

ADMINISTRATIVE PANEL DECISION

Carrefour SA v. A Palmer John, JohnA Palmer
Case No. D2026-3947

1. The Parties

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

The Respondent is A Palmer John, JohnA Palmer, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <carrefourboutique.com> is registered with GMO Internet Group, Inc. d/b/a Onamae.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 3, 2026. On September 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 4, 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 (Whois Privacy Protection Service by onamae.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 8, 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 September 11, 2026.

On September 8, 2026, the Center informed the parties in English and French that the language of the registration agreement for the disputed domain name is English. On September 11, 2026, the Complainant confirmed its request that French be the language of the proceeding. The Respondent did not submit any comment on the Complainant's submission.

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 September 11, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 2, 2026.

The Center appointed Zineb Naciri Bennani as the sole panelist in this matter on October 7, 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 CAC 40 French company operating in the global retail sector, which exists since 1963 with stores in more than 30 countries. The international annual revenue of the Complainant reaches approximately EUR 80 billion and the Complainant employs over 384,000 people worldwide.

The Complainant owns several word, figurative and semi-figurative trademarks consisting of or incorporating the term CARREFOUR, including the following:

- International trademark registration number 191353 registered on March 9, 1956 for goods in class 3;
- International trademark registration number 351147 registered on October 2, 1968 for goods in classes 1-34 ;
- International trademark registration number 353849 registered on February 28, 1969, for services in classes 35-42.

The Complainant is also the owner of the following domain names:

- <carrefour.com> registered on October 25, 1995;
- <carrefour.eu> registered on March 10, 2006;
- <carrefour.fr> registered on June 23, 2005;
- <carrefour.be> registered on November 25, 2019.

The disputed domain name was registered on July 29, 2026, and resolves to an inactive 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 the disputed domain name is confusingly similar to its well-known trademarks, which were registered decades before the disputed domain name was created. The addition of the term "boutique", directly associated with the Complainant's retail business, does not prevent a finding of confusing similarity as the trademark is recognizable within the disputed domain name.

The Complainant further submits that the Respondent has no rights or legitimate interests in the disputed domain name, as it is neither affiliated with nor authorized by the Complainant, is not known by the disputed name, and has not made any bona fide or legitimate use of it. The disputed domain name does not resolve to an active website.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. Given the international reputation of the Complainant trademark, its long-standing prior rights, and the addition of the term “boutique”, the Respondent must have been aware of and deliberately targeted the Complainant. The passive holding of the disputed domain name, combined with its composition and the absence of any plausible good-faith use, further supports a finding of bad faith under the UDRP.

Accordingly, the Complainant maintains that all three requirements under paragraph 4(a) of the UDRP are satisfied.

B. Respondent

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

6. Discussion and Findings

The Panel should decide a complaint based on the statements and documents submitted and in accordance with the Policy and the Rules, and any rules and principles of law that it deems applicable.

Paragraph 4(a) of the Policy directs that the Complainant must establish each of the following:

- (i) that the disputed domain name registered to the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is French. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in French. The Complainant requested that the language of the proceeding be French for several reasons, including the fact that the disputed domain name consists exclusively of French terms, combining the Complainant’s trademark with the French word “boutique”. This strongly suggests that the Respondent is familiar with French and may understand the language of the Complaint.

The Complainant argues that the Complainant is a French company, and that its trademark originates in France. The combination of the trademark with the French term “boutique” suggests that the Respondent deliberately targeted the Complainant and, at the very least, a French-speaking audience.

According to the Complainant, requiring the translation of the Complaint and all supporting annexes would result in substantial additional costs and unnecessary delays.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to

exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.5.1).

The Panel acknowledges the Complainant's submissions but considers that the circumstances of this case do not sufficiently justify departing from the language of the Registration Agreement. In particular, the fact that the disputed domain name incorporates the term "boutique" does not, in itself, establish that the Respondent is familiar with French, as the term also exists in the English language. Furthermore, the Respondent is reportedly domiciled in the United States, and the materials submitted by the Complainant do not establish that the Respondent is able to understand French or that conducting the proceedings in English would be unfair or otherwise prejudicial to the Complainant.

Accordingly, having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

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 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 other terms here, "boutique", 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 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 Respondent failed to demonstrate use of the disputed domain name or demonstrable plans for such use with a bona fide offering, knowing that the disputed domain name resolves to an inactive website.

The Respondent is not commonly known by the disputed domain name and does not appear to be making a legitimate noncommercial or fair use of the disputed domain name.

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 notes that the Respondent registered a disputed domain name including the Complainant's distinctive and well-known trademark in its entirety several years after the registration of such trademark. Given the global reputation of the Complainant, the Panel finds it inconceivable that the Respondent was unaware of the Complainant's rights at the time of registration of the disputed domain name. Furthermore, the Respondent actively concealed its identity and contact details, and failed to submit a response or provide any evidence of the good-faith use of the disputed domain name.

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.

Panels have found that the non-use of a domain name 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 the distinctiveness or reputation of the Complainant's trademark, and the composition of the disputed domain name, 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 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 <carrefourboutique.com> be transferred to the Complainant.

/Zineb Naciri Bennani/

Zineb Naciri Bennani

Sole Panelist

Date: October 21, 2026