

ADMINISTRATIVE PANEL DECISION

NET Holding A.Ş. and Merit Turizm Yatirim ve İşletme A.Ş. v. Star Design, Star Design Solutions Limitada; Kieran Holmes; Murat Hudaverdi
Case No. D2025-4196

1. The Parties

The Complainants are NET Holding A.Ş., Türkiye and Merit Turizm Yatirim ve İşletme A.Ş., Türkiye, represented by Sołtysiński Kawecki & Szlęzak, Poland (herein collectively referred to as the “Complainant”).

The Respondents are Star Design, Star Design Solutions Limitada, Costa Rica; Kieran Holmes, Afghanistan; and Murat Hudaverdi, Germany.

2. The Disputed Domain Names and Registrars

The Disputed Domain Names <meritcasino.co>, <meritcasino777.com>, <meritcasino803.com>, and <meritcasino804.com> are registered with GoDaddy.com, LLC.

The Disputed Domain Name <merit-online.com> is registered with NameCheap, Inc. (together the “Registrars”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 13, 2025. On October 14, 2025, the Center transmitted by email to the Registrars a request for registrar verification in connection with the Disputed Domain Names. On October 14 and 15, 2025, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the Disputed Domain Names which differed from the named Respondent (Registration Private / Domains By Proxy, LLC) and contact information in the Complaint.

The Center sent an email communication to the Complainant on October 17, 2025, 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 Disputed Domain Names are under common control. The Complainant filed amended Complaints on October 21 and 28, 2025.

The Center verified that the Complaint together with the amended Complaints 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 October 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 18, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 20, 2025.

The Center appointed Marilena Comanescu as the sole panelist in this matter on November 25, 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

Merit Turizm Yatirim ve İşletme A.Ş. is a subsidiary of NET Holding A.Ş., a Turkish company engaged in the hospitality, casino, gaming and betting sectors. The Complainant is listed on the Istanbul Stock Exchange.

The Complainant operates in Türkiye, Cyprus, Montenegro, Croatia and Bulgaria and has used its MERIT trademarks across a broad range of services, including accommodation, entertainment, gambling, publications, beauty care and catering services.

The Complainant owns trademark registrations for or including MERIT, such as the following:

- the Turkish trademark registration number 171909 for MERIT INTERNATIONAL (figurative), filed on February 1, 1996, registered on June 16, 1997, covering services in International classes 39, 41, and 42;
- the European Union trademark registration number 016172389 for MERIT ROYAL HOTEL&CASINO&SPA (figurative), filed on December 15, 2016, registered on May 24, 2017, covering goods and services in International classes 9, 16, 21, 24, 28, 33, 35, 36, 37, 38, 40, 41 and 43; and
- the International trademark registration number 1725494 for MERIT (figurative), registered on December 23, 2022, and covering goods and services in International classes 9, 41, and 42.

The Complainant's website is available at "www.merithotels.com" and was registered on October 22, 1997.

The Disputed Domain Names were registered as follows:

- <meritcasino.co>, was registered on July 11, 2025;
- <meritcasino777.com>, <meritcasino803.com>, and <meritcasino804.com>, were registered on July 16, 2025; and
- <merit-online.com>, was registered on September 25, 2025.

According to evidence annexed to the Complaint, the Disputed Domain Names were used in relation to websites promoting gambling/betting services, the availability of such websites varying over time depending on the Complainant's enforcement actions.

At the time of filing the Complaint, the Disputed Domain Names were used as follows:

- a. <meritcasino777.com>, was blocked. According to the Complaint, it was previously used to offer gambling/betting services;
- b. <meritcasino.co>, was used to redirect to the Disputed Domain Name <meritcasino803.com>;
- c. <meritcasino803.com>, was used to offer gambling/betting services, displayed the Complainant's figurative MERIT trademark, and provided a reference to the Disputed Domain Name <meritcasino804.com>;
- d. <meritcasino804.com> was used to offer gambling/betting services, displayed the Complainant's figurative MERIT trademark, and stated "Our current domain is meritcasino804.com. Our next domain will be meritcasino805.com";
- e. <merit-online.com> was used in relation to a website that allowed users to download an application named "Merit Royal Casino" for gambling/betting services, and displayed the Complainant's figurative MERIT trademarks and images of the Complainant's hotels.

