Decision for dispute CAC-UDRP-108379

Case number	CAC-UDRP-108379
Time of filing	2026-02-03 08:36:51
Domain names	bouygues-constructionau.com

Case administrator

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

Complainant

Organization	BOUYGUES

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Domain Administrator

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 owner of several trademarks BOUYGUES CONSTRUCTION, such as the international trademark BOUYGUES CONSTRUCTION n°732339 registered since April 13, 2000 and the European trademark BOUYGUES CONSTRUCTION n°001589159 registered since May 16, 2001.

The Complainant also owns, through its subsidiary, a number of domain names including the same distinctive wording BOUYGUES CONSTRUCTION such as <bouygues-construction.com>, registered since May 10, 1999.

FACTUAL BACKGROUND

Founded by Francis Bouygues in 1952, BOUYGUES (the Complainant) is a diversified group of industrial companies structured by a strong corporate culture. Its businesses are centered on four sectors of activity: Construction, Energies and services, Media and Telecoms. Operating in over 80 countries, the Complainant’s net profit attributable to the Group amounted to €1,058m.

Its subsidiary BOUYGUES CONSTRUCTION is a world player in the fields of building, public works, energy, and services.

As a global player in construction and services, BOUYGUES CONSTRUCTION designs, builds and operates buildings and structures which improve the quality of people's living and working environment: public and private buildings, transport infrastructures and

energy and communications networks

The disputed domain name <bouygues-constructionau.com> was registered on January 26, 2026 and resolves to a parking page with commercial links. Besides, MX servers are configured.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

No administratively compliant Response has been filed.

The Complainant, among other things, contends the following in support of the complaint.

The Complainant states that the disputed domain name is confusingly similar to its trademark BOUYGUES CONSTRUCTION and its associated domain name.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name and he is not related in any way to the Complainant. The Complainant does not carry out any activity for, nor has any business with, the Respondent.

Given the distinctiveness of the Complainant's trademark and reputation, it is reasonable to infer that the Respondent has registered the domain name with full knowledge of the Complainant's trademark. Furthermore, the disputed domain name is inactive. The Complainant contends that the Respondent has not demonstrated any activity in respect of the disputed domain name, and it is not possible to conceive of any plausible actual or contemplated active use of the domain name by the Respondent that would not be illegitimate, such as by being a passing off, an infringement of consumer protection legislation, phishing, or an infringement of the Complainant’s rights under trademark law.

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).

This is a case of adding a generic term "AU", which is the country code for Australia, in front of the Complainant's trademark BOUYGUES CONSTRUCTION, it is found that the disputed domain name <bouyguesconstructionau.com> is confusingly similar to the Complainant´s trademark BOUYGUES CONSTRUCTION.

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).

Given the circumstances of the case, among others well-known character of Complainant's trademark BOUYGUES CONSTRUCTION, it is inconceivable to the Panel in the current circumstances that the Respondent registered the disputed domain name without prior knowledge of the Complainant and the Complainant’s marks and domain names.

The Panel therefore finds that the disputed domain name was registered in bad faith.

The incorporation of a well-known mark into a domain name, coupled with an inactive website, may in itself be evidence of bad faith registration and use.

It is not possible for the Panel to conceive of any plausible actual or contemplated active use of the domain name by the Respondent that would not be illegitimate, such as by being a passing off, an infringement of consumer protection legislation, a phishing purpose based on the related MX-records, or an infringement of the Complainant’s rights under trademark law.

The Panel finds that the disputed domain has been registered and is being used in bad faith.

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

The three essential issues under the paragraph 4(a) of the Policy are whether:

i. the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

ii. the Respondent has no rights or legitimate interests with respect to the disputed domain name; and

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

2. The Panel reviewed carefully all documents provided by the Complainant. The Respondent did not provide the Panel with any documents or statements. The Panel also visited all available websites and public information concerning the disputed domain name, namely the WHOIS databases.

3. The UDRP Rules clearly say in their Article 3 that any person or entity may initiate an administrative proceeding by submitting a complaint in accordance with the Policy and these Rules.

4. The Panel therefore came to the following conclusions:

a) The Complainant states and proves that the disputed domain name is confusingly similar to its trademark and its domain names. Indeed, the disputed domain name is merely adding the country code for Australia behind the Complainant's trademark.

The disputed domain name is therefore deemed confusingly similar.

b) The Respondent is not generally known by the disputed domain name and has not acquired any trademark or service mark rights in the name or mark, nor is there any authorization for the Respondent by the Complainant to use or register the disputed domain name. The Panel therefore finds that the Respondent does not have rights or a legitimate interest with respect to the disputed domain name.

c) It is clear that the Complainant's trademarks and website(s) were used by the Complainant long time before the disputed domain name was registered.

The Panel finds it inconceivable that the Respondent was unaware of the Complainant's trademark and domain names at the time of registering the disputed domain name and therefore finds that the disputed domain name was registered in bad faith.

The incorporation of a well-known mark into a domain name, coupled with an inactive website, may in itself be evidence of bad faith registration and use.

The Panel therefore finds that the disputed domain name has been registered and is being used in bad faith.

For the reasons stated above, it is the decision of this Panel that the Complainant has satisfied all three elements of paragraph 4(a) 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-constructionau.com**: Transferred

PANELLISTS

Name	**Lars Karnoe**

DATE OF PANEL DECISION 2026-03-09

Publish the Decision