

ADMINISTRATIVE PANEL DECISION

Association des Centres Distributeurs E. Leclerc - A.C.D. Lec v. w w
Case No. D2025-5037

1. The Parties

The Complainant is Association des Centres Distributeurs E. Leclerc - A.C.D. Lec, France, represented by MIIP MADE IN IP, France.

The Respondent is w w, China.

2. The Domain Names and Registrar

The disputed domain names <eleclerc.shop>, <eleclercs.shop>, <eleclercs.store>, and <eleclercs.top> are registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 4, 2025. On December 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On December 5, 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 (Registration Private, Domains by Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 8, 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 December 10, 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 December 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 31, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 2, 2026.

The Center appointed Mauricio Jalife Daher as the sole panelist in this matter on January 12, 2026. 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 French company operating a chain of supermarkets and hypermarkets under the E LECLERC mark. E LECLERC, derives from the name of the founder of the company, Mr. Edouard Leclerc. The Complainant has about 750 E LECLERC stores in France, located all over the country. The Complainant's chain of stores and the E LECLERC trademarks are known in France and also, in several other European countries.

The Complainant is the owner, among several others, of the following trademarks registrations:

- E LECLERC (word mark), European Union Trademark Registration No. 002700664, filed on May 17, 2002 and registered on January 31, 2005, covering goods and services from Class 1 to Class 45; and
- E.LECLERC (figurative mark), European Union Trademark Registration No. 011440807, filed on December 5, 2012 and registered on May 27, 2013, covering goods and services from Class 1 to Class 45.

The disputed domain names were registered in 2025:

- September 2, 2025 for <eleclercs.top>;
- September 8, 2025 for <eleclercs.shop> and <eleclercs.shop>; and
- October 28, 2025 for <eleclercs.store>.

The disputed domain names were previously all pointing to the virtually identical e-commerce websites purportedly selling phone accessories and clothing. There was no information regarding the websites' operator. At the time of filing of the Complaint, the disputed domain names <eleclercs.shop> and <eleclercs.top> no longer resolved to any active websites.

The Complainant sent a letter to the registrar and the hosting provider of the websites by email and via online forms dated of October 27, 2025, seeking the deactivation of the disputed domain names, requesting an email address to reach the registrant of the disputed domain names or transferring the Complainant's letter to the registrant of the disputed domain names. Several reminders were sent by the Complainant between November 3, 2025 and November 28, 2025. Currently, the disputed domain names point to inactive pages.

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 the disputed domain names registered by the Respondent shall be considered as identical to the Complainant's trademark E LECLERC, due to the following considerations: they reproduce the trademark E LECLERC in its entirety; the addition of the letters "s" and "c" at the end of the radical of the disputed domain names, does not lessen the inevitable confusion between the disputed domain names and the Complainant's E LECLERC trademark since these letters can be seen as a typing error and are likely to constitute intentional typosquatting; the elements ".store", ".shop" and ".top" are not integrated directly into the disputed domain names but only constitutes their extension, therefore, should be disregarded in analyzing the risk of confusion.

The Complainant further contends that the Respondent lacks rights or legitimate interests in the disputed domain names for the below-mentioned reasons:

(i) The content of the Whois database does not indicate that:

- the name of the Respondent is composed of the term "E Leclerc" or that the Respondent is commonly known under the name "E Leclerc";
- the disputed domain names are linked to an official registered company named "E Leclerc"; and
- the Respondent does not have rights, including trademark rights, in the name "E Leclerc".

(ii) The Respondent has not been authorized by the Complainant to use the mark E LECLERC.

(iii) The disputed domain names are neither used in connection with a bona fide offering of goods or/and services nor constitute a legitimate noncommercial fair use. Indeed, at the time of their detection, the disputed domain names were all pointing to the same e-commerce fake website selling phone accessories and men clothing and no mention was made of the site's publisher.

