

ADMINISTRATIVE PANEL DECISION

Carrefour SA v. Michal Kaminski

Case No. D2026-2808

1. The Parties

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

The Respondent is Michal Kaminski, Poland.

2. The Domain Name and Registrar

The disputed domain name <carreformobile.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 26, 2026. On June 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 30, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 30, 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 30, 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 July 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 5, 2026.

The Center appointed Dietrich Beier as the sole panelist in this matter on August 6, 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 the proprietor of several hundred trademarks with the element “Carrefour” including the International registration CARREFOUR no. 351147 registered on October 2, 1968, in several classes, among them 25 and 34 designated to several jurisdictions among them Estonia and Latvia with effect of June 12, 2007, as well as the French trademark registration CARREFOUR MOBILE no. 3935454 in classes 9, 28, 35, and 38, registered on February 15, 2013.

The Complainant is one of the worldwide leaders in retail and a pioneer of the concept of hypermarkets back in 1968. With a revenue of EUR 84.9 billion in 2023, the Complainant is listed on the index of the Paris Stock Exchange (CAC 40). The Complainant operates more than 14,000 stores in more than 40 countries worldwide. With more than 500,000 employees worldwide and millions of daily unique visitors in its stores, the Complainant is well-known in the retail sector.

The Complainant’s “Carrefour Mobile” service is a mobile virtual network operator in Belgium, a market segment with 1.17 million subscribers nationwide.

The disputed domain name was registered on June 6, 2026, and does not resolve to an 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, inter alia, that the disputed domain name is confusingly similar to its earlier well-known trademarks. The disputed domain name contains a misspelling of the Complainant’s trademarks in CARREFOUR and CARREFOUR MOBILE in which the letter “u” is omitted.

Furthermore, the Complainant has found no evidence that the Respondent is known by the disputed domain name. There is no evidence that the Respondent has been commonly known by the disputed domain name as an individual, business, or other organization.

The Complainant has not authorized the Respondent to use the term “Carrefour” or terms similar thereto in the disputed domain name in any manner or form.

With regard to bad faith, the Complainant, inter alia, contends that the Complainant and its trademarks are so widely well-known that it is inconceivable that the Respondent did not know the Complainant or its earlier rights. The Respondent necessarily had the Complainant’s name and trademarks in mind when registering the disputed domain name. Accordingly, the Respondent’s choice of the disputed domain name cannot have been accidental and must have been influenced by the fame of the Complainant and its earlier trademarks.

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 Complainant has established the fact that it has valid trademark rights for CARREFOUR" and "CARREFOUR MOBILE.

The disputed domain name differs in its Second-Level Domain from the Complainant's trademark CARREFOUR MOBILE only by the omission of the letter "u" from the term "carrefour". The disputed domain name incorporates the Complainant's trademark CARREFOUR MOBILE almost in its entirety, with only this typographical difference. The Complainant's trademark remains recognizable within the disputed domain name.

The Panel therefore considers the disputed domain name to be confusingly similar to the trademarks CARREFOUR and CARREFOUR MOBILE in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

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 Respondent has no rights or legitimate interests in the disputed domain name, since the Respondent is not a licensee of the Complainant nor has the Complainant granted any permission or consent to the Respondent to use its trademarks or any designations confusingly similar to its trademarks. Furthermore, the Respondent has no rights or legitimate interests in the disputed domain name, since there is no indication that the Respondent is commonly known by the name "carrefour" or "carrefour mobile" or that the Respondent is using the disputed domain name in connection with a bona fide offering of goods or services.

The Panel therefore finds that the Respondent does not have 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

Given that the Complainant's mark is well-known, UDRP Panels have consistently held that, in circumstances such as the present case, the Respondent must have been well aware of the Complainant and its trademarks when registering the disputed domain name. See, inter alia *Carrefour SA v. jean noel ballart*, WIPO Case No. [D2023-2225](#). This view is shared by the present Panel. The Complainant has not authorized the Respondent to make use of its marks and to register the disputed domain name. The Panel does not find any conceivable legitimate use that could be made by the Respondent of this particular disputed domain name without targeting the Complainant's trademarks.

Furthermore, it is the consensus view of UDRP Panels that the apparent lack of active use of a disputed domain name, also known as passive holding, does not as such prevent a finding of bad faith. To the contrary, in looking at the totality of circumstances in each case, panelists have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. Examples of cumulative circumstances found to be indicative of bad faith include the degree of distinctiveness or reputation of the complainant's mark, the fact that no response to the Complaint has been filed, the registrant's concealment of its identity, and the implausibility of any good faith use to which the disputed domain name may be put. See, inter alia *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#) and [WIPO Overview 3.1](#), section 3.3. Such circumstances are also given in the present case.

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 <carreformobile.com> be transferred to the Complainant.

/Dietrich Beier/

Dietrich Beier

Sole Panelist

Date: August 20, 2026