ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Association des Centres Distributeurs E. Leclerc – A.C.D. Lec v. Harmandeepak Singh Sodhi, Harmandeepak Singh Sodhi
Case No. D2026-0979

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 Harmandeepak Singh Sodhi, Harmandeepak Singh Sodhi, India.

2. The Domain Name and Registrar

The disputed domain name <e-leclercandorra.org> is registered with Bluehost Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 6, 2026. On March 6, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 6, 2026, 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 ("Unknown") and contact information in the Complaint. The Center sent an email communication to the Complainant on March 9, 2026, 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 March 11, 2026.

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 March 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 2, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 3, 2026.

The Center appointed Nesrine Roudane as the sole panelist in this matter on April 9, 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 association, Association des Centres Distributeurs E. Leclerc – A.C.D. Lec, active in the field of large-scale retail distribution through supermarkets and hypermarkets under the "E.Leclerc" brand. The record shows that the Complainant operates approximately 750 stores in France and around 100 in several other European countries where the Complainant runs its business. As of July 2024, the Complainant held over 24% of the grocery market share in France, reported a turnover of EUR 60 billion in 2023, and employs around 140,000 people.

The Complainant has shown that it owns numerous trademark registrations for E LECLERC and E.LECLERC, including, inter alia:

- European Union Trademark registration No. 002700664 for the word mark E LECLERC, filed on May 17, 2002 and registered on January 31, 2005, in classes 1 to 45; and
- European Union Trademark registration No. 011440807 for the figurative mark E.LECLERC, filed on December 5, 2012, and registered on May 27, 2013, in classes 1 to 45.

The record further reflects that the Complainant owns a portfolio of trademarks and domain names incorporating the E LECLERC mark. The Complaint also indicates that the Complainant operates stores in Andorra, including through a dedicated online presence at "www.e-leclercandorra.com".

The disputed domain name <e-leclercandorra.org> was created on November 10, 2025.

According to the registrar-disclosed information, the Respondent is Harmandeepak Singh Sodhi, Harmandeepak Singh Sodhi, India.

As to use of the disputed domain name, the record shows that on February 4, 2026, the disputed domain name resolved to a webpage displaying a "403 Forbidden" error. The record further shows that on March 6, 2026, the disputed domain name did not resolve to any active website and instead returned a browser message stating that the site could not be found.

The record also contains evidence that Mail Exchange ("MX") servers had been configured for the disputed domain name. In correspondence sent on February 13, 2026, to the Registrar and hosting provider, the Complainant asserted that such MX configuration could facilitate email-based impersonation or other abusive use, including impersonation of the Complainant and the collection of personal or financial information. The record further indicates that Registrar's abuse department forwarded the Complaint to Bluehost India as the current host.

The Complainant states that it has not authorized the Respondent to register or use the disputed domain name, and there is no evidence in the record that the Respondent is affiliated with the Complainant or commonly known by the disputed domain name.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the three elements required under paragraph 4(a) of the Policy and requests the transfer of the disputed domain name to the Complainant.

First, the Complainant submits that the disputed domain name is confusingly similar to its E LECLERC trademarks because it reproduces the trademark E LECLERC in its entirety, with the mere addition of the geographic term “andorra”. According to the Complainant, this addition does not prevent a finding of confusing similarity. On the contrary, the Complainant argues that the reference to “Andorra” increases the risk of confusion because it corresponds to one of the countries where the Complainant operates stores, including through its Andorran online presence. The Complainant further submits that the generic Top-Level Domain (“gTLD”) “.org” should be disregarded for the purposes of the first element analysis.

Second, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. In this regard, the Complainant states that it has not licensed, authorized, or otherwise permitted the Respondent to use the E LECLERC mark or to register a domain name incorporating that mark. The Complainant further asserts that the Respondent is not commonly known by the disputed domain name and has not made any bona fide offering of goods or services or any legitimate noncommercial or fair use of the disputed domain name. The Complainant also relies on the absence of any active legitimate website and on the configuration of MX servers, which it says creates a risk of email-based impersonation or other abusive use.

Third, the Complainant argues that the disputed domain name was registered and is being used in bad faith. The Complainant emphasizes the reputation and well-known character of its E LECLERC trademarks, which have been recognized in prior UDRP decisions. It submits that the Respondent could not reasonably have ignored the Complainant’s rights when registering the disputed domain name that combines the Complainant’s mark with the geographic term “andorra”, corresponding to a territory in which the Complainant is active. The Complainant further points to the fact that the disputed domain name was used only in connection with an error page or became inactive, while MX servers remained configured, which, according to the Complainant, supports an inference of bad faith, including a risk of impersonation or other abusive email-related use. The Complainant also notes that it contacted the Registrar and hosting provider before filing the Complaint, but the disputed domain name was not transferred or cancelled.