(iv) The Respondent registered the disputed domain names under anonymity which is commonly considered as a lack of rights or legitimate interests by previous panels.

Lastly, the Complainant maintains that the disputed domain names were registered and are being used in bad faith for the below-mentioned reasons:

(i) The E LECLERC mark is distinctive and well known. The reputation of the Complainant's trademark E LECLERC has been recognized in numerous decisions issued by UDRP panels.

(ii) It is impossible that the Respondent was not aware of the activities of the Complainant and of the existence of its trademarks E LECLERC at the time the registration of the disputed domain names was made.

(iii) E LECLERC has no meaning in French nor English and is not a dictionary or common word. There is no reasonable explanation for choosing this name. The Complainant's mark derives from the name of its founder, therefore, E LECLERC is immediately and exclusively associated with the Complainant.

(iv) The disputed domain names were initially pointing to the same e-commerce fake site for phone accessories and men clothing (while the Complainant also offers clothing for sale in dedicated corners), and no mention was made of the site's publisher.

(v) Because of the strong public awareness of the Complainant's trademark, any attempt to actively use the disputed domain names would inevitably lead to a likelihood of confusion at the source, sponsorship, affiliation, or endorsement of the Respondent' websites among Internet users who would be led to believe that such websites would be owned by, controlled by, established by or in some way associated with the Complainant.

(vi) The Respondent used a privacy service in registering the disputed domain names to avoid being detected and to make it difficult for the Complainant to protect its trademarks.

B. Respondent

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

6. Discussion and Findings

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 names. 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 Panel finds the mark is recognizable 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 trademark E LECLERC is reproduced in the disputed domain names and the addition of the letters "s" or "c" at the end does not prevent a finding of confusing similarity between the disputed domain names and the trademark E LECLERC since these letters can be seen as a typing error and are likely to constitute intentional typosquatting and the Complainant's mark is recognizable in the disputed domain names. [WIPO Overview 3.0](#), section 1.9.

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 with 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 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 notes that, accordingly to the information provided by the Registrar the name of the Respondent is "w w"; therefore, there is no evidence showing that the Respondent is commonly known under the name "E Leclerc" and the websites at the disputed domain names did not include information regarding the identity of the provider. In addition, the websites at the disputed domain names previously offered similar products which were also offered for sale in the Complainant's stores. Considering the circumstances of this case, the Panel finds that the disputed domain names have not been used in the form of a *bona fide* offering of goods.

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

C. Registered and Used in Bad Faith

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

The following circumstances are relevant in assessing the bad faith registration and use of the disputed domain names that infringe upon the Complainant's rights: (i) the Respondent has taken steps to conceal its identity by using privacy protection services in registering the disputed domain names; (ii) the Respondent did not file a response to the Complaint, and there is no evidence nor allegation that the Respondent makes a good faith use of the disputed domain names; (iii) the Respondent registered the disputed domain names in 2025, 20 years after the Complainant had registered its trademark E LECLERC in the European Union in 2005; (iv) the term E LECLERC derives from the name of the Complainant's founder and E LECLERC is a well-known trademark in France; thus it can be concluded that the Respondent having no relationship with the Complainant and the E LECLERC trademark chose the disputed domain names, with the intention of invoking a misleading association with the Complainant and its trademark; and (v) the disputed domain names previously resolved to the virtually identical websites purportedly offering for sale phone accessories and clothing, some of the products which are similar to those also offered in the Complainant's stores. Further, the websites did not include information regarding the identity of the provider.

Although the disputed domain names are no longer inactive, considering the circumstances of the case, the Panel finds that the current non-use of the disputed domain name does not change the Panel's finding of the Respondent's bad faith in registering and using the disputed domain names.

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

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 <eleclerc.cc.shop>, <eleclercs.shop>, <eleclercs.store>, and <eleclercs.top> be transferred to the Complainant.

*/Mauricio Jalife Dahir/
Mauricio Jalife Dahir
Sole Panelist
Date: January 26, 2026.*