

ADMINISTRATIVE PANEL DECISION

Sodexo v. Jihye Kang

Case No. DCO2025-0039

1. The Parties

The Complainant is Sodexo, France, represented by Areopage, France.

The Respondent is Jihye Kang, Republic of Korea.

2. The Domain Name and Registrar

The disputed domain name <mysodexosavingsplan.co> is registered with Above.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 11, 2025. On April 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 22, 2025, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 22, 2025, 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 April 24, 2025.

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 April 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 21, 2025.

The Center appointed Francisco Castillo-Chacón as the sole panelist in this matter on June 5, 2025. 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 (formerly known as Sodexo Alliance) was founded in 1966, and is one of the largest companies in the world specialized in food services and facilities management, with 423,000 employees serving daily 80 million consumers in 45 countries. The Complainant is one of the largest employers worldwide. For fiscal year 2024, consolidated revenues reached EUR 23.8 billion which represent by region: 47% North America, 35 % Europe, and 18 % for the rest of the world. To that effect, the Complainant owns hundreds of trademark rights worldwide, amongst which we may list the following: SODEXO, International trademark registration no. 964615 registered on January 8, 2008 under priority of the French trademark registration no. 073513766 of July 16, 2007, renewed in 2018, in international classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45, protected in inter alia Republic of Korea; SODEXO, International trademark registration no. 1240316 registered on October 23, 2014, renewed in 2024 in international classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45, and protected in the following countries: Iran (Islamic Republic of), and Mozambique; SODEXO, European Union trademark registration registered on February 1, 2010 under no. 008346462, renewed in 2019 in international classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45; and European Union trademark registration registered on June 27, 2008 under no. 006104657, renewed in 2017, in international classes 9, 16, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45. The Complainant submits that the earlier trademarks SODEXO enjoy a wide-spread continuous reputation. The above list does not reflect all the registrations evidenced in this procedure but represent a representative list of the registrations obtained by the Complainant.

The Complainant also owns numerous domain names, including <sodexo.com> and <sodexo.fr> which predate the disputed domain name. The Complainant uses these domain names to resolve to their official websites. The Complainant also owns the domain name <mysodexosavingsplan.com>, which has been used for the Complainant's website for savings plan.

The disputed domain name <mysodexosavingsplan.co> was registered on January 21, 2025, and resolves to a website with pay-per-click ("PPC") links.

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 mark SODEXO is well known in its industry and a worldwide leader in this field. The Complainant further contends that the trademark has long and extensive use, and that it is a key player in its industry. The disputed domain name is confusingly similar to the Complainant's mark.

In addition, the Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name since the Complainant has no relationship with the Respondent and the latter is not commonly known by the disputed domain name. The Respondent certainly had knowledge of the internationally famous SODEXO mark when the disputed domain name was registered given the distinctiveness and international reputation of the SODEXO mark. The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services, nor making any legitimate noncommercial or fair use of it.

The Complainant states that the disputed domain name was registered and used in bad faith given that: (a) the Respondent was aware of the SODEXO mark; and (b) the Respondent is attempting, by exploiting the confusion with the well-known SODEXO mark, to attract Internet users and to incite them to click on the commercial links.

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 Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 3.0](#), section 1.7.

Although the addition of other terms here, like "my", "savings", and "plan", 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 3.0](#), 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 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 3.0](#), 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 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:

(i) circumstances indicating that the Respondent has registered or has acquired the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name registration to the Complainant who is the owner of the trademark or service mark or to a competitor of the Complainant, for valuable consideration in excess of its documented out-of-pocket costs directly related to the disputed domain name; or

(ii) the Respondent has registered the disputed domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding disputed domain name, provided that the Respondent has engaged in a pattern of such conduct; or

(iii) the Respondent has registered the disputed domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product or service on the Respondent's website or location.

The Panel finds that it is likely that the Respondent was aware of the Complainant's website at "www.mysodexosavingsplan.com", and its reputation in the SODEXO mark at the time the disputed domain name was registered. The Complainant is one of the largest companies in its field with worldwide operations.

The word "Sodexo" has no meaning in any language as far as this Panel knows, and would make no sense with the terms "my savings plan," other than by reference to the Complainant. The registration of the disputed domain name was likely done in awareness of the Complainant's SODEXO mark and in the absence of rights or legitimate interests amounts to registration in bad faith.

The disputed domain name resolves to a website with PPC links, and such use constitutes bad faith under the paragraph 4(b)(iv) of the Policy. [WIPO Overview 3.0](#), section 3.5.

The disputed domain name has been registered and is being used in bad faith.

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 <mysodexosavingsplan.co> be transferred to the Complainant.

/Francisco Castillo-Chacón/

Francisco Castillo-Chacón

Sole Panelist

Date: June 19, 2025