

ADMINISTRATIVE PANEL DECISION

VINCI, VINCI Construction v. ivan foubelo
Case No. D2026-2640

1. The Parties

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

The Respondent is ivan foubelo, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <vinci-construction.site> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 17, 2026. On June 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 17, 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 (undisclosed) and contact information in the Complaint. The Center sent an email communication to the Complainants on June 18, 2026, 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 June 18, 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 June 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 20, 2026.

The Center appointed Willem J. H. Leppink as the sole panelist in this matter on July 29, 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 following facts are undisputed.

Both Complainants are French companies. VINCI (“the First Complainant”) is a globally active concessions, energy and construction company, with a particular focus on the energy and sustainability transition as well as the development of infrastructure and mobility. Its 2025 turnover was EUR 74,6 billion and it has close to 294,000 employees worldwide. Its main website can be found at “www.vinci.com”.

VINCI CONSTRUCTION (“the Second Complainant”), is a subsidiary of the First Complainant and is a globally active construction company, with specific expertise in water-related infrastructure, energy and mobility, construction and renovation of buildings, and civil engineering. It owns 1,300 entities and employs 117,000 employees spread across over 100 countries. It works on over 75,000 construction sites every year. Its main website is “www.vinci-construction.com”.

Collectively, both of the Complainants will hereinafter be referred to in singular as “the Complainant”, when there is no useful purpose in distinguishing between the two.

The Complainant’s activities are offered under the VINCI and VINCI CONSTRUCTION brands and the Complainant operates under these business names. The oldest company name was registered in 1988. The Complainant is the proprietor of several VINCI CONSTRUCTION formative trademarks, including European Union trademark No. 003394251 for VINCI CONSTRUCTION (wordmark), registered on February 21, 2005, for a wide array of goods and services in classes 6, 19, 35, 36, 37, 39, and 42.

The group of companies of the Complainant also operates a subsidiary, Vinci Construction USA, Inc., based in the United States.

The disputed domain name was registered on May 5, 2026. At the time of the filing of the Complaint and at the time of this Decision, the disputed domain name resolves to a parked page of the Registrar.

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 the following.

The disputed domain name is confusingly similar to the Complainant’s trademarks. The hyphen between the elements “vinci” and “construction” is unlikely to prevent confusion with the Complainant’s prior rights, but, on the contrary, reinforces it.

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 across the world. A search carried out on the Google search engine for “vinci construction” only shows references to the Complainant’s activities in the top 40 hits. The same goes with a search on the expression “vinci construction site”, displaying the same references to the Complainants’ activities.

The Complainant is well known worldwide and present in over 100 countries. The VINCI CONSTRUCTION trademarks have been consistently and extensively used by the Complainant for the last two decades, as a result of which they must be regarded as being well-known in many countries across the world.

Given this notoriety and the composition of the disputed domain name, the Respondent must have known about the Complainant and its marks.

The disputed domain name could be used for phishing purposes. On June 4, 2026, the Complainant sent an abuse report by email to the Registrar, which included that Mail Exchange ("MX") servers had been configured.

B. Respondent

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

6. Discussion and Findings

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 Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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 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 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.

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.

Based on the record before the Panel, and on a balance of probabilities, the Panel finds that the Respondent must have been aware of the Complainant and its marks when registering the disputed domain name. The Panel takes into particular account the un rebutted notoriety of the Complainant and its marks for construction activities, the choice of the specific domain name in the "site" generic Top-Level Domain ("gTLD") which underpins the relationship with construction work as it is offered by the Complainant, and the fact that the Respondent purportedly resides in the same state of the United States as the Complainant's subsidiary operating under the Vinci Construction name. Finally, the Respondent did not reply to the Complainant's contentions. Under these circumstances, the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel has also noted that although the disputed domain name resolves to a Registrar-parked page, MX servers have been configured and thus the disputed domain name can, in light of the considerations above, be used for illegitimate activity, in particular phishing. [WIPO Overview 3.1](#), section 3.4.

Thus, 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 <vinci-construction.site> be transferred to the Complainant.

/Willem J. H. Leppink/

Willem J. H. Leppink

Sole Panelist

Date: August 7, 2026