

Decision for dispute CAC-UDRP-108997

Case number	CAC-UDRP-108997
Time of filing	2026-09-15 11:09:03
Domain names	colassolution.com

Case administrator

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

Organization	COLAS
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Complainant representative

Organization	NAMESHIELD S.A.S.
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Respondent

Organization	Colas Inc
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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 has evidenced to be the owner of various trademarks relating to its company name and brand COLAS, including, but not limited to, the following:

- word trademark COLAS, International registration (World Intellectual Property Organization), registration No.: 753190, registration date: February 16, 2001, status: active;
- word/device trademark COLAS, United States Patent and Trademark Office (USPTO);
- registration No.: 5598071, registration date: November 6, 2018, status: active.

Also, the Complainant has substantiated to own since 1997 the domain name <colas.com>, which resolves to the Complainant's main website at "www.colas.com", used to promote the Complainant's services in the transport infrastructure industry internationally.

FACTUAL BACKGROUND

The disputed domain name was registered on August 28, 2026. By the time of the rendering of this decision, it does not resolve to any active content on the Internet. The Complainant, however, has demonstrated that at some point before the filing of the Complaint, e.g. on September 14, 2026, the disputed domain name resolved to a typical parking page operated by the Registrar.

Also, the Complainant has demonstrated that MX servers have been activated for the disputed domain name, allowing to send e-mails thereunder.

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

First, the Panel finds that the disputed domain name <colassolution.com> is confusingly similar to the Complainant's COLAS trademark, as it incorporates the latter entirely, merely added by the descriptive term "solution". It has been held in many UDRP decisions and has meanwhile become a consensus view among UDRP panels that the mere addition of descriptive or other terms (such as e.g. the term "solution") is not capable to dispel the confusing similarity arising from such entire incorporation of the Complainant's COLAS trademark in the disputed domain name.

Therefore, the Complainant has established the first element under the Policy as set forth by paragraph 4(a)(i).

Second, the Complainant contends, and the Respondent has not objected to these contentions, that the Respondent has neither made use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, nor is the Respondent commonly known under the disputed domain name, nor is the Respondent making a legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain. The Respondent has not been licensed or otherwise authorized to use the Complainant's COLAS trademark, either as a domain name or in any other way. Also, there is no reason to believe that the Respondent's name somehow corresponds with the disputed domain name, and the Respondent does not appear to have any trademark rights associated with the term "colas" on its own. Moreover, the disputed domain name so far neither resolves to any active content on the Internet, nor has it apparently done so in the past and, thus, is passively held. Many UDRP panels, however, have recognized that the mere registration of a domain name, even one that is comprised of a confirmed dictionary word or phrase, may not of itself confer rights or legitimate interests in a disputed domain name. Finally, the Complainant has also demonstrated that MX servers have been activated for the disputed domain name, possibly for the purpose of sending unauthorized/illegal e-mails thereunder. Such making use of the disputed domain name, likely in a fraudulent manner, again neither qualifies as a bona fide nor as a legitimate noncommercial or fair use under the UDRP and may not of itself confer rights or legitimate interests therein.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and

that, therefore, the Complainant has also satisfied paragraph 4(a)(ii) and, thus, the second element of the Policy.

Third, the Panel holds that the disputed domain name was registered and is being used by the Respondent in bad faith. There is a consensus view among UDRP panelists that a passive holding of a disputed domain name may, in appropriate circumstances, be consistent with the finding of bad faith, in particular in circumstances in which, for example, a complainant's trademark is well-known, and there is no conceivable use that could be made of the disputed domain name and would not amount to an infringement of the complainant's trademark's rights. In the case at hand, in the absence of any other reasonable explanation as to why the Respondent should rely on the disputed domain name which includes the Complainant's undisputedly well-reputed COLAS trademark entirely, and given that the Respondent has brought forward nothing in substance relating to the intended use of the disputed domain name, the Panel finds that the Respondent has registered and is making use of the disputed domain name in a manner which at least takes unjustified and unfair advantage of the Complainant's COLAS trademark's reputation and must, therefore, be considered as registered and being used in bad faith within the meaning of the Policy. Also, activating MX servers under the disputed domain name at least allows the assumptions (1) that it is unlikely to think of any good faith use of the disputed domain name by the Respondent as part of an e-mail address, and (2) that the Respondent rather intends to make use at some point of the disputed domain name in connection with unauthorized e-mail services which, in turn, are inconceivable of being of a good faith nature, either. Accordingly, such circumstances are further evidence of registration and use of the disputed domain name in bad faith within the larger meaning of paragraph 4(b) of the Policy. Finally, it also carries weight in the eyes of the Panel that the Respondent obviously provided false or incomplete contact information in the Whois register for the disputed domain name (e.g. the company name of the Complainant's subsidiary combined with contact information that do not correspond to this entity) which obviously is an attempt to impersonate the Complainant and, thus, clearly supports the Panel's bad faith finding.

Therefore, the Complainant has also satisfied the third element under the Policy as set forth by paragraph 4(a)(iii).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

- 1. colassolution.com: Transferred

PANELLISTS

Name	Stephanie Hartung
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DATE OF PANEL DECISION 2026-10-14

Publish the Decision