ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Grand Frais Gestion v. eka, auto domains ltd
Case No. D2026-1291

1. The Parties

The Complainant is Grand Frais Gestion, France, represented by FIDAL, France.

The Respondent is eka, auto domains ltd, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <contact-grandfrais.com> is registered with OwnRegistrar, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 25, 2026. On March 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 27, 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 (WhoisSecure / No information provided) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 27, 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 amendment to the Complaint on March 31, 2026.

The Center verified that the Complaint together with the amendment to the 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 April 1, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 21, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 22, 2026.

The Center appointed Luca Barbero as the sole panelist in this matter on April 27, 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 distribution company with nearly 300 stores in France and Belgium, specializing in fresh products since 1992.

The Complainant is the owner of several trademark registrations for GRAND FRAIS, including the following:

- International trademark registration No. 1179197 for GRAND FRAIS (word mark), registered on September 4, 2013, in International Classes 29, 30, 31, 32, and 33;

- European Union Trade Mark registration No. 012109047 for GRAND FRAIS (word mark), filed on September 3, 2013, and registered on January 27, 2014, in classes 29, 30, 31, 32, and 33.

The Complainant promotes its products and services under the trademark GRAND FRAIS on its website "www.grandfrais.com", based on the domain name <grandfrais.com>, registered on May 23, 2000.

The disputed domain name <contact-grandfrais.com> was registered on November 13, 2025, and does not resolve to an active website.

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 that the disputed domain name is confusingly similar to the trademark GRAND FRAIS in which the Complainant has rights as it reproduces the trademark in its entirety with the mere addition of the generic term "contact" and the generic Top-Level Domain ("gTLD") ".com".

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name since: i) the Respondent has no business or legal relationship with the Complainant; ii) the Respondent has never been authorized, licensed, permitted or otherwise consented by the Complainant, to use its trademark GRAND FRAIS in any way; iii) the Respondent is not commonly known by the disputed domain name; iv) the Respondent is not actively using the disputed domain name in connection with any bona fide business venture, and it could not have been, as doing so would infringe upon the Complainant's intellectual property rights.

The Complainant submits that the Respondent registered and is using the disputed domain name in bad faith since: i) the Complainant's rights in the GRAND FRAIS mark long predate the Respondent's registration of the disputed domain name; ii) the Respondent registered the disputed domain name to deliberately pass off as the Complainant purportedly for potential scam purposes; iii) given the Complainant's reputation, the Respondent must have known about the Complainant at the time of registering the disputed domain name; and iv) the disputed domain name is not pointing to an active website but in light of its composition "it is impossible to conceive of any use of the [d]isputed [d]omain [n]ame other than illegitimate, fraud and creating confusion with the Complainant's trademarks".

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules: "A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable." Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following:

(i) that the disputed domain name registered by the Respondent 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.

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. Indeed, the Complainant has provided evidence of ownership of valid trademark registrations for GRAND FRAIS.

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 the term "contact", followed by a hyphen, may bear on 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.

In addition, the gTLD ".com" can be disregarded under the first element test, being a standard registration requirement. WIPO Overview 3.1, 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.

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 Panel notes that there is no relation, disclosed to the Panel or otherwise apparent from the record, between the Respondent and the Complainant. The Respondent is not a licensee of the Complainant, nor has the Respondent otherwise obtained an authorization to use the Complainant's trademark.

Moreover, there is no element from which the Panel could infer the Respondent's rights over the disputed domain name, or that the Respondent might be commonly known by the disputed domain name.

In addition, there is no evidence to suggest that the disputed domain name, which does not resolve to an active website, has been used by the Respondent in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's trademark.

The nature of the disputed domain name, incorporating the entirety of the Complainant's trademark, preceded by the generic term "contact", suggests an intention to create an impression of an association with the Complainant rather than a legitimate independent use.

Therefore, the Panel finds the second element of the Policy has also 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.

In the present case, the Panel notes that in light of i) the prior registration and use of the trademark GRAND FRAIS by the Complainant; and ii) the promotion of the Complainant's trademark online via the website "www.grandfrais.com", the Respondent knew or should have known of the Complainant's trademark at the time of registration of the disputed domain name. WIPO Overview 3.1, section 3.2.2.

Moreover, considering the composition of the disputed domain name, which combines the Complainant's trademark with the term "contact", the Panel finds that, on balance of probabilities, the Respondent was aware of the Complainant and its trademark at the time of registering the disputed domain name.
In reaching such conclusion, the Panel considers that the Complainant's trademark GRAND FRAIS consists of two French terms "grand frais" ("large expenses") and does not have any meaning in English, which is the primary language of the United States, where the Respondent is reportedly based.
Therefore, the inclusion of the Complainant's trademark in the disputed domain name suggests that the Respondent was actually aware of the Complainant's trademark and registered the disputed domain name to target the Complainant and its trademark.

The disputed domain name currently does not resolve to an active website. 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 the reputation of the Complainant's trademark in its sector and the composition of the disputed domain name and, considering the Respondent's failure to submit a Response and to provide any evidence of actual or contemplated good-faith use, 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.

Under the circumstances, particularly noting the use of the term "contact" in the disputed domain name, the Panel also finds that the presence of Mail Exchange records in the configuration of the disputed domain name[1], which suggests the possible presence of domain name-based email addresses, supports the conclusion that the Respondent registered and used the disputed domain name in bad faith.

Therefore, the Panel finds that the Complainant has established the third element of the Policy as well.

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 <contact-grandfrais.com> be transferred to the Complainant.

/Luca Barbero/
Luca Barbero
Sole Panelist
Date: May 11, 2026

[1] Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision, in particular to affirm or corroborate a party's contention. WIPO Overview 3.1, section 4.8.