ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

CARREFOUR SA v. guo de
Case No. D2026-2661

1. The Parties

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

The Respondent is guo de, the Bahamas.

2. The Domain Name and Registrar

The disputed domain name <es-carrefour.help> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 18, 2026. On June 19, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 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 (User #94e37928 Privacy, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 22, 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 June 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 June 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 14, 2026.

The Center appointed Andrew Brown K.C. as the sole panelist in this matter on July 23, 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 French company. It is a retailer and operator of hypermarkets. It operates more than 14,000 retail stores in more than 40 countries worldwide.

The Complainant owns several hundred trademark registrations for the mark CARREFOUR. In particular, the Complainant is the owner of the following trademark registrations ("the CARREFOUR Trademark").

Territory	Trademark	Trademark No.	Date of Registration	Classes
International Registration	CARREFOUR	351147	October 2, 1968	1 – 34
International Registration	CARREFOUR	353849	February 28, 1969	35 – 42
European Union	CARREFOUR	005178371	August 30, 2007	9, 35 and 38

In addition, the Complainant owns numerous domain names identical to or comprising the CARREFOUR Trademark, including <carrefour.com> registered since 1995 and <carrefour.fr> registered since 2005. The disputed domain name was registered on June 9, 2026 and does not resolve to any 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 it has trademark rights to the CARREFOUR Trademark in connection with its retail activities and that it is a major and well-known worldwide leader in retail. It also offers travel, banking, insurance and ticketing services under its CARREFOUR Trademark.

The Complainant asserts that it enjoys a widespread and continuous reputation in its CARREFOUR Trademark and points to fifty four previous UDRP panel decisions which have found this as a fact.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. In this regard, the Complainant states (cumulatively) that:

(a) it has carried out trademark searches and found no CARREFOUR (or similar term) trademark owned by the Respondent. It therefore asserts that the Respondent has no trademark which would grant them rights in the disputed domain name.
(b) the Respondent has no license or authorization from the Complainant to use its CARREFOUR Trademark.
(c) the Respondent has not, prior to the original filing of the Complaint, used or made preparations to use the disputed domain name in relation to a bona fide offering of goods or services. In fact, the disputed domain name is not associated with an online website. In light of the worldwide renown of the Complainant's CARREFOUR Trademark, the Complainant asserts that there is no plausible use of the disputed domain name that would be legitimate, fair and noncommercial.

(d) as the Complainant's adoption and extensive use of its CARREFOUR Trademark pre-dates by far the registration of the disputed domain name, the burden is on the Respondent to establish rights or legitimate interests in the disputed domain name.

The Complainant states that the disputed domain name has been registered in bad faith by reason of the following factors:

(a) the Complainant and its CARREFOUR Trademark are so well known that it is inconceivable that the Respondent ignored the Complainant or its earlier trademark rights. The Respondent necessarily had the Complainant's name and CARREFOUR Trademark in mind when registering the disputed domain name.
(b) the Respondent chose the disputed domain name because of its confusing similarity to the Complainant's CARREFOUR Trademark.
(c) the Complainant's registrations for its CARREFOUR Trademark significantly pre-date the registration date of the disputed domain name. The Complainant asserts that the Respondent knew or at the very least should have known that, when acquiring and using the disputed domain name, they would be doing so in violation of the Complainant's earlier rights.

As to use and bad faith, the Complainant notes that the disputed domain name is not associated with any active website but that this does not prevent any such finding. It asserts that simply by maintaining a disputed domain name, the Respondent is preventing the Complainant from reflecting its trademark in a corresponding domain name. Further, the doctrine of passive holding does not prevent a finding of bad faith.

As to bad faith, the Complainant further states that the Respondent has previously been involved in UDRP proceedings (*Swarovski Aktiengesellschaft v. deguo guo de,* WIPO Case No. D2012-1040) in which there was a finding of bad faith registration. The Complainant states that this shows a pattern of cybersquatting conduct by the Respondent.

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 (namely its CARREFOUR Trademark) for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

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 "es-" prefix may bear on the assessment of the second and third elements, the Panel finds the addition of the "es-" prefix 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 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 finds that the disputed domain name has been registered in bad faith for the following reasons:

(a) the Complainant has demonstrated rights in its CARREFOUR Trademark and that its trademark was distinctive and well known well prior to registration of the disputed domain name on June 9, 2026. A body of at least fifty four previous UDRP panel decisions has made clear and confident factual findings that the CARREFOUR Trademark is both well known and distinctive. This Panel endorses and follows those earlier panel decisions.
(b) the Panel finds that the Respondent must have known of the Complainant's CARREFOUR Trademark when registering the disputed domain name. The combination of the prefix "es-" (being the well-known country code for Spain) and the Complainant's CARREFOUR Trademark in the disputed domain name points to an intentional adoption of the Complainant's trademark.

UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a well-known trademark by an unconnected entity can by itself create a presumption of bad faith.

The Panel is also satisfied that the Respondent has used the disputed domain name in bad faith for the following reasons:

(a) The disputed domain name is not associated with an active website and resolves to an error page. The Panel relies on the doctrine of passive holding (WIPO Overview 3.1, section 3.3) and earlier panel decisions applying that doctrine to domain name registrations involving the CARREFOUR Trademark: *Carrefour SA v. Minha loja Admin, Carrefour - Las Mejores Ofertas en Supermercados*, WIPO Case No. D2025-3910; *Carrefour SA v. Yusuf islam karatas, Yusuf islam karatas, and Zayn Sofuoglu*, WIPO Case No. D2025-3862; *Carrefour SA v. 卢丽宇 (lu li yu)*,WIPO Case No. D2025-3579).

In particular relevant factors that justify a finding of bad faith in this case are:

i. the degree of distinctiveness and reputation of the Complainant's CARREFOUR Trademark; and
ii. the composition of the disputed domain name and the failure of the Respondent to submit a Response.

(b) the Panel is entitled to draw and does draw adverse inferences from the failure of the Respondent to respond to the Complaint and the allegations made.

In relation to the Complainant's claim of a pattern of bad faith registration involving the Respondent, the Panel is not satisfied that this Respondent and the respondent named in *Swarovski Aktiengesellschaft v. deguo guo de*, WIPO Case No. D2012-1040 are one and the same person. The respondent in the earlier case had an address in Hefei Anhui, China. The present Respondent has an address in the Bahamas. The Panel is not satisfied that the necessary level of proof that the Respondent in this case is identical to the respondent in the earlier 2012 case has been established.

The Panel finds 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 <es-carrefour.help> be transferred to the Complainant.

/Andrew Brown K.C./
Andrew Brown K.C.
Sole Panelist
Date: August 4, 2026