

ADMINISTRATIVE PANEL DECISION

Eclisse S.R.L. v. Yahya Kemal Yildirim
Case No. D2026-0973

1. The Parties

The Complainant is Eclisse S.R.L., Italy, represented by Dr. Modiano & Associati S.p.A., Italy.

The Respondent is Yahya Kemal Yildirim, Türkiye.

2. The Domain Names and Registrar

The disputed domain names <eclissedoor.info> <eclissedoor.site> are registered with Turkticaret.net Yazılım Hizmetleri Sanayi ve Ticaret A.S. (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on March 6, 2026. On March 6, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On March 8, 2026, 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 (Unknown (GDRP Masked)) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 9, 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 the amended Complaint in English on March 13, 2026.

On March 9, 2026, the Center informed the Parties in English and Turkish, that the language of the Registration Agreement for the disputed domain name is Turkish. On March 13, 2026, the Complainant confirmed English to 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”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent in English and Turkish of the Complaint, and the proceedings commenced on March 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 13, 2026.

The Center appointed Emre Kerim Yardimci as the sole panelist in this matter on April 17, 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 manufactures sliding and pocket doors, door frames, and locksmiths' goods, particularly for sliding doors and windows, counting with 10 subsidiaries worldwide and 30 representative offices throughout the world.

The Complainant is the owner, among others, of the following trademark registrations:

- Turkish Trademark Registration No. 2006/15149 for ECLISSE registered on August 1, 2007, successively renewed;
- Italian Trademark Registration No. 0000551997 for ECLISSE registered on October 22, 1991, successively renewed;
- European Union Trademark Registration No. 000380931 for ECLISSE registered on November 18, 1998, successively renewed; and
- International Trademark Registration No. 576896 for ECLISSE registered on October 22, 1991, successively renewed.

The Complainant is the owner of the following domain names (among others) that have been used as the Complainant's official websites for many years:

<eclisse.com>
<eclisseworld.com>
<eclisse.it>
<eclisse.us>
<eclisse.eu>

The disputed domain names were both registered by the Respondent on January 11, 2026, and they resolved to inactive pages at the time of filing of the Complaint.

Previously, there was a collaboration agreement between January 23, 2012, and March 11, 2016, in which the company, Birikim Insaat, represented by the Respondent was authorized to promote and sell the Complainant's products in Türkiye.

In 2018, the Complainant reminded the Respondent at least twice that no one was allowed to register any domain names incorporating the term "Eclisse."

The Complainant has also filed two prior cases under the UDRP in which the panels found the Respondent registered and used several domain names incorporating the Complainant's trademark in bad faith. *Eclisse S.R.L. v. Ugur Kemal Yildirim / Yahya Kemal Yildirim*, WIPO Case No. [D2019-0694](#); and *Eclisse S.r.L. v. Domain Admin, Privatewhois Biz, Yahya Kemal Yildirim*, WIPO Case No. [D2020-3155](#).

5. Parties' Contentions

A. Complainant

The Complainant asserts that the disputed domain names are confusingly similar to the Complainant's trademark, and at the same time, incorporating the Complainant's trademark ECLISSE and that the addition of the descriptive word "door" reinforces the association between the disputed domain names and the Complainant's trademark.

The Complainant considers that the Respondent has no rights or legitimate interests in respect of the disputed domain names, mainly because the Complainant has neither licensed nor otherwise authorized the Respondent to register any domain name incorporating the trademark ECLISSE.

The Complainant further asserts that although the Respondent is not using the disputed domain names, any future use cannot be considered for a bona fide offering of goods and services.

Finally, in addressing the question of registration and use of the disputed domain name in bad faith, the Complainant contends that the Respondent is well aware of the Complainant's trademark considering their previous business relationship between the Parties until 2016 and prior UDRP cases between the Parties concerning the trademark ECLISSE concluded in favor of the Complainant.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

6.1. Language of the Proceeding

Pursuant to paragraph 11(a) of the Rules, unless otherwise agreed by the parties, or specified otherwise in the Registration Agreement, the language of the administrative proceeding shall be the language of the Registration Agreement.

The Registrar has confirmed that the language of the Registration Agreements is in Turkish in this case. The Complaint and amended Complaint were filed in English, in which the Complainant had requested English to be the language of the proceeding for various reasons including the fact that the prior collaboration agreement signed between the Complainant and the Respondent's company was in English.

