

## ADMINISTRATIVE PANEL DECISION

Koninklijke Philips N.V. v. Sayyed Mehdi Ghas Al-Husseini  
Case No. DIR2025-0010

### 1. The Parties

The Complainant is Koninklijke Philips N.V., Netherlands (Kingdom of the), represented Coöperatie SNB-REACT U.A., Netherlands (Kingdom of the).

The Respondent is Sayyed Mehdi Ghas Al-Husseini, Iran (Islamic Republic of), self-represented.

### 2. The Domain Name and Registrar

The disputed domain name <philipsbuy.ir> is registered with IRNIC.

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 5, 2025. On November 5, 2025, the Center transmitted by email to IRNIC a request for registrar verification in connection with the disputed domain name. On November 8, 2025, IRNIC 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 (name unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 10, 2025, providing the registrant and contact information disclosed by IRNIC, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on November 10, 2025. The Complaint was received in hard copy on November 10, 2025.

The Center verified that the Complaint and the amendment to the Complaint satisfied the formal requirements of the .ir Domain Name Dispute Resolution Policy (the “Policy” or “irDRP”), the Rules for .ir Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for .ir Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2(a) and 4(a), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on November 12, 2025. In accordance with the Rules, paragraph 5(a), the due date for Response was December 2, 2025. The Response was filed with the Center on November 26, 2025.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on December 10, 2025. 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 offers professional health products and services, consumer electronics (TV, audio, accessories, projection apparatus, electronic locks, water purification products), personal care and baby products, lighting products and domestic appliances under the PHILIPS trademark.

The Complainant is the owner, amongst others, of the following trademark registrations (Annex 3 to the Complaint):

- International Trademark Registration No. 310459 for PHILIPS, registered on March 16, 1966, in classes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 19, 20, 21, 28, 31, and 34, successively renewed;
- International Trademark Registration No. 991346 for PHILIPS and device, registered on June 13, 2008, in classes 3, 5, 7, 8, 9, 10, 11, 14, 16, 18, 20, 21, 25, 28, 35, 36, 37, 38, 41, 42, 44, and 45, successively renewed; and
- European Union Trade Mark No. 000205971 for PHILIPS, registered on October 22, 1999, in classes 3, 6, 7, 8, 9, 10, 11, 14, 16, 18, 20, 21, 25, 28, 35, 37, 38, 40, 41, and 42, successively renewed.

Past UDRP panels have already found PHILIPS to be a “well-known mark” (*Koninklijke Philips Electronics N.V. v. Philip Vlasov*, WIPO Case No. [D2011-2274](#)).

The disputed domain name <philipsbuy.ir> was registered by the current registrant on October 19, 2024, and has been used in connection with a webpage offering the Complainant’s products in the Iranian market.

#### 5. Parties’ Contentions

##### A. Complainant

The Complainant asserts to be the owner of the well-known PHILIPS trademark, one of the most widely recognized corporate identities in the world, used in connection with a wide spectrum of products and services marketed on a broad international level by the Complainant itself or multiple brand licensees.

Under the Complainant’s view, the disputed domain name is confusingly similar to its renowned trademark since it incorporates entirely the PHILIPS trademark, not affecting the addition of the nondistinctive element “buy” the confusing similarity thereof.

Regarding the absence of the Respondent’s rights or legitimate interests, the Complainant argues that:

- i. the disputed domain name, which carries a high risk of implied affiliation with the Complainant, has been used by the Respondent without the Complainant’s consent, authorization or license;
- ii. the webpage that resolves from the disputed domain name purportedly offers PHILIPS branded products for sale, displaying the PHILIPS logo and trademark;
- iii. the webpage available at the disputed domain name claims to be the “the official dealer of Philips in Iran” and the “the official importer of Philips home appliances in Iran” (Annex 4 to the Complaint) while not being the Respondent an authorized representative of the Complainant;

iv. considering the lack of any accurate disclosure or prominent disclaimer in the webpage available at the disputed domain name, the Respondent has clearly not complied with the second requirement foreseen in the Oki Data test (*Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)), to accurately and prominently disclose its relationship with the trademark holder;

v. there is no evidence that the Respondent is commonly known by the disputed domain name, also there not being any registered trademarks for those terms; and

vi. the Respondent's use of the disputed domain name is not noncommercial nor fair, being it reasonable to consider that the Respondent intended to misleadingly divert consumers.

