

PANEL DECISION

Carrefour SA v. Stefan Moors
Case No. DEU2026-0031

1. The Parties

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

The Respondent is Stefan Moors, Netherlands (Kingdom of the).

2. The Domain Name, Registry and Registrar

The Registry of the disputed domain name <marketing-carrefoursa.eu> is the European Registry for Internet Domains ("EURid" or the "Registry"). The Registrar of the disputed domain name is HOSTINGER operations, UAB.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 17, 2026. On August 17, 2026, the Center transmitted by email to the Registry a request for registrar verification in connection with the disputed domain name. On August 19, 2026, the Registry 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on August 20, 2026 providing the registrant and contact information disclosed by the Registry, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on August 25, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .eu Alternative Dispute Resolution Rules (the "ADR Rules") and the World Intellectual Property Organization Supplemental Rules for .eu Alternative Dispute Resolution Rules (the "Supplemental Rules").

In accordance with the ADR Rules, Paragraph B(2), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on August 31, 2026. In accordance with the ADR Rules, Paragraph B(3), the due date for Response was September 20, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 22, 2026.

The Center appointed Peter Burgstaller as the sole panelist in this matter on September 30, 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 ADR Rules, Paragraph B(5).

4. Factual Background

The Complainant is a French based company, founded in 1959; it is a worldwide leader in retail and operates stores around the world (Annexes 3-1 – 3-3 to the Complaint).

The Complainant owns numerous trademark registrations containing the mark CARREFOUR around the world, inter alia

- International trademark registration for CARREFOUR (figurative), Registration No. 191353, registered on March 9, 1956, duly renewed; and
- European Union trademark registration for CARREFOUR (word), Registration No. 019126331, registered on June 13, 2025, duly renewed (Annexes 4-1 and 4-2 to the Complaint).

In addition, the Complainant is also the owner of numerous domain names containing the mark CARREFOUR under generic and country code Top-Level Domains ("TLD"), e.g. <carrefour.eu> registered 2006, <carrefour.it> registered 1998, <carrefour.com> registered 1995 and <carrefour.fr> registered 2005 (Annexes 5-1 and 5-7 to the Complaint); the Complainant has also a strong online presence on Facebook, LinkedIn and Instagram (Annex 6-1 – 6-4 to the Complaint).

The disputed domain name was registered on July 23, 2026 (Annex 1-1 to the Complaint). At the time of filing the Complaint the disputed domain name resolved to a parking page provided by Hostinger.(Annex 7 to the Complaint).

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the ADR Rules for a transfer of the disputed domain name.

Notably, the Complainant contends that the disputed domain name is confusingly similar to its trademark CARREFOUR. The Complainant argues that it owns rights recognized and established within the meaning of the ADR Rules including an International and European Union trademark registration for CARREFOUR. The disputed domain name incorporates the Complainant's CARREFOUR trademark in its entirety and the trademark remains immediately recognizable within the disputed domain name.

The Complainant further submits that it has never authorized, licensed, or otherwise permitted the Respondent to register or use the CARREFOUR trademark. The Respondent is not commonly known by, and it is not making a bona fide, legitimate noncommercial or fair use of the disputed domain name. Hence, the Respondent has no rights or legitimate interests in the disputed domain name.

Moreover, the Complainant contends that because of its longstanding and substantial presence throughout the European Union and fact that the Complainant's rights in the mark CARREFOUR dates back decades before the registration of the disputed domain name and the composition of the disputed domain name it is inconceivable that the Respondent registered the disputed domain name without knowledge of the Complainant's rights. Therefore, the disputed domain name was registered in bad faith.

Finally, the disputed domain name resolves to a parking site. Such passive holding may constitute bad faith use where the circumstances of the case demonstrate that the registrant registered the disputed domain name while targeting the rights of a third party. This is notably the case here.

