# ADMINISTRATIVE PANEL DECISION

SODEXO v. mary rich

Case No. D2026-2108

## 1. The Parties

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

The Respondent is mary rich, United States of America ("U.S.").

## 2. The Domain Name and Registrar

The disputed domain name <sodexhoeducation.com> is registered with Spaceship, Inc. (the "Registrar").

## 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 15, 2026. On May 18, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 19, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 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 May 21, 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 Hong Yang as the sole panelist in this matter on June 18, 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 Sodexo is a French company founded in 1966, formerly known as Sodexho Alliance. Being one of the world's largest employers with 426,000 employees serving 80 million consumers daily in 43 countries, the Complainant specializes in food services and facilities management, catering for customers including schools and universities. In 2025, the Complainant's consolidated revenue reached 24,1 billion euros, represented globally by 46% for North America, 36% for Europe, and 18% for the rest of the world. From 1966, the Complainant's business was promoted under SODEXHO mark and name, which was simplified into SODEXO in 2008.

The Complainant owns numerous trademarks worldwide containing words of SODEXO/SODEXHO, including the following: International Trademark Registration No. 964615 for SODEXO (design), registered on January 8, 2008, designating multiple jurisdictions including the U.S.; U.S. Registration No. 3722463 for SODEXO (design), registered on December 8, 2009; International Trademark Registration No. 694302 for SODEXHO (design), registered on June 22, 1998.

The Complainant also owns the domain name <sodexo.com> holding its official website where it promotes itself and its products all over the world.

The disputed domain name was registered on May 11, 2026. The evidence provided by the Complainant shows that, at the time of filling of the Complaint, the disputed domain name resolved to an inaccessible 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.

### B. Respondent

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

## 6. Discussion and Findings

### 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 Panel finds the mark is recognizable 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 other term here, "education", 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.

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 the composition of the disputed domain name itself carries a risk of implied affiliation, incorporating the Complainant's SODEXHO mark in its entirety which is also substantially similar to its SODEXO mark, plus the term "education", which closely corresponds to part of the Complainant's field of business (the Complainant provides restaurant and catering services in schools and universities). Further, the available record shows that the Respondent is not affiliated or otherwise authorized by the Complainant, nor has it held any registration of the SODEXHO mark anywhere. There is no evidence indicating that the Respondent is commonly known by the disputed domain name.

The disputed domain name resolved to an inaccessible website without any substantial contents, showing that the Respondent did not make any use of or have made any demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services, neither did the Respondent make any legitimate noncommercial or fair use of the disputed domain name. It corroborates that the Respondent has no rights or legitimate interests in the disputed domain name.

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 Panel notes that the Respondent has used without any license or authorization the Complainant's SODEXHO mark in full, also being substantially similar to the Complainant's SODEXO mark, in the disputed domain name merely plus the term of “education”.  The Complainant’s trademarks SODEXHO/SODEXO are much well known in its industry globally, including in the location where the Respondent allegedly resides, and the Complainant’s registration and use of its marks much predate the Respondent’s registration of the disputed domain name.  Moreover, the disputed domain name is confusingly similar to the Complainant’s official domain name <sodexo.com>.  Those signal the Respondent’s intention to target the Complainant and capitalize on its famous mark.  Thus, the Panel considers that the Respondent must have known of the Complainant’s mark at the time of registering the disputed domain name.  Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith.  WIPO Overview 3.1, section 3.1.4

The disputed domain name does not resolve to an active website.  The Panel notes that 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, but other circumstances may 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 found that the non-use of a domain name (including a blank or “coming soon” page) 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 composition of the disputed domain name incorporating the Complainant’s trademark in its entirety, the reputation of the Complainant’s trademark, the failure of the Respondent to submit a response, and 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 third element of the Policy has been established.

## 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 <sodexhoeducation.com> be transferred to the Complainant.

*/Hong Yang/*
**Hong Yang**
Sole Panelist
Date:  July 2, 2026