

ADMINISTRATIVE PANEL DECISION

Efes Pazarlama Ve Dağıtım Ticaret Anonim Şirketi v. Ali Rıza Baskesen,
İtopya Bilisim
Case No. D2026-3091

1. The Parties

The Complainant is Efes Pazarlama Ve Dağıtım Ticaret Anonim Şirketi, Türkiye, represented by Evreka Group, Türkiye.

The Respondent is Ali Rıza Baskesen, İtopya Bilisim, Türkiye.

2. The Domain Name and Registrar

The disputed domain name <ekominimagaza.com> is registered with Name.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 14, 2026. On July 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same date, 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 (Registrant of <ekominimagaza.com>, Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 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 July 16, 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 July 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 9, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 14, 2026.

The Center appointed Gökhan Gökçe as the sole panelist in this matter on August 21, 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 Efes Pazarlama ve Dağıtım Ticaret A.Ş., a company organized under the laws of Türkiye. The Complainant operates and uses the EKOMİNİ trademark in connection with retailing and related commercial services in Türkiye. The EKOMİNİ retail concept comprises a nationwide network of convenience stores offering, inter alia, food products, beverages, snacks, personal care, and household products.

The Complainant is the owner of several valid Turkish trademark registrations for its EKOMİNİ trademark and EKOMİNİ-formative marks, which predate the registration of the disputed domain name. These include, inter alia:

- Turkish Trademark EKOMİNİ, Registration No. 2009 18552, registered on March 3, 2010;
- Turkish Trademark EKOMİNİ, Registration No. 2011 34738, registered on December 5, 2012;
- Turkish Trademark EKOMİNİ CAFÉ, Registration No. 2018 95648, registered on March 8, 2019; and
- Turkish Trademark EKOMİNİ, Registration No. 2018 98378, registered on March 8, 2019.

Pursuant to the evidence submitted in Annex 5 of the Complaint, the Complainant is also the registrant of the domain name <ekomini.com.tr>, which has been registered since June 10, 2011, and is used in connection with the Complainant's EKOMİNİ business and official online presence.

The disputed domain name was registered on October 27, 2025.

According to the evidence submitted in the Annex 6 of the Complaint, before the filing of the Complaint, the disputed domain name resolved to an active Turkish-language e-commerce website prominently displaying the designations "Ekomini Online", "Ekomini E-Market", "Ekomini Getir", and "E-Market Perakende Satış Sistemi". The website offered a range of products, including televisions, air conditioners, laptops, household appliances, electric bicycles, garden products, and gaming products, with prices displayed in Turkish lira, together with stock and discount information and shopping-cart, account, order, and delivery functionalities. The website also promoted same day delivery services under the designation "Ekomini Getir" and used the EKOMİNİ sign prominently in connection with the online retail service.

The Panel visited the disputed domain name on August 26, 2026¹, and determined that it no longer resolves to an active website.

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.

Notably, the Complainant contends that:

- The disputed domain name is confusingly similar to the Complainant's trademark;

¹ Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), Section 4.8.

- The Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- The disputed domain name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint on the basis of the statements and documents submitted and 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;
- (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.

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

However, concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the reasonable factual allegations provided in the Complaint as true. See [WIPO Overview 3.1](#), section 4.3.

For the evaluation of this case, the Panel has taken note of the [WIPO Overview 3.1](#) and, where appropriate, will decide consistently with the consensus views stated 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 a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the mark is recognizable 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 term here, "magaza" ("store" in English) 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 generic Top-Level Domain ("gTLD") ".com" is a standard registration requirement and does not prevent the disputed domain name from being confusingly similar to the trademark. [WIPO Overview 3.1](#), section 1.11.1.

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.

On the contrary, it results from the evidence on record that the Complainant’s EKOMİNİ trademark registrations and also <ekomini.com.tr> domain name registration predate the registration of the disputed domain name. There is no evidence in the case record that the Complainant has licensed or otherwise authorized the Respondent to use the EKOMİNİ trademark or to register a domain name incorporating this trademark.