None of the websites under the Disputed Domain Names provided a prominent disclaimer informing on the relationship (in fact the lack thereof) of the respective Disputed Domain Name holder and the Complainant.

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.

Notably, the Complainant contends the following:

- the Complainant is a regional gambling leader in Cyprus and the world's 8th largest casino operator; the Turkish Intellectual Property Court in Ankara confirmed that the MERIT INTERNATIONAL trademark is a well-known trademark among the relevant target public; UDRP Panels also confirmed that the MERIT trademarks enjoy notoriety and goodwill¹;
- the Disputed Domain Names are confusingly similar to the MERIT trademark because they incorporate the distinctive element MERIT, while the element "casino" serves a purely descriptive function in relation to betting/gambling services; the systematic registration of multiple variations of domain names with the elements "merit" and "casino" is a clear evidence of a deliberate cybersquatting scheme;
- all websites available under the Disputed Domain Names share certain common features, including use of the element "merit" in relation to gambling/betting-related content;
- the Respondents have no rights or legitimate interests in the Disputed Domain Names and the Disputed Domain Names have been registered and are being used in bad faith particularly because: the websites available under the Disputed Domain Names aim at creating a confusion among the consumers as to the origin of services provided under MeritCasino / Merit Royal Casino names and freeride on the reputation of the well-known MERIT trademarks; the websites connected to the Disputed Domain Names include not only the distinctive word element "Merit", but also identical figurative elements of the Complainant, including the

¹ *Merit Turizm Yatirim Ve Isletme Anonim Sirketi v. Fedlan Kilicaslan, G&F Company Group NV / Redsoft N.V.*, WIPO Case No. [D2017-1398](#).

cross design, font style, and color scheme. The website available at the Disputed Domain Name <merit-online.com> includes the images of the Complainants' hotels; the users of the websites under the Disputed Domain Names reported serious irregularities concerning their operation, referring to "unfairly write off the balance" or stating that "Merit Casino did not pay the money I won"; and the website available under the Disputed Domain Name <merit-online.com> imitates the appearance of Google Play, thus attempting to legitimize the corresponding application.

- it can be assumed that the Respondents were aware of the MERIT trademarks particularly since: (i) MERIT trademarks are well-known and enjoy reputation since the Complainant is the world's 8th largest casino operator, (ii) both Respondents and Complainants are targeting their services to the Turkish public.

B. Respondents

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

6. Discussion and Findings

6.1. Preliminary Procedural Issue: Consolidation of Multiple Respondents

The amended Complaint was filed in relation to nominally different Disputed Domain Name registrants. The Complainant alleges that the Disputed 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 disputes against the multiple Disputed Domain Name registrants pursuant to paragraph 10(e) of the Rules.

The Disputed Domain Name registrants did not comment on the Complainant's request.

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 Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

As regards common control, the Panel notes that the Disputed Domain Names <meritcasino.co>, <meritcasino777.com>, <meritcasino803.com>, and <meritcasino804.com>: (i) were created in a similar manner, incorporating as a prefix the Complainant's trademark, followed by the dictionary term "casino", with/without a string of three numbers; (ii) are used to resolve to very similar websites displaying the Complainant's trademarks and logos, and providing betting/gambling services, also redirecting to each other (such as <meritcasino.co> was used to redirect to <meritcasino803.com>); (iii) were registered in the same day or within a span of 6 days from each other and all with the same Registrar; (iv) share a pattern of similarities such the name, telephone number, email address, are not valid recipients; and (v) the Respondents have not objected to the consolidation claims made by the Complainant despite the communications sent by the Center to them.

As regards fairness and equity, the Panel sees no reason why consolidation of these disputes would be unfair or inequitable to any Party.

