

ADMINISTRATIVE PANEL DECISION

Sodexo v. Holden Briscoe, Holden Briscoe
Case No. D2026-2096

1. The Parties

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

The Respondent is Holden Briscoe, Holden Briscoe, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <sosexow.online> is registered with Dominet (HK) Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 15, 2026. On the same day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 18, 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 20, 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 22, 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 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 16, 2026.

The Center appointed Matthew Kennedy as the sole panelist in this matter on June 22, 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, founded in 1966, specializes in food services and facilities management. It has more than 426,000 employees serving 80 million consumers daily in 43 countries, including the United States. The Complainant holds multiple trademark registrations in multiple jurisdictions, including the following:

- International trademark registration number 964615 for a figurative SODEXO mark, registered on January 8, 2008, designating multiple jurisdictions, including the United States, and specifying goods and services in multiple classes; and
- European Union trademark registration number 008346462 for SODEXO, registered on February 1, 2010, specifying goods and services in multiple classes.

The above trademark registrations are current. The Complainant also operates a website in connection with the domain name <sodexo.com> where it provides information about itself and its services.

The Respondent is an individual based in the United States.

The disputed domain name was registered on May 7, 2026. It does not resolve to any active website; rather, it is passively held.

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 its SODEXO mark. Prior UDRP panels have recognized the widespread reputation of the mark.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. 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 disputed domain name or to use it.

The disputed domain name was registered and is being used in bad faith. Given the well-known character and reputation of the SODEXO mark, the Respondent obviously knew of its existence when he registered the domain name. The passive holding of the disputed domain name does not prevent a finding of bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that a complainant must prove each of the following elements with respect to the disputed domain name:

- (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.

The burden of proof of each element is borne by the Complainant. Failure to demonstrate any element will result in denial of the Complaint.

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. See 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 SODEXO trademark for the purposes of the Policy. See [WIPO Overview 3.1](#), section 1.2.1.

The operational element of the disputed domain name is "sosexow", which is visually and phonetically similar to the SODEXO mark. The disputed domain name contains all but one of the characters in the mark, the exception being the "d" that has been replaced by an "s", which is an obvious misspelling as those two letters are adjacent on a QWERTY computer keyboard. The letter "w" has also been added after the mark, which makes no difference to pronunciation. The Panel does not consider that these two differences prevent a finding of confusing similarity with the mark. The only additional element in the disputed domain name is a generic Top-Level Domain ("gTLD") extension (".online") which, as a standard requirement of domain name registration, may be disregarded in the assessment of confusing similarity for the purposes of the first element of the Policy. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. See [WIPO Overview 3.1](#), sections 1.7 and 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. See [WIPO Overview 3.1](#), section 2.1.

In the present case, the disputed domain name is passively held. The Complainant submits that it has not authorized, licensed or otherwise permitted the Respondent to register or use it. These circumstances do not indicate that the Respondent is using the disputed domain name in connection with a bona fide offering of goods or services, nor that he is making a legitimate noncommercial or fair use of the disputed domain name. Moreover, the Registrar has confirmed that the Respondent's name is "Holden Briscoe", which does not resemble the dispute domain name. Nothing on the record indicates that the Respondent has been commonly known by 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.

Based on the record, 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.

In the present case, the disputed domain name was registered in 2026, years after the registration of the Complainant's SODEXO mark. The term "sosexow" is not a dictionary word or phrase and the gTLD extension ".online" sheds little light on the Respondent's intention in registering it. Given the Complainant's widespread and longstanding use of the mark, including in the United States where the Respondent is based, and including online, the most likely significance of the disputed domain name is as a misspelling of the mark. That inference is confirmed by the evidence presented by the Complainant showing that the top results of a Google search for "sosexow" relate to SODEXO. The Respondent provides no alternative explanation for his choice to register the disputed domain name and the Panel cannot conceive of any. In view of these circumstances, the Panel finds it more likely than not that the Respondent knew of the Complainant's SODEXO mark at the time when he registered the disputed domain name.

As regards use, prior UDRP 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. See [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the reputation of the Complainant's SODEXO trademark, and the composition of the disputed domain name, which is best explained as a misspelling of that mark. Accordingly, the Panel 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 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 <sosexow.online> be transferred to the Complainant.

/Matthew Kennedy/

Matthew Kennedy

Sole Panelist

Date: June 24, 2026