

## ADMINISTRATIVE PANEL DECISION

Aston Martin Lagonda Limited v. Karegen Bilişim Teknolojileri İth. İhr. Ltd. Şti.  
Case No. D2025-5118

### 1. The Parties

The Complainant is Aston Martin Lagonda Limited, United Kingdom, represented by J A Kemp., United Kingdom.

The Respondent is Karegen Bilişim Teknolojileri İth. İhr. Ltd. Şti., Türkiye.

### 2. The Domain Names and Registrar

The disputed domain names <astonmartinturkey.com> and <astonmartinturkiye.com> are registered with ODTÜ Geliştirme Vakfı Bilgi Teknolojileri Sanayi Ve Ticaret Anonim Şirketi (the "Registrar").

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 9, 2025. On December 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On December 20, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Registration Private, Karegen Bilişim Teknolojileri İth. İhr. Ltd. Şti.) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 22, 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 March 28, 2026.

On December 22, 2026, the Center informed the parties in Turkish and English, that the language of the registration agreement for the disputed domain names is Turkish. On April 20, 2026, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant's submission.

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").

The proceedings were suspended on January 27, 2026 and reinstated as of April 1, 2026. In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on April 21, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 11, 2026. The Respondent sent email communications to the Center on December 12, 2025 and April 3, 2026.

The Center appointed Kaya Köklü as the sole panelist in this matter on May 15, 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 was founded in 1913 and is a well-known car manufacturer selling mainly luxury sports cars around the world. Its iconic car DB5, which appeared in various James Bond films, was once declared as “the most famous car in the world”. The Complainant has over 150 licensed dealerships in more than 50 countries.

Almost all its vehicles have been sold under the trademark ASTON MARTIN, which is registered in numerous jurisdictions worldwide. Among many others, the Complainant is the registered owner of the United Kingdom Trademark Registration No. UK0000877064, registered on March 18, 1965, and the Turkish Trademark Registration No. 2005 45416, registered on October 3, 2006, both for ASTON MARTIN, and both covering protection for various goods as included in class 12.

The Complainant further operates its main website at <astonmartin.com>.

The Respondent is reportedly located in Türkiye.

The disputed domain names were both registered on August 5, 2005.

Based on undisputed evidence provided by the Complainant, the disputed domain names resolve to a website of a Turkish company that apparently offers tuning aftermarket parts and accessories for various types of cars from different manufacturers. The associated website does not contain any reference to the Complainant or its cars, nor does it offer spare parts explicitly dedicated for the Complainant's cars.

Further, a reverse Whois search conducted by the Complainant using the email address of the individual operating the website associated with the disputed domain names revealed that this individual registered numerous domain names comprising established automotive brands in combination with the geographical indication “turkey” or “turkiye”, such as <lamborghiniturkey.com>, <bentleyturkey.com> or <infinititurkey.com>. The Panel further notes that this individual was previously a respondent in *Dr. Ing. h.c.F. Porsche AG v. Hakan Melek*, WIPO Case No. [D2004-0982](#), involving similar circumstances, in which the panel found that he had acted in bad faith.

#### **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 names.

The Complainant particularly points out that it was not aware of the disputed domain names registered by the Respondent until the Complainant recently tried to register one of the disputed domain names for a new licensed dealership in Türkiye.

## **B. Respondent**

The Respondent replied on December 23, 2025 and noted that the disputed domain names were registered already on August 5, 2005 and have been used for more than 20 years. Additionally, the Respondent indicated that it would forward the Complaint together with the details of the case to the beneficial owner of the disputed domain names for whom it had registered the disputed domain names at that time.

This indicated beneficial owner, Fatih Melek, Penta Oto, of the disputed domain names (who as stated by himself is the operator of the website associated with the disputed domain names) replied on April 3, 2026 to the Complaint, noting that he is active in the field of classic car restoration and modification. He further stated that he is open to an amicable solution but reserves all rights and defenses without admitting any “liability, wrongdoing, or bad faith”. Moreover, he stated that the disputed domain names were registered in 2005 through a company in Türkiye and have been maintained continuously since that time, with renewal fees having been paid regularly over the years. These disputed domain names have been directed to the website of their company, Penta Oto, which operates in the field of classic vehicle restoration and modification.

## **6. Discussion and Findings**

### **6.1. Language of the Proceeding**

The language of the Registration Agreement for the disputed domain names is Turkish. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint and amended Complaint were filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that the Complainant has no knowledge of Turkish, the websites associated to the disputed domain names were in English language, and that filing a translation of the Complaint would be time and costs intensive

The Respondent and the indicated beneficial owner of the disputed domain names did not make any specific submissions to the Center with respect to the language of the proceeding, even though communicated by the Center in Turkish and English.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties’ ability to understand and use the proposed language, time and costs. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 4.5.1.

