

ADMINISTRATIVE PANEL DECISION

Philip Morris Products S.A. v. Eyupcan Tabak, Eyupcan Tabak
Case No. D2026-1235

1. The Parties

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

The Respondent is Eyupcan Tabak, Eyupcan Tabak, Türkiye.

2. The Domain Name and Registrar

The disputed domain name <veevturkiye.com> is registered with Atak Domain Hosting Internet ve Bilgi Teknolojileri Limited Sirketi d/b/a Atak Teknoloji (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 23, 2026. On March 23, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 24, 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 (Private Registration) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 24, 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 two amended Complaints on March 27, 2026.

The Center verified that the Complaint together with the amended Complaints 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 April 1, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 21, 2026. The Respondent sent several email communications to the Center between March 24 and April 1, 2026, indicating that it is only a web design company and the disputed domain name does not belong to it and it can transfer the disputed domain name.

Upon the Complainant's request, the proceedings were suspended on April 7, 2026 and reinstated as of April 23, 2026, with the new Response due date of May 7, 2026. Commencement of Panel Appointment was sent to the Parties on May 15, 2026. Between April 23, 2026 and June 3, 2026, the Center has received multiple email communications from the Parties regarding the possible settlement.

The Center appointed Kaya Köklü as the sole panelist in this matter on June 3, 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.

On June 22, 2026, the Center received an email communication from the Complainant.

4. Factual Background

The Complainant is part of the Philip Morris International Inc. group, which is a group of companies active in the field of tobacco and smoke-free products.

The Complainant owns numerous word and figurative VEEV trademark registrations around the globe. According to the Complaint, the Complainant is, among various others, owner of the International Trademark Registration No. 1305642, registered on May 18, 2016, for VEEV, and covering protection, inter alia, for electronic cigarettes and related goods as protected in classes 9, 11, and 34, designating among others Türkiye.

The Respondent is an individual reportedly located in Türkiye.

The disputed domain name was registered on July 8, 2025.

Screenshots, as provided by the Complainant, show that the disputed domain name resolved to a website, which was used for purportedly offering various smoke-free products of the Complainant. On the associated website, the VEEV trademark was prominently used without a visible disclaimer describing the (lack of) relationship between the Parties.

At the time of the Decision, the disputed domain name does not resolve to an active website anymore.

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.

B. Respondent

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

However, the Respondent sent multiple email communications to the Center, indicating that the disputed domain name does not belong to the Respondent and they are a web design company. The Respondent further provided the name and phone number of the owner of the website at the disputed domain name and indicated its willingness to transfer the disputed domain name to the Complainant but requested approximately USD 50 to reimburse the registration costs of the disputed domain name. The Respondent denied any bad faith intention in registering the disputed domain name, and shared the transfer code and a settlement form with the Center.

6. Discussion and Findings

6.1. Preliminary Issue: Consent to Transfer

Before addressing the elements of paragraph 4(a) of the Policy, the Panel notes that several communications were received from the Respondent, expressing consent to the transfer of the disputed domain name. A settlement form and even an authorization code were also provided. However, the Respondent also claimed that the disputed domain name does not belong to the Respondent and they are a web design company. The Respondent further provided the name and phone number of the owner of the website at the disputed domain name. In light of the Respondent's claim that the disputed domain name does not belong to the Respondent and there is a possibility that the Respondent may have registered the disputed domain name on behalf of the owner of the website at the disputed domain name (potential beneficial holder of the disputed domain name), the Center requested the Respondent to confirm if it is authorized to settle the proceeding with the Complainant. However, even upon request, the Center did not receive confirmation from the Respondent confirming that it is authorized to settle this dispute accordingly. In addition, the Respondent denied the bad faith intention in registering the disputed domain name and requested approximately USD 50 to reimburse the registration costs of the disputed domain name.

In these circumstances, the Panel is not satisfied that the provided communications constitute a valid and unambiguous consent by the Respondent to transfer the disputed domain name. The Panel therefore proceeds to determine the Complaint on its merits under paragraph 4(a) of the Policy.

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 name is 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 name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

As per paragraph 4(a) of the Policy, the complainant bears the burden of proving that all these requirements are fulfilled, even if a respondent has not substantively replied to the complainant's contentions. *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

Concerning the uncontested information provided by a complainant, the Panel may, where relevant, accept the provided reasonable factual allegations in a complaint as true. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3.

It is further 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 VEEV trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

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

Although the addition of other terms, here “turkiye”, may bear on assessment of the second and third elements, the Panel finds the addition of such 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 3.1](#), 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, irrespective of whether there is a beneficial holder, lacks rights or legitimate interests in the disputed domain name. Particularly, the Complainant put forward that the Respondent is neither a business partner of the Complainant nor a licensee of its VEEV trademark and that the Respondent is not commonly known by the terms “veev” in combination with “turkiye”. The Respondent or the claimed beneficial holder 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.

Further, the Panel notes that the website which was linked to the disputed domain name prominently used the VEEV trademark, without any accurate and prominent disclaimer, thereby failed the Oki Data test (*Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)). Moreover, the disputed domain name incorporates the Complainant’s trademark in its entirety, together with the geographical term “turkiye”, is inherently misleading, which may create the false impression that the website at the disputed domain name would be the official website of the Complainant for the Turkish market, contrary to the fact. In view of the Panel, this takes the use of the disputed domain name out of the Oki Data safe harbour for purposes of the second element.

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's VEEV trademark was registered before the registration of the disputed domain name. It is obvious to the Panel, irrespective of whether there is a beneficial holder, that the disputed domain name has been deliberately chosen, which comprises the Complainant's non-dictionary VEEV trademark in its entirety in combination with the geographical indication for Türkiye, to target and mislead particularly Internet users searching for the Complainant and its products in Türkiye.

With respect to the use of the disputed domain name in bad faith, the Panel finds, irrespective of whether there is a beneficial holder, that the prominent use of the Complainant's VEEV mark, and the nature of the disputed domain name is sufficient evidence that the disputed domain name has been intentionally used to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant and its VEEV trademark as to the source, sponsorship, affiliation or endorsement of the associated website.

The fact that the disputed domain name currently does not resolve to an active website, does not prevent a finding of bad faith, particularly noting the fame of the Complainant's VEEV mark and the composition of the disputed domain name.

The Panel concludes, irrespective of whether there is a beneficial holder, that the disputed domain name was registered and is being used in bad faith.

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 <veevturkiye.com> be transferred to the Complainant.

/Kaya Köklü/

Kaya Köklü

Sole Panelist

Date: June 23, 2026