

ADMINISTRATIVE PANEL DECISION

Sodexo v. Kevin Yao, Domain Admin
Case No. D2025-3653

1. The Parties

The Complainant is Sodexo, France, represented by Areopage, France.

The Respondent is Kevin Yao, Domain Admin, China.

2. The Domain Names and Registrar

The disputed domain names <sodexo-wrx.com> and <sodexowrx.com> are registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 9, 2025. On September 10, 2025, the Center transmitted by email to the Registrar a request 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 (Redacted for Privacy, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 15, 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 September 16, 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 September 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 7, 2025. The Respondent sent email communications to the Complainant on September 26, 2025, and October 3, 2025, to which the Center was copied.

The Center appointed Moonchul Chang as the sole panelist in this matter on October 15, 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, Sodexo (formerly Sodexho Alliance), is a French company founded in 1966, which is specialized in the food services and facilities management and has globally marketed the SODEXO mark and tradename. In 2008, SODEXHO simplified the spelling of its mark and name to SODEXO and changed its name from SODEXHO to SODEXO.

The Complainant owns the trademarks SODEXO, which were registered in numerous jurisdictions including as follows:

- SODEXO(figurative), International trademark registration No. 964615, registered on January 8, 2008,
- SODEXO(figurative), European Union trademark registration No. 008346462, registered on February 1, 2010,
- SODEXHO(figurative), International trademark registration No. 689106, registered on January 28, 1998.

As such, the SODEXO and SODEXHO marks are registered in many other countries of the world including China where the Respondent is located.

In addition, the Complainant owns numerous domain names containing the denomination "Sodexo", such as <sodexo.com>, <sodexo.fr>, <cn.sodexo.com>, and <sodexho.com>.

Further, the disputed domain names <sodexo-wrx.com> and <sodexowrx.com> were registered on August 8, 2025, which is the same date the Complainant filed for the registration of SODEXOWRX (figurative), e.g., European Union trademark application No. 019230190. The disputed domain names resolve to inactive websites.

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.

The Complainant contends that:

(a) the disputed domain names are identical or confusingly similar to trademarks in which the Complainant has rights. The Complainant has rights in the trademark SODEXO;

(b) the Respondent has no rights or legitimate interests in the disputed domain names. The Respondent is not using the disputed domain names in connection with a bona fide offering of goods. The disputed domain names are not in use; and

(c) the disputed domain names were registered and are being used in bad faith. The disputed domain names have been registered on the same date as of filing the Complainant's trademark applications for SODEXOWRX, which suggests the bad faith registration. The Respondent has actual or constructive

knowledge of the Complainant's trademarks. In addition, there is no activity on the disputed domain names and the passive holding of them does not prevent a finding of bad faith.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant must demonstrate that the three elements enumerated in paragraph 4(a) of the Policy have been satisfied. These elements are that: (i) the disputed domain name is identical or confusingly similar to the Complainant's trademark or service mark; (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.

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 disputed domain names incorporate the Complainant's trademarks in their entirety. Although the addition of other terms "wrx" or "-wrx" 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 mark for the purposes of the Policy. ([WIPO Overview 3.0](#), section 1.8) In addition, the generic Top-Level Domain ("gTLD") ".com" is disregarded under the first element test. ([WIPO Overview 3.0](#), section 1.11.1).

Therefore, 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. Under paragraph 4(a)(ii) of the Policy, the overall burden of proof is on the Complainant. However, once the Complainant presents a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name, the burden of production of evidence 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).

Firstly, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain names. Although the Complainant has not given the Respondent permission, authorization, consent, or license to use its SODEXO mark, the Respondent registered and has used the disputed domain names which include the Complainant's trademark. Further, the composition of the disputed domain names carries a risk of implied affiliation with the Complainant. ([WIPO Overview 3.0](#), section 2.5.1).

Secondly, the Complainant contends that the Respondent is not using the disputed domain names in connection with a bona fide offering of goods or services or fair use of the disputed domain name. The Respondent is using the disputed domain names to resolve to inactive websites. Accordingly, the Panel finds that the Respondent does not use them in connection with a bona fide offering of goods or services or a

legitimate noncommercial or fair use of the disputed domain names under these circumstances. ([WIPO Overview 3.0](#), section 2.4).

Thirdly, there is no evidence to suggest that the Respondent has been commonly known by 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. 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 names.

Therefore, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Paragraph 4(a)(iii) of the Policy requires that the disputed domain name has "been registered and is being used in bad faith". Thus, for the Complainant to succeed, a UDRP panel must be satisfied that a domain name has been registered and is being used in bad faith. These requirements are conjunctive; each must be proven, otherwise the Complaint fails. In addition, 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).

Firstly, the Complainant's trademark is well-known and as the disputed domain names include the Complainant's trademark in its entirety, it is highly likely that the Respondent was aware of the Complainant's trademark and targeted them at the time of registration of the disputed domain names. Further, the disputed domain names were registered on the same date as the date of filing the Complainant's trademark applications for the mark SODEXOWRX. This also suggests that the Respondent was aware of and intentionally targeted the Complainant's nascent trademark rights in SODEXO and SODEXOWRX. Thus, the Panel considers that the Respondent deliberately chose the disputed domain names and registered them in bad faith.

Secondly, the disputed domain names resolve to inactive websites. Prior UDRP panels have found that passive holding does not prevent a finding of bad faith if the totality of circumstances supports an inference of bad faith. ([WIPO Overview 3.0](#), section 3.3) In the circumstances of this case, the Panel considers that the the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

Finally, the Respondent has been involved in prior UDRP cases having been ordered the transfer of domain names he registered, which were reproducing similar trademarks of Complainants. In these cases, the Panel notes that the Respondent has registered the disputed domain names on the same day or the day after the Complainant applied for their new trademarks.

Having reviewed the available record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

Therefore, the Panel concludes that the Complainant has satisfied 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 <sodexo-wrx.com> and <sodexowrx.com> be transferred to the Complainant.

/Moonchul Chang /

Moonchul Chang

Sole Panelist

Date: October 29, 2025