

ADMINISTRATIVE PANEL DECISION

Teknasyon Yazilim Sanayi ve Ticaret Anonim Sirketi v. Nice IT Services Group Inc., Customer Domain Admin
Case No. D2026-0877

1. The Parties

Complainant is Teknasyon Yazilim Sanayi ve Ticaret Anonim Sirketi , Türkiye, represented by DLC Law Firm, Türkiye.

Respondent is Nice IT Services Group Inc., Customer Domain Admin, Dominica.

2. The Domain Name and Registrar

The disputed domain name <teknasyon.dev> (the “Domain Name”) is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 27, 2026. On February 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On February 27, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Unknown Respondent / Privacy or Proxy Service) and contact information in the Complaint. The Center sent an email communication to Complainant on March 2, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on April 2, 2026.

The Center verified that the Complaint together with the amendment to 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 Respondent of the Complaint, and the proceedings commenced on April 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 4, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on May 5, 2026.

The Center appointed John C. McElwaine as the sole panelist in this matter on May 13, 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

Complainant is a Turkish technology company active in the software development, mobile applications, artificial intelligence, and digital marketing industries. Founded in 2012, Complainant operates under the TEKNASYON trademark and has established a substantial commercial and online presence in the technology sector.

Relevant to this matter, Complainant owns several trademark registrations containing the mark TEKNASYON, including:

- TEKNASYON, Turkish Registration No. 2021/133304, registered March 8, 2022, in International Classes 9, 35, and 42;
- TEKNASYON, Turkish Trademark Registration No. 2023/082528, registered November 3, 2023, in International Classes 9, 35, and 42; and

Collectively, the registered trademark rights are referred to as the “TEKNASYON Mark”. Complainant also uses the domain name <teknasyon.com>, registered on December 3, 2013, as its official corporate website.

The Domain Name was registered on December 16, 2025. At the time of filing the Complaint, the Domain Name did not resolve to an active website.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

With respect to the first element of the Policy, Complainant asserts that the Domain Name is identical or confusingly similar to Complainant’s TEKNASYON trademark. Complainant points out that the Domain Name incorporates the trademark in its entirety without alteration, and that the addition of the “.dev” Top-Level Domain (“TLD”) is a standard registration requirement that should be disregarded for purposes of assessing confusing similarity. Complainant further notes that its continuous use of <teknasyon.com> since 2013 has established strong consumer association with the TEKNASYON Mark in the technology sector.

With respect to the second element of the Policy, Complainant submits that Respondent has no rights or legitimate interests in the Domain Name. Complainant has never authorized or licensed Respondent to use the TEKNASYON Mark or to register any domain name incorporating that mark, and there is no relationship between the parties. Complainant asserts that Respondent is not commonly known by the Domain Name and has not acquired any trademark rights corresponding to <teknasyon.dev>. According to Complainant, the Domain Name has been associated with deceptive and fraudulent activity, including impersonation of Complainant and distribution of harmful content, which cannot confer rights or legitimate interests. Complainant further emphasizes Respondent’s deliberate choice of the “.dev” TLD, which is closely associated with software development, technology, and digital innovation, and the sectors in which Complainant operates.

With respect to the third element of the Policy, Complainant contends that the Domain Name was registered and is being used in bad faith. Complainant notes that the Domain Name was registered more than a

decade after Complainant first acquired trademark rights in the TEKNASYON mark and established its online presence through <teknasyon.com>. Given the distinctiveness of the TEKNASYON Mark and Complainant's extensive commercial use over many years, Complainant argues that it is inconceivable that Respondent registered the Domain Name without actual knowledge of Complainant's trademark rights and business activities. Complainant submits that even a cursory Internet or trademark search would have immediately revealed Complainant's long-standing use of the TEKNASYON Mark, supporting an inference of at least willful blindness, which UDRP panels have recognized as a strong indicator of bad faith. Complainant alleges that Respondent has used the Domain Name as part of a deceptive scheme to mislead Internet users by creating the impression that the Domain Name is associated with, sponsored by, or affiliated with Complainant, thereby exploiting the reputation and goodwill of the TEKNASYON Mark. This conduct, Complainant argues, falls within paragraph 4(b)(iv) of the Policy, which establishes bad faith where a respondent intentionally attempts to attract Internet users for commercial or other illegitimate gain by creating confusion with the complainant's trademark. Complainant further emphasizes that Respondent's selection of the ".dev" gTLD, which corresponds directly to Complainant's core business areas, cannot be regarded as coincidental and clearly indicates intentional targeting. Additionally, Complainant asserts that Respondent's use of a privacy service further supports the conclusion that Respondent sought to conceal its identity to avoid accountability.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Even though Respondent has defaulted, paragraph 4 of the Policy requires that, in order to succeed in this UDRP proceeding, Complainant must still prove its assertions with evidence demonstrating:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

