

ADMINISTRATIVE PANEL DECISION

Partsmax, Inc. v. Orhan Altinok, Partsmax LLC
Case No. D2025-0788

1. The Parties

The Complainant is Partsmax, Inc., United States of America (“United States”), represented by Kushnirsky Gerber PLLC, United States.

The Respondent is Orhan Altinok, Partsmax LLC, United States.

2. The Domain Name and Registrar

The disputed domain name <partsmaxus.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 25, 2025. On February 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 26, 2025, the Registrar transmitted by email to the Center its verification response registrant and contact information for the disputed domain name which differed from the named Respondent (Private Registration) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 28, 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 amendment to the Complaint on February 28, 2025.

The Center verified that the Complaint together with the amendment to the 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 March 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 28, 2025. After the Center notified the Respondent’s default, the Respondent sent an email communication to the Center on March 31, 2025.

The Center appointed W. Scott Blackmer as the sole panelist in this matter on April 3, 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 Partsmax, Inc. is a corporation established under the laws of the State of Florida, United States in January 1998 and headquartered in Miami, Florida. The Complainant sells refurbished, aftermarket, high-performance, and rebuilt automotive parts and auto body tools online, offering “next business day delivery” in South Florida.

The Complainant operates websites at “www.partsmax.com”, a domain name that was registered in June 2001, and “www.partsmax.co”, an essentially identical website for which the domain name was registered in July 2010. The Complainant observes that its websites appear among the first search results in an Internet search for “partsmax” or “partsmaxus”. (The Panel also finds the Respondent’s “Partsmax US” early in such searches, listed as an “Electronics store”.) The home page of the Complainant’s website advertises “over 20 years of autobody experience”, highlighting that the Complainant has been “serving the South Florida community with quality collision auto parts at great prices for over two decades”.

The Complainant holds United States trademark registration number 4174603 (registered on July 17, 2012) for the word mark PARTSMAX in International Class 35.

The disputed domain name was created on November 22, 2016, and is registered to the Respondent Orhan Altinok, listing his organization as Partsmax LLC, with a mailing address in Milford, Connecticut, United States and a contact email address using the disputed domain name. The Panel notes that the online business registration directory operated by the State of Connecticut lists Partsmax LLC as an active Connecticut limited liability company formed on November 3, 2016, with Orhan Altinok as the principal, at the same address shown in the disputed domain name registration.¹ The same information appears in current online business directories and maps, including a Dunn & Bradstreet listing.

At the time of this Decision, the disputed domain name does not resolve to an active website. Previously, however, as shown in screenshots attached to the Complaint and available through the Internet Archive’s Wayback Machine, the disputed domain name resolved to a website (the “Respondent’s former website”) headed “PARTSMAX”, advertising online sales and shipping of electronic components for various sectors including the automotive sector, along with aerospace, medical, industrial, defense, and transportation. The website referred to its operator as “Partsmax LLC”, and the “About Us” page described it as follows: “Partsmax Group is an international company furnishing services about electronic components in USA, Germany and Turkey.”

The Partsmax Group’s Turkish affiliate Partsmax Elektronik Limited operates a website in Turkish, English, and German at “www.partsmax.com.tr”, displaying the same black-and-red PARTSMAX logo found on the Respondent’s former website and displaying the same images and advertising the same range of electronic components and related services, for the same industry sectors, found on the Respondent’s former website. This is true as well for the German-language website operated by the Group’s German affiliate, Partsmax Elektronik GmbH, at “www.partsmax.de”. The “About Us” pages on these sites explain that Partsmax was founded in 2011 and is devoted to adding research and development value to high-quality components.

¹Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in this proceeding. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 4.8.

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 the disputed domain name is confusingly similar to its registered PARTSMAX trademark, differing only by the addition of the letters "us". The Complainant asserts that the Respondent has "zero legitimate interests" in the disputed domain name because it is using it only to create confusion and improperly divert customers. The Complainant argues that the Parties are "operating in the same market: the sale of automotive parts and products" and that the Respondent sought to divert customers with a confusingly similar domain name and by displaying an "imitative logo" on its website. The Complainant claims to have received communications from customers contacted by the Respondent, who were confused as to whether the contacts came from the Complainant.

B. Respondent

The Respondent did not reply substantively to the Complainant's contentions. Three days after the Center sent notice of the Respondent's default, the Center received an email from an email address using the disputed domain name, asking what the notice was about and stating that it had ended up in our "junk folder". The message went on to say, "We've been using the domain name partsmaxus.com since 2016". The Panel notes that delivery of the Complaint and accompanying communications were made electronically and by courier as required to the Respondent's addresses of record.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark (the registered word mark PARTSMAX) 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.

