

ADMINISTRATIVE PANEL DECISION

Carrefour SA, Atacadão S.A. v. Luana silva, Romeu Alves, select payments,
and Francisca Louise Caldeira
Case No. D2025-3630

1. The Parties

The Complainants are Carrefour SA, France (the “First Complainant”) and Atacadão S.A., Brazil (the “Second Complainant”), both represented by IP Twins, France.

The Respondents are Luana silva, Brazil (the “First Respondent”); Romeu Alves, Brazil (the “Second Respondent”); select payments, Brazil (the “Third Respondent”); and Francisca Louise Caldeira, Brazil (the “Fourth Respondent”).

2. The Domain Names and Registrar

The disputed domain names <atacadaodaweb.com>, <atacado-online.site>, <atacadaopagamento.shop>, <atacadaopromocoes.space>, and <pagamentoatacado.shop> are all registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 8, 2025 in respect of the domain names <atacadaodaweb.com>, <atacado-online.site>, <atacadaopromocoes.space>, and <pagamentoatacado.shop>. On September 9, 2025, the Complainants requested to add the domain name <atacadaopagamento.shop> to the Complaint. All these five domain names are hereinafter jointly referred to as the “disputed domain names”. On September 9, 2025, and September 10, 2025, the Center transmitted by email to the Registrar requests for registrar verification in connection with the disputed domain names. On September 11, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainants on September 11, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, 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 disputed domain names are under common control. The Complainants filed an amended Complaint on September 12, 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 Respondents of the Complaint, and the proceedings commenced on September 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 12, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on October 27, 2025.

The Center appointed Assen Alexiev as the sole panelist in this matter on October 31, 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 First Complainant is a French public limited company, a global leader in retail and a pioneer of the concept of hypermarkets back in 1968. It operates more than 12,000 stores in more than 30 countries with more than 384,000 employees, and has millions of daily unique visitors in its stores. The First Complainant additionally offers travel, banking, insurance and ticketing services.

The Second Complainant is a Brazilian chain of wholesale and retail stores established in 1960, which was acquired by the First Complainant in 2007. The Second Complainant has over 379 stores and distribution centers and more than 76,728 employees in all Brazilian states. Its official website is located at the domain name <atacado.com.br>, registered on October 9, 1997.

The Second Complainant is the owner of a number of trademark registrations for the signs ATACADAO and ATACADÃO, including the following representative registrations:

- the Brazilian trademark ATACADÃO with registration No. 006785360, registered on October 10, 1978 in National Class 29; and
- the Brazilian trademark ATACADAO with registration No. 006937497, registered on May 25, 1979 in National Class 35.

The First Complainant is the owner of the European Union trademark ATACADAO with registration No. 012020194, registered on May 24, 2015 in International Class 35.

The above trademark registrations of the First and Second Complainants are jointly referred to as the “ATACADAO trademark”.

The details about the dates of registration of the disputed domain names, their registrants, and their current use are the following:

Disputed domain name	Registration date	Registrant	Use when filing the Complaint
<atacadaodaweb.com>	July 24, 2025	Luana silva	Resolves to a webshop in Portuguese with the title “Atacadão da Web”. The website indicates its provider as “Atacadão Web Negocios Digitais LTDA”.
<atacadaopromoco.es.space>	July 27, 2025	Francisca Louise Caldeira	Inactive
<atacadao-online.site>	July 29, 2025	Romeu Alves	Internet browsers display a “403 Forbidden” warning
<pagamentoatacadao.shop>	August 8, 2025	select payments	Resolves to a parking webpage of the Registrar
<atacadaopagamento.shop>	August 24, 2025	select payments	Resolves to a parking webpage of the Registrar

5. Parties’ Contentions

A. Complainants

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

The Complainants state that the disputed domain names are confusingly similar to its ATACADAO trademark, because they reproduce this trademark in combination with dictionary words and phrases in Portuguese, all of which are related to Internet commerce and reinforce the risk of confusion:

Disputed domain name	Portuguese word or phrase added to the ATACADAO trademark	English translation
<atacadaodaweb.com>	da web	of the web
<atacadaopromoco.es.space>	promoções	promotions
<atacadaopagamento.shop>	pagamento	payment
<pagamentoatacadao.shop>	pagamento	payment
<atacadao-online.site>	online	online

The Complainants note that they themselves operate an e-commerce website in Brazil at the domain name <atacadao.com.br>, where users can view special offers and pay for grocery orders. According to the Complainants, Internet users of average attention will likely believe that the disputed domain names are affiliated with or endorsed by the Complainants.

