

ADMINISTRATIVE PANEL DECISION

Bouygues v. samy bazi
Case No. DIO2025-0047

1. The Parties

The Complainant is Bouygues, France, represented by Nameshield, France.

The Respondent is samy bazi, France.

2. The Domain Name and Registrar

The disputed domain name <bouygues-construction.io> is registered with OVH (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 5, 2025. On November 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 6, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name(s) which differed from the named Respondent (REDACTED) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 12, 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 November 12, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .IO Domain Name Dispute Resolution Policy (the “Policy”), the Rules for .IO Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for .IO 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 November 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 11, 2025. The Respondent sent email communications to the Center on November 12, 13, and 22, 2025. Accordingly, the Center notified the Parties about the Commencement of Panel Appointment Process on December 12, 2025.

The Center appointed Louis-Bernard Buchman as the sole panelist in this matter on December 18, 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 Complainant is a French conglomerate active in the construction, telecoms, media, and energy services sectors, and its shares are listed on the Paris stock exchange. It was founded by Francis Bouygues in 1952. The Complainant operates in over 80 countries, and its turnover was EUR 56 billion in 2023.

The Complainant owns a large portfolio of trademark registrations containing the term BOUYGUES alone or in combination with other terms, notably the International Trademark Registration BOUYGUES CONSTRUCTION No. 732339, registered on April 13, 2000 and the European Union Trade Mark BOUYGUES CONSTRUCTION No. 001589159, registered on May 16, 2001 (together hereinafter referred to as: the "Mark").

The Complainant's subsidiary Bouygues Construction is a leader in sustainable construction techniques, which designs, builds and operates buildings and structures with around 58,000 employees worldwide. This subsidiary owns a domain name incorporating the Mark, <bouygues-construction.com>, registered on May 10, 1999.

The disputed domain name was created on October 20, 2025.

The Complainant provided evidence that the disputed domain name resolved to a parking page and that mail exchange ("MX") servers were configured on the disputed domain name. At the time of this decision, the disputed domain name resolves to an error page.

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:

(i) the disputed domain name reproduces the Mark, in which the Complainant has rights, and is confusingly similar to the Mark insofar as the disputed domain name contains the Mark in its entirety.

(ii) The Respondent has no rights or legitimate interests in respect of the disputed domain name, by which he is not commonly known. Furthermore, the Complainant contends that it never licensed the Respondent to use the Mark in any manner or consented to such use, and that the Respondent never had any business connection or affiliation with the Complainant.

(iii) The Respondent knew of the Mark when registering the disputed domain name and is using it in bad faith by resolving to a parking page and configuring MX servers.

The Complainant requests that the disputed domain name be transferred to the Complainant.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions, but sent four email communications to the Center, the first two on November 12 and 13, 2025 consenting to transfer the disputed domain name or not objecting to such transfer to the Complainant, and acknowledging that the Respondent "had no specific project or intention associated with it", and the last two emails on November 22, 2025 seeking a compensation in the event of a settlement "in the range of 3,000 to 8,000" (name of currency unmentioned).

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 Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

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

The entirety of the Mark being reproduced within the disputed domain name, the Panel finds that the disputed domain name is identical to the Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

It is also well established that a generic Top-Level Domain ("gTLD"), such as ".io", does not generally affect the assessment of a domain name for the purpose of determining identity or confusing similarity. [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 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.

Further, in the present case, the disputed domain name resolved to a parking page, and the Panel notes that the Respondent acknowledged that he “had no specific project or intention associated with” the disputed domain name.

The Panel finds that the disputed domain name (wholly incorporating the Complainant’s distinctive Mark) carries a high risk of implied affiliation, as well as a risk of phishing activity since MX servers were configured on the disputed domain name.

Such circumstances cannot be considered as a bona fide offering of goods or services.

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 3.0](#), section 3.2.1.

Panels have found that the non-use of a domain name (including a blank or “coming soon” page) would not prevent a finding of bad faith under the doctrine of passive holding.

Having reviewed the record, the Panel finds the non-use of the disputed domain name does not prevent a finding of bad faith in the circumstances of these proceedings.

While panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant’s mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent’s concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put. [WIPO Overview 3.0](#), section 3.3.

Having reviewed the record, the Panel notes the composition of the disputed domain name, which is confusingly similar to the Mark in use since 2000, 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.

Furthermore, regarding the degree of distinctiveness or reputation of the Mark, several prior UDRP panels have confirmed the Mark’s reputation and goodwill (see for instance *Bouygues v. Angelique Benetti*, WIPO Case No. [D2019-1101](#); *Bouygues v. Domain Administrator, Registrant of constructions-bouygues.com (apiname com)*, Turkey / *Lepot Charlotte*, WIPO Case No. [D2019-1329](#); *Bouygues v. Rafael Vivier*, WIPO Case No. [D2019-1401](#) and *Bouygues v. Rapp Catherine*, WIPO Case No. [D2021-0778](#)).

Considering, in addition, the size of the Complainant’s operations and the fact that the Complainant is headquartered in France where the Respondent is reportedly located, the Panel finds that the Respondent was necessarily aware of the Mark when it registered the disputed domain name.

Regarding the evidence of actual or contemplated good-faith use, the Respondent confirmed on the contrary that he “had no specific project or intention associated with” the disputed domain name.

Regarding the implausibility of any good faith use, the Panel notes that the disputed domain name resolved to a parking page and that the Respondent used the disputed domain name to configure MX servers, thus enabling him to generate email addresses, this fact creating an actual and ongoing threat to the Complainant. Moreover, given the specificity of the Complainant’s subsidiary in civil engineering and construction works, the Panel cannot imagine any future good-faith use of the disputed domain name by the Respondent.

Finally, some UDRP panels have held that in certain circumstances, registrants of domain names would have a duty to abstain from registering and using a domain name, which is either identical or confusingly similar to a prior trademark held by others and which would infringe upon or otherwise violate the rights of a third party. See Policy, paragraph 2(b).

Such duty was clearly not abided by in the present case by the Respondent.

Consequently, 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 <bouygues-construction.io> be transferred to the Complainant.

/Louis-Bernard Buchman/

Louis-Bernard Buchman

Sole Panelist

Date: December 26, 2025