ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Vinci, Vinci Construction v. Puzzo Dey
Case No. D2026-0681

1. The Parties

The Complainants are Vinci and Vinci Construction, France, represented by Cabinet Regimbeau, France.

The Respondent is Puzzo Dey, United States of America.

2. The Domain Name and Registrar

The disputed domain name <vinciconstructiongrp.com> is registered with Porkbun LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 17, 2026. On February 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 19, 2026, 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 (WHOIS PRIVACY, Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 19, 2026, 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 February 20, 2026.

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 February 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 24, 2026.

The Center appointed Alan L. Limbury as the sole panelist in this matter on March 27, 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 established in 1986, involved in the sectors of concessions, energy and construction across more than 120 countries. The second Complainant, Vinci Construction, a French company established in 1988, is a subsidiary of Vinci, involved in the construction sector across more than 100 countries. The company name Vinci Construction has been used by companies within the Vinci Group since the 1980s.

Vinci is the registrant of several VINCI CONSTRUCTION trademarks, including French trademark No. 3247127, registered on September 23, 2003, and International Trademark No. 1416410, registered on March 2, 2018, both for inter alia (in translation) “Metal building materials, metal transportable constructions, metal materials for railway tracks, non-electric metal cables and wires, metal pipes” in International Class 6.

Vinci Construction is the registrant of several VINCI CONSTRUCTION formative trademarks, including United Kingdom trademark No. UK00917613373, for HYCARE BY VINCI CONSTRUCTION, registered on April 30, 2018, for inter alia “Metal building materials” in International Class 6.

Vinci owns several domain names incorporating the VINCI CONSTRUCTION mark, including <vinciconstruction.com>, registered on October 5, 2000.

Vinci Construction owns several domain names incorporating the VINCI CONSTRUCTION mark, including <vinci-construction.com>, registered on May 29, 2000, and resolving to its main website.

The disputed domain name <vinciconstructiongrp.com> was registered by the Respondent on January 25, 2026. It does not resolve to an active website. MX records have been activated.

5. Parties’ Contentions

A. Complainant

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainants contend that the VINCI CONSTRUCTION trademarks have been consistently and extensively used worldwide by the Complainants for at least the last two decades, as a result of which they must be regarded as being well known in many countries across the world.

The disputed domain name <vinciconstructiongrp.com> is confusingly similar to the VINCI CONSTRUCTION trademarks in which the Complainants have rights.

The Respondent has no rights or legitimate interests on the disputed domain name. The Respondent has no connection with the Complainants in any way. It is not an authorized dealer, distributor or licensee of the Complainants, nor has it been permitted by the Complainants to make use of their prior rights. The sequence “VINCI CONSTRUCTION” is highly distinctive and has been extensively used, as a company name for almost 40 years, and as a trademark for over 20 years, in relation to construction and civil engineering. Consequently, to the Complainants’ knowledge, the Respondent does not have prior rights in the words VINCI CONSTRUCTION, nor is it commonly known under this name, whether as an individual, as a company or as another organization. It follows that there is no reason for the Respondent to use this designation, as it neither has any right nor legitimate interest to do so.

The disputed domain name has been registered and used in bad faith. Following well-established case law, the Complainants' worldwide reputation and presence on the Internet indicates that, at the time of registration of the disputed domain name (2026), the Respondent knew, or at least should have known, the Complainants' prior trademarks. Hence, the registration of a domain name containing a well-known trademark constitutes bad faith per se (*The Gap, Inc. v. Deng Youqian,* WIPO Case No. D2009-0113; *Caesar World, Inc. v. Forum LLC,* WIPO Case No. D2005-0517; *Autodesk, Inc. v. Domain Privacy Service FBO Registrant / A Kiansu,* WIPO Case No. D2017-1822).

