ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Philip Morris Products S.A. v. polat alemdar seksison
Case No. D2026-1696

1. The Parties

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

The Respondent is polat alemdar seksison, Türkiye.

2. The Domain Name and Registrar

The disputed domain name <iqos-premium.com> is registered with Porkbun LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 21, 2026. On April 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 22, 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 (Whois Privacy, Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 23, 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 April 28, 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 proceedings commenced on April 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 19, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 20, 2026.

The Center appointed Christelle Vaval as the sole panelist in this matter on May 29, 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 a company within a group of companies affiliated with Philip Morris International Inc. (“the Complainant’s Parent Company”), which is a leading international tobacco and smoke-free products company with sales in approximately 180 countries.

The Complainant’s Parent Company has developed a range of reduced-risk smoking products, including a tobacco heating system sold under the IQOS, IQOS ILUMA, and TEREA trademarks.

The Complainant owns trademark registration for the following trademarks in multiple jurisdictions, including:

- IQOS, International trademark registration No. M-1218246, registered on July 10, 2014;
- IQOS ILUMA, Türkiye trademark registration No. 2019 128850, registered on November 6, 2020;
- TEREA, Türkiye trademark registration No. 2019 128867, registered on September 17, 2020.

The disputed domain name was registered by the Respondent on October 20, 2025. The website associated with the disputed domain name resolves to a Turkish-language online store that sells systems under the IQOS trademark.

5. Parties’ Contentions

A. Complainant

The Complainant contends that it has satisfied each element required under the Policy for the transfer of the disputed domain name.

Notably, the Complainant contends that:

- The disputed domain name is confusingly similar to the IQOS trademark because it incorporates the trademark in its entirety. The addition of the term “premium” does not prevent finding confusing similarity.

- The Respondent has no right or legitimate interest in the disputed domain name. The Complainant states that it has not licensed or otherwise authorized the Respondent to use its IQOS trademark or to register any domain name incorporating its trademark.

The Complainant further argues that the Respondent is not making any bona fide offering of goods or services because the website associated with the disputed domain name falsely suggests that it is an official or licensed IQOS online store.

- The disputed domain name was registered and is being used in bad faith. Given the distinctive nature of the Complainant’s IQOS trademark, the Respondent must have been aware of the Complainant’s IQOS trademark when registering the disputed domain name, as the associated website is offering purported the Complainant’s IQOS products.

B. Respondent

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

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 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 entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is 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, "-" and "premium", may bear on the 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 name and the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

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.

The Complainant has stated that the Respondent is not affiliated with the Complainant, nor has it been authorized to use the Complainant's IQOS trademark, and it is not an authorized distributor or reseller of the Complainant. Nothing in the records indicates that the Respondent is commonly known by the disputed domain name.

The website linked to the disputed domain name is a Turkish-language online store offering products marketed as IQOS products. Based on the evidence, the website prominently displays the Complainant's distinctive and well-known IQOS trademark, along with related marks such as IQOS ILUMA and TEREA, and features images of the Complainant's official products. Together, the disputed domain name and the website convey the false impression that the site is affiliated with or endorsed by the Complainant.

Panels have held that the use of a domain name illegitimate activity here, claimed as applicable to this case: impersonation or passing off can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

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.

In the present case, the Panel notes that the Respondent has used the disputed domain name to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's IQOS trademark as to the source, sponsorship, affiliation, or endorsement of the associated website to the disputed domain name and the products offered on it.

The circumstances of the registration indicate that the Respondent selected the disputed domain name with knowledge of the Complainant's trademark, as it incorporates the distinctive IQOS mark and is used for a website purporting to offer IQOS products. The disputed domain-name website is misleading Internet users by falsely suggesting an official relationship or an authorized sales channel for IQOS products in Türkiye.

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.

Panels have held that the use of a domain name for illegitimate activity here, claimed passing off and impersonation, and unauthorized commercial offering of products under the Complainant's trademark constitute bad faith. WIPO Overview 3.1, section 3.4. 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 <iqos-premium.com> be transferred to the Complainant.

/Christelle Vaval/
Christelle Vaval
Sole Panelist
Date: June 9, 2026