

ADMINISTRATIVE PANEL DECISION

VINCI, and VINCI CONSTRUCTION v. Avinci Corporation, Avinci Corps
Case No. D2025-4995

1. The Parties

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

The Respondent is Avinci Corporation, Avinci Corps, United States of America.

2. The Domain Name and Registrar

The disputed domain name <avinciconstruction.com> (the “Disputed Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 2, 2025. On December 2, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On the same day, 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 (REDACTED FOR PRIVACY, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainants on December 3, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on December 5, 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 December 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 28, 2025. The Respondent sent an email communication to the Center on December 9, 2025.

The Center appointed Pham Nghiem Xuan Bac as the sole panelist in this matter on January 7, 2026. 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 incorporated on June 25, 1986, and is one of the global leaders in the sectors of concessions, energy, and construction, operating through more than 7,000 establishments and subsidiaries across over 120 countries with a turnover of EUR 71.6 billion in 2023 and approximately 280,000 employees worldwide.

The Second Complainant, Vinci Construction, is a French company incorporated on December 12, 1988, and is a wholly owned subsidiary of Vinci. Vinci Construction is one of the global leaders in the construction sector, specializing in infrastructure, building renovation and renovation, and civil engineering works. It comprises approximately 1,300 entities and 119,000 employees across more than 100 countries, and operates on over 69,000 construction sites annually.

The Complainants are the owners of numerous trademark registrations worldwide consisting of or containing the words “VINCI CONSTRUCTION” (the “VINCI CONSTRUCTION trademark”), including, but not limited to French Trademark Registration No. 3247127 in Classes 6, 19, 35, 36, 37, 39, 42 registered on September 23, 2003; European Union Trademark Registration No. 003394251 in Classes 6, 19, 35, 36, 37, 39, and 42 registered on February 21, 2005.

The Complainants also own and operate several domain names, notably <vinciconstruction.com>, registered on October 5, 2000; <vinci-construction.com>, registered on May 29, 2000, which resolves to the Complainants’ official website.

The Disputed Domain Name was registered on November 18, 2025. At the time of this Decision, the Disputed Domain Name resolves to an active website featuring a logo almost identical to the Complainants’, for an entity named “Avinco Construction”, which presents itself as a “Leading Infrastructure Partner” for government-scale projects in Africa and the Middle East.

5. Parties’ Contentions

A. Complainants

The Complainants contend that each of the elements specified in paragraph 4(a) of the Policy are satisfied in the present case, as follows:

(i) The Disputed Domain Name is identical or confusingly similar to a trademark or service mark, in which the Complainants have rights.

The Complainants argue that the Disputed Domain Name is confusingly similar to the VINCI CONSTRUCTION trademark, company name, and domain names. The Complainants submit that the Disputed Domain Name identically reproduces the trademarks in its entirety, merely preceded by the letter “a”. The Complainants further argue that the addition of this single letter is visually discreet, does not alter pronunciation, and is insufficient to dispel confusing similarity, as the dominant and recognizable component of the Disputed Domain Name remains.

The Complainants further submit that the generic Top-Level Domain (“gTLD”) “.com” is a standard registration requirement and should be disregarded when examining confusing similarity under the Policy.

(ii) The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

The Complainants argue that the Respondent has no rights or legitimate interests in the Disputed Domain Name and has not been authorized, licensed, or otherwise permitted to register or use the VINCI CONSTRUCTION trademark in any manner. The Respondent has no affiliation or relationship with the Complainants, is not commonly known by the Disputed Domain Name, and registered the Disputed Domain Name long after the Complainants established extensive rights in VINCI CONSTRUCTION worldwide. The Complainants further assert the Respondent has not made any legitimate noncommercial or fair use of the Disputed Domain Name.

(iii) The Disputed Domain Name was registered and is being used in bad faith.

The Complainants submit that the VINCI CONSTRUCTION trademark is well-known globally and that the Respondent knew, or at least should have known, of the Complainants' rights at the time of registration. The Disputed Domain Name reproduces the VINCI CONSTRUCTION trademark and is used for a website operating in the same field of construction and infrastructure, thereby creating a likelihood of confusion as to source, affiliation, or endorsement. The logo reproduced on the Respondent's website is nearly identical to the logo, appearing on the Complainants' website at <vinci-construction.com>.

The Complainants further submit that this registration constitutes typosquatting and that the configuration of email servers and use of privacy services further support a finding of bad faith.

With the said arguments, the Complainants request that the Disputed Domain Name be transferred to the Second Complainant.

B. Respondent

The Respondent did not file a formal response to the Complainants' contentions but has sent an email dated December 9, 2025, to the Center stating that the Disputed Domain Name was "only being tested temporarily and there was no intention to infringe". The Respondent also stated that it has no longer active access to the Disputed Domain Name and related services, and offered the Complainants of a possible settlement.

6. Discussion and Findings

Consolidation of Multiple Complainants

WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)") provides at section 4.11.1, in respect of the issue of multiple complainants filing against a single respondent, that:

"Paragraph 10(e) of the UDRP Rules grants a panel the power to consolidate multiple domain name disputes. [...] In assessing whether a complaint filed by multiple complainants may be brought against a single respondent, panels look at whether (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."

The present proceeding involves two Complainants bringing a single Complaint against a common Respondent. The Panel is satisfied, based on the material filed, that the Complainants have a specific common grievance against the Respondent. In particular, the Second Complainant is a wholly owned subsidiary of the First Complainant, and both Complainants share a common legal interest in the VINCI CONSTRUCTION trademark, which is held and used within the same corporate group.

