

## **ADMINISTRATIVE PANEL DECISION**

NET Holding A.Ş., Merit Turizm Yatirim ve İşletme A.Ş. v. Kozzle LTD  
Case No. D2025-4197

### **1. The Parties**

The Complainants are NET Holding A.Ş., Türkiye and Merit Turizm Yatirim ve İşletme A.Ş., Türkiye, represented by Soltysinski, Kawecki Szlezak, Poland.

The Respondent is Kozzle LTD, Cyprus, represented by Boiko Yevhenii, Ukraine.

### **2. The Domain Name and Registrar**

The disputed domain name <meritking.media> is registered with NameSilo, LLC (the “Registrar”).

### **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 Registrar a request for registrar verification in connection with the disputed domain name. On October 14, 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 (Privacy User #92749a6e / PrivacyGuardian.org llc) and contact information in the Complaint. The Center sent an email communication to the Complainants on October 15, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on October 17, 2025.

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 Respondent of the Complaint, and the proceedings commenced on October 21, 2025. In accordance with the Rules, paragraph 5, the original due date for Response was November 10, 2025. The Respondent sent several email communications on October 29, November 3, and November 6, 2025, requesting an automatic extension of the Response due date, and the Response due date was extended to November 14, 2025. On November 10, 2025, the Respondent requested a further extension to submit the Response, and the

Response due date was further extended to November 26, 2025. The Response was filed with the Center on November 25, 2025, with the annexes submitted on November 28, 2025. The Complainant submitted an unsolicited supplemental filing on December 3, 2025.

The Center appointed Andrea Mondini as the sole panelist in this matter on December 18, 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.

On December 29, 2025, the Respondent requested to be granted an opportunity to submit comments on the Complainants' supplemental filing. On December 30, 2025, the Center issued Procedural Order No.1, inviting the Respondent to submit such comments no later than January 6, 2026, and the Decision due date was therefore extended to January 13, 2026. On January 6, 2026, the Respondent submitted its comments on the Complainants' supplemental filing.

#### **4. Factual Background**

The Complainants are joint stock companies existing under the laws of Türkiye. Net Holding A.Ş. (the "first Complainant") is a company active in the hospitality, casino, gaming and betting sectors, Merit Turizm Yatırım ve İşletme A.Ş. (the "second Complainant"), is one of its subsidiaries. The Complainants are active in Türkiye, Cyprus, Montenegro, Croatia, and Bulgaria.

The second Complainant owns figurative MERIT, MERIT INTERNATIONAL, and MERIT ROYAL HOTEL CASINO SPA trademark registrations in Türkiye, including the following trademark registrations:

- Turkish Registration MERIT No. 2022 195277, registered on July 24, 2023, in classes 9, 41 and 42;
- Turkish Registration MERIT INTERNATIONAL No. 171909, registered on June 16, 1997, in classes 39, 41, and 42; and
- Turkish Registration MERIT ROYAL HOTEL CASINO SPA No. 2012 97386, registered on September 9, 2015, in classes 3, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45.

The first Complainant also owns a figurative MERIT ROYAL HOTEL&CASINO&SPA trademark registration in the European Union (No. 16172389), registered on May 24, 2017, in classes 9, 16, 21, 24 28, 33, 35, 36, 37, 38, 40, 41, and 43.

The Complainants have further registered and been operating the trademark MERIT as part of the Complainants' domain name, [merithotels.com](http://merithotels.com).

The disputed domain name was registered on September 5, 2025. According to the evidence submitted with the Complaint and as verified based on the Panel's visit of the website posted under the disputed domain name on December 19, 2025, the disputed domain name resolves to an active website which operates as a sports news portal.

#### **5. Parties' Contentions**

##### **A. Complainants**

In essence, the Complainants contend as follows:

The disputed domain name is confusingly similar to the Complainants' trademarks because it incorporates the dominant element MERIT, which is included in the Complainants' trademarks, whereas the element "king" is not sufficient to avoid confusion because it is intended to evoke association with the element

ROYAL, which is incorporated in various trademarks owned by the Complainants. The element “.media” is a generic Top-Level Domain (“gTLD”) and as such lacks distinctive character.

