ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Carrefour SA v. Marco Giacoia
Case No. D2026-2949

1. The Parties

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

The Respondent is Marco Giacoia, Italy.

2. The Domain Name and Registrar

The disputed domain name <pass-carrefour.esq> (the "Domain Name") is registered with CloudFlare, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 4, 2026. On July 6, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On July 6, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (DATA REDACTED) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 7, 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 8, 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 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 30, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 3, 2026.

The Center appointed Gregor Vos 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 was founded in 1959 and is active in the retail sector, operating a network of hypermarkets. The Complainant employs more than 384,000 people worldwide, attracts approximately 1.3 million visitors daily to its websites and generates revenues of several billion euros per year. The Complainant also has a significant online presence across multiple social media platforms. In particular, the Complainant's Facebook France page has 12 million followers.

The Complainant is the owner of, inter alia, the following trademark registrations (hereinafter referred to as the "Trademarks"):

- International trademark registration No. 191353 for CARREFOUR, registered on March 9, 1956;

- International trademark registration No. 719166 for CARREFOUR PASS, registered on August 18, 1999; and

- European Union trademark registration No. 005178371 for CARREFOUR, registered on August 30, 2007.

Furthermore, the Complainant owns the domain names <carrefour.eu>, <carrefour.fr>, <carrefour.net> and <carrefour.com>.

The Domain Name was registered on June 18, 2026. At the time of filing the Complaint, the Complainant's attempts to access the Domain Name resulted in a Cloudflare webpage displaying the message: "Sorry, you have been blocked. You are unable to access pass-carrefour.esq". Currently, the Domain Name continues to resolve to an 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 Domain Name.

Notably, the Complainant contends that the Domain Name is confusingly similar to the Trademarks of the Complainant, the Respondent has no rights or legitimate interests in the Domain Name, and the Domain Name has been registered and is being used in bad faith.

Firstly, the Complainant contends that the Domain Name is confusingly similar to the Trademarks. The Domain Name incorporates the CARREFOUR trademark in its entirety and reproduces the verbal elements of the Complainant's CARREFOUR PASS trademark in reversed order, separated by a hyphen. According to the Complainant, neither the reversal of these elements nor the addition of a hyphen prevents the CARREFOUR PASS trademark from being clearly recognizable within the Domain Name. The Complainant further submits that the generic Top-Level Domain ("gTLD") ".esq" should be disregarded for the purpose of assessing confusing similarity.

Secondly, the Complainant asserts that the Respondent has no rights or legitimate interests in the Domain Name. The Complainant submits that the Respondent is not affiliated with the Complainant and has not been authorized, licensed or otherwise permitted to use the Trademarks or to register a domain name incorporating them. Furthermore, the Respondent is not commonly known by the Domain Name and has not used the Domain Name in connection with a bona fide offering of goods or services or for a legitimate noncommercial or fair use. According to the Complainant, the composition of the Domain Name creates a risk of implied affiliation with the Complainant and therefore cannot confer rights or legitimate interests on the Respondent in the circumstances of the present case.

Finally, according to the Complainant, the Respondent has registered and is using the Domain Name in bad faith. The Complainant submits that the Trademarks predate the registration of the Domain Name and that the CARREFOUR trademark is well-known. According to the Complainant, the composition of the Domain Name demonstrates that the Respondent was aware of and targeted the Complainant and its Trademarks when registering the Domain Name. The Complainant further submits that the technical configuration of the Domain Name, including the use of Cloudflare access-control mechanisms and a Google site-verification record, supports a finding of bad faith use. In any event, the Complainant contends that, even if the current use of the Domain Name were considered passive holding, the totality of the circumstances supports a finding of bad faith.

B. Respondent

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

6. Discussion and Findings

For the Complainant to succeed, it must prove, within the meaning of paragraph 4(a) of the Policy and on the balance of probabilities that:

i. the Domain Name is identical, or confusingly similar to a trademark or service mark in which the Complainant has rights;

ii. the Respondent has no rights or legitimate interests in respect of the Domain Name; and

iii. the Domain Name has been registered and is being used in bad faith.

Only if all three elements have been fulfilled, the Panel is able to grant the remedy requested by the Complainant. The Panel will deal with each of the requirements in turn.

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 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 entirety of the CARREFOUR trademark is reproduced within the Domain Name. Accordingly, the Domain Name is confusingly similar to the CARREFOUR trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

The Panel further notes that the Domain Name reproduces the CARREFOUR PASS trademark of the Complainant, but in reversed order and separated by a hyphen. The reversal of elements of a trademark and the addition of a hyphen do not prevent the CARREFOUR PASS trademark from being recognizable in the Domain Name. Accordingly, the Domain Name is also confusingly similar to the CARREFOUR PASS trademark of the Complainant for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Furthermore, the gTLD ".esq" is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11.1.

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 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 Domain Name such as those enumerated in the Policy or otherwise.

The Panel notes that the Domain Name incorporates the CARREFOUR trademark in its entirety and reproduces both verbal elements of the CARREFOUR PASS trademark in reversed order. In the circumstances of the present case, the Panel finds that the composition of the Domain Name suggests sponsorship or endorsement by the Complainant and therefore carries a risk of implied affiliation. Accordingly, the composition of the Domain Name prevents a finding of rights or legitimate interests on behalf of the Respondent. 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 Panel notes that previous UDRP panels have recognized the reputation of the Complainant's CARREFOUR trademark (see for example: *Carrefour SA v. Minha loja Admin, Carrefour - Las mejores ofertas en supermercados, Minha loja Admin, TenisPro, and Atacalar Oficial, Carrefour - Las mejores ofertas en supermercados*, WIPO Case No. D2025-3071; *Carrefour SA v. Hugo Fernandez et al.*, WIPO Case No. D2024-5144; and *Carrefour SA v. Pedro Castro et al.*, WIPO Case No. D2024-4736). Having regard to the evidence submitted by the Complainant concerning the longstanding use of the CARREFOUR trademark, the scale of its business and its significant online presence, the Panel agrees that the CARREFOUR trademark is well known.

In the present case, the Panel notes that the Trademarks predate the registration of the Domain Name by several decades. The Domain Name incorporates the CARREFOUR trademark in its entirety and reproduces both verbal elements of the CARREFOUR PASS trademark in reversed order. Considering the reputation of the CARREFOUR trademark and the specific composition of the Domain Name, the Panel agrees with the Complainant that it is not conceivable that the Respondent chose the Domain Name without knowledge of the Complainant, its activities, and the Trademarks under which the Complainant is doing business.

In addition, panels have found that the non-use of a domain name does not prevent a finding of bad faith under the doctrine of passive holding. WIPO Overview 3.1, section 3.3. In the present case, the Panel notes the reputation of the CARREFOUR trademark, the specific composition of the Domain Name and the Respondent's failure to submit a response or provide any evidence of actual or contemplated good-faith use. Having regard to these circumstances, the Panel finds that the Respondent's registration and use of the Domain Name constitutes bad faith under the Policy.

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 Domain Name <pass-carrefour.esq> be transferred to the Complainant**.**

/Gregor Vos/
Gregor Vos
Sole Panelist
Date: August 20, 2026