

ADMINISTRATIVE PANEL DECISION

Carrefour SA, Atacadão S.A. v. Luccas Oliveira, João Vitor bezerra santos
Case No. D2026-3481

1. The Parties

The Complainants are Carrefour SA, France, Atacadão S.A., Brazil, represented by IP Twins, France.

The Respondents are Luccas Oliveira, and João Vitor bezerra santos, Brazil.

2. The Domain Names and Registrar

The disputed domain names <acessoatacado.online> and <compreatacado.online> are registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 6, 2026, initially only in relation to the disputed domain name <compreatacado.online>. On August 6, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name <compreatacado.online>. On August 8, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name <compreatacado.online> which differed from the named Respondent (Domains By Proxy, LLC) and contact information in the Complaint. On August 11, 2026, the Complainant contacted the Center, and requested to add the disputed domain name <acessoatacado.online> to the proceeding, and filed an amended Complaint, including both disputed domain names. On August 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name <acessoatacado.online>. On August 25, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name <acessoatacado.online>.

The Center sent an email communication to the Complainant on August 25, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed a second amended Complaint on August 25, 2026, and a third amended Complaint on August 27, 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 August 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 17, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 18, 2026.

The Center appointed Fabrizio Bedarida as the sole panelist in this matter on October 2, 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 Complainants in this proceeding are Carrefour SA (the “first Complainant”), a French public limited company, and Atacadão SA (the “second Complainant”), a Brazilian company. The first Complainant was founded in 1959, operates more than 15,000 stores in more than 40 countries, employing over 500,000 employees worldwide, and has 1.3 million daily visitors to its webstores and a turnover of around EUR 80 billion in 2025. The second Complainant is a Brazilian chain of wholesale and retail stores established in 1960 and acquired by the first Complainant in 2007.

ABAAS, the Brazilian Association of Wholesalers, ranks the second Complainant as the Number one chain nationally, with 385 locations and over 74,000 employees. Since the second Complainant is part of the Carrefour Group, both companies have opted to join in the present Complaint. Both companies are hereinafter referred to as “the Complainant”.

The Complainant owns numerous trademark registrations corresponding and/or including ATACADAO/ATACADÃO. The Complainant is, inter alia, the owner of:

- European Union Trademark registration number 012020194, for the ATACADAO (word) trademark, registered on May 24, 2015;
- Brazilian trademark registration number 006785360, for the ATACADÃO (word) trademark, registered on October 10, 1978; and
- Brazilian trademark registration number 006785344, for the ATACADÃO (word) trademark, registered on October 10, 1978.

In addition, the Complainant is the holder of numerous domain names consisting of or including its ATACADAO trademark, registered under various generic Top-Level Domains (“gTLD”) as well as under a number of country code Top-Level Domains. Amongst them is <atacado.com.br>, which has been registered since 1997.

The Complainant has also established a strong social media presence online by being active on various social-media platforms.

The disputed domain names were registered on July 21 and 29, 2026. Both disputed domain names resolved to pages that were either not reachable or which displayed an error message (i.e. “sorry you have been blocked”). However, from the submissions of the Complainant, it appears that previously (at least on August 5, 2026) the disputed domain name <compreatacadoaonline> was used for a website in Portuguese offering products for sale, in which a click on the ADD or BUY buttons launched a WhatsApp chat window. The products sold are competing with those sold by the Complainant through its official website at <atacadoa.com.br>.

The ATACADAO trademarks enjoy a widespread reputation, as noted in several previous UDRP decisions.

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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to the ATACADAO trademark. In this sense, the Complainant claims that the addition of the terms “acesso” (“access” in Portuguese) and “compre” (“shop” in Portuguese), does not prevent a finding of confusing similarity with the Complainant’s trademark, which remains clearly recognizable in the disputed domain names; that the Respondents have no rights or legitimate interests in respect of the disputed domain names. Furthermore, the Complainant notes that the reputation of its ATACADAO trademark has already been recognized in many previous UDRP decisions, and thus the registration of the disputed domain names (which contain a well-known trademark) amounts per se to a registration in bad faith. In addition, the Complainant states that the non-use of the disputed domain names does not prevent a finding of bad faith under the doctrine of passive holding, and that the prior use of the disputed domain name <compreatacadoaonline> in connection with an online store is further evidence of bad faith on the part of the Respondent. It is evident that the Respondent is actively trying to benefit from the renown and fame of the Complainant and its brands to make commercial gain, by creating confusion in the mind of the Internet user of average attention.