The disputed domain name identically reproduces the sequence "VINCI CONSTRUCTION", simply followed by the abbreviation "grp". Considering the Complainants' activities and reputation worldwide, it seems unlikely that this registration by the Respondent is the result of chance and not an informed choice. On the contrary, it demonstrates the Respondent's actual knowledge of the Complainant's prior rights in the designation VINCI CONSTRUCTION. Such prior knowledge can also be corroborated by the fact that the Complainants own several close domain names, such as <vinciconstruction.com>, or <vinci-construction.com>, as well as company names VINCI CONSTRUCTION, all of which can easily be identified through a Google search. It follows that by registering the disputed domain name <vinciconstructiongrp.com>, the Respondent could not ignore that it would be associated with the Complainants' existing rights.

According to the domain name's DNS records, email servers are configured for the disputed domain name, a circumstance that is also considered as indicating bad faith (*Bollore SE v. 1&1 Internet Limited / Nom anonymisé,* WIPO Case No. D2021-2006).

The Respondent used a privacy protection service, which is an additional indication that the registration was carried out in bad faith.

Although the disputed domain name currently does not resolve to an active website, passive holding can be sufficient to find use in bad faith in the circumstances of this case, as follows: the Complainants' trademarks are widely known and identically reproduced within the domain name; the presence of the word "grp" reinforces the official appearance of <vinciconstructiongrp.com>; the domain name can be used to send emails; and the Respondent used a privacy protection service.

The Complainants request that the disputed domain name <vinciconstructiongrp.com> be transferred to the 2nd Complainant, namely Vinci Construction.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

Preliminary Procedural Issue: Consolidation of Multiple Complainants

Although the Policy and the Rules do not expressly contemplate the consolidation of multiple complainants in an administrative proceeding, this is permissible if the complainants have a truly common grievance against the respondent and it is equitable and procedurally efficient to do so. See e.g., *National Dial A Word Registry Pty Ltd and others v. 1300 Directory Pty Ltd*, WIPO Case No. DAU2008-0021 and see *Fulham Football Club (1987) Limited, Tottenham Hostpur Public Limited, West Ham United Football Club PLC, Manchester United Limited, The Liverpool Football Club And Athletic Grounds Limited v. Domains by Proxy, Inc./ Official Tickets Ltd*, WIPO Case No. D2009-0331 and see *MLB Advanced Media, The Phillies, Padres LP v. OreNet, Inc*, WIPO Case No. D2009-0985.

The Panel accepts that the parent/subsidiary relationship between the Complainants and their history of use of the VINCI and VINCI CONSTRUCTION trademarks establish that each may claim to have rights to the disputed domain name. Hence both have a truly common grievance against the Respondent and it is equitable and procedurally efficient to consolidate both Complainants in this proceeding.

Substantive issues

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 Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainants have shown rights in respect of two trademarks for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the VINCI CONSTRUCTION mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to that mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

The Panel finds the VINCI mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to that mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms, here "grp" (an abbreviation for "group") 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 marks for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

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 that 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 3.1, 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.

The Panel finds the structure of the disputed domain name, incorporating the well-known VINCI and VINCI CONSTRUCTION marks in their entirety, together with the abbreviation of the word "group", is intended

falsely to convey to Internet users that the domain name is associated with the Complainants' business. Although the recently registered disputed domain name does not resolve to an active website, the fact that MX records have been activated means that the disputed domain name can be used to send emails impersonating the Complainants and to engage in phishing and other fraudulent activities.

Panels have held that the use of a domain name for such illegitimate activity can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

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

C. Registered and Used in Bad Faith

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 3.1, section 3.2.1.

Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. WIPO Overview 3.1, section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainants' trademarks, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Panels have held that the use of a domain name for illegitimate activity, here the activation of MX records, enabling the disputed domain name to be used to send emails impersonating the Complainants and to engage in phishing and other fraudulent activities, constitutes bad faith. WIPO Overview 3.1, 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.

8. 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 <vinciconstructiongrp.com> be transferred to the 2nd Complainant, Vinci Construction.

/Alan L. Limbury/
Alan L. Limbury
Sole Panelist
Date: March 28, 2026