Panel Decision for dispute CAC-ADREU-008862

Case number	CAC-ADREU-008862
Time of filing	2026-01-11 13:25:21
Domain names	serviceclients-carrefour.eu

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	Carrefour SA

Complainant representative

Organization	IP TWINS

Respondent

Name	Daniel Léon Pontus

INSERT INFORMATION ABOUT OTHER LEGAL PROCEEDINGS THE PANEL IS AWARE OF WHICH ARE PENDING OR DECIDED AND WHICH RELATE TO THE DISPUTED DOMAIN NAME

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

FACTUAL BACKGROUND

The Complainant is Carrefour SA, a well-known French supermarket retailer. The Complainant pioneered the concept of hypermarkets in 1968 and now operates more than 12.000 stores in more than 30 countries worldwide. With a turnover of 84 billion Euros in 2024, the Complainant is listed on the Paris Stock Exchange (CAC 40). The Complainant has more than 384.000 employees worldwide and 1.3 million daily visitors in its stores. The Complainant additionally offers travel, banking, insurance, or ticketing services.

The Respondent is Daniel Leon Pontus, a French resident. The Respondent registered the disputed domain name on 07 September 2025. The disputed domain name resolves to an error page without any active content. There is no evidence before the Panel that the disputed domain name has ever been used for an active website since it was registered.

A. COMPLAINANT

The Complainant contends that the disputed domain name infringes its trade mark rights, that the Respondent has no rights or legitimate interest in the disputed domain name, and that the Respondent's registration and use of the disputed domain name is in bad faith. The Complainant, therefore, requests the transfer of the disputed domain name to the Complainant.

B. RESPONDENT

No administratively compliant response has been filed.

DISCUSSION AND FINDINGS

The Respondent's Default

Paragraph B10(a) of the ADR Rules provides that if, as the Respondent did in the present case, a party fails to respond to a complaint within the applicable deadlines, the Panel shall proceed to a decision on the Complaint and may consider this failure to comply as grounds to accept the claims of the other party.

However, the Panel does not consider that the ADR Rules envisage the Panel simply upholding the Complaint in all cases where a party fails to respond. Rather, in order for the complaint to succeed, the Complainant must still demonstrate that the requirements of Article 4.4 of Regulation (EU) 2019/517 (the "Regulation") and Paragraph B11(d)(1) of the ADR Rules are satisfied. In order for the Complaint to succeed, the Complainant must therefore show that:

(a) the disputed domain name is identical with or confusingly similar to a name in respect of which a right is established by Union or national law; and either
(b) the disputed domain name has been registered by its holder without rights or legitimate interest in the name; or
(c) the disputed domain name has been registered or is being used in bad faith.

If the Complainants succeed in this respect, in order to obtain a transfer of the disputed domain name, the Complainant must further satisfy the general eligibility criteria for registration set out in Article 3 of the Regulation.

The Complainant's Prior Rights

The Complainant owns the following trade marks consisting of the name Carrefour: the EU trade mark CARREFOUR, registration number 5178371, first registered on 30 August 2007 in international class 09, 35 and 38; and the EU trade mark CARREFOUR, registration number 8779498, first registered on 13 July 2010 in international class 35. The Complainant's trade mark registrations predate the registration of the disputed domain name and constitute prior rights in accordance with the terms of the Regulation.

The Panel accepts the Complainant's submission that the Complainant's trade marks are well known, certainly in France, where the Respondent is resident (see: WIPO case number D2022-0278, Carrefour SA v. Irwing Lesage <carrefourbanque.one>: "The disputed domain name fully includes the Complainant's trademark CARREFOUR, well known and distinctive (…). The reputation of the Complainant's trademark, as seen above, cannot be contested" (translated from French); and WIPO Case D2019-2610, Carrefour v. Perfect Privacy, LLC/Milen Radumilo <carrefoure.com>, discussing the trade mark CARREFOUR: "The mere registration of a domain name that is confusingly similar to a famous trademark (…). The Trademarks are well-known trademarks").