Noting that the burden of proof is on the complainant, a respondent's default (i.e., failure to submit a formal response) would not by itself mean that complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that complainant's contentions are accurate. However, panels have been prepared to draw certain inferences in light of the particular facts and circumstances of the case e.g., where a particular conclusion is prima facie obvious, where an explanation by the respondent is called for but is not forthcoming, or where no other plausible conclusion is apparent. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3. Having considered the Complaint, the Policy, the Rules, and the Supplemental Rules, the Panel's findings on each of the above-cited elements are as follows.

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 Complainant's trademark and the Domain Name. [WIPO Overview 3.1](#), section 1.7.

Complainant has shown rights in respect of a trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1. Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. On this point, Complainant has

provided evidence that it is the owner of multiple registrations for the TEKNASYON trademark issued by the Turkish Patent and Trademark Office.

The Domain Name consists of Complainant's TEKNASYON trademark in its entirety, with no additional terms or alterations. Accordingly, the Domain Name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. The applicable TLD “.dev” is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.

The Panel finds that the first element of the Policy has been established

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides that a respondent can demonstrate rights or legitimate interests in a domain name by, inter alia, showing one of the following circumstances: (i) before any notice of the dispute, the respondent used or prepared to use the domain name in connection with a bona fide offering of goods or services; or (ii) the respondent has been commonly known by the domain name; or (iii) the respondent is making a legitimate noncommercial or fair use of the domain name, without intent to mislead consumers or tarnish the trademark at issue.

Although the overall burden of proof rests with the complainant, UDRP panels recognize that it may be difficult for a complainant to prove a negative (i.e., the absence of rights or legitimate interests on the respondent's part). Accordingly, where a complainant makes a prima facie showing that the respondent lacks any rights or legitimate interests in the domain name, the burden of production shifts to the respondent to come forward with evidence of some right or legitimate interest. See [WIPO Overview 3.0](#), section 2.1. If the respondent fails to do so, the complainant is deemed to have satisfied the second element.

In this case, Complainant has made a prima facie case that Respondent has no rights or legitimate interests in the Domain Name. Complainant has stated that it has not licensed or authorized Respondent to use the TEKNASYON Mark or to register any domain name incorporating that mark. There is no relationship between Complainant and Respondent that would give rise to any permission to use the mark. The registration data information provided by the Registrar shows the registrant name as “Nice IT Services Group Inc., Customer Domain Admin,” which bears no resemblance to the Domain Name or the term “teknasyon”. This strongly suggests that Respondent is not commonly known by the Domain Name or by any name similar to Complainant's mark. There is no evidence that Respondent has acquired any trademark or service mark rights in the term “teknasyon” or “teknasyon.dev”.

On the contrary, Complainant contends that Respondent is using the Domain Name to impersonate Complainant for fraudulent activity. UDRP panels have categorically held that the use of a domain name for illegal or deceptive activity, such as phishing, impersonation, or selling counterfeit goods, can never confer rights or legitimate interests on a respondent. See [WIPO Overview 3.1](#), section 2.13.1.

