

ADMINISTRATIVE PANEL DECISION

Philip Morris Products S.A. v. Yunus Emre Çelik, Emir Karahan
Case No. D2026-3578

1. The Parties

The Complainant is Philip Morris Products S.A., Switzerland, represented by Akran Intellectual Property, Italy.

The Respondents are Yunus Emre Çelik and Emir Karahan, Türkiye.

2. The Domain Names and Registrars

The disputed domain names <iqosprime.com> and <iqostereaal.com> are registered with Dynadot Inc.

The disputed domain name <iqostereacihaz.com> is registered with Realtime Register B.V. (collectively, the “Registrars”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 12, 2026. On August 12, 2026, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On August 13, 2026, and August 14, 2026, the Registrars transmitted by email to the Center their verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (MyDomainProvider.com Privacy Protection Service / Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint.

The Center sent an email communication to the Complainant on August 17, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on August 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 Respondents of the Complaint, and the proceedings commenced on August 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 15, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on September 18, 2026.

The Center appointed Estela Mariel de Luca as the sole panelist in this matter on September 22, 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 part of the group Philip Morris International Inc. (“PMI”), which is a leading international tobacco and smoke-free products company, with products sold in approximately 180 countries. PMI has developed several reduced risk products (“RRPs”), one of which is a tobacco heating system called IQOS.

IQOS is a precisely controlled heating device into which specially designed tobacco sticks, marketed under different brand names such as TEREA, are inserted and heated to generate a flavourful, nicotine-containing aerosol (collectively, the “IQOS System”).

The IQOS System was first launched by PMI in Nagoya, Japan in 2014 and is available in key cities in around 84 markets across the world. To date, the IQOS System has been almost exclusively distributed through PMI’s official IQOS stores and websites and selected authorized distributors and retailers.

The Complainant is the owner of various trademark registrations including:

International Registration No. 1218246 IQOS, registered on July 10, 2014, in International Classes 09, 11 and 34, designating the numerous jurisdictions, including Türkiye.

International Registration No. 1338099 **IQOS**, registered on November 22, 2016, in International Class 35, designating the numerous jurisdictions, including Türkiye.

Turkish Registration No. 2019 128867 TEREA, registered on September 17, 2020, in International Class 34.

The disputed domain names <iqosprime.com>, <iqostereaal.com> and <iqostereacihaz.com> were registered on April 14, 2026, June 7, 2026, and January 10, 2026, respectively. The Complaint includes screenshots showing that the websites associated with the disputed domain names are linked to online shops allegedly selling and offering the Complainant’s IQOS/ILUMA System and TEREA/VEEV tobacco products, using several of the Complainant’s official product images and marketing materials, and displaying a copyright notice at the bottom of the websites claiming rights in the materials displayed there. Finally, the “Contact Now” pages of the websites contain allegedly fictitious contact details.

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 names.

The Complainant contends that the disputed domain names are confusingly similar to its IQOS and TEREА trademarks, with the addition of the terms "prime", "al", and "chiaz", which are descriptive or non-distinctive and do not prevent a finding of confusing similarity. The Complainant further contends that the inclusion of the generic Top-Level Domain ("TLD") ".com" is a standard registration requirement and must therefore be disregarded under the first element of the Policy.

The Complainant submits that it has not authorized the Respondents to use its IQOS/TEREA trademarks or to register the disputed domain names, and that the Respondents are neither authorized distributors nor resellers of the IQOS System/ILUMA device or TEREА/VEEV products, nor are they making a legitimate noncommercial or fair use of the disputed domain names. Rather, the Respondents use the disputed domain names to offer the Complainant's products for commercial gain, despite the IQOS System not having been officially launched in Türkiye.

The Complainant further contends that the Respondents present the Complainant's registered IQOS and TEREА trademarks without authorization at the top of the websites and in their tab interfaces, where relevant consumers would normally expect to find the name of the online shop or website provider. In addition, the websites describe themselves as a safe shopping address for purchasing original products and use the Complainant's official product images and marketing materials without authorization. The Complainant submits that this creates a false impression of an affiliation with or endorsement by the Complainant and may mislead consumers into believing that the websites are official or endorsed distributors. Furthermore, the websites display a generic copyright notice and provide no verifiable information regarding the identity of the operator or its authorization to sell the products concerned.

