

ADMINISTRATIVE PANEL DECISION

Coopérative U v. Ethan Terrier
Case No. D2026-2932

1. The Parties

The Complainant is Coopérative U, France, represented by Plasseraud IP Avocats, France.

The Respondent is Ethan Terrier, France.

2. The Domain Name and Registrar

The disputed domain name <magasins-u-fr.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 3, 2026. On July 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 6, 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 (Domain Admin Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 6, 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 July 7, 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 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 29, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 4, 2026.

The Center appointed Elise Dufour as the sole panelist in this matter on August 12, 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 cooperative company active in the large-scale retail distribution sector, registered with the Trade and Companies Register of Créteil, France, on November 25, 1986. It operates a network of stores in France, referred to together as the “Magasins U”, under a family of trademarks comprising the signs SUPER U, HYPER U, U EXPRESS, MARCHÉ U, SYSTÈME U, COURSES U, and DRIVE U. According to the Complaint, the Complainant is one of the leading retail groups in France, with more than 1,700 points of sale.

The Complainant is the owner of several trademark registrations for the sign MAGASINS U, including the following:

- French trademark registration No. 1481416 for LES MAGASINS U, filed on August 3, 1988, and registered on January 20, 1989 in classes 1 to 42; and
- French trademark registration No. 3508451 for www.magasins-u.com (figurative), filed on June 21, 2007, and registered on November 23, 2007, in classes 35 and 38 (together, the “Trademarks”).

The Complainant also holds a portfolio of domain names, including the domain name <magasins-u.com>, which resolves to its official website at “www.magasins-u.com”.

The disputed domain name was registered on May 27, 2026. At the time of the filing of the Complaint, the disputed domain name resolved to a default page generated by a web hosting control panel, displaying the disputed domain name together with the words “Something amazing will be constructed here...”. The case file further indicates that MX records were configured for the disputed domain name.

At the time of this Decision, the disputed domain name resolves to the same inactive webpage.

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 Trademarks, and more generally its U family of trademarks, enjoy a strong reputation in France and abroad, and that this reputation has been recognized in previous UDRP decisions. The Complainant states that it holds more than 2,400 domain names, including 44 domain names comprising the sign MAGASINS U, and that its website at “www.magasins-u.com” recorded more than 3.1 million visits in May 2026 alone.

The Complainant contends that the disputed domain name reproduces in full the element “magasins u” of its prior trademarks, and that the addition of hyphens and of the sign “fr”, the ISO country code for France, is not sufficient to distinguish the disputed domain name from the Trademarks, but instead reinforces the likelihood of confusion.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. It states that searches conducted on the TM View and WIPO Global Brand databases revealed no trademark application or registration for the signs MAGASINS U FR, MAGASINS-U-FR, or MAGASINS U other than those owned by the Complainant, and no trademark in the name of the Respondent; that a search on the Google search engine for the sign MAGASINS U returns results relating exclusively to the Complainant; that it has never authorized the Respondent to use its trademarks or to register domain names incorporating them; and that the disputed domain name resolves to an inactive webpage.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. It states that the Trademarks predate the registration of the disputed domain name, that the disputed domain name closely resembles its institutional domain name <magasins-u.com>, and that the Respondent used a privacy service to conceal its identity. The Complainant states that the postal address disclosed by the Registrar does not correspond to a residential address but to the business address of a do-it-yourself retail store, and that the Respondent therefore provided false contact information. The Complainant states that the configuration of MX records for the disputed domain name, in the absence of any active website, gives rise to a risk that the disputed domain name may be used to send fraudulent email communications, and refers in this respect to the doctrine of passive holding.

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 element "magasins u" of the Trademarks is reproduced within the disputed domain name, the space between its two components being replaced by a hyphen.

Although the addition of other terms (here, "fr" and an additional hyphen before it) 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 Trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The generic Top-Level Domain ("gTLD") ".com" is a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

The Panel finds the Trademarks are recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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.

In particular, the Complainant has not authorized the Respondent to register the disputed domain name or use the Trademarks, and there is no evidence on the record that the Respondent has been commonly known by the disputed domain name. Moreover, the composition of the disputed domain name, which reproduces the element “magasins u” of the Trademarks together with the country code for France, carries a risk of implied affiliation with the Complainant and cannot constitute fair use. [WIPO Overview 3.1](#), section 2.5.1.

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.

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.

The Trademarks predate the registration of the disputed domain name by many years. The disputed domain name reproduces the element “magasins u” of the Trademarks together with the country code for France, and closely resembles the domain name <magasins-u.com> through which the Complainant operates its official website. The Respondent is located in France, where the Complainant operates its network of stores. In these circumstances, and without any good-faith explanation from the Respondent, the Panel finds that the Respondent registered the disputed domain name with the Complainant’s Trademarks in mind.

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 (i) the distinctiveness and the reputation of the Trademarks in France; (ii) the composition of the disputed domain name; (iii) the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use of the disputed domain name; and (iv) the fact that the contact details disclosed by the Registrar do not appear to correspond to a verifiable

address of the Respondent, 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 further notes that MX records have been configured for the disputed domain name, so that the disputed domain name may be used for email communications. Given the resemblance between the disputed domain name and the domain name through which the Complainant operates its official website, this increases the risk that the disputed domain name may be put to a fraudulent use.

The Panel also notes that the Respondent registered the disputed domain name through a privacy service, which in the circumstances of this case may support a finding of bad faith. [WIPO Overview 3.1](#), section 3.6.

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 <magasins-u-fr.com> be transferred to the Complainant.

/Elise Dufour/

Elise Dufour

Sole Panelist

Date: August 14, 2026