

## **ADMINISTRATIVE PANEL DECISION**

VINCI CONSTRUCTION v. Brent Fitzmorris

Case No. D2025-5042

### **1. The Parties**

The Complainant is VINCI CONSTRUCTION, France, represented by Cabinet Regimbeau, France.

The Respondent is Brent Fitzmorris, United States of America ("United States").

### **2. The Domain Name and Registrar**

The disputed domain name <eurovra.com> (the "Disputed Domain Name") is registered with Wild West Domains, LLC (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 4, 2025. On December 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On December 6, 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 December 8, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on December 8, 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 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 7, 2026. The Respondent sent an email to the Center on January 7, 2026 stating their account had been hacked and numerous domain names were set up.

The Center appointed Michael D. Cover as the sole panelist in this matter on January 12, 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 Complainant is Vinci Construction, a French company and a leading company in the global construction industry, mainly concentrated in infrastructure, construction and renovation of buildings and civil engineering structures. The Complainant was previously known as Eurovia.

The Complainant comprises 1,300 companies and 119,000 employees spread across 100 countries around the world. The Complainant works on over 69,000 construction sites every year. The Complainant's activities are notably presented on its official website "www.eurovia.fr", which can also be accessed from "www.eurovia.com".

The Complainant is the proprietor of numerous trademarks registered throughout the world composed, in whole or in part of the word EUROVIA, in particular:

French trademark Registration No. 1439722 registered on May 13, 1988 in Classes 2, 4, 19, 37, 40 and 42.

French trademark Registration No. 96 646 529 registered on March 28 1997 in Classes 35, 36, 42 and 45.

In addition, the Complainant is the proprietor of numerous domain names composed, in whole or in part, of the word EUROVIA, including <eurovia.com> registered on February 25, 1998 and <eurovia.fr> registered on August 26, 1998.

The Disputed Domain Name was registered on November 5, 2025 and is linked to email addresses, which were used to contact the Complainant's suppliers to try and modify the company's bank details in order to obtain money.

#### **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.

Identical or Confusingly Similar

The Complainant notes that the Complainant is the proprietor of numerous registered trademarks worldwide, composed in whole or in part of the word EUROVIA. The Complainant notes that the oldest EUROVIA trademarks and domain names have been registered since the late 1980's, while the Disputed Domain Name was registered in 2025.

The Complainant submits that the Disputed Domain Name almost identically reproduces the Complainant's prior rights in the designation EUROVIA, with the letter "i" simply replaced with an "r". The Complainant continues that the difference is almost unnoticeable, considering that the letter "r" is visually close to the letter "i" and that, consequently, the element "eurovra" is likely to be seen and read by Internet users with an average degree of attention as "eurovia", which is widely known and recognised.

The Complainant also submits that, considering the foregoing, the Complainant's trademarks and domain names are easily recognizable within the Disputed Domain Name and continues that many UDRP decisions have recognized the existence of confusing similarity in case where the disputed domain name includes prior rights. The Complainant concludes under this heading by stating that the ".com" extension must not be taken into consideration, when examining the identity or similarity between the Disputed Domain Name and the Complainant's prior rights and that is established that a generic Top-Level Domain ("gTLD"), such as ".com", does not affect the analysis on whether a disputed domain name is identical or similar to the point of creating a likelihood of confusion.

Considering the foregoing, says the Complainant, it is clear that the Disputed Domain Name is confusingly similar to the Complainant's prior trademarks and domain names and that, consequently, the condition of paragraph 4(a)(i) of the Policy is fulfilled.

#### Rights or Legitimate Interests

The Complainant states that the Respondent has no rights or legitimate interests in the Disputed Domain Name and, in fact, the Respondent has no connection with the Complainant in any way. The Complainant notes that the Respondent is not an authorized dealer, distributor or licensees of the Complainant nor has the Respondent been permitted to make use of the Complainant's prior rights.