As regards the Disputed Domain Name <merit-online.com>, the Panel finds that the evidence and arguments submitted by the Complainant do not sufficiently demonstrate that the Disputed Domain Name <merit-online.com> is under common control with the other four Disputed Domain Names above listed and/or the different Respondents are somehow connected to each other. The fact that the Disputed Domain Name <merit-online.com> incorporates the mark MERIT, and is used for an application related to betting services and displays MERIT mark, does not demonstrate common control. The Complainant did not

provide any satisfactory evidence to prove that the Disputed Domain Name <merit-online.com> is connected to any of the other four Disputed Domain Names. The Disputed Domain Name <merit-online.com> does not share sufficient similarities or pattern of irregularities, has a different Registrar and date of registration, and generally a different website content.

The Panel decides to not consolidate the disputes regarding all five Disputed Domain Names in a single proceeding.

Accordingly, the proceeding is dismissed regarding <merit-online.com>, without prejudice to the filing of new complaint regarding this domain name.

In the remainder of this decision, the term “the Disputed Domain Names” refers to <meritcasino.co>, <meritcasino777.com>, <meritcasino803.com>, and <meritcasino804.com> and the term “the Respondent” refers to Star Design, Star Design Solutions Limitada, Costa Rica, and Murat Hudaverdi, Germany.

6.2. Substantive Issue: Three Elements

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

- (i) the Disputed Domain Names are 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 the Disputed Domain Names; and
- (iii) the Disputed Domain Names have been registered and are 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 Names. [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 Panel finds the mark MERIT is recognizable within each of the Disputed Domain Names. Accordingly, each of the Disputed Domain Names is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of other elements, here “casino”, “777”, “803”, “804”, may bear on assessment of the second and third elements, the Panel finds the addition of such elements does not prevent a finding of confusing similarity between the Disputed Domain Names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 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 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.

According to the evidence provided in the Complaint, the Respondent has used the Disputed Domain Names in connection with websites promoting services similar to those provided by the Complainant, displaying the Complainant's trademarks and color scheme, without any disclaimer or authorization from the Complainant thus falsely suggesting to Internet users that the websites to which the Disputed Domain Names resolved are owned by the Complainant or at least affiliated to the Complainant. Accordingly, such use cannot be considered "fair", nor to have conferred upon the Respondent any rights or legitimate interests for the purposes of the Policy. [WIPO Overview 3.0](#), section 2.5.

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 finds that the Disputed Domain Names were registered in bad faith, with knowledge of the Complainant and its trademarks particularly because the Complainant's trademark acquired recognition in its industry and predates the registration of the Disputed Domain Names by about 29 years. In addition, the composition of the Disputed Domain Names themselves, which reproduces the Complainant's mark together with dictionary term associated with the Complainant's business (i.e., "casino") further supports an inference of bad faith. Lastly, the use of the Disputed Domain Names reinforces such finding.

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.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "to attract, for commercial gain, Internet users to [the respondent's] 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 [the respondent's] website or location or of a product or service on [the respondent's] website or location" is evidence of registration and use in bad faith.

Creating a website which displays the Complainant's trademarks, logos and color scheme, and promotes similar services to those of the Complainant without any disclaimer indeed, in this Panel's view, the Respondent has intended to attract Internet users accessing the websites corresponding to the Disputed Domain Names who may be confused and believe that the websites are held, controlled by, or somehow affiliated or related to the Complainant, for its commercial gain.

Paragraph 4(b)(ii) of the Policy provides another circumstance of bad faith registration and use when the respondent registered the disputed domain name in order to prevent the owner of the trademark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct. The Respondent's registration of at least four domain names reproducing the Complainant's trademark, enforces such finding. [WIPO Overview 3.0](#), section 3.1.2.

The Respondent chose not to participate in these proceedings and has provided false/incomplete contact information to the relevant Registrar, which may be further signs 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 paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Disputed Domain Names <meritcasino.co>, <meritcasino777.com>, <meritcasino803.com>, and <meritcasino804.com> be transferred to the Complainant NET Holding A.Ş.

The Panel denies the Complaint for the domain name <merit-online.com>, without prejudice to the filing of new complaint.

/Marilena Comanescu/

Marilena Comanescu

Sole Panelist

Date: December 5, 2025