B. Respondent

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

6. Discussion and Findings

The Panel has reviewed the record, including the Complaint, the amended Complaint, and the annexes submitted by the Complainant, as well as the applicable provisions of the Policy, the Rules, and the Supplemental Rules.

Under paragraph 4(a) of the Policy, the Complainant must establish, on the balance of probabilities, each of the following:

(i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
(ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
(iii) that the disputed domain name has been registered and is being used in bad faith.

The Respondent did not submit a Response. Pursuant to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent’s default as it considers appropriate. The Complainant, however, must still establish each of the three elements required under paragraph 4(a) of the Policy.

A. Language of the Proceeding

The language of the Registration Agreement is English. Accordingly, pursuant to paragraph 11 of the Rules, the language of the proceeding is English.

The Panel addresses each of the three elements of paragraph 4(a) of the Policy in turn.

B. 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 Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainant has shown rights in respect of a trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The disputed domain name <e-leclercandorra.org> incorporates the Complainant's E LECLERC trademark in its entirety. The addition of the hyphen between the elements "e" and "leclerc" and the geographic term "andorra" does not prevent a finding of confusing similarity.

The applicable gTLD ".org" is generally disregarded for the purposes of the first element confusing similarity test. WIPO Overview 3.1, section 1.11.1.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

The Panel finds that the first element of the Policy has been established.

C. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a non-exhaustive list of circumstances in which a 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 that a respondent lacks rights or legitimate interests 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 disputed domain name, although the burden of proof always remains on the complainant. WIPO Overview 3.1, section 2.1.

Having reviewed the available record, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

In particular, the record contains no evidence that the Complainant has licensed, authorized, or otherwise permitted the Respondent to use the E LECLERC trademark or to register the disputed domain name. There is also no evidence that the Respondent has been commonly known by the disputed domain name or by any corresponding name.

Further, the record does not show any use of the disputed domain name in connection with a bona fide offering of goods or services. Rather, the disputed domain name appears to have resolved either to a "403 Forbidden" page or a browser error page indicating that the site could not be found. The Panel also notes the evidence that MX servers were configured for the disputed domain name. On the present record, such circumstances do not support any finding of rights or legitimate interests on the part of the Respondent.

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.

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

D. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy sets out a non-exhaustive list of circumstances which, 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 finds that the record supports a finding that the Respondent registered the disputed domain name with knowledge of the Complainant and its trademark rights. The Complainant's E LECLERC trademark registrations significantly predate the registration of the disputed domain name. The disputed domain name reproduces the Complainant's mark in its entirety and combines it with the geographic term "andorra", which corresponds to a territory in which the Complainant operates. In these circumstances, the Panel finds it highly unlikely that the disputed domain name was registered by mere coincidence.

The Panel also considers relevant the distinctiveness and reputation of the Complainant's E LECLERC mark, as reflected in the record, including prior UDRP decisions submitted by the Complainant. In the absence of any Response or plausible explanation from the Respondent, the composition of the disputed domain name points to targeting of the Complainant and its mark.

As to use in bad faith, the Panel notes that the disputed domain name did not resolve to any active legitimate website and instead returned either a "403 Forbidden" page or a browser error page indicating that the site could not be found. However, panels have consistently found that the non-use of a domain name does not prevent a finding of bad faith under the doctrine of passive holding. Rather, panels look at the totality of the circumstances in each case. WIPO Overview 3.1, section 3.3.

Having reviewed the available record, the Panel notes in particular the distinctiveness and reputation of the Complainant's mark, the composition of the disputed domain name, the Respondent's failure to submit any Response or to provide any evidence of actual or contemplated good-faith use, and the fact that MX servers were configured for the disputed domain name. In the circumstances of this case, the Panel finds that the passive holding of the disputed domain name does not prevent a finding of bad faith.

The Panel further considers that the configuration of MX servers, in the absence of any credible legitimate use, reinforces the risk that the disputed domain name could be used for impersonation or other fraudulent email-related purposes. While the record does not establish that such fraudulent use actually occurred, panels have recognized that such circumstances may support an inference of bad faith where a domain name is inherently misleading and targets a complainant's mark.

Taking all of the circumstances into account, the Panel finds that the disputed domain name was registered and is being used in bad faith.

Accordingly, the Panel finds that 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 name <e-leclercandorra.org> be transferred to the Complainant.

/Nesrine Roudane/
Nesrine Roudane
Sole Panelist
Date: April 23, 2026