Identity or Confusing Similarity of the Disputed Domain Name

The Panel finds that the disputed domain name <serviceclients-carrefour.eu> is confusingly similar to the Complainant's trade mark CARREFOUR, in respect of which a right is established by Community law. Indeed, the disputed domain name incorporates the Complainant's well-known trade mark in its entirety but adds the generic term "serviceclients" (which translates as "customer service" into English) as a hyphenated prefix to the Complainant's trade mark. The addition of a descriptive or generic term, such as the term "serviceclients", does not allow a domain name to avoid confusing similarity with a trade mark and is not sufficient to alter the overall impression of the designation as being connected with the Complainant's trade mark. To the contrary, the disputed domain name rather adds to the likelihood of confusion because the term "serviceclients" in conjunction with the Complainant's trade mark CARREFOUR suggests that the disputed domain name links to an official website of the Complainant through which it provides customer services.

Legitimate Interest in the Disputed Domain Name

There is no evidence before the Panel to suggest that the Respondent has at any time used the disputed domain name, or a name corresponding to the disputed domain name, in connection with a bona fide offering of goods or services, or that the Respondent has made any demonstrable preparations to do so. Neither is there any indication that the Respondent is making legitimate non-commercial or fair use of the disputed domain name. Indeed, the disputed domain name is not being used for any active website but resolves to an inactive error page. The Panel further accepts the Complainant's submission that the Respondent is not affiliated with or related to the Complainant in any way, and is neither licensed nor otherwise authorised to make any use of the Complainant's trade mark, or to apply for or use the disputed domain name. In addition, the Whois information does not suggest that the Respondent is commonly known by the disputed domain name <serviceclients-carrefour.eu>. Against this background, and absent any response from the Respondent, or any other information indicating the contrary, the Panel concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Bad Faith Registration and Use

Given the alternative character of Paragraphs B11(d)(1)(ii) and (iii) of the ADR Rules, the Panel does not need to assess further whether the disputed domain name has also been registered or is being used by the Respondent in bad faith.

The Complainant's Eligibility

The Complainant is a company based in France and having its domicile/place of business within the Union. The Panel therefore finds that the Complainant satisfies the general eligibility criteria for registration set out in Article 3 of the Regulation.

DECISION

For all the foregoing reasons, in accordance with Paragraphs B12 (b) and (c) of the Rules, the Panel orders that the disputed domain name <serviceclients-carrefour.eu> be transferred to the Complainant.

PANELISTS

Name	Gregor Kleinknecht LLM MCIArb

DATE OF PANEL DECISION 2026-01-11

Summary

ENGLISH SUMMARY OF THIS DECISION IS HEREBY ATTACHED AS ANNEX 1

I. Disputed domain name: <serviceclients-carrefour.eu>

II. Country of the Complainant: France, country of the Respondent: France

III. Date of registration of the domain name: 07 September 2025

IV. Rights relied on by the Complainant (B(11)(f) ADR Rules) on which the Panel based its decision:
1. EU trade mark CARREFOUR, registration number 5178371, first registered on 30 August 2007 in international class 09, 35 and 38
2. EU trade mark CARREFOUR, registration number 8779498, first registered on 13 July 2010 in international class 35

V. Response submitted: No

VI. Domain name is confusingly similar to the protected right/s of the Complainant

VII. Rights or legitimate interests of the Respondent (B(11)(f) ADR Rules):
1. No
2. Why: No authorisation from Complainant, disputed domain name resolves to an error page

VIII. Bad faith of the Respondent (B(11)(e) ADR Rules):
1. Not discussed
2. Why: alternative character of Paragraphs B11(d)(1)(ii) and (iii) of the ADR Rules

IX. Other substantial facts the Panel considers relevant: not applicable

X. Dispute Result: Transfer of the disputed domain name

XI. Procedural factors the Panel considers relevant: Respondent's default

XII. Is Complainant eligible? Yes