Regarding the Respondents’ identity, the Complainant has requested a consolidation of the multiple disputed domain names registered under nominally different domain name registrants. In support of the above request, the Complainant claims that:

- 1) the disputed domain names are likely to be under common control;
- 2) the registration dates of the disputed domain names fall within a short timeframe, i.e. an eight day period;
- 3) both disputed domain names were registered under the “.online” gTLD;
- 4) both disputed domain names were registered through the same Registrar;
- 5) the composition of the disputed domain names is very similar, namely both disputed domain names are comprised of a generic word in Portuguese, followed directly by the Complainant’s trademark ATACADAO;
- 6) neither of the disputed domain names resolves to content;

- 7) similar registrant information: the data provided as disclosed by the Registrar for both disputed domain names consist of the name of Brazilian individuals, with address in São Paulo state, and Gmail accounts with no apparent connection to the registrant's name; and
- 8) consolidation of the proceedings would be fair and equitable to all parties.

The Complainants have requested that the disputed domain names be transferred to the first Complainant, Carrefour SA.

B. Respondents

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

6. Discussion and Findings

6.1. Consolidation of Multiple Complainants

The Complaint contains a request for consolidation of the complaint filed by the first and second Complainant on the basis that they are related companies with a common grievance against the Respondents. The Respondents have not rebutted the requested consolidation. The Panel finds that the Complainants have established that the Complaints can be consolidated based on a common grievance and interest of both Complainants, in particular as the second Complainant is a subsidiary of the first Complainant. The Panel is convinced that it is fair and equitable in the circumstances of the case to order the consolidation as requested (section 4.11.1 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions, Third Edition (["WIPO Overview 3.1"](#))).

Consequently, the Panel accepts the first and second Complainants in this administrative proceeding and, for the ease of reference, will jointly refer to them as "the Complainant" in the following, whenever appropriate.

6.2. Consolidation of Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the disputed domain name registrants are the same entity or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain names registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See [WIPO Overview 3.1](#), section 4.11.2.

As regards common control, the Panel finds that the Complainant has provided non-rebutted evidence that both disputed domain names are likely under common control for the following reasons: both disputed domain names were registered within a period of about one week in July 2026; both disputed domain names resolved to inactive websites; both disputed domain names were registered with the same Registrar; both disputed domain names are registered under the ".online" gTLD; and the composition of the disputed domain names is very similar, in fact both comprise the Complainant's ATACADAO trademark in combination with either of the Portuguese terms "acesso" or "compre", respectively.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as “the Respondent”) in a single proceeding.

6.3. Substantive Issues

In order for the Complainant to obtain a transfer of the disputed domain names, paragraph 4(a) of the Policy requires that the Complainant must demonstrate to the Panel that:

- (i) the disputed domain names are 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 disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

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 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 ATACADAO mark is incorporated entirely and recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms here, “acesso” and “compre”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 names. 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 names 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.

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.

In the present case, the Panel notes that the Respondent was likely aware of the Complainant's trademark registrations and rights to the ATACADAO and ATACADÃO trademarks when it registered the disputed domain names.

In fact, when the disputed domain names were registered in 2026, the Complainant's trademarks were already famous in Brazil, where the Respondent is purportedly located at, and connected to the Complainant's retail services. Therefore, the Panel concludes that it would not be feasible to consider that the Respondent might not have been aware of the Complainant's trademark at the time of registration of the disputed domain names, nor that the adoption of the expressions "accesoatacado" and "compreatacado" could be purely a coincidence.

Even though the Panel notes that the term "atacadão" may be interpreted as relating to a dictionary meaning in Portuguese (related to wholesale), the Panel finds that noting the Complainant's presence and notoriety under the ATACADÃO trademark, as well as noting the Respondent's failure to come forward with any explanation for the registration and use of the disputed domain name, the Panel considers, on balance, that the Respondent registered the disputed domain names with the Complainant's trademark in mind.

As to the use, previous panels have found that the current non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the reputation of the Complainant's trademark, and the composition of the disputed domain names, and the absence of a Response, and finds that in the circumstances of this case the current passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

In addition, the Panel notes that the Respondent's prior use of the disputed domain name <compreatacado.online> in connection with an online store is further evidence of bad faith.

The bad faith registration and use of the disputed domain names is also supported by the fact that the Respondent did not respond to nor has it denied the assertions of bad faith made by the Complainant in this proceeding.

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 names <acessoatacado.online> and <compreatacado.online> be transferred to the Complainants.

/Fabrizio Bedarida/

Fabrizio Bedarida

Sole Panelist

Date: October 14, 2026