Decision for dispute CAC-UDRP-108649

Case number	CAC-UDRP-108649
Time of filing	2026-05-14 10:00:47
Domain names	bouygues-infrastructures.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	BOUYGUES

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Julien Charentus

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 relies on several of its registered trademarks, in territories around the world, including:

Mark	Territory	Registration No.	Registration Date
BOUYGUES (device mark)	IR (AT - BG - BX - CH - CZ - DE - EG - ES - HU - IT - LI - MA - MC - ME - MK - PT - RO - RS - SK – SM)	390771	September 1, 1972
BOUYGUES (device mark)	France	1197244	March 4, 1982

Further, the Complainant operates its business using its domain name <bouygues.com>, which was registered on December 31, 1997.

FACTUAL BACKGROUND

The Complainant's group was founded in France by Francis Bouygues in 1952 and is a diversified group of industrial companies structured by a strong corporate culture. The Complainant's group has a presence in more than 80 countries. In 2025, the Complainant's group generated sales of €56.9 billion. Its businesses are centered on four sectors of activity: construction, energies and services, media, and telecoms.

Registration of the disputed domain name

The disputed domain name <bouygues-infrastructures.com> was registered on May 12, 2026.

First UDRP Element - disputed domain name is Confusingly Similar to the Complainant's Trademark

The Complainant asserts that the disputed domain name is confusingly similar to its BOUYGUES trademark because it incorporates the trademark in its entirety.

The Complainant contends that the addition of the term "infrastructures" does not alter the overall impression of the disputed domain name as being connected to the Complainant's trademark and is insufficient to prevent a likelihood of confusion.

The Complainant further submits that the addition of the ".com" gTLD does not avoid confusing similarity.

Second UDRP Element – The Respondent has no Rights or Legitimate Interests in the disputed domain name

The Complainant asserts that the Respondent is not commonly known by the disputed domain name and notes that the Respondent is not identified in the Whois database by a name corresponding to the disputed domain name.

The Complainant further contends that the Respondent is not affiliated with the Complainant and has not been authorized, licensed, or otherwise permitted to use the BOUYGUES trademark or to register any domain name incorporating the Complainant's trademark.

The Complainant also asserts that it does not carry out any activity for, nor has any business relationship with, the Respondent.

In addition, the Complainant contends that the disputed domain name resolves to a parking page and that the Respondent has not used, nor demonstrated any plan to use, the disputed domain name.

Accordingly, the Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Third UDRP Element – The disputed domain name was Registered and is Being Used in Bad Faith

The Complainant asserts that the BOUYGUES trademark is well known and distinctive and that the disputed domain name is confusingly similar to the Complainant's trademark and associated domain name.

The Complainant contends that, given the distinctiveness and reputation of the BOUYGUES trademark, the Respondent registered the disputed domain name with knowledge of the Complainant's trademark rights.

The Complainant further submits that the disputed domain name resolves to a parking page and that the Respondent has not demonstrated any activity in respect of the disputed domain name.

The Complainant also argues that it is not possible to conceive of any plausible actual or contemplated active use of the disputed domain name by the Respondent that would not be illegitimate.

The Complainant additionally relies on the existence of MX records associated with the disputed domain name, which it suggests that the disputed domain name may be actively used for e-mail purposes.

Accordingly, the Complainant submits that the disputed domain name was registered and is being used in bad faith.

The foregoing facts and arguments asserted by the Complainant are uncontested because no Response was filed.

PARTIES CONTENTIONS

Complainant´s contentions are summarized above.

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

THREE ELEMENTS COMPLAINANT MUST ESTABLISH UNDER THE POLICY

According to Paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements to obtain an order that a disputed domain name should be transferred or cancelled:

(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 in respect of the disputed domain name; and

(iii) the disputed domain name has been registered and are being used in bad faith.

The Panel has examined the evidence available to it and has come to the following conclusions concerning the satisfaction of the three elements of paragraph 4(a) of the Policy in these proceedings:

(A) THE COMPLAINANT'S RIGHTS AND CONFUSING SIMILARITY OF THE DISPUTED DOMAIN NAME TO THE COMPLAINANT'S RIGHTS

The Complainant has demonstrated registered trademark rights in the term BOUYGUES in multiple jurisdictions, including France and through international registration systems. These trademark rights predate the registration of the disputed domain name by several years.

A registered trademark constitutes sufficient evidence of rights for purposes of paragraph 4(a)(i) of the Policy. The Panel therefore finds that the Complainant possesses rights in the BOUYGUES® trademark.

UDRP panels have held that where the asserted trademark is recognizable within a disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) does not prevent a finding of confusing similarity under paragraph 4(a)(i) of the Policy. See, e.g., LEGO Juris A/S v. DBA David Inc/ DomainsByProxy.com, Case No. D2011-1290 (WIPO, September 20, 2011) ("the mere addition of the words ‚Ninjago' and ‚Kai' is not sufficient to exclude the likelihood of confusion between the disputed domain name and the Complainant's trademark.").

In the present case, the disputed domain name consists of the Complainant's BOUYGUES® trademark followed by the term "infrastructures". In assessing confusing similarity, the Panel finds that the disputed domain name is confusingly similar to the Complainant's trademark, as it incorporates the BOUYGUES® trademark in its entirety and differs from such mark merely by the addition of the term "infrastructures" and a hyphen. The Complainant's distinctive trademark forms the dominant part of the disputed domain name and is readily recognizable therein. The Panel finds that the Complainant's trademark is clearly recognizable within the disputed domain name and constitutes its dominant element.

