

ADMINISTRATIVE PANEL DECISION

Philip Morris Products S.A. v. Alper Aslan
Case No. D2026-0343

1. The Parties

The Complainant is Philip Morris Products S.A., Switzerland, represented by D.M. Kisch Inc., South Africa.

The Respondent is Alper Aslan, United Kingdom (“UK”).

2. The Domain Name and Registrar

The disputed domain name <atasehir-iqos.com> (the “Disputed Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 28, 2026. On January 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On January 28, 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 (*Redacted for Privacy/Withheld for Privacy ehf*) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 29, 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 January 30, 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 amended Complaint, and the proceedings commenced on February 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 23, 2026.

The Respondent sent two email communications to the Center on February 3, 2026, expressing its willingness to reach an amicable settlement in this case and to transfer the Disputed Domain Name to the

Complainant. Further to this, on the same day, the Center informed the parties that the proceedings may be suspended in order for them to have the possibility to discuss and reach a settlement agreement; in this sense, the Complainant should file a request for suspension of the proceedings by February 8, 2026. The Respondent sent another email communication to the Center on February 4, 2026, reiterating the fact that it is willing to cooperate with a view to reach an amicable settlement and that it is prepared to transfer the Disputed Domain Name to the Complainant. As the Complainant remained passive, the proceedings followed their normal course.

The Center appointed Monica Novac as the sole panelist in this matter on March 16, 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 is Philip Morris Products S.A., a Swiss company which is part of the group of companies affiliated to Philip Morris International Inc. (jointly referred to as "PMI"). PMI is a leading international tobacco and smoke-free products company, with products sold in approximately 180 countries.

PMI developed several tobacco products, including a tobacco heating system named IQOS. There are 6 versions of the IQOS heating device currently available, namely IQOS 2.4/IQOS 2.4 + pocket charger and holder, IQOS 3 pocket charger and holder, IQOS 3 Multi device, IQOS 3 DUO/DUOS, IQOS ILUMA and IQOS ILUMA i. The IQOS range of products was first launched by PMI in Japan in 2014, while as of today, this is available in key cities in around 84 markets worldwide.

The Complainant holds several trademark registrations for IQOS in various jurisdictions, including the following:

- International Trademark Registration No. 1557546 **IQOS**, registered on August 27, 2020, in classes 9, 18, 34, 35, 37 and 41, designating numerous jurisdictions, including the UK; and
- International Trademark Registration No. 1218246 IQOS (word), registered on July 10, 2014, in classes 9, 11 and 34, designating numerous jurisdictions, including the European Union.

The Respondent is Alper Aslan, reportedly located in the UK. The Respondent registered the Disputed Domain Name on June 17, 2025. As per the evidence filed by the Complainant, on the date of filing the Complaint, the Disputed Domain Name resolved to a commercial website in Turkish language, which offered for sale IQOS branded products, by also unlawfully reproducing the Complainant's IQOS logo and official product images, and displaying a copyright notice claiming copyright ownership of the materials available on the website. The Complainant contends that the website at the Disputed Domain Name also displayed altered versions of the Complainant's official product images, without any authorization from the Complainant. More specifically, the official images of Complainant's TEREHA and HEETS products were altered further to the addition of the (ATAŞEHİR) IQOS sign and logo on these. The website at the Disputed Domain Name targeted the Turkish market, although as per the Complainant's contentions, their IQOS products are not sold in Turkey. On the date of rendering this Decision, when accessed by the Panel, the Disputed Domain Name resolves to a webpage powered by Shopify (i.e. an e-commerce platform), displaying the following message (in Turkish language): "Sorry, this store is currently unavailable". Other content available on the webpage (also in Turkish language) includes "Explore other stores", "Open a new Shopify store", "Discover the latest Editions", while at the bottom of the page it is mentioned "powered by Shopify".

On February 3, 2026 and on February 4, 2026, the Respondent sent several email communications to the Center expressing its willingness to settle the matter amicably and to transfer the Disputed Domain Name to the Complainant. Although the Center granted the parties the possibility to explore settlement options and

thus, that the Complainant files a request for suspension of the proceedings by February 8, 2026, the Complainant remained passive and consequently, the proceedings followed their usual course.

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 the Complainant's IQOS trademark;
- the Respondent has no rights or legitimate interests in the Disputed Domain Name; and
- the Disputed Domain Name has been registered and it is being used in bad faith.

B. Respondent

Besides the email communications sent to the Center on February 3, 2026 and on February 4, 2026 (as detailed above), the Respondent did not reply to the Complainant's contentions in these proceedings.

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 Disputed Domain Name consists of the terms ATASEHIR and IQOS which are separated by a hyphen, as well as the generic Top-Level Domain ("gTLD") ".com".

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 Panel finds that the Complainant's IQOS mark is recognizable within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the IQOS mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The Disputed Domain Name also contains the term "atasehir" (i.e. the name of a municipality and district of Istanbul, Turkey), however the Panel finds that the addition of this element does not prevent finding a confusing similarity between the Disputed Domain Name and the Complainant's trademark for the purposes of the Policy. According to the [WIPO Overview 3.1](#), section 1.8, where the relevant trademark is recognizable within the Disputed Domain Name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element.

