Decision for dispute CAC-UDRP-108513

Case number	CAC-UDRP-108513
Time of filing	2026-03-23 09:39:33
Domain names	bouygues-batiment-tp.com

Case administrator

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

Complainant

Organization	BOUYGUES

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	KMR RENOVATION

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

EU TM No. 1217223 BOUYGUES BATIMENT with an effective registration date 23 June 1999 for various building and construction and related services in class 37.

FACTUAL BACKGROUND

The Complainant operates an industrial, building and civil works business that was founded in 1952. It operates in over 80 countries and had an annual turnover in 2025 of approximately 56.9 billion Euros.

The Complainant is the owner of a number of registered trademarks incorporating BOUYGUES BATIMENT or BOUYGUES, including the above-mentioned registration. It is also the owner of numerous domain names containing the words BOUYGUES BATIMENT.

The disputed domain name was registered on 17 March 2026. It resolves to a parking page. MX servers have been configured for the disputed domain name.

The Complainant contends that the acronym "TP" is known in French to stand for "TRAVAUX PUBLICS" meaning "CIVIL ENGINEERING". Further, the Complainant contends that it has a subsidiary called BOUYGUES TRAVAUX PUBLICS.

The Respondent has provided a registrant name of "KMR Renovation" and an address located in France.

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.

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

Paragraph (4)(a) of the Policy lists three elements that the Complainant must prove to merit a finding that the disputed domain name registered by the Respondent should be transferred to the Complainant:

1) the disputed domain name is identical or confusingly similar to a trademark or service mark ("mark") in which the Complainant has rights; and
2) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
3) the disputed domain name has been registered and is being used in bad faith.

The Panel is satisfied that the Complainant has satisfied all three elements for the principal reasons set out below.

RIGHTS IN AN IDENTICAL OR CONFUSINGLY SIMILAR TRADEMARK

The Complainant has claimed registered rights over trade marks containing or consisting of the words BOUYGUES BATIMENT. This includes the above-mentioned registration in relation to various services in class 37.

To satisfy paragraph 4(a)(i) of the Policy it is enough that the Panel is satisfied that the Complainant has registered rights in a single trademark in a single jurisdiction that predates the registration of the disputed domain name (even if that single jurisdiction is not one in which the Respondent resides or operates) (Koninklijike KPN N.V. v. Telepathy, Inc D2001-0217 (WIPO 7 May 2001); see also WIPO Case Nos. D2012-0141 and D2011-1436).

Hence here registered rights in BOUYGUES BATIMENT are established.

The next question is whether the disputed domain name is confusingly similar to this trademark.

The disputed domain name only differs from the registered trade mark in any material sense by reason of the inclusion of "-tp" after the words "bouygues-batiment". As noted above, the Complainant asserts, and the Respondent does not dispute, that "TP" is an acronym in France for "civil engineering", being services offered by the Complainant. The Panel accepts this argument. However, even if "TP" had no decipherable meaning then, nevertheless, these mere two letters do not detract from the distinctive "bouygues-batiment". It is the "bouygues-batiment" that will be seen as the most significant brand indicator to a consumer.

The disputed domain name is confusingly similar to both the Complainant's BOUYGUES BATIMENT registered trademark referred to above.

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant is required to make out a prima facie case that the Respondent lacks rights or legitimate interests (Croatia Airlines d.d. v. Modern Empire Internet Ltd. WIPO Case No. D2003-0455). Once such a prima facie case is made, the respondent carries the burden of demonstrating rights or legitimate interests in the domain name. If the respondent fails to do so, the complainant is deemed to have satisfied paragraph 4(a) (ii) of the Policy.

The Respondent is not identified in the Whois database as having a name related to the disputed domain name. Past panels have held that a Respondent was not commonly known by a disputed domain name if the Whois information was not similar to the disputed domain name. Thus, the Respondent is not known as the disputed domain name. Forum Case No. FA 1781783, Skechers U.S.A., Inc. and Skechers U.S.A., Inc. II v. Chad Moston / Elite Media Group <bobsfromsketchers.com> (“Here, the WHOIS information of record identifies Respondent as “Chad Moston / Elite Media Group.” The Panel therefore finds under Policy ¶ 4(c) (ii) that Respondent is not commonly known by the disputed domain name under Policy ¶ 4(c) (ii).”).

There are no other facts that would indicate the Respondent has any rights or legitimate interests in the disputed domain name. In such circumstances, the Complainant has made out its prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Respondent has no rights or interests in the disputed domain name.

BAD FAITH

Given that;

(a) The Complainant has a significant reputation in the BOUYGUES BATIMENT trademark; and

(b) The disputed domain name is strikingly similar to this distinctive trademark;

It is beyond all doubt that the Respondent knew of the Complainant's reputation and rights in the BOUYGUES BATIMENT trademark at the time of registering the disputed domain name. Further, it is concerning to the Panel that the Respondent has configured MX services for the disputed domain name, which would only be done if it intended to use it for an e-mail service.

As the Panel has found the Respondent had such prior knowledge of the BOUYGUES BATIMENT trademark at the time of registering the disputed domain name it can only follow that its purpose in registering the disputed domain name was to opportunistically profit from such confusing similarity. The Respondent targeted the Complainant's well-known name for this purpose. Such opportunism has been recognised as bad faith by numerous panels. The Panel refers to the commentary of the learned Gerald M Levine, Domain Name Arbitration, Legal Corner Press, 2nd ed. 2019, pp.432 to 434.

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

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **bouygues-batiment-tp.com**: Transferred

PANELLISTS

Name	**Andrew Sykes**

DATE OF PANEL DECISION 2026-04-30

Publish the Decision