The applicable generic Top-Level Domain ".com" is generally disregarded for the purpose of the confusing similarity assessment as it is a technical requirement of domain name registration.

Accordingly, the Panel concludes that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights and that the Complainant has satisfied paragraph 4(a)(i) of the Policy.

(B) RESPONDENT'S LACK OF RIGHTS OR LEGITIMATE INTERESTS IN THE DISPUTED DOMAIN NAME

The second element of the Policy requires that the Complainant establish that the Respondent has no rights or legitimate interests in the disputed domain name.

The Panel accepts that the Complainant has established a prima facie case.

The Complainant states that the Respondent is neither affiliated with nor authorized by the Complainant to use the BOUYGUES® trademark in any manner. The Complainant further states that it has not granted the Respondent any license or authorization to register or use a domain name incorporating the BOUYGUES® trademark.

The Complainant also asserts that the Respondent is not commonly known by the disputed domain name. The Whois information identifies the registrant as "Julien Charentus", apparently an individual located in France, which bears no resemblance to the disputed domain name. There is no evidence before the Panel indicating that the Respondent has been commonly known by the disputed domain name within the meaning of paragraph 4(c)(ii) of the Policy.

The evidence submitted by the Complainant further shows that the disputed domain name resolves to a parking page. The Panel finds no evidence in the record that the Respondent has used, or made demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use.

The generally adopted approach by UDRP panels, when considering the second element, is that if a complainant makes out a prima facie case, the burden of proof shifts to the respondent to rebut it; see, for example, CAC Case No. 102333, Amedei S.r.l. v sun xin. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a)(ii) of the Policy. See also WIPO Case No. D2003-0455, Croatia Airlines d.d. v. Modern Empire Internet Ltd.. In the present case, no Response has been filed, and the Panel may therefore draw appropriate inferences from the Respondent's default.

In the absence of any Response or other evidence rebutting the Complainant's prima facie case, the Panel concludes that the Respondent has no rights or legitimate interests in the disputed domain name.

Accordingly, the Panel finds that the Complainant has satisfied paragraph 4(a)(ii) of the Policy.

(C) BAD FAITH REGISTRATION AND USE OF THE DISPUTED DOMAIN NAME

Paragraph 4(a)(iii) of the Policy requires the Complainant to establish that the disputed domain name has been registered and is being used in bad faith.

The Panel notes that the Complainant has demonstrated registered rights in the BOUYGUES® trademark well before the registration of the disputed domain name on May 12, 2026. The Complainant has further shown that its trademark enjoys a degree of recognition in its field, particularly in France where it has a long history dating back to 1952, and where Respondent is located. In the circumstances of this case, the Panel considers that the composition of the disputed domain name, which incorporates the Complainant's trademark in its entirety together with the descriptive term "infrastructures", supports a finding that the Respondent was aware of, or at least likely aware of, the Complainant and its trademark at the time of registration.

Regarding use, the disputed domain name resolves to a parking page. The Panel recalls that passive holding of a domain name does not prevent a finding of bad faith under the Policy. As established in Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003, the assessment must be made in light of all the circumstances of the case.

In the present case, the Panel notes (i) the distinctiveness and reputation of the Complainant's trademark, (ii) the lack of any evidence of actual or contemplated good faith use by the Respondent, and (iii) the absence of a response or any explanation from the Respondent. In light of these elements, the Panel considers that it is not apparent that any plausible good-faith use of the disputed domain name could be made.

The Complainant has also submitted that the disputed domain name is configured with MX (mail exchange) records. The Panel notes that several previous decisions have considered the existence of MX records as a relevant factor when assessing potential bad faith use in the context of possible e-mail-related abuse. See, for example, CAC Case No. 102827, JCDECAUX SA v. Handi Hariyono ("There is no present use of the disputed domain name but there are several active MX records connected to the disputed domain name. It is concluded that it is inconceivable that the Respondent will be able to make any good faith use of the disputed domain name as part of an e-mail address."). While the mere existence of MX records is not, in itself, conclusive of bad faith, the Panel considers that, in the present case, and in the absence of any evidence of good-faith activity, this configuration may increase the risk of misuse for email-based impersonation or fraud, including phishing.

Importantly, the Panel also notes that in a recent decision concerning the same Respondent involving an almost identical domain name to the instant case save for the omission of an "s", namely <bouygues-infrastructure.com>, a panel reached comparable findings on confusing similarity, lack of rights or legitimate interests, and bad faith, including in relation to passive holding and the configuration of MX records, see CAC-UDRP-108469, BOUYGUES v. Julien Charentus.

Taking all the circumstances of the case into account, including the composition of the disputed domain name, the passive holding of the domain name, the absence of any explanation from the Respondent, the configuration of MX records, and the pattern of conduct by the Respondent, the Panel finds that 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.

Accordingly, the Complainant has satisfied paragraph 4(a)(iii) 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-infrastructures.com**: Transferred

PANELLISTS

Name	**Claire Kowarsky**

DATE OF PANEL DECISION 2026-06-15

Publish the Decision