The Panel notes that the Respondent was given the opportunity to respond in Turkish and English and that the beneficial owner of the disputed domain names made use of this opportunity to communicate with the Center in English language. The Panel further bears in mind that neither the Respondent nor the beneficial owner of the disputed domain names have objected the Complainant’s request concerning the language of the proceeding.

Considering the need to ensure the proceeding is conducted in a timely and cost effective manner, the Panel finds it is not foreseeable that the Respondent and/or the beneficial owner of the disputed domain names would be prejudiced should English be adopted as the language of the proceeding, particularly given the Decision below.

Consequently, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

## **6.2 Substantive Issues**

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain names are identical or confusingly similar to a trademark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

It is noted that the Panel has taken note of the [WIPO Overview 3.1](#) and, where appropriate, will decide consistently with the consensus views captured therein.

### **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 3.1](#), section 1.7.

The Complainant has shown rights in respect of the ASTON MARTIN trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the ASTON MARTIN mark is reproduced within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms, here the country indications "turkey" respectively "turkiye", may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the ASTON MARTIN mark 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 Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. Particularly, the Complainant put forward that neither the Respondent nor the indicated beneficial owner of the disputed domain names are business partners of the Complainant nor licensees of its ASTON MARTIN trademark and that neither the Respondent nor the beneficial owner are commonly known by the terms “aston martin turkey” and/or “aston martin turkiye”.

The Respondent and the beneficial owner have not rebutted the Complainant’s prima facie showing and have not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names such as those enumerated in the Policy or otherwise.

The Panel points out that the mere use of the disputed domain names to redirect users to a website offering car parts and vehicle restorations, without any visible connection to the Complainant or its longstanding ASTON MARTIN trademark, even for a period of about 20 years, does not in itself establish any right or legitimate interest in the disputed domain names. Moreover, the inclusion of the term “turkey” or “türkiye” in the disputed domain names falsely suggest that the domains are affiliated with or operated by the Complainant’s branch or official operations in Türkiye. Internet users are likely to understand the term as a geographic identifier referring to the Complainant’s presence in the Turkish market, thereby creating a confusion as to source, sponsorship, affiliation, or endorsement, which cannot constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use under the Policy.

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.

In the present case, the Panel notes that the Respondent owner must have had the Complainant and its ASTON MARTIN trademark in mind when registering the disputed domain names, as the Complainant’s ASTON MARTIN trademark was already well known worldwide, including in Türkiye, at the time the disputed domain names were registered. Hence, it is obvious to the Panel that the Respondent (for himself or on behalf of the beneficial owner) has deliberately chosen the disputed domain names, which comprise the Complainant’s longstanding ASTON MARTIN trademark in its entirety in combination with the geographical indication “turkey” respectively “turkiye”, to target and mislead Internet users searching for the Complainant and its products in Türkiye.

The Panel further finds that the use of the disputed domain names constitutes bad faith use within the meaning of the Policy. By using the disputed domain names to redirect Internet users to the beneficial owner’s commercial website, the Respondent intentionally seeks to attract traffic by creating a likelihood of confusion with the Complainant’s ASTON MARTIN trademark as to the source, sponsorship, affiliation, or endorsement of the website. The Panel considers it likely that Internet users searching for the Complainant or its products in Türkiye are diverted to the associated website under the false impression that it is connected with, authorized by, or otherwise affiliated with the Complainant. In view of the Panel, such use clearly demonstrates an intent to capitalize on the goodwill associated to the Complainant’s ASTON MARTIN trademark for commercial gain and therefore constitutes evidence of bad faith pursuant to paragraph 4(b)(iv) of the Policy.

The Panel further notes that the additional domain names registered by the beneficial owner, many of which consisting of the trademarks of well known automobile manufacturers combined with the terms “turkey” or “turkiye”, additionally indicate a pattern of targeting third-party trademarks. In this regard, the Panel particularly refers to *Dr. Ing. h.c. F. Porsche AG v. Hakan Melek*, WIPO Case No. [D2004-0982](#), which involved similar circumstances and in which bad faith was likewise found. The Panel is convinced that such pattern of registration and use constitutes further evidence of bad faith within the meaning of 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 names <astonmartinturkey.com> and <astonmartinturkiye.com> be transferred to the Complainant.

*/Kaya Köklü/*

**Kaya Köklü**

Sole Panelist

Date: May 29, 2026