The Respondent's registration and use of the Disputed Domain Name affect both Complainants in a similar manner, giving rise to a shared grievance within the meaning of paragraph 10(e) of the UDRP Rules. The

Panel further finds that allowing consolidation in the present case is equitable and procedurally efficient, as it avoids unnecessary duplication of proceedings and does not prejudice the Respondent.

Accordingly, the Panel accepts the consolidation of the Complainants in this proceeding.

A. 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 Complainants' trademark and the Disputed Domain Name. [WIPO Overview 3.0](#), section 1.7.

The Complainants have shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

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.

Despite the insertion of the letter "a", the Panel concludes that this does not eliminate the confusing similarity between the Disputed Domain Name and the Complainants' trademark, as per the purposes of the Policy. [WIPO Overview 3.0](#), section 1.9.

In addition, the Panel determines that the addition of the gTLD ".com" in the Disputed Domain Name is disregarded, as it is viewed as a technical necessity. [WIPO Overview 3.0](#), section 1.11.1.

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

B. 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 Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. The Respondent has not rebutted the Complainants' 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.

Paragraph 4(c) of the Policy lists circumstances, in particular but without limitation, which, if found by the Panel to be proved, demonstrate the Respondent's rights or legitimate interests in the Disputed Domain Name for the purposes of paragraph 4(a)(ii) of the Policy, including:

"(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

- (ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or
- (iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.”

Regarding paragraph 4(c)(i) of the Policy, the Panel finds, based on the evidence submitted by the Complainants, that the Respondent was not granted any license, permission, or authorization to register or use the VINCI CONSTRUCTION trademark or the Disputed Domain Name. There is no indication that the Respondent owns any registered or unregistered trademark rights in any jurisdiction corresponding to the Disputed Domain Name. Accordingly, the Panel determines that the Respondent has no rights or other legitimate interests in the VINCI CONSTRUCTION trademark.

The Panel further finds that the “Vinci Construction” terms is distinctive and has been extensively and continuously used by the Complainants for decades as a company name, trademark, and domain name in relation to construction and civil engineering services worldwide. The Disputed Domain Name reproduces this distinctive designation in its entirety, merely preceded by the single letter “a”, and is used in connection with a website purporting to offer infrastructure and construction services in Africa and the Middle East, fields in which the Complainants are well known and active. Moreover, the logo used on the website connected to the Disputed Domain Name is almost identical to the Complainant’s logo. In the Panel’s view, such use, without any authorization cannot constitute a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy.

Regarding paragraph 4(c)(ii) of the Policy, the Panel finds no evidence demonstrating that the Respondent has been commonly known by the Disputed Domain Name. Although the website associated with the Disputed Domain Name refers to an entity named “Avinci Construction”, the Respondent has not provided any evidence of the existence, legal status, or legitimate business operations of such entity independent from the Complainants’ widely-known VINCI CONSTRUCTION trademark. The mere adoption of a name that closely resembles the Complainants’ trademark does not, in itself, confer rights or legitimate interests on the Respondent.

Regarding paragraph 4(c)(iii) of the Policy, the Panel finds no evidence that the Respondent is making a legitimate noncommercial or fair use of the Disputed Domain Name. On the contrary, the Disputed Domain Name is used for a commercial website that seeks to create an association with the Complainants’ identity, activities, and reputation. The Panel is therefore of the view that the Respondent’s use of the Disputed Domain Name is, more likely than not, intended to capitalize on the goodwill associated with the VINCI CONSTRUCTION trademark.

Based on the foregoing findings, the Panel finds the second element of the Policy has been established.

C. 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, including:

- “(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or
- (ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location."

In the present case, the Panel finds that the Complainants have put forth evidence that the Respondent has registered and used the Disputed Domain Name in bad faith. The Respondent did not formally reply to the Complainants' contentions and, therefore, did not refute the Complainants' contentions.

The Panel has considered the Complainant's assertions and evidence relating to the Respondent's registration and use of the Disputed Domain Name. In this regard, the Panel further finds that the VINCI CONSTRUCTION trademark has been extensively and continuously used by the Complainants worldwide for several decades and enjoys a reputation in the construction and infrastructure sector, including in Africa and the Middle East. Such use and reputation long predate the registration of the Disputed Domain Name in 2025. In these circumstances, the Panel considers it implausible that the Respondent registered the Disputed Domain Name without knowledge of the Complainants' prior rights.

The Disputed Domain Name reproduces the VINCI CONSTRUCTION trademark in its entirety, with the mere addition of the initial letter "a", which does not prevent confusion and constitutes a classic case of typosquatting. The Panel is of the view that this choice of domain name reflects a deliberate attempt to create a confusion with the Complainants and their trademark.

The Panel further notes that the Disputed Domain Name resolves to a website featuring an almost identical logo to the Complainants' and presenting an entity named "AVINCI CONSTRUCTION", which purports to operate in the same field of construction and infrastructure services as the Complainants. Such use is indicative of an intent to attract Internet users for commercial gain by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the website, within the meaning of paragraph 4(b)(iv) of the Policy.

Taking into account the Respondent's knowledge of the Complainants' well-known trademark, the typosquatting nature of the Disputed Domain Name, the confusing and misleading use of the Disputed Domain Name for a commercial website in the same field of activity, and the Respondent's failure to refute the Complainants' arguments, the Panel observes that the Disputed Domain Name was registered and is being used in bad faith.

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 <avinciconstruction.com> be transferred to the Second Complainant.

/Pham Nghiem Xuan Bac/

Pham Nghiem Xuan Bac

Sole Panelist

Date: January 21, 2026