

ADMINISTRATIVE PANEL DECISION

Vinci, and Vinci Construction v. Yousef MoazamiGoodarzi
Case No. D2025-2325

1. The Parties

The Complainants are Vinci, France, (the “First Complainant”) and Vinci Construction (the “Second Complainant”), France, (collectively referred to as “the Complainant”) represented by Cabinet Regimbeau, France.

The Respondent is Yousef MoazamiGoodarzi, United States of America.

2. The Domain Name and Registrar

The disputed domain name <vinciconstructionco.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed in French with the WIPO Arbitration and Mediation Center (the “Center”) on June 13, 2025. On June 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 13, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 16, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. On June 16, 2025, the Center informed the Parties in English and French, that the language of the Registration Agreement for the disputed domain name is English. The Complainant filed an amended Complaint in English on June 17, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on June 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 8, 2025. The Respondent sent email communications to the Center on

July 3 and 11, 2025. Upon Complainant's request dated July 8, 2025, the Center notified the Parties of the suspension of the proceedings on July 9, 2025. The Complainant filed a request for extension of the suspension on August 7, 2025, and the Center notified the Parties of an extension of suspension on August 7, 2025. On September 8, 2025, the Center received request to reinstitute the proceedings by the Complainant. The proceedings were reinstated on September 10, 2025.

The Center appointed Manuel Moreno-Torres as the sole panelist in this matter on September 16, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The First Complainant, Vinci, is a French company and leader in the sectors of concessions, energy and construction, with establishments and subsidiaries spread across in more than 120 countries. The First Complainant's turnover reached EUR 71,6 billion in 2023 and the company has nearly 280,000 employees worldwide.

The Second Complainant, Vinci Construction, is a subsidiary of the First Complainant, Vinci. It is an established company in the construction sector. The Second Complainant currently comprises 1,300 entities and 119,000 employees spread across over 100 countries around the world and works on over 69,000 construction sites every year. Its main website is "www.vinci-construction.com".

The Complainant has an extensive portfolio of trademark for VINCI CONSTRUCTION in different jurisdictions.

By way of example:

French trademark for VINCI CONSTRUCTION, with registration number 3247127, filed and registered on September 23, 2003.

European Union trademark for VINCI CONSTRUCTION, with registration number 003394251, registered on February 21, 2005.

The complainant owns numerous domain names composed with VINCI CONSTRUCTION trademarks. Such as, <vinciconstruction.com>, registered on October 5, 2000, and <vinci-construction.com>, registered on May 29, 2000.

The disputed domain name was registered on May 18, 2025. At the time of filing the Complaint, the disputed domain name resolved to a webpage displaying a contact form, with a background image of a construction plan and the words: "VINCI CONSTRUCTION CO Building Your Vision" at the top of the webpage. The disputed domain name is currently inactive.

The Complainant sent an abuse report to the Registrar by email and through its online form on May 21, 2025. However, the Registrar did not answer.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that the disputed domain name almost reproduces the Complainant's VINCI CONSTRUCTION trademark adding the letters "co" an acronym of the word "company". Thus, a descriptive term. Accordingly, the Complainant's trademark is easily recognizable within the disputed domain name.

The Complainant also alleges that the Respondent has no rights or legitimate interest in the disputed domain name. The Respondent is not an authorized dealer, distributor, or licensee of the Complainant, nor has the Complainant allowed the Respondent to use its trademarks. Therefore, says the Complainant, there is no bona fide offering or legitimate interests that could be claimed by the Respondent.

Besides, the Complainant submits that the Respondent does not have prior rights and points out search developed with regard French trademarks as well as Google searches.

The Complainant contends that the Respondent knew or should have known the Complainant's trademark. The catchphrase "Building your vision" displayed at the top of the webpage at the disputed domain name suggests the Respondent was aware of the Complainant's business. Further, by using a privacy service when registering the disputed domain name, the Respondent falls in what is deemed to be bad faith registration.

While the website to which the disputed domain name includes a contact form to potentially collect data, the Complainant contends that the Respondent deliberately tried to attract Internet users familiar with the Complainant's trademarks on its own website by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsor, affiliation or endorsement of that website or a product or service offered therein.

Moreover, the Complainant claims that mail exchange ("MX") servers are configured for the disputed domain name which is a circumstance which could be considered indicative of bad faith.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions. However, the Respondent sent email communications on July 3, 2025, in which the Respondent claimed not to have knowledge of the Complainant, denied any use to reproduce its content or rights, and expressed its willingness to release the disputed domain name. Further, on July 11, 2025, the Respondent insisted not to be interested in the use of the disputed domain name and willing to delete it if all applicable fees were duly covered.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed the Complainant must satisfy the Panel that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name was registered and is being used in bad faith.

There are no exceptional circumstances within paragraph 5(f) of the Rules to prevent the Panel from determining the dispute based upon the Complaint, notwithstanding the failure of the Respondent to file a Response. Under paragraph 14(a) of the Rules in the event of such a "default" the Panel is still required "to proceed with a decision on the complaint", whilst under paragraph 14(b) it "shall draw such inferences therefrom as it considers appropriate". This dispute resolution procedure is accepted by the domain name registrant as a condition of registration.

A. Consolidation of the Complainants

The Panel looks at section 4.11.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), which states that: "a complaint may be brought by multiple complainants where (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion; and (ii) it would be equitable and procedurally efficient to permit the consolidation".

Here, the Second Complainant, is a wholly owned subsidiary of the First Complainant. Therefore, the Panel finds they share a common legal interest over the trademark VINCI CONSTRUCTION and they have a common grievance against the Respondent as can be inferred by filing this procedure to protect their common rights.

Accordingly, and based on paragraph 10(e) of the Rules, the Panel accepts the consolidation of the Complainants in this proceeding.

B. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, "co" may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds the first element of the Policy has been established.

C. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Panel notes that none of the circumstances described in paragraph 4(c) of the Policy can be inferred from the file.

Further, the Panel finds that the Respondent's website displaying a contact form, with a background image of a construction plan and the words "VINCI CONSTRUCTION CO Building Your Vision" creates an impression that it is affiliated with the Complainant. The Panel finds that the composition of the disputed domain name coupled with its previous use affirms the Respondent's intention of taking unfair advantage of the Complainant's reputation by creating a likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation of the website at the dispute domain name.

Such inference is reinforced by the Respondent's use of a background construction plan image displayed on the website which gave the impression to be in the same business field as the Complainant's.

The Panel finds the second element of the Policy has been established.

D. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the Respondent meets the circumstances depicted in paragraph 4(b)(iv) of the Policy. That is to say, the Respondent targeted Complainant's trademark to intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's trademark..

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

On balance, the Respondent knew or should have known about the Complainant and its trademarks when registering the disputed domain name due to their reputation and distinctiveness. Indeed, the Panel finds that the Respondent had awareness of the Complainant's trademarks because of the later use of the disputed domain name in the corresponding website. This awareness and use is evidence of targeting the Complainant's trademarks and therefore, evidence of bad faith registration.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the current passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <vinciconstructionco.com> be transferred to the Second Complainant, Vinci Construction.

/Manuel Moreno-Torres/

Manuel Moreno-Torres

Sole Panelist

Date: September 30, 2025