainant's name and trade marks in mind when registering the disputed domain names. It says that the Respondents' choice to register the disputed domain names cannot have been accidental and must have been influenced by the fame of the Complainant and its earlier trade marks.

It says that it is highly likely that the Respondents chose the disputed domain names because of their identity with or similarity to a trade mark in which the Complainant has rights and legitimate interest. This was most likely done, says the Complainant, in the hope and expectation that Internet users searching for the Complainant's services and products would instead come across the disputed domain names belonging to the Respondents. Further, says the Complainant, its trade mark registrations significantly predate the registration date of the disputed domain names. A quick trade mark search would have revealed to the Respondents the existence of Complainant and of its trade marks. A simple search in an online search engine would have shown only results related to the Complainant.

As far as use in bad faith is concerned, the Complainant submits that by simply maintaining the disputed domain names, the Respondents are preventing the Complainant from reflecting its trade marks in corresponding domain names. It notes that the disputed domain names resolve to either error pages or pages with the text "We're working on it!". It submits that the non-use of a domain name (including by use of a blank or "coming soon" page) does not prevent a finding of bad faith under the doctrine of passive holding. Overall, the Complainant asserts that it cannot think of any future use of the disputed domain names that may be done by the Respondents in good faith.

In addition, says the Complainant, there are cumulative circumstances found to be indicative of bad faith include that it owns the well-known CARREFOUR trade mark, that the Respondents have made no response to the Complaint having been filed and that the registrants attempted to conceal their identity both by providing likely false details and by use of privacy services to mask the real owner.

B. Respondents

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

6. Discussion and Findings

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

According to the Complainant, all three sets of registrant data contain values suggesting that the registration of the disputed domain names was carried out using fanciful and/or inaccurate contact information, in breach of the registration agreements. In particular, it notes as follows:

- The addresses used by the Respondents in the United States and Spain are historic buildings, once used as public post offices;
- The email addresses of the Respondents have no apparent connection between the names given for the registrant and the email addresses disclosed by the Registrars;
- The address given for <carrefourpassnet.info> contains two different postal codes in different fields.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 4.11.2.

As regards common control, the Panel notes that the disputed domain names are owned by one of three Respondents. Five of the disputed domain names share the registrant name "kio gusan" and seven of them share the same registrant address details. All of the disputed domain names were registered within a two-week period, spanning July 31 to August 13, 2025, and all of them contain the mark CARREFOURPASS. In addition, all three sets of registrant data contain information, as noted by the Complainant, which suggests that the registration of the disputed domain names was carried out using fanciful and/or inaccurate contact information.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

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 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 Panel finds that both the marks CARREFOUR and CARREFOURPASS are recognisable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the first element of the Policy has been established in relation to each of the disputed domain names.

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.

The Complainant has submitted that, based upon its searches, it has found no evidence whatsoever that the Respondent owns any trade mark registrations for the CARREFOUR OR CARREFOURPASS marks, nor that it is commonly known by any of the disputed domain names, whether as an individual, business, or other organisation. It has also asserted that the Respondent has reproduced the Complainant’s earlier registered trade marks CARREFOUR and CARREFOUR PASS in the disputed domain names without any licence or authorisation from the Complainant. The Complainant has also asserted that the Respondent has not, before the original filing of the Complaint, used or made preparations to use the disputed domain names in relation to a bona fide offering of goods or services and that including a blank or “coming soon” page, or causing a disputed domain name to resolve to an error page, does not amount to a bona fide offering of goods or services under the Policy. The Complainant has also noted that its trade mark registrations predate by far the registration of any of the disputed domain names.

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 each of the disputed domain names. 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 names 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’s trade mark registrations for CARREFOUR and for CARREFOUR PASS were registered many years before any of the disputed domain names. The Panel accepts that as result of considerable use in numerous jurisdictions over many years, the Complainant’s CARREFOUR mark enjoys substantial international reputation and as a result that it is more than likely that the Respondents, based in the United States or in Spain, were well aware of the Complainant’s business and mark at the time of the registration of each of the disputed domain names in 2025.

As noted under Part 4 above, all of the disputed domain names either resolve to an “error” page or to a “coming soon” page.

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 trade mark and the composition of the disputed domain names which each incorporate the Complainant's CARREFOUR or CARREFOUR PASS marks as key distinctive elements together with descriptive terms such as “app”, “login”, “web”, “webs” or “net”. The Respondent has failed to explain its registration and use of the disputed domain names and it seems, based upon the information provided by the Complainant, that the registrant data provided for each of the disputed domain names was most likely fanciful or inaccurate. In the circumstances, it appears to the Panel that the future bona fide use of the disputed domain names by the Respondent is implausible and therefore that the passive holding of each of the disputed domain names does not prevent a finding of bad faith under the Policy.

The Panel finds that the Complainant has established the third element of the Policy in relation to each of the disputed domain names.

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 names <app-carrefourpass.info>, <carrefourpasslogin.info>, <carrefourpass-net.info>, <carrefourpassnet.info>, <webcarrefourpass.click>, <web-carrefourpass.info>, <webscarrefourpass.click> and <webscarrefourpass.com> be transferred to the Complainant.

/Alistair Payne/

Alistair Payne

Sole Panelist

Date: October 8, 2025