The Respondent does not have any rights or legitimate interests in the disputed domain name. The Complainants never authorized the Respondent to use their trademarks. In the recent decision *Net Holding A.Ş., Merit Turizm Yatirim ve Isletme A.Ş. v. Abdulgafur Karaer*, WIPO Case No. [D2025-1954](#), a previous panel ordered the transfer of the domain name <meritking.news>. However, after the transfer, the Respondent registered the same second-level domain name “meritking” under a different gTLD (“.media” instead of “.news”) and posted under the newly registered disputed domain name again a sport news website with a similar layout, thereby circumventing the earlier decision.

The Respondent has registered the disputed domain name in bad faith because it was obviously aware of the Complainants’ trademarks at the time of registration.

The Respondent is using the disputed domain name in bad faith in an attempt to create confusion among Internet users and freeride on the reputation of the Complainants’ trademarks. The Respondent is the same company as the registrant of the domain name <meritking.co> which is used to provide gambling and betting services.

The Complainants state that there are several other pending disputes (both civil law and criminal law) before the local competent courts in Türkiye between the Complainants and individuals related to the Respondent. In particular, the Complainants obtained a court order for a preliminary injunction from a Turkish court blocking access to the website posted under <meritking.news>.

## **B. Respondent**

The Respondent in essence contends as follows:

The word “merit” is a dictionary term which means “the quality of being good and deserving praise”. Moreover, the word “merit” is often used in trademarks by various unrelated entities and is neither distinctive nor strongly associated with the Complainants. The word combination “meritking” is unusual and distinctive. The Respondent does not use or imitate the Complainants’ trademark, logos, style, or any element of their visual identity.

The Respondent holds a trademark registration in Georgia for the logo MK MERIT KING (No. 40387 in international classes 9, 35, 41 and 42) which is displayed on the website posted under the disputed domain name. All this shows that the Respondent is commonly known by the disputed domain name.

The Respondent further contends that its website has no connection to the Complainants’ business sectors (e.g., hospitality, casinos, or gaming), and that the content is clearly distinct and unrelated. The Respondent’s activities are limited to media and journalism, and the disputed domain name has not been used in a manner that would suggest affiliation, sponsorship, or endorsement by the Complainants.

Since the Respondent is the owner of a trademark corresponding to the disputed domain name, it cannot be asserted that the disputed domain name has been registered in bad faith. The Respondent is not attempting to attract Internet users to its website, but is using the disputed domain name exclusively for sports news.

In its comments of January 6, 2026, the Respondent requested that the Complainants’ supplemental filing of December 3, 2025, shall not be taken into account because the arguments raised in the Response could have been anticipated by the Complainants and no other exceptional circumstances exist that would justify the admission of a supplemental filing.

### **C. Complainant's Supplemental Filing**

In its supplemental filing of December 3, 2025, the Complainants contended in essence the following:

New information has been published according to which “the site opened under the name MeritKingNews appeared to be a sport news portal but had come to the public’s attention due to allegations of connections to illegal betting sites”.

The trademark MERIT KING, which the Respondent registered in Georgia was filed very recently (on October 9, 2025), only a few days after the Respondent received notice of another UDRP proceeding (*NET Holding A.Ş., Merit Turizm Yatirim ve İşletme A.Ş. v. Kozzle LTD, Kozzle LTD; Kerem Atak; Aitch Aitch; Abdulgafur Karaer; krono fitmo; Host Master, Njalla Okta LLC; Naşide Işık*, WIPO Case No. [D2025-3969](#)) and decades after the Complainants’ earliest trademarks were registered. These circumstances show that this was a pretextual trademark filing in an attempt to circumvent the application of the Policy, and that therefore this trademark cannot confer rights or legitimate interests in the disputed domain name.

