

ADMINISTRATIVE PANEL DECISION

Sodexo v. Richard Herring
Case No. D2026-2035

1. The Parties

The Complainant is Sodexo, France, represented by Areopage, France.

The Respondent is Richard Herring, United States of America (“United States”).

2. The Domain Name and Registrar

The disputed domain name <scdexo.org> is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 12, 2026. On May 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 12, 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 May 13, 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 May 18, 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 May 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 9, 2026.

The Center appointed Manuel Wegrostek as the sole panelist in this matter on June 16, 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

Founded in 1966, the Complainant is a global leader in the fields of food services and facilities management, with more than 426.000 employees serving daily 80 million consumers in 43 countries. For fiscal year 2025, the consolidated revenues reached 24,1 billion euros. The Complainant is listed as one of “The world’s Most Admired Companies” by the FORTUNE Magazine. From 1966 to 2008, the Complainant promoted its business under the name “SODEXHO”. In 2008, the Complainant simplified the spelling of its name to “SODEXO”.

The Complainant is the owner of several trademarks for SODEXO (the “SODEXO Trademark”), including:

- United Kingdom Trademark Registration SODEXO No. UK00908346462, registered on February 1, 2010;
- International Trademark Registration SODEXO No. 964615, inter alia designated for Japan and United States, registered on January 8, 2008; and
- European Union Trademark Registration SODEXO NO. 008346462, registered on February 1, 2010.

The Complainant is further the owner of several trademarks for SODEXHO (“SODEXHO Trademark”), including:

- International Trademark Registration No. 689106, inter alia designated for Germany and China, registered on January 28, 1998; and
- United Kingdom Trademark Registration No. UK00001297148, registered on October 13, 1989.

The Complainant is also the owner of domain names including the SODEXO Trademark resp. SODEXHO Trademark, in particular the domain name <sodexo.com>, created on October 9, 1998, and the domain name <sodexho.com>, created on October 23, 1995.

The disputed domain name was created on April 19, 2026. At the time of the Decision, the disputed domain name resolved to an inactive webpage. The Complainant provided evidence that, when the (Amended) Complaint was filed, the disputed domain name resolved to a parked webpage, provided by the Registrar, and did not display any content created by the Respondent.

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.

On the first element of the Policy, the Complainant claims that the disputed domain name is confusingly similar to the SODEXO Trademark. The only difference between the sign “SCDEXO” and the SODEXO Trademark is the second letter “O”, which is replaced by the letter “C”. The letter “C” being an open circle, this letter is visually very similar to the letter “O”. Such a difference corresponds to an obvious misspelling of the SODEXO Trademark which can be made by an Internet user and is characteristic of typosquatting practice intended to create confusing similarity.

On the second element of the Policy, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has no rights nor legitimate interests in the disputed domain name as he has no rights on “SODEXO” as corporate name, trade name, shop sign, mark or domain name that would be prior to the Complainant’s rights on the SODEXO Trademark. The Respondent was not commonly known by the disputed domain name prior to the adoption and use by the Complainant of the corporate name, business name and SODEXO Trademark or SODEXHO Trademark. Moreover, the Respondent does not have any affiliation, association, sponsorship or connection with the Complainant and has not been authorized, licensed or otherwise permitted by the Complainant or by any subsidiary or affiliated company to register the concerned domain name and to use it.

On the third element of the Policy, the Complainant asserts that the Respondent has registered and used the disputed domain name in bad faith. The sign “SODEXO” is purely fanciful and nobody could legitimately choose this word or any variation thereof, unless seeking to create an association with the Complainant’s activities and the SODEXO Trademark. Given the well-known character and reputation of the SODEXO Trademark and SODEXHO Trademark, the Respondent obviously knew its existence when he registered the disputed domain name, so that he perfectly knew that he had no rights or legitimate interests in the disputed domain name and that he cannot lawfully use it. The Respondent not only knows the SODEXO Trademark but wants to benefit from its reputation. It is obvious that the Respondent registered the disputed domain name with actual knowledge of the Complainant’s rights in the SODEXO Trademark very likely for the purpose of creating confusion with the Complainant’s mark to divert or mislead third parties for the Respondent’s illegitimate profit. Even if the disputed domain name, which has been recently created, does not appear to point to a website with active content, a passive holding of a domain name does not prevent a finding of bad faith. The unauthorized registration of the disputed domain name by the Respondent and its (seemingly) passive holding, likely in the aim of fraudulent use, are for the purpose of commercial gain and then constitute bad faith registration and use.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules requires that the Panel’s decision be made “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”.

The Complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the Complaint with respect to each disputed domain name, namely that:

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

The disputed domain name contains the SODEXO Trademark with the only difference being the replacement of the second letter “O” with the letter “C”, which is visually very similar as both letters have a circle shape. The Panel finds the mark is recognizable within the disputed domain name. [WIPO Overview 3.1](#), section 1.7. Further, a domain name which consists of a variation of a trademark (typically a common, obvious, or intentional misspelling, referred to as typosquatting) is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. [WIPO Overview 3.1](#), section 1.9.

Accordingly, the disputed domain name is confusingly similar to the mark for the purposes 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 often impossible 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. 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.

The Complainant has not authorized, licensed, or permitted the Respondent to register or use the disputed domain name or to use the SODEXO Trademark respectively SODEXHO Trademark. The Panel finds that there are no indications that the Respondent is commonly known by the disputed domain name or otherwise has any rights to or legitimate interests in the disputed domain name.

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 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.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a well-known trademark, and particularly in the case of coined or fanciful marks, can by itself create a presumption of bad faith. [WIPO Overview 3.1](#), section 3.1.4.

At the time of the Decision, the disputed domain name resolved to an inactive webpage. The Complainant provided evidence that, when the (Amended) Complaint was filed, the disputed domain name resolved to a parked webpage, provided by the Registrar, and did not display any content created by the Respondent. From the inception of the UDRP, panels have found that the non-use of a domain name (including a blank or “coming soon” page) would not prevent a finding of bad faith under the doctrine of passive holding. While panels will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant’s mark, (ii) the failure of the respondent to submit a response or to provide any evidence of

actual or contemplated good-faith use, (iii) the respondent's taking active steps to conceal its identity or (iv) the use of false or inaccurate contact details (noted to be in breach of the respondent's registration agreement). Taking the above factors into consideration, panels assess the overall plausibility of any (claimed) good faith use to which the domain name may be put in light of the composition of the domain name in relation to the relevant mark, such that, the more arbitrary or distinctive a mark the less plausible a claimed non-infringing good faith use is likely to be, and vice versa. [WIPO Overview 3.1](#), section 3.3.

The Complainant contends that the Respondent likely registered the disputed domain name with the intent of using it fraudulently and for the purpose of commercial gain but does not provide clear evidence to support this claim. The Panel has not reached a final conclusion as to whether the Respondent has registered or used the disputed domain name with such intent or for such purpose.

However, having reviewed the available record, the Panel notes the distinctiveness and public presence of the SODEXO Trademark, the composition of the disputed domain name, containing the SODEXO Trademark in its entirety, with the only difference being the replacement of the second letter "O" with the letter "C", which shows the Respondent's intention to target the SODEXO Trademark, the failure of the Respondent to submit a response, the implausibility of any good faith use to which the disputed domain name may be put, 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.

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 <scdexo.org> be transferred to the Complainant.

/Manuel Wegrostek/
Manuel Wegrostek
Sole Panelist
Date: June 25, 2026