Further, the Panel attempted to visit the website at the Domain Name and received an error message that the “server IP address could not be found.” The fact that the Domain Name does not resolve to a website and is being passively held does not obviate a finding of bad faith. When a domain name is being passively held, the question of bad faith use does not squarely fall under one of the aforementioned non-exhaustive factors set out in paragraph 4(b) of the Policy. Section 3.3 of the [WIPO Overview 3.1](#), instructs that panelists should examine the totality of the circumstances in each case and that the following factors that have been considered relevant in applying the passive holding doctrine: “(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.” *Id.*

Complainant submitted evidence that it has been in business for more than a decade and that the TEKNASYON Mark and, as a trademark, the TEKNAYSON Mark is distinctive. By virtue of its failure to

respond to the Complaint, Respondent provided no evidence of its intended use of the Domain Name. In fact, Respondent is not using the Domain Name in any manner to demonstrate a bona fide use or potential use. In addition, Respondent concealed its true identity by using a proxy service, and Respondent did not respond to the Complaint. In light of these factors, the Panel finds that Respondent's passive holding of the Domain Name satisfies the requirement of paragraph 4(a)(iii) of the Policy that the Domain Name was registered and is being used in bad faith by Respondent.

Moreover, the Panel finds that the Domain Name is inherently misleading. [WIPO Overview 3.1](#), section 2.5.1.

For the reasons set forth above, the Panel holds that Complainant has met its burden under paragraph 4(a)(iii) of the Policy and has established that Respondent registered and is using the Domain Name in bad faith

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.

Under paragraph 4(a)(iii) of the Policy, Complainant must show that Respondent registered and is using the Domain Name in bad faith. A non-exhaustive list of factors constituting bad faith registration and use is set out in paragraph 4(b) of the Policy. Here, the Domain Name was registered on December 16, 2025, more than a decade after Complainant first acquired registered trademark rights in the TEKNASYON Mark and after Complainant had established its online presence through its official domain name <teknasyon.com>, which has been in operation since at least as early as 2019. .

Given the distinctiveness of the TEKNASYON Mark, Complainant's extensive commercial use of that mark, and its registration of the domain name <teknasyon.com> for over a decade, it is inconceivable that Respondent registered the Domain Name without actual knowledge of Complainant, its trademark rights, and its established business activities. The selection of a domain name that wholly reproduces the TEKNASYON designation cannot be explained by coincidence or legitimate intent. At the time of registration of the Domain Name, even a cursory Internet search or trademark search would have immediately revealed Complainant's long-standing use of the TEKNASYON mark, its official website at the domain name <teknasyon.com>, and its established commercial presence in the technology sector. In these circumstances, the Panel finds that Respondent's registration of the Domain Name was in bad faith.

The Panel agrees that Respondent's targeting of Complainant is further evidenced by the deliberate choice of the ".dev" TLD, which is commonly associated with software development, technology, and digital innovation. This sector-specific TLD directly corresponds to Complainant's core areas of activity, including software development, mobile applications, artificial intelligence-driven solutions, and digital marketing. Respondent's selection of a domain name wholly reproducing the TEKNASYON mark, combined with a TLD inherently linked to Complainant's field of business, cannot be regarded as coincidental and clearly indicates intentional targeting of Complainant.

Respondent's bad faith is further evidenced by the manner in which the Domain Name has been used. It is alleged that Respondent has used the Domain Name as part of a deceptive scheme designed to mislead Internet users by falsely creating the impression that the Domain Name is associated with, sponsored by, or affiliated with Complainant and its TEKNASYON Mark. These claims were not rebutted by Respondent. Such conduct exploits the reputation and goodwill attached to the TEKNASYON Mark in order to deceive users and improperly benefit from that association. This conduct falls within the scope of paragraph 4(b)(iv) of the Policy, which provides that bad faith is established where a respondent intentionally attempts to attract Internet users for commercial or other illegitimate gain by creating a likelihood of confusion with the complainant's trademark as to source, sponsorship, affiliation, or endorsement. In addition, panels have held

that the use of a domain name for illegitimate activity or illegal activity constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

Moreover, the Domain Name itself is inherently misleading. This fact supports a finding of bad faith because the use of a misleading domain name evidences an intent to create confusion with Complainant's mark and to capitalize on that confusion.

The Panel finds that 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 Domain Name <teknasyon.dev> be transferred to the Complainant.

/John C McElwaine/

John C McElwaine

Sole Panelist

Date: May 27, 2026