Although the addition of other terms (here, "us") may bear on assessment of the second and third elements, the Panel finds the addition of such a term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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.

The Panel finds that the Respondent, before any notice of the dispute, used the disputed domain name in connection with a bona fide offering of goods or services, consistent with the Policy, paragraph 4(c)(i). It appears that until a few weeks ago, likely as a result of action taken by the Complainant, the Respondent

has been using the disputed domain name for the United States website of its electronic components business as detailed above. Screenshots archived by the Wayback Machine show such use dating from at least June 2017.

The Panel also finds that the Respondent has been commonly known by the disputed domain name or a name correspondent to the disputed domain name, as provided by the Policy, paragraph 4(c)(ii). [WIPO Overview 3.0](#), section 2.3. The disputed domain name corresponds to the Respondent's registered company name, save for the addition of the final letters "us". Those letters often appear at the end of domain name strings to signify an abbreviation for the United States, which is consistent with the Partsmax Group's operation of websites using domain names registered with Turkish and German domain names, for those markets. The Respondent organization is in fact an active limited liability company called "Partsmax LLC", first registered in Connecticut a few weeks before the disputed domain name was registered in November 2016, and that company is still listed online at the same address on maps and national and local business directories.

These facts would suffice for purposes of the second element, unless the record indicated that the Respondent likely selected the company name itself and operated its United States business online with a corresponding name in bad faith to exploit the Complainant's trademark. That possibility is addressed in the following section on bad faith, as it relies on the same material facts.

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.

The Complainant's inference of bad faith relies on the assumption that the Respondent chose to name its business as well as the corresponding disputed domain name "Partsmax" in 2016 to exploit the reputation of the Complainant's South Florida auto parts business. The Complainant argues that the Parties are in the same business, and the Complainant already had an established reputation and a registered mark by that time, and the Respondent had to add "us" to the name "Partsmax" because the Complainant already had the domain name <partsmax.com>.

But the Complainant's argument is not persuasive. The record does not establish that the Parties are in the "same market". The Complainant's websites show that the Complainant is clearly focused on delivering auto and truck parts in South Florida, chiefly for collision repair. Electronic parts are not mentioned on the home pages. By contrast, the Respondent performs research and development and provides electronic components for several different industries, in many countries, and it is not clear that the Respondent would obtain any advantage by engendering confusion with a South Florida auto parts dealer. The Respondent is part of an international group that was already operating under the Partsmax name since 2011, before the Complainant obtained a trademark registration, and the Respondent's former website mirrored the group's Turkish and German websites, including the group logo, not the Complainant's website and logo. The Complainant claims that there has been actual customer confusion but offers no supporting evidence and no convincing rationale for the Respondent, as part of an international electronics group, to "imitate" the Complainant.

In any event, the Complainant's mark lacks the distinctiveness or reputation that would warrant a conclusion that the Respondent could only have intended to benefit illegitimately from it. The PARTSMAX mark itself is suggestive (it implies that the Complainant can provide a maximum range of parts) and not so unique that similar domain names could only be associated with the Complainant. The Panel notes that a third party called "Parts Shop Max" has facilities in the United States, Europe, and the Asia-Pacific and operates an automotive parts website, while another third party called "Partsmax Inc." based in Minnesota, United States, operates a website also selling automotive parts. Yet another third party holds a United States trademark registration for MIGHTY AUTO PARTS MAX, and Canadian and Brazilian companies have registered the trademark MAX PARTS. In short, this is not a case where the nature and fame of the mark compels an

inference of bad faith targeting when the disputed domain name is similar, especially where, as here, the Respondent has legitimate reasons for adopting a similar name as part of a group that is already using it.

The Panel does not find convincing evidence on this record to infer bad faith on the part of the Respondent. Accordingly, the Panel concludes that the Complainant has failed to establish the third element of the Complaint.

On the same facts, the Panel also concludes that the Complainant has failed to establish the second element of the Complaint, as the Panel finds it improbable that the Respondent chose its company name and conducted sales over the Respondent's former website in a bad faith effort to exploit the Complainant's trademark.

7. Decision

For the foregoing reasons, the Complaint is denied.

/W. Scott Blackmer/

W. Scott Blackmer

Sole Panelist

Date: April 17, 2025