The Complainant contends that it is evident from the Respondents' use of the disputed domain names that the Respondents knew of the Complainant's trademarks at the time of their registration. The Complainant further contends that the disputed domain names were registered and used to attract Internet users for commercial gain by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the websites, within the meaning of paragraph 4(b)(iv) of the Policy. In this regard, the Complainant points out that the statement displayed on the websites, describing them as a "Turkey safe shopping address" that "offers original products", creates the impression of an official or authorized source.

Finally, the Complainant submits that the Respondents' use of a privacy protection service to conceal their identities is an additional indication of bad faith.

B. Respondent

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

6. Discussion and Findings

6.1. Procedural Matter - Consolidation of Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.11.2.

Therefore, as regards fairness and equity, the Center notified both disclosed registrants at the shared email address identified by the Registrars. Neither registrant objected to the requested consolidation or submitted a Response, and the record discloses no prejudice that would result from consolidation. The Panel, therefore, sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

6.2. Substantive Matter

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

- (i) that the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain names;
- (iii) that the disputed domain names have been registered and are being used in bad faith.

The Respondent's default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that if the Respondent does not submit a Response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondents' failure to submit a Response as it considers appropriate.

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 names. Accordingly, the disputed domain names are 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, “prime”, “al”, and “cihaz”, may bear on 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 names 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 names. 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 names such as those enumerated in the Policy or otherwise.

There is no evidence that the Respondent has been commonly known by the disputed domain names, nor that the Respondent is affiliated with the Complainant or have been authorized or licensed to use the IQOS or TEREА trademarks or to register any domain name incorporating such marks. Furthermore, there is no evidence that the Respondent has used the disputed domain names in connection with a bona fide offering of goods or services, or that it has made a legitimate noncommercial or fair use of the disputed domain names.

Even where the domain name consists of a trademark plus the additional terms “prime”, “al”, and “cihaz”, such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. See section 2.5.1 of the [WIPO Overview 3.1](#). In the present case, the disputed domain names resolve to websites that offer for sale the Complainant’s IQOS/ILUMA devices and TEREА/VEEV products and unauthorizedly reproduce official product images, the Complainant’s figurative trademark and marketing materials, while misleadingly presenting themselves as a safe shopping address for original products.

In these circumstances, it is clear that the Respondent has no rights or legitimate interests in the disputed domain names within the meaning of paragraph 4(a)(ii) of the Policy.

Moreover, Panels have held that the use of a domain name for illegal activity, here, 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.

The evidence demonstrates that the Complainant's rights in the IQOS and TEREА trademarks predate the registration of the disputed domain names. Regarding the Respondent Yunus Emre Çelik, the Panel notes that this is not the first time he has targeted the Complainant's brands. See *Philip Morris Products S.A. v. Yunus Emre Celik*, WIPO Case No. [D2022-1483](#). The Panel cannot overlook that the aforementioned Respondent and the Respondent Emir Karahan share the exact same email address, confirming that the disputed domain names are subject to common control. Taken together, these circumstances support a finding that the Respondents had actual knowledge of the Complainant and its trademark rights at the time of registration of the disputed domain names, creating a presumption of bad faith (affirmed by the subsequent use of the disputed domain names, discussed below).

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, passing off, constitutes 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 names constitute bad faith under the Policy.

In the present case, the Complaint includes screenshots showing websites associated with the disputed domain names displaying the Complainant's IQOS and TEREА trademarks and logos, with layouts designed to mimic official channels by unauthorizedly reproducing official product images and marketing materials, while offering for sale the Complainant's IQOS/ILUMA devices and TEREА/VEEV products. The websites thereby create the false impression that they are operated by, affiliated with, or authorized by the Complainant, misleadingly presenting themselves as a safe shopping address for original products. In the absence of any contrary explanation or evidence, and noting that no other plausible conclusion appears from the record, the Panel finds that the Respondent intentionally used the disputed domain names to create a false impression of affiliation for commercial gain.

Furthermore, the Respondent's use of a privacy service to conceal its identity, together with the provision of contact details that do not appear to be readily verifiable, further supports the 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 paragraph 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain names <iqosprime.com>, <iqostereaal.com> and <iqostereacihaz.com> be transferred to the Complainant.

/Estela Mariel de Luca/

Estela Mariel de Luca

Sole Panelist

Date: September 30, 2026