ADMINISTRATIVE PANEL DECISION

Carrefour SA v. Host Master, Njalla Okta LLC
Case No. D2026-1122

1. The Parties

The Complainant is Carrefour SA, France, represented by IP Twins, France.

The Respondent is Host Master, Njalla Okta LLC, Saint Kitts and Nevis.

2. The Domain Name and Registrar

The disputed domain name <firsatim-carrefoursa.com> 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 16, 2026. On March 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 17, 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 19, 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 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 17, 2026.

The Center appointed Kiyoshi Tsuru as the sole panelist in this matter on April 29, 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 retail company founded in 1968. It is listed on the CAC 40 index of the Paris Stock Exchange and operates in more than 14,000 stores across over 40 countries. In addition to retail activities, the company also provides services including travel, banking, insurance, and ticketing.

The Complainant owns numerous trademark registrations for the mark CARREFOUR, including international registrations ("IR") and European Union ("EU") registrations, as well as other trademarks comprising the term CARREFOUR:

Territory	Reg. No.	Trademark	Registration Date	Class(es)
IR	351147	CARREFOUR	October 2, 1968	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34;
IR	353849	CARREFOUR	February 28, 1969	35, 36, 37, 38, 39, 40, 41, and 42;
EU	5178371	CARREFOUR	August 30, 2007	9, 35, 38

The Complainant also owns domain names incorporating its mark, including <carrefour.com> (registered in 1995) and <carrefour.fr> (registered in 2005).

The disputed domain name <firsatim-carrefoursa.com> was registered on March 14, 2026.

As of March 16, 2026, the disputed domain name had been used to host a rogue website reproducing the Complainant's marks and presenting itself as associated with the Complainant.

At the time of rendering this Decision, the disputed domain name resolves to an error page and is inactive.

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 contends the following:

I. Identical or confusing similarity

That the Complainant owns rights for the trademark CARREFOUR, including longstanding international and EU registrations dating back to 1968 and 1969, all predating the registration of the disputed domain name. That it also owns numerous domain names incorporating its mark, such as <carrefour.com> (registered in 1995) and <carrefour.fr> (registered in 2005).

That the CARREFOUR mark is distinctive and well known worldwide, as consistently recognized in numerous prior UDRP decisions. That its reputation is further evidenced by significant online presence, including millions of followers on social media.

That the disputed domain name is confusingly similar to the Complainant's trademarks as it wholly incorporates the distinctive CARREFOUR mark, which remains clearly recognizable.

That the additional elements do not prevent a finding of confusing similarity: "firsatim" appears to derive from a Turkish term meaning "my opportunity" (which may increase the likelihood of confusion); that the letters "sa" may misleadingly suggest a connection with CarrefourSA, the Complainant's Turkish affiliate, and that the hyphen and ".com" generic Top-Level Domain ("gTLD") are legally insignificant.

That, in light of the above, the disputed domain name is confusingly similar to its well-known CARREFOUR trademarks and that the first element of the UDRP Policy is satisfied.

II. Rights or legitimate interests

That the Respondent has no rights or legitimate interests in the disputed domain name. That the Respondent holds no trademark rights in the terms "CARREFOUR" or "CARREFOURSA", is not commonly known by the disputed domain name and has not been authorized in any manner to use the Complainant's trademarks.

That given the composition of the disputed domain name, which suggests an affiliation with the Complainant and its Turkish entity CarrefourSA, which carries a high risk of implied association, said disputed domain name cannot be considered legitimate. That in light of the Complainant's well-known trademarks and their prior use, the burden shifts to the Respondent, who has failed to demonstrate any rights or legitimate interests.

That the Respondent has not made any bona fide use of the disputed domain name. That notwithstanding the fact that, at the time of filing its Complaint, the disputed domain name was inactive, the Complainant has found and filed evidence showing that the disputed domain name resolved to a website reproducing the Complainant's marks with the apparent aim of misleading Internet users. That such impersonation and unauthorized use cannot constitute a legitimate offering of goods or services, or fair use.

III. Registered and used in bad faith

That the Respondent was clearly aware of the Complainant's well-known trademarks when registering the disputed domain name, as demonstrated by the evidence showing that the disputed domain name resolved to a website reproducing the Complainant's trademark CARREFOUR, to impersonate the Complainant and mislead Internet users.

That the choice of the disputed domain name, which incorporates the Complainant's distinctive mark, could not have been accidental and must have been motivated by the Complainant's reputation.

That, under established UDRP precedent, the registration of a domain name confusingly similar to a well-known trademark by an unaffiliated party gives rise to a presumption of bad faith. That, accordingly, the Respondent knew or should have known that its registration and use of the domain name would infringe the Complainant's rights.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy sets out the three requirements that the complainants must prove in order to successfully request remedies:

(i) that the disputed domain name is identical or confusingly similar to a trademark or service mark to which the complainant has rights;

(ii) that the respondent has no rights or legitimate interests in connection with the disputed domain name; and

(iii) that the disputed domain name has been registered and is being used in bad faith.