The Complainants maintain that the Respondents have no rights or legitimate interests in respect of the disputed domain names, because they have no trademark rights in the term “Atacadao” and have not been authorized by the Complainants to register or use the disputed domain names which reproduce the Complainants’ earlier ATACADAO trademark. The Complainants add that the Respondents have not used the disputed domain names in relation to a bona fide offering of goods or services, as four of them do not resolve to active websites, while the disputed domain name <atacadaodaweb.com> resolves to a basic e-commerce website offering a small selection of clothing, footwear and accessories, written in Portuguese and with pricing in Brazilian Real. The Complainants submit that, whether or not products are actually sold through this website and whether such products are genuine or counterfeit, the website gives the false

impression that it is operated by, or affiliated with, the Complainants. The Complainants point out that the website indicates as its operator a limited company whose name includes “Atacadão”, but there is no record of such company name having been registered in Brazil, and its indicated Tax ID number on the website corresponds to a restaurant and juice bar. According to the Complainants, the suggestion of an affiliation with the Complainants and the indication of false business details are fraudulent tactics to project trustworthiness onto the website at the disputed domain name <atacadaodaweb.com>.

The Complainants contend that the disputed domain names were registered and are being used in bad faith. According to the Complainants, the Respondents have registered the disputed domain names with the Complainants’ name and trademark in mind. The Complainants note that the Respondents are ostensibly residents of Brazil, where the Second Complainant is headquartered and enjoys significant brand awareness, and that the ATACADAO name and trademark appear within the disputed domain names, thus misleading Internet users and falsely suggesting an affiliation with the Complainants. According to the Complainants, it is highly likely that the Respondents chose the disputed domain names because of their confusing similarity to the ATACADAO trademark in the hope and expectation that Brazilian Internet users searching for the Second Complainant’s services and products would come across the disputed domain names and be confused as to the source or endorsement of the associated websites.

The Complainants maintain that the current use of the disputed domain names is not in good faith. The use of the disputed domain name <atacadaodaweb.com> in connection with an online store is an attempt to exploit the goodwill of the Complainants for commercial gain, and the maintenance of the registration of the other disputed domain names prevents the Complainants from reflecting their name and trademark in corresponding disputed domain names. The Complainants submit that the non-use of a domain name does not prevent a finding of bad faith under the doctrine of passive holding. The Complainants maintain that the Respondents have provided false contact information when registering the disputed domain names to escape liability under the Policy. According to the Complainants, no future use of the disputed domain names may be done by the Respondents in good faith.

B. Respondents

The Respondents did not reply to the Complainants’ contentions.

6. Discussion and Findings

6.1. Procedural Issue – Consolidation of Complainants

Paragraph 10(e) of the Rules grants a panel the power to consolidate multiple domain name disputes.

Section 4.11.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), discusses that in assessing whether a complaint filed by multiple complainants may be brought against a single respondent, panels look at whether (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion, and (ii) it would be equitable and procedurally efficient to permit the consolidation.

The Complaint has been jointly filed by the two Complainants. The Complainants are affiliated to each other and each of them has rights in the ATACADAO trademark. The Complainants describe a common grievance against the Respondents, where the Respondents have allegedly engaged in a conduct that has affected their rights in a similar fashion. The Respondents have not expressed any views on the issue of consolidation of the Complainants, and it appears to the Panel that it would be procedurally efficient and equitable for the Complainants to be consolidated.

Taking the above into account, and on the basis of paragraph 10(e) of the Rules, the Panel allows the consolidation of the Complainants in this proceeding.

6.2. Procedural Issue – Consolidation of Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainants allege that the registrants of the disputed domain names are under common control, and request the consolidation of the Complaint against the multiple disputed domain name registrants.

In support of their consolidation request, the Complainants point out that the disputed domain names all consist of their ATACADAO trademark with one or more dictionary words, understandable to Portuguese speakers, that they were registered between July 24 and August 24, 2025 through the same Registrar, using its Whois privacy service, that four of the disputed domain names are inactive, that three of them remain on the Registrar's default nameservers and the other two are on the same Cloudflare nameserver pair, and that the disputed domain names share the same distinct pattern in the contact details of the Respondents, which contain registrant data from Brazil, plausible names for Brazilian individuals and small businesses, use of some of the temporary email addresses with no footprint online, and indication of the same number as both phone number and fax number. On this basis, the Complainants submit that the disputed domain names are likely to be under common control.

