

ADMINISTRATIVE PANEL DECISION

Outfront Media LLC v. mesut erdogan

Case No. D2025-2711

1. The Parties

The Complainant is Outfront Media LLC, United States of America (“United States”), represented by Jones Day, United States.

The Respondent is mesut erdogan, Türkiye.

2. The Domain Name and Registrar

The disputed domain name <outfrontsmartsuite.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 9, 2025. On July 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 11, 2025, 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 (Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 11, 2025, 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 amendment to the Complaint on July 11, 2025.

The Center verified that the Complaint together with the amendment to the 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 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 12, 2025.

The Center appointed Zoltán Takács as the sole panelist in this matter on August 19, 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 in this administrative proceeding is one of the leading out-of-home advertising companies in North America, providing advertising space on billboards, transit displays and other formats.

The Complainant is the owner of among others the United States Trademark Registration No. 5834907 OUTFRONT with the registration date of August 13, 2019.

The Complainant is also the owner of United States Trademark Applications for the mark OUTFRONT SMARTSUITE Serial Nos. 97717085 filed on December 14, 2022 and 99060983 filed on February 28, 2025.

The Complainant owns and operates a website at the domain names <outfront.com> registered since March 20, 2002 and <outfrontmedia.com> registered since May 22, 2006 where it markets and promotes the advertising services it provides.

The disputed domain name was registered on February 28, 2025 and has been used to resolve to a GoDaddy page at which it has been offered for sale for USD 2,988.

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 its OUTFRONT trademark, which is wholly encompassed by the disputed domain name;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- the Respondent's registration and use of the disputed domain name for purposes of reselling it for a fee in excess of out-of-pocket registration expenses is evidence of bad faith.

The Complainant requests that the disputed domain name be transferred from the Respondent to the Complainant.

B. Respondent

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

6. Discussion and Findings

In order to succeed on the complaint a complainant must evidence each of the three elements required by paragraph 4(a) of the Policy, namely that:

- (i) the domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;
- (ii) the respondent has no rights or legitimate interests in respect of the domain name; and
- (iii) the domain name has been registered and is being used in bad faith.

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.

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 entirety of the OUTFRONT trademark is reproduced and 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.

Although the addition of other terms, here the terms "smart" and "suite" 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 name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds that 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 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 3.0](#), 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.

In these circumstances the Respondent's use of the disputed domain name to offer it for sale does not represent a bona fide offering of goods and services and as such cannot confer rights or legitimate interests on the Respondent.

The Panel finds that 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.

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 3.0](#), section 3.2.1.

In the present case, the Panel notes that the Respondent replicated in the disputed domain name the Complainant's registered trademark OUTFRONT and the OUTFRONT SMARTSUITE marks that the Complainant applied for but are pending of registration. Moreover, the disputed domain name was registered on the same day that the Complainant applied for the OUTFRONT SMARTSUITE mark with the Serial No. 99060983. Further, the Respondent failed to respond to the Complainant's cease-and-desist letter and subsequently to the Complaint and present any evidence-backed rationale for registering the disputed domain name. In the Panel's view it is highly unlikely that the Respondent registered the disputed domain name without having in mind the Complainant's prior trademarks and without intent in targeting the Complainant and its trademark.

In consideration of these facts and circumstances the Panel finds that the Respondent's listing of the disputed domain name for a price in excess of any out-of-pocket expenses that the Respondent could reasonably have incurred in acquiring the disputed domain name (absent any evidence from the Respondent to the contrary) amounts to bad faith registration and use. Paragraph 4(b)(i) of the Policy and [WIPO Overview 3.0](#), section 3.1.1.

In addition, as part of its general powers articulated in paragraph 10 and 12 of the Rules, the Panel performed limited factual research into matters of public record as it considered such information useful to assessing the case merits and reaching a decision. [WIPO Overview 3.0](#), section 4.8. The Panel searched the Respondent's name at the Center's official website which revealed multiple prior UDRP proceedings which concluded with findings of bad faith and the transfer of the domain names to the brand owners. In a number of these cases the Respondent "mesut erdogan" registered the domain names on the same day the complainants filed for their corresponding trademarks (as in this case) and later offered the domain names for sale at USD 2,850 or as in this case for USD 2,988. See *Chiesi Farmaceutici S.p.A. v. mesut erdogan and Domain Admin*, WIPO Case No. [D2025-1946](#); *Verisure Sàrl v. mesut erdogan*, WIPO Case No. [D2024-4586](#); *AGAVE VENTURES LLC v. mesut erdogan*, WIPO Case No. [D2024-4382](#); and *Molecor Tecnología, S.L. v. mesut erdogan*, WIPO Case No. [D2025-1909](#).

In view of the Panel this kind of the Respondent's predatory bad faith conduct whereby it registers the domain names corresponding to the marks of brand owners in order to extract revenue from such domain names is exactly what the Policy is intended to prevent. [WIPO Overview 3.0](#), section 3.1.2.

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 <outfrontsmartsuite.com> be transferred to the Complainant.

/Zoltán Takács/

Zoltán Takács

Sole Panelist

Date: August 29, 2025