Given the Respondent’s default and therefore, failure to specifically address the case merits as they relate to the three UDRP elements, the Panel may decide this proceeding based on the Complainant’s undisputed factual allegations under paragraphs 5(f), 14(a), and 15(a) of the Rules (see *Groupe Auchan v. Roberto La Palombara*, WIPO Case No. D2014-0660; see also WIPO Overview of WIPO Panel Views on Select UDRP Questions (“WIPO Overview 3.1”), section 4.3).

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 3.1, section 1.7.

The Complainant has demonstrated rights in the CARREFOUR trademark through its registrations, including those identified in section 4 above.

The Panel further determines that the disputed domain name <firsatim-carrefoursa.com> incorporates the CARREFOUR trademark in its entirety. The addition of the term “firsatim,” the letters “sa,” and the use of a hyphen do not prevent the trademark from remaining clearly recognizable within the disputed domain name. See WIPO Overview, sections 1.7 and 1.8, and *LEGO Juris A/S v. Domain Administrator,* WIPO Case No. D2013-0091.

In accordance with established UDRP principles, the gTLD “.com” is disregarded in the assessment of confusing similarity. See *Rollerblade, Inc. v. Chris McCrady*, WIPO Case No. D2000-0429.

Accordingly, the Panel concludes that the disputed domain name is confusingly similar to the Complainant’s trademark and that the Complainant has satisfied the first element under paragraph 4(a)(i) of the Policy.

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.

In particular, the Complainant has not authorized the Respondent to use its CARREFOUR trademark, and there is no evidence that the Respondent is commonly known by the disputed domain name.

The Panel further notes that the composition of the disputed domain name, incorporating the Complainant's mark with additional terms, does not suggest any plausible good-faith use.

Panels have consistently found that the impersonation of a complainant, including using a domain name that suggests a false association or affiliation with, or endorsement by a Complainant, does not constitute a bona fide offering of goods or services nor a legitimate noncommercial or fair use. In this regard, panels have emphasized that a domain name which carries a risk of implied affiliation with the complainant cannot constitute fair use, particularly where it effectively impersonates or misleads Internet users as to the source or sponsorship of the website. In the present case, the Complainant has submitted evidence showing that the disputed domain name resolved to a website that reproduced the Complainant's trademark CARREFOUR, which conduct constitutes impersonation under the Policy (see WIPO Overview 3.1, section 2.5.1; see also *Fulham Football Club (1987) Limited, Tottenham Hostpur Public Limited, West Ham United Football Club PLC, Manchester United Limited, The Liverpool Football Club And Athletic Grounds Limited v. Domains by Proxy, Inc./ Official Tickets Ltd,* WIPO Case No. D2009-0331*;* and *Carrefour SA v. Eleganzia Express, Sell Better Negocios Digitais LTDA,* WIPO Case No. D2023-4919).

The Panel concludes that the Complainant has satisfied the second element of paragraph 4(a)(ii) of the Policy.

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 Panel agrees with panels previously appointed under the Policy in that the Complainant's CARREFOUR mark is well known and highly distinctive worldwide (see *Carrefour SA v. jean noel ballart,* WIPO Case No. D2023-2225; *Carrefour SA v. Sui Yuan, Bao Bao Liu*, WIPO Case No. D2023-3003; and *Carrefour SA v. hanib bas*, WIPO Case. D2020-1798). Given this widespread recognition, the Panel considers it implausible that the Respondent was unaware of the Complainant's rights at the time of registering the disputed domain name. Such prior knowledge supports a finding that the disputed domain name was registered in bad faith, as previously panels commonly infer bad faith where a respondent targets the owner of a well-known mark. The disputed domain name has been used to impersonate the Complainant. Previously appointed panels have consistently held that such conduct supports a finding of bad faith, particularly where the disputed domain name carries a risk of implied affiliation and is used to mislead Internet users, as has happened in this case, where the disputed domain name resolved to a website that reproduced the Complainant's trademark CARREFOUR (see WIPO Overview 3.1, sections 3.1.4 and 3.4; see also *Fulham Football Club (1987) Limited et al. v. Domains by Proxy, Inc./ Official Tickets Ltd*, WIPO Case No. D2009-0331; and *Digital Division Limited v. Yaroslav Kariakin, meble TOV*, WIPO Case No. D2026-0672).

The Respondent has intentionally attempted to attract, for commercial gain, Internet users to the disputed domain name by creating a likelihood of confusion with the Complainant's mark. By diverting traffic intended for the Complainant to the website to which the disputed domain name resolved, the Respondent engaged in conduct that falls within paragraph 4(b)(iv) of the Policy. Panels have consistently found that such deceptive diversion constitutes evidence of bad faith registration and use (see WIPO Overview 3.1, section 3.1). Although the disputed domain name is currently inactive, the evidence on record shows that it was previously used to impersonate the Complainant and mislead Internet users.

The current passive holding of the disputed domain name does not preclude a finding of bad faith (*Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. D2000-0003; WIPO Overview 3.1, section 3.3)

In light of the above, this Panel concludes that the disputed domain name was registered and is being used in bad faith, and that the requirement of paragraph 4(a)(iii) of the Policy is satisfied.

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 <firsatim-carrefoursa.com> be transferred to the Complainant.

/Kiyoshi Tsuru/
Kiyoshi Tsuru
Sole Panelist
Date: May 13, 2026