Decision for dispute CAC-UDRP-108391

Case number	CAC-UDRP-108391
Time of filing	2026-03-26 09:24:10
Domain names	hondacikma.com , hondatedarik.com

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	Honda Motor Co Ltd

Complainant representative

Organization	Coöperatie SNB-REACT U.A.

Respondent

Name	Mustafa Simsek

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain names.

IDENTIFICATION OF RIGHTS

The Complainant has submitted evidence, which the Panel accepts, showing that it is the registered owner of the trademarks bearing “HONDA”, inter alia, the following:

- European Union trademark “HONDA” n° 004715025, registered on December 11, 2006;
- European Union device trademark “MARSHALL” n°000012393, registered on December 1, 1998;
- International device trademark “HONDA” n°1391311, registered on October 27, 2016.

FACTUAL BACKGROUND

The Complainant, Honda Motor Co., Ltd. is a Japanese automobile, motorcycle and power equipment manufacturer founded in 1948 by Soichiro Honda in Hamamatsu.

The Complainant offers a wide range of vehicles and power products marketed through its official website www.honda.com, a domain it has held since 1998. The company operates internationally, with a strong presence across Asia, North America, and Europe, and remains a prominent actor in the global mobility sector due to its heritage and continued commitment to innovation.

The Complainant holds many trademark registrations including “HONDA” phrase going back to 1998.

The disputed domain names <hondacikma.com> and <hondatedarik.com> were registered on 18 February 2025 and 6 March 2025, respectively. The disputed domain names are currently inactive.

PARTIES CONTENTIONS

1. THE DISPUTED DOMAIN NAMES ARE CONFUSINGLY SIMILAR

The disputed domain names are confusingly similar to the Complainant’s formerly registered distinctive and well-known trademarks, as they bear the Complainant’s “HONDA” trademark as a whole with the addition of the descriptive terms “cikma” and “tedarik”, which mean used spare part and supply and directly related to the Complainant’s business, and would not prevent a finding of confusing similarity if not enhance it. The Complainant refers to previous panel decisions regarding the reputation of HONDA trademarks and the descriptive additional terms not preventing confusing similarity.

The Complainant refers to earlier decisions and claims that the top-level domain “.com” is merely technical requirement and will be disregarded, so the domain names remain confusingly similar despite its inclusion.

2. NO RIGHTS OR LEGITIMATE INTERESTS IN RESPECT OF THE DISPUTED DOMAIN NAMES

The Complainant states that given the considerable reputation of the HONDA trademark, there is no believable or realistic reason for registration or use of the disputed domain names, other than to take advantage of the Complainant’s rights.

The Complainant also states that the Respondent is neither affiliated nor authorized by the Complainant in any way and neither license nor authorization has been granted to the Respondent to use the Complainant’s trademarks “HONDA”.

The Respondent has no rights on the disputed domain names as the Respondent is not known as the disputed domain names and as the Respondent does not hold any trademark or domain name with “HONDA”.

The Complainant asserts that the disputed domain names reproduce the Complainant’s entire registered mark followed by descriptive Turkish terms (“cikma” and “tedarik”) that directly reference the Complainant’s sector. Such composition gives rise to a strong risk of implied affiliation, implying official authorization or an aftermarket association with the Complainant’s products.

The Complainant also states that the Respondent ignored cease-and-desist and notice-to-takedown letters sent before the filing of this Complaint. The Respondent also has concealed its identity and provided incomplete WHOIS data, which panels frequently consider an indicator of bad faith and the absence of legitimate interest.

The Complainant’s trademarks are claimed to have been recognized as famous and distinctive for decades, meaning that the Respondent must have known of them at registration and cannot credibly claim independent interest in the name.

The Complainant argues that the Respondent is not using the disputed domain name in connection with bona fide offering of goods or services or a legitimate non-commercial or fair use, in fact, it is being inactive also shows that there is no legitimate use or interest.

3. THE DISPUTED DOMAIN NAMES WERE REGISTERED AND ARE USED IN BAD FAITH

The Complainant claims that Complainant’s “HONDA” trademarks significantly predate the disputed domain names. The Complainant states that “HONDA” is a well-known trademark and also refers to previous panel decisions in that regard.

The Complainant also contends that the Respondent has kept the disputed domain names inactive for a significant period (over a year) and has provided no indication, nor any credible evidence, that the domain names will be used for any bona fide purpose, including the sale of genuine HONDA products. The continued passive holding of the disputed domain names effectively prevents the Complainant from reflecting its well-known HONDA trademarks in the corresponding domain names and from conducting legitimate online business under its brand. The inactivity of the disputed domain names is claimed to risk misleading Internet users, particularly consumers seeking Honda’s genuine website, into believing either that the Complainant has no online presence under the disputed domain names or that the Complainant is unable or unwilling to operate such websites.

Respondent’s failure to respond to cease-and-desist communications (notices to take down) and the Respondent’s provision of inaccurate or obscured contact information are also asserted as being in bad faith.

The Complainant asserts that it is inconceivable for the Respondent to be unaware of the existence of the Complainant when he registered the disputed domain names. The fact that the Respondent registered the disputed domain names while knowing about the trademarks of the Complainant constitutes bad faith in registering the disputed domain names. The Complainant claims that by using the disputed domain names, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to their

website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation or endorsement of their website or location or of a product or service on their website or location.

Accordingly, the Complainant alleges that the disputed domain names were registered and are being used in bad faith.

