# Decision for dispute CAC-UDRP-107776

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| Case number | CAC-UDRP-107776 |
| Time of filing | 2025-07-23 14:15:58 |
| Domain names | bouyguas-uk.com |

## Case administrator

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| Name | Olga Slanařová (Case admin) |

## Complainant

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| Organization | BOUYGUES |

## Complainant representative

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| Organization | NAMESHIELD S.A.S. |

## Respondent

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| Organization | LTD |

OTHER LEGAL PROCEEDINGS

The Panel is unaware of any pending or decided legal proceedings concerning the domain name <bouyguas-uk.com> (referred to as 'the disputed domain name').

IDENTIFICATION OF RIGHTS

The Complainant, Bouygues, relies upon the following registered trade mark, among others:

• International trade mark registration no. 390771, filed on 1 September 1972, for the figurative mark BOUYGUES, in classes 6, 19, 37 and 42 of the Nice Classification.

(referred to as 'the Complainant's trade mark' or 'the trade mark BOUYGUES').

Additionally, the Complainant owns, through its subsidiary, several domain names including the distinctive wording 'bouygues', such as <bouygues-uk.com>, registered in 2002.

The disputed domain name was registered on 16 July 2025 and currently resolves to a parking page featuring pay-per-click (PPC) commercial links (referred to as 'the Respondent's website').

FACTUAL BACKGROUND

**A. Complainant's Factual Assertions**

Founded by Francis Bouygues in 1952, the Complainant is a diversified industrial group operating across the Construction, Energies and services, Media, and Telecoms sectors in over 80 countries, with a net profit of EUR 56.8 billion in 2024. Bouygues UK, a subsidiary, operates within the UK market.

B. Respondent's Factual Assertions

The Respondent has failed to submit a Response in this ADR proceeding; consequently, the Complainant's factual assertions remain uncontested.

PARTIES CONTENTIONS

A. Complainant's Submissions

The Complainant's contentions can be summarised as follows:

A.1 The disputed domain name is confusingly similar to a trade mark in which the Complainant has rights

The Complainant asserts that the disputed domain name <bouyguas-uk.com> is confusingly similar to the trade mark BOUYGUES. The substitution of the letter 'e' with 'a' indicates typosquatting, a practice addressed in WIPO domain name cases. The geographic abbreviation 'uk' within the disputed domain name string does not alter the overall impression of connection to BOUYGUES, nor does the inclusion of the Top-Level Domain ('TLD') <.com> alleviate confusion.

A.2 The Respondent has no rights or legitimate interests in respect of the disputed domain name

The Complainant posits that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent’s Whois details do not align with the disputed domain name, and there is no affiliation or authorisation from the Complainant. The typosquatting nature of the disputed domain name supports the claim of a lack of legitimate interest. Furthermore, the presence of a parking page with commercial links indicates a non-bona fide offering.

A.3 The Respondent registered and is using the disputed domain name in bad faith

The Complainant contends that the Respondent registered the disputed domain name in bad faith, as evidenced by the distinctiveness of the trade mark BOUYGUES and the reasonable inference of the Respondent's prior knowledge of its notoriety (notably, Bouygues v Eric Denis, CAC Case No. 103800, concerning the domain name <bouyges-travaux.com>). The intentional misspelling of the trade mark BOUYGUES further indicates bad faith. The parking page associated with the disputed domain name serves to attract Internet users for commercial gain – an additional indicator of bad faith. Lastly, the configuration of MX records suggests potential misuse for email purposes, reinforcing the absence of good faith.

A.4 Relief sought

The Complainant requests the transfer of the disputed domain name.

B. Respondent's Submissions

The Respondent has not submitted a Response in this ADR proceeding; hence, the Complainant's submissions are uncontested.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain name is identical or confusingly similar to a trade mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the UDRP Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the UDRP Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the UDRP Policy).

PROCEDURAL FACTORS

The Panel confirms that all procedural requirements under the UDRP have been duly met, with no grounds preventing a decision from being issued.