### **D. Respondent's Supplemental Filing**

In its comments of January 6, 2026, the Respondent requested that the Complainants’ supplemental filing of December 3, 2025, shall not be taken into account because the arguments raised in the Response could have been anticipated by the Complainants and no other exceptional circumstances exist that would justify the admission of a supplemental filing.

The Respondent objected to the characterization of certain allegations as “undisputed facts”. In particular, it disputed the allegation that the website posted under the disputed domain name is aimed at advertising or promoting casino or gambling services. The fact that the Respondent operates a separate and distinct website `<meritking.co>` which is used for casino-related services undermines the Complainants’ argument that the website posted under the disputed domain name serves the same purpose. The Respondent denies any connection with the domain name `<meritking.news>` and any allegation that the disputed domain name was registered to circumvent a prior panel decision. The Respondent maintains its objection to the joinder of multiple Complainants. It further insists that “Merit” is a dictionary term, and that the Complainants do not own the composite “MERIT KING” trademark as such. The Respondent points out that its trademark registration in Georgia was filed in good faith prior to the commencement of the present dispute and therefore cannot be characterized as *ex post facto*.

## **6. Discussion and Findings**

### **6.1. Consolidation of Complainants**

Section 4.11.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”) summarizes the consensus view of UDRP panels on the consolidation of multiple complainants, in part, as follows: “In assessing whether a complaint filed by multiple complainants may be brought against a single respondent, panels look at whether (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion, and (ii) it would be equitable and procedurally efficient to permit the consolidation.”

The Panel notes that the Complainants are related corporate entities and have a common legal interest sufficient to justify consolidation. The Complainants assert that the Respondent has engaged in targeting with respect to each of the Complainants. The Panel also finds that it would be equitable and procedurally efficient to permit consolidation.

The Panel therefore accepts consolidation of the Complainants.

## **6.2. Consideration of Supplemental Filings**

The Panel notes that the Center received an unsolicited supplemental filing from the Complainants on December 3, 2025, and the Respondent's comments thereon on January 6, 2026. In light of the [WIPO Overview 3.0](#), section 4.6, the Panel considers that it is appropriate to consider the circumstances of each case before deciding whether or not to admit additional submissions.

The Panel notes that the supplemental filing by the Complainants was filed as a direct reaction to the Respondent's filing of Response and allegations. The Panel notes that at least some of the allegations in the Response could not have been anticipated priorly by the Complainants, and the Respondent was granted an opportunity to comment thereon. The Panel further notes that the supplemental filing did not delay the administrative proceeding. Consequently, the Panel decides to take the Complainant's filing of December 3, 2025, into account in order to render a decision in this case. In order to ensure fair and equal treatment, the Panel decides to also take the Respondent's comments thereon of January 6, 2026, into account.

## **6.3. Other Legal Proceedings**

Paragraph 18 of the Rules states that, in case of other legal proceedings between the Parties, it is the Panel's discretion to decide whether to suspend or terminate the administrative proceedings or to proceed to a decision.

In the present case, the Complainants list other pending court actions involving the Complainants and individuals (allegedly) related to the Respondent.

The Panel believes that those other pending legal proceedings do not affect the present administrative proceeding.

Taking the circumstances of the present administrative proceeding into account, the Panel will render a decision under the Policy without creating prejudice as regards any past, pending or future court proceedings in Türkiye (see section 4.14.2 of the [WIPO Overview 3.0](#)).

Therefore, the Panel believes that it is appropriate to proceed to a decision in compliance with paragraph 18(a) of the Policy.

## **6.4. Substantive Issues**

In accordance with paragraph 4(a) of the Policy, the Complainants must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to the trademarks in which the Complainants have 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 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 Complainants' trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainants have shown rights in respect of the trademark MERIT and MERIT-formative trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark MERIT is reproduced 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, such as here “king”, may bear on assessment of the second and third elements, the Panel finds the addition of this term 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 addition of the gTLD “.media” in the disputed domain name is a standard registration requirement and as such may be disregarded under the confusing similarity test under the Policy, paragraph 4(a)(i). [WIPO Overview 3.0](#), section 1.11.1.

