ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

# ADMINISTRATIVE PANEL DECISION
Carrefour SA v. Adams Swartz
Case No. D2026-1692

## 1. The Parties

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

The Respondent is Adams Swartz, United States of America ("United States").

## 2. The Domain Name and Registrar

The disputed domain name <qatar-carrefour.shop> is registered with Dynadot Inc (the "Registrar").

## 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 21, 2026. On April 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 23, 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 April 23, 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 April 24, 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 April 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 18, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 20, 2026.

The Center appointed Eric Macramalla as the sole panelist in this matter on May 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**

A French multinational corporation, the Complainant is a major and well-known worldwide leader in retail. It is one of the world's largest food and grocery retailers, operating hypermarkets, supermarkets, convenience stores, and online e-commerce platforms. The Complainant operates more than 14,000 stores in over 40 countries worldwide with more than 500,000 employees.

With total revenue of over 87.2 billion euros in 2024, the Complainant is listed on the CAC 40 index of the Paris Stock Exchange.

The Complainant also offers travel, banking, insurance, and ticketing services.

The Complainant operates a website located at "www.carrefour.com", which was registered in 1995. In Qatar, the Complainant maintains a commercial presence through its partnership with the United Arab Emirates (the)-based company Majid Al Futtaim. Its services in Qatar are promoted on the website located at "www.carrefourqatar.com".

The Complainant is the owner of hundreds of trademark registrations worldwide comprised of, or containing, CARREFOUR (the "CARREFOUR Trademarks"). A sample of these trademark registrations is set out below:

(a) CARREFOUR, European Union Trademark Registration No. 5178371 filed for use in association with Classes 9, 35 and 38, and issued to registration on August 30, 2007.

(b) CARREFOUR, European Union Trademark Registration No. 19126331 filed for use in association with Classes 9, 35 and 39, and issued to registration on June 13, 2025.

(c) CARREFOUR, United States Trademark Registration No. 6763415 filed for use in association with Class 35 and issued to registration on June 21, 2022.

(d) CARREFOUR, International Registration No. 351147 filed for use in association with Classes1 to 34 and issued to registration on October 2, 1968.

(e) CARREFOUR, International Registration No. 353849 filed for use in association with Classes 35 to 42 and issued to registration on February 28, 1969.

The Complainant has made continuous use of the CARREFOUR Trademarks since at least as early as 1968.

The disputed domain name was registered on April 12, 2026. The disputed domain name resolves to a website promoting online shopping services in association with the CARREFOUR Trademarks, including the word mark and the design mark, along with the Carrefour trade 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 for the transfer of the disputed domain name.

The Complainant has alleged that the disputed domain name is confusingly similar with CARREFOUR Trademarks in which it has rights. The Respondent has incorporated the whole of the CARREFOUR trademark in the disputed domain name. Furthermore, the addition of the geographical term "qatar" to the disputed domain name does not diminish confusion, while the incorporation of the generic Top-Level Domain (gTLD) ".shop" enhances a finding of confusion.

The Respondent has no rights or legitimate interests in the disputed domain name as contemplated by paragraph 4(c) of the Policy. The Complainant has not authorized the Respondent to use CARREFOUR Trademarks and is not otherwise connected to the Respondent. The disputed domain name was registered long after the Complainant established rights in its marks and is being used to operate a website that is designed to mislead end users as to source or sponsorship. The Respondent's activities do not constitute a bona fide offering of goods or services, the Respondent is not commonly known by the disputed domain name, and that the Respondent is not making any legitimate noncommercial or fair use of the domain name. Rather, the Respondent is using the domain name to mislead consumers and divert them for commercial gain.

The disputed domain name was registered and is used in bad faith in light of the following: (i) the Respondent's actual or constructive knowledge of the Complainant's rights, which predate the domain name registration date; (ii) the Respondent's selection of a domain name that is likely to confuse end users as to source or sponsorship; and (iii) the Respondent's impersonation of the Complainant.

**B. Respondent**

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

**6. Discussion and Findings**

As per paragraph 4(a) of the Policy, to succeed a complainant must establish the following:

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

(ii) the respondent has no rights or legitimate interests in respect of the disputed domain name; and

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

These elements are discussed in turn below. In considering these elements, paragraph 15(a) of the Rules provides that the Panel shall decide the Complaint on the basis of statements and documents submitted and in accordance with the Policy, the Rules and any other rules or principles of law that the Panel deems applicable.

**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).

A respondent may not avoid confusion by appropriating another's entire mark in a disputed domain name (WIPO Overview 3.1, section 1.7).

The addition of a top level domain is without legal significance in determining the issue of similarity (WIPO Overview 3.1, section 1.11).

The Complainant has established rights in respect of a trademark for the purposes of the Policy (WIPO Overview 3.1, section 1.2.1). The Complainant has established longstanding rights in the CARREFOUR Trademarks in numerous countries worldwide, and those rights clearly predate the registration date of the disputed domain name.

Furthermore, the Panel finds the mark is recognizable within the disputed domain name. The disputed domain name incorporates the entirety of the CARREFOUR trademark. Under the circumstances, the Respondent cannot avoid a finding of confusion. The addition of a hyphen is inconsequential to the confusion analysis.

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. Accordingly, 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).

Panels have held that the use of a domain name for illegitimate or illegal activities, including the sale of counterfeit goods, copycat sites and passing off cannot confer rights or legitimate interests on a respondent (WIPO Overview 3.1, section 2.13.1).

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 Complainant has not authorized, licensed, or otherwise permitted the Respondent to use the CARREFOUR Trademarks in any manner, including as part of a domain name. There is also no evidence that the Respondent is commonly known by the disputed domain name. There is also no basis to conclude that the Respondent is making legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Panel finds that the Respondent is using the disputed domain name to pass itself off as the Complainant having engaged in the extensive misappropriation of its intellectual property, including its trademark rights. The Respondent is actively seeking to create a false association with the Complainant.

In light of the foregoing, the Respondent's activities demonstrate a clear intention to actively mislead and deceive end users as to source or sponsorship. The Panel finds that such conduct wholly undermines any claim of rights or a bona fide offering of goods or services.

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.

While 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, other circumstances may also 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).

Panels have consistently held that passing off constitutes bad faith (WIPO Overview 3.1, section 3.4).

In the present case, the Respondent has engaged in the wholesale misappropriation of the Complainant's trademark rights with a view to misleading and deceiving potential consumers as to source or sponsorship. The Respondent is using the Complainant's well-known CARREFOUR word mark, the CARREFOUR stylized trademark, a disputed domain name that is confusing with the Complainant's own domain name, the gTLD ".shop" and the Carrefour trade name. Furthermore, the Panel concludes that the Respondent had actual knowledge of the Complainant's trademark rights at the time of registering the disputed domain name.

The Respondent has, for financial gain, gone to significant lengths to create the overall commercial impression that it is authorized by the Complainant, or otherwise connected to it. The Respondent's conduct bears the hallmarks of passing off. The Respondent is also impersonating the Complainant.

Under the circumstances, the Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website or location or of a product or service on its website or location (paragraph 4(b)(iv) of the Policy). The Panel also concludes that the Respondent's activities rise to the level of passing off. The foregoing constitutes evidence of the registration and use of the disputed domain name in bad faith.

The Panel therefore 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 <qatar-carrefour.shop> be transferred to the Complainant.

*/Eric Macramalla/*
**Eric Macramalla**
Sole Panelist
Date: June 12, 2026