There is also no evidence to suggest that the Respondent has been commonly known by the disputed domain name. Moreover, the Panel considers that the composition of the disputed domain name, which incorporates the entirety of the Complainant’s EKOMİNİ trademark together with the term “magaza” (the Turkish word for “store”), carries a risk of implied affiliation with the Complainant. In particular, the term “magaza” is directly related to the Complainant’s retail activities conducted under the EKOMİNİ mark, including through its official website at “www.ekomini.com.tr”, and therefore reinforces rather than dispels the impression that the disputed domain name is affiliated with, endorsed by, or otherwise connected to the Complainant. Although the Panel notes that the disputed domain name may be perceived as being composed of the elements “eko” (meaning “eco” likely an abbreviation of “ekonomik”, meaning “economic”), “mini” (meaning “mini”), and “magaza” (meaning “store”), the Panel further notes that the disputed domain name may more naturally be understood as incorporating the Complainant’s EKOMİNİ mark in its entirety, followed by the descriptive term “magaza”. The fact that certain elements of a domain name may have dictionary or descriptive meanings does not, in itself, establish rights or legitimate interests where the surrounding circumstances indicate that the domain name was selected and used to target the Complainant’s trademark. See [WIPO Overview 3.1](#), section 2.10.1.

The Respondent’s failure to submit a Response further supports the conclusion that the Respondent has no rights or legitimate interests, as the Respondent has not rebutted the Complainant’s prima facie case. Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

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 was likely aware of the Complainant and its rights in the EKOMİNİ trademark when registering the disputed domain name. In reaching this conclusion, the Panel considers the Complainant's trademark rights predating the registration of the disputed domain name by many years, as well as the Complainant's longstanding use of the domain name <ekomini.com.tr>, registered since June 10, 2011, and that the Respondent is located in Türkiye, where the Complainant is also located and provides its services under the EKOMİNİ mark.

The Panel further notes the Complainant's established online presence under the EKOMİNİ mark. A simple Internet search for "ekomini" prominently returns the Complainant's official website at "www.ekomini.com.tr", which is dedicated to the Complainant's EKOMİNİ retail business. In these circumstances, the Panel considers it unlikely that the Respondent selected the term "ekomini" independently and without knowledge of the Complainant. The Panel also notes the exact reproduction of the Complainant's EKOMİNİ trademark in the disputed domain name, combined solely with the term "magaza", meaning "store" in Turkish. The additional term directly corresponds to the Complainant's field of commercial activity and, rather than distinguishing the disputed domain name from the Complainant, reinforces the impression that it identifies an official or authorized EKOMİNİ store. The composition of the disputed domain name therefore provides a further indication that the Respondent was targeting the Complainant and its trademark at the time of registration. See [WIPO Overview 3.1](#), section 3.2.1.

This conclusion is further supported by the way the disputed domain name was used. According to the evidence submitted with the Complaint, following its registration, the disputed domain name resolved to an active Turkish language e-commerce website prominently using the designations "Ekomini Online", "Ekomini E-Market", and "Ekomini Getir". The website offered various consumer goods for sale, displayed prices in Turkish lira, provided stock and discount information, and included shopping-cart, account, order, and delivery functionalities.

In the Panel's view, these circumstances support the conclusion that the Respondent was aware of the Complainant and deliberately targeted the Complainant's EKOMİNİ trademark when registering the disputed domain name.

Accordingly, the Panel finds that the Respondent intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's EKOMİNİ trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and the goods or services offered through it. Such conduct constitutes evidence of registration and use in bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

The Panel notes that the disputed domain name no longer resolves to the previously active e-commerce website. This does not alter the Panel's conclusion. The current inactive status of the disputed domain name does not cure its prior bad-faith use, nor does the current passive holding preclude a finding of bad faith.

Taking into account the Complainant's prior trademark rights and longstanding online presence, the composition of the disputed domain name, and the direct connection of the term "magaza" in the disputed domain name with the Complainant's retail activities the Panel finds that the disputed domain name was registered with knowledge of and with the intention of targeting the Complainant's EKOMİNİ trademark. Further, the Panel finds that the disputed domain name was used in bad faith given its prior use to host a website offering the same services to those of the Complainant, as explained above.

The Respondent has not filed a Response and hence has not availed itself of the opportunity to present any case of good faith that it might have. The Panel infers that none exists. *Regal Funds Management Pty Limited v. WhoisGuard Protected, WhoisGuard, Inc. / John Clerk*, WIPO Case No. [D2020-2773](#).

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 <ekominimagaza.com> be transferred to the Complainant.

/Gökhan Gökçe/

Gökhan Gökçe

Sole Panelist

Date: August 26, 2026