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 Complainants have established a *prima facie* case that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Respondent asserts that its trademark registration in Georgia for the figurative mark MK MERIT KING and its news publications on the website posted under the disputed domain name show that it is commonly known by the disputed domain name and has rights or legitimate interests therein. However, the Respondent's trademark in Georgia was filed very recently, i.e., on October 9, 2025. The Panel notes that the Respondent filed this trademark after the recent decision in *Net Holding A.Ş., Merit Turizm Yatirim ve İşletme A.Ş. v. Abdulgafur Karaer*, WIPO Case No. [D2025-1954](#), which was rendered on August 5, 2025, in which a previous panel ordered the transfer of the domain name <meritking.news> to the first Complainant. Panels have generally declined to find respondent rights or legitimate interests in a domain name on the basis of a corresponding trademark registration where – like in the present case - the overall circumstances demonstrate that such trademark was obtained primarily as a pretext to circumvent the application of the UDRP or otherwise prevent the complainant's exercise of its rights ([WIPO Overview 3.0](#), section 2.12.1).

As further discussed under the third element, the Panel finds that the totality of the circumstances supports a finding that the Respondent, acting in concert with related persons or entities active in the sports gaming and betting business, has engaged in a pattern of conduct directed at the Complainants and their trademarks. Under these circumstances, the Panel finds that the Respondent registered the disputed domain name and asserted the trademark in Georgia in an attempt to circumvent the earlier decision ordering the transfer of the domain name <meritking.news>, and therefore does not have rights or legitimate interests in the disputed domain name.

Moreover, under the first element, the Respondent contends that the term “merit” is a common dictionary word used across a range of industries and therefore has a descriptive or laudatory character rather than being distinctive of any single party. The Panel considers that this argument does not affect the analysis under the first element of the Policy but is more appropriately addressed in connection with the second element concerning rights or legitimate interests. As reflected in section 2.10.1 of the [WIPO Overview 3.0](#), the mere incorporation of a dictionary term in a domain name does not, by itself, establish rights or legitimate interests. To do so, a respondent must show bona fide use of the term consistent with its dictionary meaning and not as a pretext for targeting a third party’s trademark. In the present case, the Panel finds that the Respondent selected the disputed domain name with the intent to target the Complainants and that the Respondent’s reliance on the dictionary meaning of the term is insufficient to establish rights or legitimate interests under the Policy. See *Net Holding A.Ş., Merit Turizm Yatirim ve İşletme A.Ş. v. Abdulgafur Karaer*, WIPO Case No. [D2025-1954](#).

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 Respondent was obviously aware of the Complainants’ trademarks at the time of registration of the disputed domain name because it registered it shortly after a previous panel had ordered the transfer of the domain name <meritking.news> to the first Complainant. Moreover, the term “meritking” is conceptually similar to the essential part “MERIT ROYAL” of the MERIT ROYAL HOTEL CASINO SPA trademarks owned by the Complainants, because “royal” means related to a “king”. Under the circumstances of this case, this is evidence of a registration in bad faith in an attempt to circumvent the previous decision.

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.

The Complainants have shown that the website posted under the disputed domain name has a similar layout as the website previously posted under <meritking.news>, and that the Respondent is the same company as the registrant of the domain name <meritking.co> which is used to provide gambling and betting services. The Panel also notes that a Turkish court has granted a preliminary injunction to block access to the <meritking.news> website. The totality of the circumstances shows that the Respondent, acting in concert with related persons and entities active in the sports gaming and betting business, is engaging in a pattern of targeting the Complainants and their trademarks.

The totality of these circumstances supports a finding that the disputed domain name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

The Panel finds that the Complainants have 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 <meritking.media> be transferred to the first Complainant, NET Holding A.Ş.

*/Andrea Mondini/*

**Andrea Mondini**

Sole Panelist

Date: January 12, 2026