

ADMINISTRATIVE PANEL DECISION

Trabzonspor Ticari Ürünler ve Turizm İşletmeciliği Ticaret A.Ş. v.
Wendy Tania Ruandi, Seni Games
Case No. D2026-3345

1. The Parties

The Complainant is Trabzonspor Ticari Ürünler ve Turizm İşletmeciliği Ticaret A.Ş., Türkiye, represented by NM Law Office, Türkiye.

The Respondent is Wendy Tania Ruandi, Seni Games, Indonesia.

2. The Domain Name and Registrar

The disputed domain name <trabzonspor.org> (the “Disputed Domain Name”) is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 28, 2026. On July 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On August 3, 2026, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on the same date, 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 amended Complaint on August 4, 2026.

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 August 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 25, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 27, 2026.

The Center appointed Marilena Comanescu as the sole panelist in this matter on August 28, 2026. 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 is a Turkish company established, according to the Complaint, to administer the trademarks of the Turkish professional sports club Trabzonspor located in the city of Trabzon, Türkiye (“Trabzonspor”) and conduct marketing activities. Established in 1967 through the merger of several local clubs, Trabzonspor is one of the prominent sports clubs in Türkiye and operates men and women’s football teams, a men’s basketball team, and several other sports branches.

Trabzonspor possesses a record of domestic competitive success, having captured numerous domestic titles since 1975. Notably, this record includes several “Süper Lig” championships (including the 1975–76 and 1983–84 seasons), and “Turkish Cups” (including three consecutive league titles between 1978–1981).

The Complainant holds trademark registrations for/comprising TRABZONSPOR, such as the following:

- the International Trademark Registration No. 864209 for TRABZONSPOR 1967 (figurative), registered on May 25, 2005, for goods and services in the International Classes from 1-45; and
- the Turkish Trademark Registration No. 2003 11865 for TRABZONSPOR (figurative), filed on May 15, 2003, and registered on July 29, 2004, for goods in the International Classes 3, 5, 22, 24, 25, and 27.

The main website promoting Trabzonspor is available at the domain name <trabzonspor.org.tr>.

The Disputed Domain Name was created on October 8, 2003, and, according to the Complaint, it is passively held and, at the time of this Decision, it resolves to an error page. According to captures available through Internet Wayback Machine, the Disputed Domain Name previously resolved to various pages, including a page titled “Weather in Trabzon”,¹ a page displaying merely “Trabzonspor is the greatest!!! We'll be here soon”² (translated from Turkish), and a page with links to various sports news.³

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 TRABZONSPOR has the status of a well-known trademark in Türkiye, as officially accepted by the Turkish Patent and Trademark Office. The Disputed Domain Name is identical to its TRABZONSPOR trademark since it reproduces the mark in its entirety.

The Respondent has no rights or legitimate interests in the Disputed Domain Name mainly because: (i) the Respondent has no license, permission to use the Complainant's trademark in any manner, and is not commonly known by the Disputed Domain Name; (ii) the Complainant has prior common law rights in the

¹ “www.web.archive.org/web/20060221020937/http://www.trabzonspor.org/”

² “www.web.archive.org/web/20051124000542/http://www.trabzonspor.org/”

³ “www.web.archive.org/web/20070210213909/http://www.trabzonspor.org/” (Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the Rules, it has been accepted that a panel may undertake limited factual research into matters of public record. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”) section 4.8).

TRABZONSPOR mark in addition to its registered trademarks, which predate the registration of the Disputed Domain Name; and (iii) the Respondent makes no legitimate noncommercial or fair use of the Disputed Domain Name.