As to the registration and use of the disputed domain name, the Complainant states that:

i. it is inconceivable that the Respondent was unaware of the Complainant and the PHILIPS trademark when the Respondent registered the disputed domain name;

ii. the website available at the disputed domain name contains a section about the Complainant's history and the Respondent claims to be the Complainant's official representative in Iran;

iii. there is no authorization for the Respondent to register any domain names containing the Complainant's trademarks, nor did the Respondent seek permission from the Complainant to do so; and

iv. the Respondent does not represent the Complainant in Iran and the present use of the disputed domain name is manifestly intended to exploit the Complainant's reputation to attract Internet users by creating a likelihood of confusion with the Complainant's trademark, which evidences the registration and use of the disputed domain name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

## **B. Respondent**

The Respondent submits that its intention has never been to deceive or harm the Complainant or its customers, rather having taken all necessary measures to ensure that the website available at the disputed domain name would not cause confusion among consumers, being its brand, domain name, and content clearly distinct from the Complainant.

The Respondent further asserts that its website complies with the applicable laws and regulations of Iran, being committed to secure and responsible business practices.

Moreover, submitting to "love the Philips brand" the Respondent affirms to sell genuine Philips products in Iran, so helping to maintain the reputation and credibility of the mark in that country.

Furthermore, the Respondent clarifies that the term "representation" on its website "refers solely to our company operation in Iran, where we run multiple stores. It does not imply official representation or authorization from Philips N.V."

The Respondent further indicates that its website "clearly indicates that it is part of the Respondent's business, not an official Philips site" and therefore the Respondent has rights and legitimate interests in relation to the disputed domain name.

Lastly, the Respondent affirms that it has chosen the disputed domain name to indicate that Philips products are being offered at its website and that "if this has caused any misunderstanding or concern, we apologize and will remove the word 'Philips' from the domain name".

## 6. Discussion and Findings

Paragraph 4(a) of the Policy sets forth the following three requirements, which have to be met for this Panel to order the transfer of the disputed domain name to the Complainant:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark 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 or is being used in bad faith.

The Complainant must prove in this administrative proceeding that each of the aforementioned three elements is present in order to obtain the transfer of the disputed domain name.

### 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 Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7. <sup>1</sup>

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 3.0](#), section 1.7.

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 nonexclusive list of circumstances that may indicate the Respondent's rights or legitimate interests in the disputed domain name. These circumstances are:

- (i) before any notice of the dispute, the Respondent's use of, or demonstrable preparations to use, the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services; or
- (ii) the Respondent (as individuals, businesses, or other organizations) has been commonly known by the disputed domain name, in spite of not having acquired trademark or service mark rights; or
- (iii) the Respondent is making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

According to the evidence submitted, the Complainant has made a prime facie case against the Respondent which has not been commonly known by the disputed domain name and is neither an authorized reseller of the Complainant's products nor has it been licensed or otherwise permitted to use any of the Complainant's trademarks or to register a domain name incorporating its PHILIPS trademark.

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<sup>1</sup>Given the similarities between the Policy and the Uniform Domain Name Dispute Resolution Policy (the "UDRP"), the Panel will refer to the [WIPO Overview 3.0](#) where relevant to this proceeding.

Also, according to the evidence submitted by the Complainant, the use made of the disputed domain name in connection with an online shop allegedly offering the Complainant's products, reproducing the Complainant's PHILIPS trademark in a prominent manner, clearly suggest at least an affiliation with the Complainant, which in fact does not exist.

In addition to that, not disclosing the lack of relationship with the trademark owner does not meet the criteria for a bona fide offering of goods or services as established in *Oki Data Americas, Inc. v. ASD, Inc.*, *supra* and, which is, under this Panel's view enhanced by the nature of the disputed domain name which carries a risk of implied affiliation with the Complainant.

Under these circumstances and absent evidence to the contrary, the Panel finds that the Respondent does not have rights or legitimate interests with respect to the disputed domain name.

### **C. Registered or Used in Bad Faith**

The Policy indicates in paragraph 4(b) that bad faith registration and use can be found in view of:

(i) circumstances indicating that the Respondent has registered or acquired the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring it to the Complainant who is the owner of a trademark relating to the disputed domain name or to a competitor of the Complainant, for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the disputed domain name; or

(ii) the Respondent has registered the disputed domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the Respondent has engaged in a pattern of such conduct; or

(iii) the Respondent has registered the disputed domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent's website or other location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product or service on the Respondent's website or location.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

Furthermore, as seen above, not disclosing the lack of relationship with the trademark owner does not meet the criteria for a bona fide offering of goods or services as established in *Oki Data Americas, Inc. v. ASD, Inc.*, *supra* and, which is, under this Panel's view enhanced by the nature of the disputed domain name which carries a risk of implied affiliation with the Complainant. Accordingly, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademark, which supports a finding of bad faith registration and use.

The third element of the Policy has therefore been established.

## 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 <philipsbuy.ir> be transferred to the Complainant.

*/Wilson Pinheiro Jabur /*

**Wilson Pinheiro Jabur**

Sole Panelist

Date: December 23, 2025