Decision for dispute CAC-UDRP-108112

Case number	CAC-UDRP-108112
Time of filing	2025-11-04 09:07:26
Domain names	bouygues-construction-grp.com

Case administrator

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

Complainant

Organization	BOUYGUES

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	martin dofman

OTHER LEGAL PROCEEDINGS

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

IDENTIFICATION OF RIGHTS

The Complainant is the registered owner of European trademark registration no. 001589159 "BOUYGUES CONSTRUCTION", registered on May 16, 2001, in class 37 (hereinafter referred to as the "Trademark").

FACTUAL BACKGROUND

Founded in 1952, the Complainant operates in the construction industry, among others. It operates in over 80 countries, and its net profit attributable to the group amounted to €56 billion in 2023. Its subsidiary, BOUYGUES CONSTRUCTION, is a global player in the fields of building, public works, energy and services, providing information on its offerings at <bouygues-construction.com>.

The disputed domain name was registered on October 30, 2025 and resolves to a parking page containing commercial links. Furthermore, it is connected to MX servers.

PARTIES CONTENTIONS

COMPLAINANT:

The Complainant argues that the disputed domain name is confusingly similar to their Trademark. They claim that adding the term "GRP" (short for "GROUP") does not change the overall impression and is not sufficient to avoid the likelihood of confusion. They also state that the top-level domain ".com" does not prevent confusion.

The Complainant also asserts that the Respondent has no rights or legitimate interest in the disputed domain name. The Complainant asserts that the Respondent is not identified in the Whois database as the disputed domain name and therefore not commonly known by a disputed domain name, that the Respondent is not affiliated with nor authorized by the Complainant in any way, that no license or authorization has been granted to the Respondent to make any use of the Trademark or apply for registration of the disputed domain name by the Complainant, and that the Respondent's use of the disputed domain name in connection with a parking page containing commercial links is neither a bona fide offering of goods or services nor a legitimate non-commercial or fair use.

Regarding bad faith, the Complainant states that the disputed domain name was registered and is being used in bad faith. They point out that previous panels have held that the Trademark is well known and argue that it is reasonable to infer that the Respondent has registered the disputed domain name with full knowledge of the Trademark. With regard to bad faith use, the Complainant states that the Respondent has attempted to attract Internet users to its own website for commercial gain thanks to the Complainant’s trademarks, which is an evidence of bad faith. Finally, the Complainant states that MX servers are configured, suggesting that the disputed domain name may be actively used for email purposes.

RESPONDENT:

No administratively compliant Response has been filed.

RIGHTS

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

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

Under paragraph 4(a) of the Policy, the Complainant must prove that each of the following three elements is present:

(i) the disputed domain name is identical or confusingly similar to the Complainant's trademark; and

(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.

1. The Panel accepts that the disputed domain name is confusingly similar to the Trademark, as it fully incorporates the well-established Trademark and merely includes the letters "GRP" at the end of the second-level domain name. The Trademark, however, is clearly recognizable in the disputed domain name.

2. The Complainant has substantiated that the Respondent has no rights or legitimate interests in the disputed domain name. The Panel finds that the Complainant has fulfilled its obligations under paragraph 4(a)(ii) of the Policy. The Respondent did not deny these assertions in any way and, therefore, failed to prove any rights or legitimate interests in the disputed domain name. Based on the evidence on file, the Panel cannot find any rights or legitimate interests of the Respondent either, as the disputed domain name is not generic and the Respondent's use of the disputed domain name does not indicate the existence of any rights or legitimate interests of its own. Accordingly, the Panel finds that the Complainant has proven that the Respondent has no rights or legitimate interests in respect of the disputed domain name under paragraphs 4(a)(ii) and 4(c) of the Policy.

3. The Panel is convinced, that the Respondent registered the disputed domain name with full knowledge of the Complainant and its rights in the Trademark as the Trademark is highly distinctive and the disputed domain name deliberately targets the Complainant's own domain name <bouygues-construction.com>. It is inconceivable that the disputed domain name was registered without having the Complainant and the Trademark in mind.

Regarding bad faith use, by utilizing the disputed domain name for a landing page featuring advertising links promoting third-party products and services, the Respondent was, in all likelihood, trying to divert traffic intended for the Complainant’s website to its own for commercial gain as set out under paragraph 4(b)(iv) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **bouygues-construction-grp.com**: Transferred

PANELLISTS

Name	**Peter Müller**

DATE OF PANEL DECISION 2025-11-26

Publish the Decision