PRINCIPAL REASONS FOR THE DECISION

A. Applicable Legal Framework

Pursuant to Rule 15 of the UDRP Rules, the Panel shall adjudicate a complaint based on the statements and documents submitted, in accordance with the UDRP Policy, the UDRP Rules, and any applicable rules and principles of law.

Paragraph 4(a) of the UDRP Policy delineates the grounds the Complainant must establish to succeed:

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

These three elements shall be collectively referred to as 'the requirements of the UDRP Policy'. The standard of evidence in UDRP administrative proceedings is the balance of probabilities, and the Panel will assess each requirement in sequence.

B. Identical or Confusingly Similar

The Panel is satisfied that the Complainant possesses UDRP-relevant rights to the registered trade mark BOUYGUES since 1972.

The Panel notes that the Complainant's trade mark BOUYGUES is almost entirely incorporated within the disputed domain name <bouyguas-uk.com>, with merely a single keyboard letter substituted ('e' for 'a'). The addition of the geographic abbreviation 'uk' does not diminish the overall resemblance; similarly, the TLD is generally immaterial to this assessment under the UDRP Policy.

The Panel therefore finds that the Complainant has met the first requirement of the UDRP Policy.

C. Rights or Legitimate Interests

The evidence indicates that the Respondent is not commonly known by the disputed domain name. Moreover, the Panel notes the Respondent's absence of any affiliation with, or authorisation from, the Complainant regarding the trade mark BOUYGUES.

The Panel has furthermore considered paragraph 2.9 of the WIPO Panel Views on Selected UDRP Questions, Third Edition ('WIPO Jurisprudential Overview 3.0'), which states that the use of a domain name to host a parked page featuring PPC link fails to constitute a bona fide offering when such links compete with or capitalise on the reputation and goodwill of the complainant’s trade mark or otherwise mislead Internet users. This is clearly evidenced in the Respondent's use of the disputed domain name, where some of the advertised links appear to compete directly with the Complainant, creating a significant risk of capitalising on the Complainant's trade mark and misleading Internet users.

The Respondent defaulted in this ADR proceeding and has not refuted the Complainant’s prima facie case. Therefore, the Respondent has not met its burden under the second UDRP Policy ground.

In light of the above, the Panel finds that the Complainant has fulfilled the second requirement of the UDRP Policy.

D. Registered and Used in Bad Faith

The Panel identifies several factors supporting a finding of bad faith registration.

First, the Complainant's trade mark BOUYGUES predates the registration of the disputed domain name by over five decades. The disputed domain name retains the essential element of the trade mark BOUYGUES within its string. Furthermore, the Complainant's subsidiary is the holder of the nearly identical domain name <bouygues-uk.com>. Therefore, the Panel concludes that the Respondent registered the disputed domain name with knowledge of, and intent to target, the Complainant.

Regarding the use of the disputed domain name in bad faith, the Complainant asserts that the Respondent may have engaged in the conduct outlined in paragraph 4(b)(iv) of the UDRP Policy:

> '(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location'.

As noted in the section 'Identification of Rights' above, the disputed domain name currently resolves to a parked page featuring PPC advertisements with commercial links.

The Panel has consequently consulted paragraph 3.1.4 (conduct (iv) above) of the WIPO Jurisprudential Overview 3.0 to evaluate the use of the disputed domain name under this UDRP Policy ground. In its assessment, the Panel finds that several factors bolster the Complainant's case: (i) actual confusion between the Complainant's trade mark BOUYGUES and the disputed domain name; (ii) the Respondent's deliberate attempt to provoke such confusion; (iii) the absence of any rights or legitimate interests held by the Respondent concerning the disputed domain name; and (iv) the lack of any conceivable good faith use of the disputed domain name, particularly given the Respondent's hosting of PPC commercial links.

Accordingly, the Complainant has fulfilled the third and final requirement of the UDRP Policy.

**E. Decision**

For the above reasons, in accordance with paragraph 4(a) of the UDRP Policy and Rule 15 of the UDRP Rules, the Panel orders that the disputed domain name <bouyguas-uk.com> be transferred to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **bouyguas-uk.com**: Transferred

## PANELLISTS

| Name | **Gustavo Moser** |
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DATE OF PANEL DECISION 2025-08-17

Publish the Decision