The registrants of the disputed domain names did not comment on the Complainants' consolidation request and did not dispute any of its supporting arguments.

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 3.0](#), section 4.11.2.

As regards common control, the Panel notes that all disputed domain names were indeed registered within a short period with the same Registrar and share a similar naming pattern and four of them have not been actively used, and that the contact details of all Respondents show similar patterns. In the absence of any denial or contrary evidence, this satisfies the Panel that it is more likely than not that the disputed domain names are under common control.

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

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants in a single proceeding.

6.3. Substantive issues

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 Complainants' trademark and the disputed domain names. [WIPO Overview 3.0](#), section 1.7.

The Complainants have shown rights in respect of the ATACADAO trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the ATACADAO trademark is easily recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the ATACADAO trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, “da web”, “promocoos”, “pagamento”, and “online”) may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the ATACADAO trademark 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 Complainants have established a prima facie case that the Respondents lack rights or legitimate interests in the disputed domain names. The Respondents have not rebutted the Complainants’ 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.

All of the disputed domain names carry a risk of implied affiliation with the Complainants. While four disputed domain names are not being actively used, the remaining disputed domain name is being used for an online store that competes with the Complainants’ own commercial activities. The company listed on this active website, according to the Complainants, does not exist and the TAX ID number thereon is related to a restaurant and juice bar. The Respondents have not denied the Complainants’ allegations and have not provided any plausible explanation for the registration of the disputed domain names and for their intentions how to use them. In this situation, the Panel finds it is more likely than not that the disputed domain names have been registered targeting the Complainant and its ATACADAO trademark in an attempt to confuse and attract Internet users to any current and potential future websites associated with the disputed domain names, or to prevent the Complainant from reflecting its trademark in corresponding domain names. Such conduct does not appear to be legitimate and would not give rise to rights or legitimate interests of the Respondents in the disputed domain names.

The Panel therefore finds that 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.

The ATACADAO trademark was registered long before the registration of the disputed domain names and has been extensively used by the Complainants. The Complainants have provided evidence that the disputed domain name <atacadaodaweb.com> is being used for a website that carries out commercial activities in competition with the Complainants’ online store and indicate that the entity listed on the website including “Atacadão” as its distinctive element in the name, which entity according to the Complainants does not exist. The Complainant’s evidence shows that the TAX ID number on the website corresponds to a restaurant and juice bar. The Respondents have not denied the Complainants’ allegations and have not submitted evidence about the existence of this entity and its activities.

In view of the above, and in the absence of any allegation or evidence pointing to a different conclusion, the Panel accepts that by registering and using the disputed domain name <atacadaoweb.com>, the Respondents have intentionally attempted to attract, for commercial gain, Internet users to the associated website by creating a likelihood of confusion with the Complainants' ATACADAO trademark as to the source or affiliation of the Respondents' website and of the products offered on the Respondents' website. This supports a finding of registration and use in bad faith of the disputed domain name <atacadaoweb.com> pursuant to paragraph 4(b)(iv) of the Policy.

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.

The disputed domain names <atacadao-online.site>, <atacadaopagamento.shop>, <atacadaopromocoes.space>, and <pagamentoatacadao.shop> do not resolve to active websites. 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 Complainants' ATACADAO trademark, the composition of the disputed domain names, which creates a risk of implied affiliation with the Complainant, and the failure of the Respondents to submit a Response or to provide any evidence of actual or contemplated good-faith use of these disputed domain names. The Panel also notes its finding in respect of the disputed domain name <atacadaoweb.com>, which is more likely than not under common control with the other four disputed domain names. In these circumstances, the non-use of the disputed domain names <atacadao-online.site>, <atacadaopagamento.shop>, <atacadaopromocoes.space>, and <pagamentoatacadao.shop> does not prevent a finding of bad faith under the doctrine of passive holding.

On this basis, the Panel finds that the Respondents have registered and used the disputed domain names in bad faith and that the Complainants have 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 names <atacadaoweb.com>, <atacadao-online.site>, <atacadaopagamento.shop>, <atacadaopromocoes.space>, and <pagamentoatacadao.shop> be transferred to the Complainants.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: November 7, 2025