

ADMINISTRATIVE PANEL DECISION

Association des Centres Distributeurs E. Leclerc - A.C.D. Lec v. Wilson
Laurent, willerc@goemail.fr
Case No. D2026-1097

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 Wilson Laurent, willerc@goemail.fr, United States of America.

2. The Domain Name and Registrar

The disputed domain name <e-leclerc-eu.org> is registered with Tucows Domains Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 13, 2026. On March 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 16, 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 (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 18, 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 19, 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 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 9, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 10, 2026.

The Center appointed Roger Staub as the sole panelist in this matter on April 21, 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 called “Association des Centres Distributeurs E. Leclerc – A.C.D. Lec”. The Complainant submits that it runs under the brand E LECLERC, one of the most renowned chain of supermarkets and hypermarkets stores in France. The Complainant has about 750 stores in France, located all over the country. It runs E LECLERC supermarkets in a number of other countries, namely in Spain, Portugal, Poland, Slovenia, Andorra, and the Benelux countries.

The Complainant owns, inter alia, the European Union Trade Mark Registration No. 002700664 for E LECLERC, registered on January 31, 2005, in Classes 1-45.

The Complainant further submits that it owns and uses the domain names <e.leclerc> and <mouvement.leclerc>.

The disputed domain name was registered on January 13, 2026.

At the time of filing the Complaint, the disputed domain name resolved to a holding page indicating “A new website is in the works!”.

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 name.

Notably, the Complainant submits the following:

First, the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights. The disputed domain name identically reproduces the Complainant’s trademark E LECLERC. The addition of the letters “eu” does not lessen the inevitable confusion between the disputed domain name and the Complainant’s E LECLERC trademarks since these are the official geographical abbreviation for “European Union” where the Complainant has rights and is active. The element “.org” is not integrated directly into the disputed domain name but only constitutes its extension.

Second, the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has no link of any nature with the Complainant. The name of the Respondent is not composed of the terms “E LECLERC”, and the Respondent is not commonly known under the name “E LECLERC”. The Complainant has not authorized, licensed, or permitted the Respondent to use any of its trademarks or to apply for or use any domain names incorporating them. The disputed domain name resolved to a holding page indicating “A new website is in the works!”. Moreover, mail exchange (“MX”) servers are set up to operate with the disputed domain name. This creates a risk that the Respondent may be engaged in a phishing scheme. This use cannot be considered as a bona fide offering of goods or services or a legitimate non-commercial fair use. Finally, the Respondent registered the disputed domain name under anonymity which is commonly considered as a lack of rights or legitimate interests.

Third, the disputed domain name was registered and is being used in bad faith. The Complainant's trademark E LECLERC is well-known and enjoys a great reputation in France. More than 70 years ago, the Complainant's first shop was opened. The supermarkets/hypermarkets "E LECLERC" also enjoy a reputation in several other European countries where the Complainant runs its business, such as Poland, Spain, Portugal, Benelux, Slovenia and Andorra. There are more than 750 E LECLERC stores in France and around 100 in the other European countries where the Complainant runs its business. The Complainant had a market share of 24% of the grocery market in July 2024. Therefore, it is impossible that the Respondent was unaware of the activities of the Complainant and of the existence of its trademark E LECLERC at the time the disputed domain name was registered. The Respondent's concealment of his/her identity is also indicative of bad faith. The existence of MX servers leads to believe that the Respondent could use the MX servers for phishing purposes by sending fraudulent emails. The disputed domain name disrupts the Complainant's business and causes harm to the Complainant's brand image.

B. Respondent

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

6. Discussion and Findings

According to the Policy, to qualify for a transfer, the Complainant must prove each of the following:

First, the disputed domain name is identical or confusingly similar to a trademark or service mark to which the Complainant has rights.

Second, the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Third, the disputed domain name has been registered and is being used in bad faith.

Since the Respondent did not submit a response, the Panel may choose to accept the reasonable contentions of the Complainant as true. This Panel will determine whether those facts constitute a violation of the Policy that is sufficient to order the transfer of the disputed domain names (see *Joseph Phelps Vineyards LLC v. NOLDC, Inc., Alternative Identity, Inc., and Kentech*, WIPO Case No. [D2006-0292](#)).

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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms (here, the geographical abbreviation "eu") may bear on the assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 that 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 3.1](#), 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 name. 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.

The composition of the disputed domain name, which fully incorporates the Complainant’s distinctive trademark and the geographic term “eu”, carries a risk of implied affiliation with the Complainant and thus, such composition cannot confer rights or legitimate interests on the Respondent since it effectively impersonates or suggests sponsorship on the part of the Complainant. [WIPO Overview 3.1](#), section 2.5.1.

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.

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 3.1](#), section 3.2.1.

Considering the fact that the Complainant’s trademark and domain name predate the disputed domain name by more than 20 years, and that the disputed domain name is confusingly similar to the Complainant’s distinctive and reputed mark, the Panel finds that the Respondent knew or should have known of the Complainant and registered the disputed domain name in bad faith.

Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes (i) the distinctiveness and reputation of the Complainant’s trademark, (ii) the composition of the disputed domain name, (iii) the disputed domain name having been set up with MX records, and (iv) the failure of the Respondent to submit a response and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy. Therefore, the disputed domain name was registered and is being used in bad faith.

The Panel finds that the Complainant has 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 name <e-leclerc-eu.org> be transferred to the Complainant.

/Roger Staub/

Roger Staub

Sole Panelist

Date: May 5, 2026