B. Respondent

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

6. Discussion and Findings

According to Article 4(4) of (EU) Regulation 2019/517 (henceforth the "Regulation") and Paragraph B 11(d)(1) of the ADR Rules, the Complainant bears the burden of proving the following:

- (i) the disputed domain name is identical with or confusingly similar to a name in respect of which a right is recognized or established by the national law of a Member State and/or European Union law and; either
- (ii) the disputed domain name has been registered by the Respondent without rights or legitimate interest in the name; or
- (iii) the disputed domain name has been registered or is being used in bad faith.

Given the similarities between the ADR Rules and the Uniform Domain Name Dispute Resolution Policy ("UDRP"), the Panel will also refer to UDRP jurisprudence and the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), where instructive.

A. Identical or Confusingly Similar to a name in respect of which a right or rights are recognized or established by national law of a Member State and/or European Union law

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.

The Complainant submitted evidence which incontestably and conclusively establishes rights in the mark CARREFOUR recognized and established by national law of Member States and European Union law.

In the present case, the disputed domain name is confusingly similar to the CARREFOUR mark in which the Complainant has rights. The disputed domain name only adds the term "marketing-" as prefix and "sa" as suffix to the well-known CARREFOUR mark. Such minor and descriptive alterations to the CARREFOUR mark cannot prevent a finding of confusing similarity, since the mark clearly remains recognizable within the disputed domain name.

Finally, it has also long been held that country code Top-Level Domains ("ccTLDs") are generally disregarded (here ".eu"), when evaluating the confusing similarity between a disputed domain name and a trademark.

The Panel finds the first element of the ADR Rules has been established by the Complainant.

B. Rights or Legitimate Interests

Although the overall burden of proof in ADR 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.

The Complainant has never assigned, granted, licensed, sold, transferred or in any way authorized the Respondent to use the CARREFOUR trademark in any manner. Further, the Complainant provided evidence that the disputed domain name referred to a Registrar parked website.

Finally, 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 under the ADR Rules or otherwise.

The Panel finds the second element of the ADR Rules has been established.

C. Registered or Used in Bad Faith

Although there is no need for a further examination of whether the disputed domain name was also registered or is being used in bad faith, because Article 4 of Regulation (EU) No. 2019/517 and Article B11(d)(1)(i)-(iii) of the ADR Rules require either the absence of rights or legitimate interests on the one hand, or bad faith on the other. Further, it is not necessary to prove both registration and use in bad faith; it is sufficient if evidence illustrates one of the two elements discussed in order to comply with Article 11 (d) (iii) of the ADR Rules.

However, the Panel notes that the evidence submitted by the Complainant is not contested by the Respondent, and demonstrates that the disputed domain name was also registered and used in bad faith:

Firstly, the Panel is convinced that the Respondent positively knew or should have known the Complainant's trademark when registering the disputed domain name because of the longstanding presence of the Complainant and its mark CARREFOUR throughout the European Union and beyond long before the registration of the disputed domain name as well as the composition of the disputed domain name.

Secondly, the disputed domain name referred to a Registrar parked website. Such "passive holding" of a domain name is also within the concept of bad faith use especially in cases where the complainant's mark is distinctive and well known and the respondent does not file a response or provide any evidence of actual or contemplated good-faith use. [WIPO Overview 3.1](#), section 3.3. This is the case in the present matter.

Therefore, the Panel finds also the third element of the ADR Rules has been established.

7. Decision

For the foregoing reasons, in accordance with Paragraph B (11) of the ADR Rules, the Panel orders that the disputed domain name <marketing-carrefoursa.eu> be transferred to the Complainant.¹

/Peter Burgstaller/

Peter Burgstaller

Sole Panelist

Date: October 14, 2026

¹ (i) The decision shall be implemented by the Registry within thirty (30) days after the notification of the decision to the Parties, unless the Respondent initiates court proceedings in a Mutual Jurisdiction, as defined in Paragraph A(1) of the ADR Rules.

(ii) If the remedy granted is "transfer", the Panel shall briefly discuss that the Complainant satisfies the general eligibility criteria for registration set out in Article 3 of Regulation (EU) 2019/517.