To the Complainant's knowledge, says the Complainant, the Respondent does not have prior rights anywhere in the world and does not seem to be commonly known as EUROVRA or EUROVIA. The Complainant states that the term EUROVIA is highly distinctive and has been extensively used by the Complainant as a company name and as a trademark in relation to construction and civil engineering, not only in France but across the whole world, for the past 40 years and that it is highly unlikely that the Respondent's use of the Disputed Domain Name is the result of chance.

The Complainant concludes that there is no reason for the Respondent to use this designation (in the Disputed Domain Name), as the Respondent neither has any rights nor legitimate interests under paragraph 4(a)(ii) of the Policy.

#### Registered and Used in Bad Faith

The Complainant states that the Complainant is a well-known and worldwide company located in over 100 countries and that the EUROVIA trademarks have been consistently and extensively used by the Complainant for the last 40 years, as a result of which these trademarks must be regarded as being well-known in many countries.

The Complainant submits that, following well-established case law, the Complainant's worldwide reputation and presence on the Internet indicates that, at the time of the registration of the Disputed Domain Name in 2025, the Respondent knew or, at least, should have known of the Complainant's prior trademarks.

The Complainant continues that the Disputed Domain Name is being used in bad faith. The Complainant notes that, on November 5, 2025, the Disputed Domain Name was used to contact the Complainant's suppliers, falsely indicating that the bank details of one of the Complainant's subsidiaries had been updated and requesting a payment to be made. The Complainant notes that a third party used an email address [...]@eurovra.com to pass off as the accountant of LRBS, a subsidiary of the Complainant. The Complainant submits that such use is obviously fraudulent and constitutes bad faith and suggests that the Disputed Domain Name was registered for the sole purpose of creating confusion with the Complainant's prior rights for commercial gain. The Complainant adds that the registration of the Disputed Domain Name constitutes typosquatting, which suggests that the Respondent was aware of and sought to impersonate the Complainant, when registering the Disputed Domain Name and that this was done in bad faith.

Finally, notes the Complainant, the Respondent used a privacy protection service, preventing the Complainant from discovering the Respondent's identity and coordinates, which is an additional indication that the registration of the Disputed Domain Name was carried out in bad faith.

In the view of the foregoing, says the Complainant, such behaviour corroborates the finding that the Disputed Domain Name has been registered and used in bad faith.

The Complainant requests that the Panel decided that the Disputed Domain Name be transferred to the Complainant.

## **B. Respondent**

The Respondent did not submit an official Response. However, the Respondent sent an email to the Center on January 7, 2026, stating their account had been hacked and numerous domain names were set up.

## **6. Discussion and Findings**

The Complainant must establish on the balance of probabilities that the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights, that the Respondent has no rights or legitimate interests in the Disputed Domain Name and the Disputed Domain Name has been registered and is being used in bad faith.

### **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 Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of its trademark EUROVIA for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the Complainant's trademark EUROVIA is recognizable within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the Complainant's EUROVIA trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7 and section 1.10. The Disputed Domain Name contains an obvious misspelling of the Complainant's EUROVIA trademark, which remains recognizable within the Disputed Domain Name.

It is also well-established in prior UDRP decisions that the applicable gTLD, in this case ".com", is a standard registration requirement and is to be ignored in considering confusing similarity.

The Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's EUROVIA trademark, in which the Complainant has rights, and that 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 disputed 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 Respondent has not demonstrated, before notice of the dispute, use or demonstrable preparation to use the Disputed Domain Name in connection with a bona fide offering of goods or services, that the Respondent has been commonly known by the Disputed Domain Name or that the Respondent is making legitimate noncommercial or fair use of the Disputed Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the reputation of the Complainant's trademark.

Previous panels have held that the use of a domain name for illegitimate activity, here, as in this case, impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

In the present case, the Panel notes that the Respondent:

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. However, in this case, the Panel has intentionally attempted to attract, for commercial gain, Internet users to the Disputed Domain Name by creating a likelihood of confusion with the Complainant's EUROVIA trademark.

Panels have held that the use of a disputed domain name for illegitimate activity, here, impersonation/passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Name constitutes 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 <eurovra.com> be transferred to the Complainant.

*/Michael D. Cover/*

**Michael D. Cover**

Sole Panelist

Date: January 19, 2026