RESPONDENT:

The Respondent filed a brief Response in Turkish, stating that he is ready to transfer the disputed domain names to the Complainant and in case of no transfer, he will not renew the disputed domain names and will not register the disputed domain names again. There was no other explanation or information contained in the Response with regards to the Complaint.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain names (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names have been registered and are being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

Paragraph 15 of the Rules provides that the Panel is to 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 this context, the Panel also notes that the burden of proof is on the Complainant to make out its case and past UDRP panels have consistently said that a Complainant must show that all three elements of the Policy have been made out before any order can be made to transfer a domain name.

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that:

1. the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
2. the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
3. the disputed domain names have been registered and are being used in bad faith.

The Panel will therefore deal with each of these requirements in turn.

1. IDENTICAL OR CONFUSINGLY SIMILAR

The Policy simply requires the Complainant to demonstrate that the disputed domain names are identical or confusingly similar to a trademark in which the Complainant has rights. The Panel is satisfied that the Complainant is the owner of registration of "HONDA" trademark.

The Panel finds that the disputed domain names are confusingly similar to the Complainant's "HONDA" trademark and the addition of the terms "CIKMA" and "TEDARİK" is not sufficient to vanish the similarity.

Moreover, the addition of the gTLD ".com" is not enough to abolish the similarity.

The Panel is of the opinion that the Internet users will easily fall into false impression that the disputed domain names are official domain names of the Complainant. The Panel recognizes the Complainant's rights and concludes that the disputed domain names are confusingly similar with the Complainant's trademark. Therefore, the Panel concludes that the requirements of paragraph 4(a)(i) of the Policy is provided.

2. NO RIGHTS OR LEGITIMATE INTERESTS

Under paragraph 4(a)(ii) of the Policy, the Complainant has the burden of establishing that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

It is open to a respondent to establish its rights or legitimate interests in a domain name, among other circumstances, by showing any of the following elements:

(i) before any notice to the respondent of the dispute, the use or making demonstrable preparations to use the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) the respondent of the dispute (as an individual, business, or other organization) has been commonly known by the domain name, even if it has acquired no trademark or service mark rights; or

(iii) the respondent of the dispute is making a legitimate non-commercial or fair use of the domain name, without an intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Thus, if the respondent proves any of these elements or indeed anything else that shows that it has a right or legitimate interest in the disputed domain name, the complainant will have failed to discharge its burden of proof and the complaint will fail. The burden is on the complainant to demonstrate a prima facie case that the respondent does not have rights or legitimate interests in the disputed domain name. Once the complainant has made out a prima facie case, then the respondent may, inter alia, by showing one of the above circumstances, demonstrate rights or legitimate interests in the disputed domain name.

The Complainant contends that the Respondent has nothing to do with the Complainant and any use of the trademark "HONDA" has to be authorized by the Complainant but there is no such authorization. Moreover, the disputed domain names have no relation with the Respondent and the Respondent is not commonly known as the disputed domain names.

The Respondent stated in his brief Response that he can transfer the disputed domain names, if not, he will not renew them and he will never acquire them again. This can be considered as an acknowledgement or even a declaration of acceptance that he has no legitimate interest. In the absence of a proper response including any information to the contrary, the Panel accepts the Complainant's allegations as true that the Respondent has no authorization to use the Complainant's trademarks in the disputed domain names. Also, the Complainant submits that their attempts at solving the matter before this Complaint did not yield any result due to the unresponsiveness of the Respondent.

Hence, as the Complainant has made out its prima facie case, and as the Respondent has not demonstrated any rights or legitimate interests as illustrated under paragraph 4(c) of the Policy, nor has the Panel found any other basis for finding any rights or legitimate interests of the Respondent in the disputed domain names, the Panel concludes that the Complainant has satisfied the requirements of paragraph 4(a)(ii) of the Policy.

3. BAD FAITH

The Panel concludes that the Complainant's "HONDA" trademark is of distinctive character and is well-known. Therefore, the Panel is of the opinion that due to the earlier rights of the Complainant in the "HONDA" trademark, the Respondent was aware of the Complainant and its trademarks at the time of registration of the disputed domain names (see e.g., Ebay Inc. v. Wangming, WIPO Case No. D2006-1107). Referring to Parfums Christian Dior v. Javier Garcia Quintas and Christiandior.net, WIPO Case No. D2000-0226, the Panel believes that the awareness of the Complainant's trademark at the time of the registration of the disputed domain names is to be considered an inference of bad faith registration.

The Respondent stated in his brief Response that he can transfer the disputed domain names. In any case, he will not renew them, and he will never acquire them again. This can be considered as an acknowledgement or even a declaration of acceptance that the registration of the disputed domain names are registered without any legitimate interest or good faith.

Moreover, the disputed domain names are currently inactive. Various panellists are also of the opinion that passive holding does not as such prevent a finding of bad faith. All the circumstances of the case must be examined to determine whether the Respondent is acting in bad faith. The cumulative circumstances for an indication of bad faith include the Complainant having a well-known trade mark, no proper response having been filed, and the registrant's concealment of its identity, which all happened in this case.

Therefore, in light of the above-mentioned circumstances in the present case, the Panel finds that the disputed domain names have

been registered and are being used in bad faith and that the Complainant has established the third element under paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **hondacikma.com** : Transferred
2. **hondatedarik.com**: Transferred

PANELLISTS

Name	**Mrs Selma Ünlü**

DATE OF PANEL DECISION 2026-06-08

Publish the Decision