The Center provided the Respondent with an opportunity to comment on the language of the proceeding and the Respondent may file its response in English or Turkish. The Respondent has not objected to the Complainant's request on the language of the proceeding and did not submit its Response.

Due to lack of response by the Respondent and other circumstances of this case, the Panel decided, in accordance with paragraph 11(a) of the Rules, that the language of the proceeding as English.

6.2. Substantive Issues

According to paragraph 4(a) of the Policy, the Complainant must prove that:

(i) The disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

(ii) The Respondent has no rights or legitimate interest in respect of the disputed domain names; and

(iii) The disputed domain names have been registered in bad faith and are being used in bad faith.

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 names. WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 1.7.

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

The disputed domain names integrate the Complainant's ECLISSE trademark in its entirety, as its dominant element. The disputed domain name differs from the registered ECLISSE trademark by the additional word "door" which refers to the products manufactured by the Complainant. This latter point will be taken into account on the second element (with respect to rights or legitimate interests) and third element (with respect to bad faith registration and use). The additional word "door" would not prevent a finding of confusing similarity under the first element. [WIPO Overview 3.1](#), section 1.8.

As regards the generic Top-Level Domain ("gTLD"), here ".info" or ".site", it is typically disregarded under the confusing similarity test.

Consequently, the Panel finds that the Complainant has shown that the disputed domain names are confusingly similar to a trademark in which the Complainant has rights.

The Panel finds that the Complainant has established the first element of the Policy.

B. Rights or Legitimate Interests

The onus is on the Complainant to make out at least a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name, and it is then for the Respondent to rebut this case. See section 2.1 of the [WIPO Overview 3.1](#).

The Panel accepts the Complainant's submissions that the Respondent does not appear to be known by the disputed domain name, has not used, or made demonstrable preparations to use the disputed domain names in connection with a bona fide offering of goods or services, is not making a legitimate noncommercial or fair use of the disputed domain names, and has no consent from the Complainant to use its trademark.

The Respondent has not filed a Response. Furthermore, the Panel finds that the nature of the disputed domain names carries a risk of implied affiliation with the Complainant. See section 2.5.1 of the [WIPO Overview 3.1](#).

The Panel therefore finds that the Complainant has made out its prima facie case under this element of the Policy, and the Respondent has failed to rebut it. Accordingly, the Complainant succeeds in relation to the second element of the Policy.

C. Registered and Used in Bad Faith

The Panel accepts the Complainant's assertions that the Parties were previously in the business relation until 2016 and that the Respondent has registered the disputed domain names with the Complainant's trademarks in mind which is a clear indication of bad faith registration.

As a matter of fact, considering:

- the prior commercial relationship between the Parties until 2016;
- the use of the Complainant's trademark within the disputed domain names;
- the use of the descriptive word "door" which refers to the main business activity of the Complainant;
- the prior UDRP decisions finding the Respondent's bad faith in registering and using various domain names incorporating the Complainant's trademark; the panel finds it is clear that the Respondent has targeted the Complainant and its trademark to potentially benefit its own commercial activities.

Therefore, the registration of the disputed domain names by the Respondent was in bad faith with the intent to possibly use it to exploit the Complainant's reputation.

As to the bad faith use, the Panel observes that the Respondent has registered the disputed domain names but has not put them to any use. Thus, the Respondent is holding the disputed domain names passively. It has long been generally held in UDRP decisions that the passive holding of a domain name that incorporates a trademark, without any actual or contemplated good faith use, does not necessarily circumvent a finding that the domain name is in bad faith use within the requirements of paragraph 4(a)(iii) of the Policy (*Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#)).

Given the previous commercial relationship between the Parties, the distinctiveness of the Complainant's mark, the composition of the disputed domain names, the Respondent's lack of participation in this proceeding, and the Respondent's pattern of bad faith conduct in prior UDRP cases, the totality of circumstances surrounding the non-use of the disputed domain name does not prevent a finding of bad faith. [WIPO Overview 3.1](#), section 3.3.

Therefore, in the view of cumulative circumstances, the Panel finds that the requirement of registration and use in bad faith is satisfied, according to the Policy, paragraph 4(a)(iii).

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 <eclissedoor.info> and <eclissedoor.site> be transferred to the Complainant.

/Emre Kerim Yardimci/

Emre Kerim Yardimci

Sole Panelist

Date: May 1, 2026