

ADMINISTRATIVE PANEL DECISION

Philip Morris Products S.A. v. salvo saha
Case No. D2026-1955

1. The Parties

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

The Respondent is salvo saha, Türkiye.

2. The Domain Name and Registrar

The disputed domain name <iqosortak.com> is registered with Nicenic International Group Co., Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 5, 2026. On May 6, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, the Registrar sent 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) and contact information in the Complaint. The Center sent an email to the Complainant on May 15, 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 May 18, 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 May 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 16, 2026.

The Center appointed Simone Lahorgue Nunes as the sole panelist in this matter on June 19, 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 headquartered in Switzerland. The Complainant is “a leading international tobacco and smoke-free products company, with products sold in approximately 180 countries.”

The Complainant has provided evidence of being the right holder of the trademark IQOS. For instance: International trademark registrations No. 1338099, registered on November 22, 2016; No. 1461017, registered on January 18, 2019; and No. 1218246, registered on July 10, 2014.

The disputed domain name was registered by the Respondent on March 3, 2026. The website resolves to a page featuring content similar to that of the Complainant’s website, reproducing the Complainant’s logo.

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

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.

The Complainant contends that according to the Whois information, the Respondent, “appears to be a private registration and the identity of the real owner and operator of the domain is concealed and cannot be revealed to third parties”. In this regard, the Complainant submits that the Respondent is not related to the company or any of its affiliates in any way and, therefore, is “not authorized to use the IQOS, TERE and HEETS trademarks”.

The Complainant argues that the disputed domain name resolves to a Turkish-language website that falsely suggests its affiliation with the Complainant by displaying the IQOS trademark, logo, and related trademarks together with the descriptive word “ortak” (informal translation: “partner”). According to the Complainant, this is “further supported by the Respondent’s use of the Complainant’s official product images accompanied by a copyright notice claiming the copyright for the Website and its contents”.

The Complainant submits that the Respondent’s website “is clearly purporting to be an official online retailer of the Complainant’s IQOS System in Turkey by using the Complainant’s IQOS trademark in the Disputed Domain Name” and affirms that such use is particularly illegitimate given that the IQOS System is not currently sold by the Complainant in Türkiye.

The Complainant submits that the disputed domain name is confusingly similar to its IQOS trademark, as it incorporates the mark in its entirety. The addition of the term “ortak” does not prevent a finding of confusing similarity, and the generic Top-Level Domain (“gTLD”) “.com” should be disregarded for purposes of the first element of the UDRP.

Furthermore, the Complainant argues that it “has made a prima facie case that the Respondent lacks any right or legitimate interest in the Disputed Domain Name” and that it “has not licensed or otherwise permitted the Respondent to use any of its trademarks or to register a domain name incorporating its IQOS trademark (or a domain name which will be associated with this trademark)”.

The Complainant also contends that the Respondent “is not making a legitimate non-commercial or fair use of the Domain Name. On the contrary, the Respondent’s behaviour shows a clear intent to obtain an unfair

commercial gain, with a view to misleadingly diverting consumers or to tarnish the trademarks owned by the Complainant”.

The Complainant also argues that it is “evident from the Respondent’s use of the Disputed Domain Name that the Respondent knew of the Complainant’s IQOS trademark when registering the Disputed Domain Name” since “the term IQOS is not commonly used to refer to tobacco products or electronic devices”.

Furthermore, the Complainant submits that “the fact that Respondent is using a privacy protection service to hide its true identity may in itself constitute a factor indicating bad faith”.

Finally, the Complainant requests the transfer of the disputed domain name to the Complainant.

B. Respondent

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

6. Discussion and Findings

The analysis of the Complainant’s arguments and of the presented evidence leads to the conclusion that the Complaint should be upheld, based on the following grounds.

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, “ortak”, may bear on assessment of the second and third elements, the Panel finds that 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 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.

Panels have consistently held that the use of domain names for illegitimate activity, including 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 the Respondent's bad faith registration and use of the disputed domain name for the following reasons.

First, the use of the IQOS trademark in the disputed domain name with the addition of the term "ortak", which, according to the Complainant, means "partner" in Turkish, suggests that the Respondent has registered the disputed domain name with the actual knowledge of the Complainant and its trademarks, and has done so in an attempt to create a likelihood of confusion with the Complainant.

Second, it is clear that the Respondent lacks rights or legitimate interests in the disputed domain name, and this is reinforced by the fact that there is no credible explanation for the Respondent's choice of the disputed domain name, and the Respondent did not reply to the Complainant's contentions. [WIPO Overview 3.1](#), section 3.2.1.

Third, the Respondent's prior use of the disputed domain name to redirect users to a website that reproduces the Complainant's logo and offers the Complainant's products demonstrates a clear intent to impersonate the Complainant and leads to a finding of 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 <iqosortak.com> be transferred to the Complainant.

/Simone Lahorgue Nunes/

Simone Lahorgue Nunes

Sole Panelist

Date: July 3, 2026