The Respondent has registered and is using the Disputed Domain Name in bad faith mainly for the following reasons: (i) the Respondent apparently knows that TRABZONSPOR is one of the best-known marks in Türkiye and worldwide and registered the Disputed Domain Name for the purpose of selling, renting, or otherwise transferring its registration to the owner of the trademark for valuable consideration in excess of the Respondent's out-of-pocket costs; (ii) the Disputed Domain Name was registered in order to prevent the owner of the trademark or service mark from reflecting its mark in a corresponding domain name; (iii) the "passive holding" of the Disputed Domain Name, further provides support for determination of bad faith registration; (iv) the Disputed Domain Name is identical to the Complainant's mark and domain name (i.e., <trabzonspor.org.tr>) and the Internet users will likely believe that there is an affiliation between the Respondent and the Complainant; (v) by using the Disputed Domain Name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website and the Respondent has unfairly tried to take advantage of the undisputed fame of the name TRABZONSPOR associated directly with the Complainant; and (vi) the Respondent's registration of the Disputed Domain Name incorporating the Complainant's famous trademark was necessarily in bad faith because the Respondent must have known that it could not legitimately use the Disputed Domain Name.

B. Respondent

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

6. Discussion and Findings

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

- (i) the Disputed 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 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 Complainant's trademark and the Disputed Domain Name. [WIPO Overview 3.1](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The fact that a domain name may have been registered before a complainant has acquired trademark rights does not by itself preclude a complainant's standing to file a UDRP case, nor a panel's finding of identity or confusing similarity under the first element. [WIPO Overview 3.1](#), section 1.1.3.

The Complainant also claims unregistered trademark rights in the TRABZONSPOR mark. The Panel, however, does not need to address this matter, as the Complainant has shown that it owns trademark registrations for/comprising TRABZONSPOR, which is sufficient to confer standing to file a UDPR complaint.

The entirety of the TRABZONSPOR mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 list of circumstances in which the Respondent may demonstrate rights or legitimate interests in the 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 3.1](#), 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.

The Panel notes the composition of the Disputed Domain Name which is identical to the Complainant’s trademark and is nearly identical to the domain name of the Trabzonspor club <trabzonspor.org.tr>. These facts, together with the other circumstances in this case, including a lack of any explanation for the choice of Disputed Domain Name by the Respondent, and a prior use of the Disputed Domain Name for a site displaying various links to the sports news, indicate, on balance, that the Respondent was targeting the Complainant when registering the Disputed Domain Name. The Panel notes, for completeness, that the Disputed Domain Name was at some point in the past used for a page displaying “Trabzonspor is the greatest!!! We’ll be here soon”, but the Respondent has not furnished any evidence, nor does it appear from the record, that it has been used for any active, genuine fan site clearly distinct from any official Complainant’s site.

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.

Previous UDRP panels have 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 for the purpose of Policy. [WIPO Overview 3.1](#), section 3.1.4.

In the present case, the Panel finds, on balance, that the Disputed Domain Name was registered in bad faith, with knowledge of the Complainant, its trademark and activities, particularly because the Disputed Domain Name incorporates the Complainant’s trademark exactly and is nearly identical to the domain name of the Trabzonspor club <trabzonspor.org.tr>. By the time of registration of the disputed domain name, TRABZONSPOR had long functioned as the name and identifier of one of Türkiye’s prominent football clubs which had achieved substantial sporting success. Furthermore, the Disputed Domain Name was registered after the Complainant’s application for TRABZONSPOR had been filed (May 2003). In those circumstances, there is a strong inference that the Respondent has adopted the Disputed Domain Name because of its trademark significance and in anticipation of (registered) trademark rights.

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 3.1](#), section 3.2.1.

Noting prior use of the Disputed Domain Name for a page titled "Weather in Trabzon", a page displaying merely "Trabzonspor is the greatest!!! We'll be here soon", and a page with links to various sports news, the Panel finds that 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 mark. At the time of this Decision, the Disputed Domain Name resolves to an error page. UDRP panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. The Panel notes the reputation of the Complainant's trademark, the composition of the Disputed Domain Name (identical to the Complainant's mark and nearly identical to its domain name), the Respondent's failure to provide a response in these proceedings, prior use of the Disputed Domain Name notably for a page with links to various sports news and finds that, in the circumstances of this case, the current passive holding of the Disputed Domain Name does not prevent a finding of bad faith under the Policy. [WIPO Overview 3.1](#), section 3.3.

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 <trabzonspor.org> be transferred to the Complainant.

/Marilena Comanescu/

Marilena Comanescu

Sole Panelist

Date: September 10, 2026