According to the [WIPO Overview 3.1](#), section 1.11.1, the gTLD ".com" in the Disputed Domain Name is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

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.

It is accepted by the Panel that the Complainant has not permitted nor licensed the Respondent to use its trademark or to register the Disputed Domain Name. The Respondent is not an authorized distributor or reseller of the Complainant’s IQOS range of products. There is also no evidence that the Respondent is commonly known by the Disputed Domain Name.

In view of the composition of the Disputed Domain Name, the Panel is of the opinion that the Respondent registered the Disputed Domain Name with the ultimate intent to mislead Internet users and to erroneously make them believe that the Disputed Domain Name is operated by or associated with the Complainant.

As per the evidence filed by the Complainant, the Disputed Domain Name used to resolve to a commercial website in Turkish language, which offered for sale IQOS branded products, by also unlawfully reproducing the Complainant’s IQOS logo and official product images, and displaying a copyright notice claiming copyright ownership of the materials available on the website. In this sense, it has been established that “respondent’s use of a domain name will not be considered “fair” if it falsely suggests affiliation with the trademark owner; the correlation between a domain name and the complainant’s mark is often the central starting point to this inquiry”. [WIPO Overview 3.1](#), section 2.5.

The Panel considers that the composition of the Disputed Domain Name, coupled with its previous use as explained above, signals the Respondent’s intention of taking unfair advantage of the Complainant’s mark.

The Panel is of the opinion that the Respondent does not use the Disputed Domain Name in connection with a bona fide offering of goods or services, respectively nor does it make a legitimate noncommercial or fair use of the Disputed Domain Name as per the Policy. Via the website at the Disputed Domain Name, the Respondent offered for sale what appeared to be Complainant’s genuine products, however without prominently disclosing the relationship (or lack thereof) between the Complainant and the Respondent. Moreover, the illegitimacy of the Respondent’s use of the Disputed Domain Name is further shown by the fact that the Complainant does not offer for sale the IQOS range of products in Turkey, thus the online shop found at the Disputed Domain Name creates the false impression that the Complainant has officially introduced these products into the Turkish market.

Currently, the Disputed Domain Name resolves to a parked page that features sponsored content pertaining to a third-party website. Under all the circumstances of the case, the Respondent's unauthorized use of the Complainant's mark is not indicative of the Respondent's rights or legitimate interests in the Disputed Domain Name.

Also, panels have held that the use of a domain name for illegitimate activity (here, claimed passing off or other types of fraud), can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

The Respondent did not respond to the Complainant's contentions, thus the Respondent did not present any evidence for supporting any rights or legitimate interests in the Disputed Domain Name.

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 Complainant registered and used its IQOS trademark before the Respondent registered the Disputed Domain Name. In view of the worldwide presence of the Complainant, the composition of the Disputed Domain Name, as well as its previous use, it is unlikely that the Respondent was not aware of the Complainant's trademark and business when registering the Disputed Domain Name.

The Panel believes that the Respondent targeted the Complainant when registering the Disputed Domain Name. Moreover, the Panel is of the opinion that the Respondent registered the Disputed Domain Name with the intent to mislead the Internet users into believing that the website at the Disputed Domain Name is affiliated with or endorsed by the Complainant, which is a clear proof of bad faith.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "to attract, for commercial gain, Internet users to [the respondent's] web site or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] web site or location or of a product or service on [the respondent's] web site or location" is evidence of registration and use in bad faith. In view of all the above, the Panel is of the opinion that the Respondent's intention was to attract Internet users to the webpage at the Disputed Domain Name, by creating a likelihood of confusion and making them believe that said webpage is held, controlled or related to the Complainant, for the Respondent's commercial gain. This is further supported by the Respondent's use on its webpage of the Complainant's IQOS logo and official product images.

The illegitimacy of the Respondent's use of the Disputed Domain Name is further shown by the fact that the Complainant does not offer for sale the IQOS range of products in Turkey, and the online shop found at the Disputed Domain Name creates the false impression that the Complainant has officially introduced these products into the Turkish market.

At the time of rendering this Decision, when accessed by the Panel, the Disputed Domain Name resolves to a parked page that features sponsored content pertaining to a third-party website. For the sake of completeness, the Panel considers that although the links on the website to which the Disputed Domain Name currently resolves might be automatically generated, this does not prevent a finding of bad faith under the Policy. As it is stated in [WIPO Overview 3.1](#), section 3.5, "particularly with respect to "automatically"

generated pay-per-click links or website content [...], panels have held that a respondent cannot disclaim responsibility for content appearing on the website associated with its domain name (nor would such links ipso facto vest the respondent with rights or legitimate interests). The fact that such links or content may be generated by a third party such as a registrar or auction platform (or their affiliate), or the fact that the respondent itself may not have directly profited, is a relevant consideration but would not by itself prevent a finding of bad faith”.

Panels have held that the use of a domain name for illegitimate activity (here, claimed passing off or other types of fraud), constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

The Panel also notes the Respondent’s failure to submit a response in the present proceeding, which may be considered as a further indication supporting the Panel’s finding of the Respondent’s bad faith.

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 <atasehir-iqos.com> be transferred to the Complainant.

/Monica Novac/

Monica Novac

Sole Panelist

Date: March 24, 2026