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UNDER INDRP POLICY & RULES OF PROCEDURE

Canadian Imperial Bank of Commerce
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....Complainant

Versus

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.....Respondent

DOMAIN IN ISSUE: CIBC.CO.IN

ARBITRATION AWARD: (INDRP CASE NO.2130)

The Complainant, details as mentioned above in the title, has filed a Complaint under INDRP Policy and Rules of Procedure against the domain cibc.co.in

The domain cibc.co.in is registered in the name of the Respondent, as mentioned in the title above, through the Registrar Porkbun LLC with address at 650 Greystone Park NE, Atlanta GA 30324, United States ; e-mail: info@porkbun.com As per the information and details provided, the Domain cibc.co.in was created and registered in the name of the Respondent on 11.12.2022.

After the filing of the domain Complaint, National Internet Exchange of India (referred to as NIXI) appointed me as an Independent Arbitrator as per the INDRP Policy and Rules of Procedure on 28 May, 2026 by an e-mail. Thereafter, an e-mail pertaining to the appointment as an Independent Arbitrator as well as commencement of the proceedings by me was sent to all parties concerned on 28 May, 2026.

Subsequently, the Complainant had also complied with the provision of service of complaint on the Respondent by sending copies of the domain Complaint and documents/annexures to the Respondent by e-mail the mode. The Complainant had also confirmed safe delivery in respect of the said e-mail. The complainant has also submitted and confirmed that the physical service of the complaint and documents copies on the Respondent was not possible due to incorrect physical address of the Respondent. Thereafter, ample opportunity was being given to the Respondent to file the Reply as well as documents in support of his submissions, if any. However, the Respondent, neither appeared in the proceedings nor had filed any Reply or documents.

CASE ON MERITS:

Complainant has submitted that the trademark CIBC is registered in India in the Trade Marks Registry, Intellectual Property House Bhavan, the details of which are as follows:-

Trademark	Registration No.	Date	Class
CIBC	2166819	28.06.2011	36
CIBC	2166820	28.06.2011	36
CIBC	2166821	28.06.2011	41

The Complainant's trademarks are also registered abroad in countries namely Canada under Number TMA350269, in EU under No. 008443731 and in the USA under No. 1677002 with the earliest in Canada since 20.01.1989.

The Complainant also has domain registrations, the details of which have been provided as follows:-

cibc.com registration on 02.12.1993
cibc.co.uk registration on 01.05.1997
cibc.ca registration on 04.10.2000
cibc.us registration on 24.04.2002
cibc.cn registration on 22.03.2004

It is the submission of the Complainant that the Complainant Canadian Imperial Bank of Commerce, or CIBC, is a North American financial institution headquartered at CIBC Square in the Financial District of Toronto, Ontario. CIBC was formed in June 1961 as a result of the largest merger of two chartered banks in Canadian history namely The Canadian Bank of Commerce (established in 1867) and the Imperial Bank of Canada (established in 1875). The complainant further mentions that CIBC provides a range of financial services, including personal and business banking, Commercial banking and wealth management, and capital markets and direct financial services. It has 50,000 employees servicing 15 million clients in Canada, the U.S. and around the world. As of the year ended October 31, 2025, it reported a total revenue of \$29.1 billion. The complainant further mentions that CIBC has been recognized by a variety of organizations for its business successes, community commitment, employee initiatives and other achievements. These awards and recognitions include among others, Disability Index - employers for Young People for 13th consecutive year for 4th consecutive year, Catalyst Award Winner 2025, won Best Gen-AI initiative from Global Transaction Banking Innovation Awards 2025 and won the 2025 Digital CX Award for Best Use of AI for Customer Experience. The complainant also has presence in India and In India, CIBC built its first Global Capability Centre (GCC) in Hyderabad, focusing on technology, operations, and innovation to support its global banking services. Complainant maintains its strong internet presence through its primary website <www.cibc.com>. The complainant also has good presence in social media and several online visitors. The Complainant has also won several awards as indicated in his complaint. Mobile Banking® App the highest overall score for mobile banking functionality and use experience. It has a rating of 4.3 by over 27K reviewers in the Apple Store and has 5 million downloads on Google Play. As per the Complainant CIBC has presence world-wide for over 150 years.

The Complainant has also submitted in his Complaint that the Disputed Domain Name CIBC.CO.IN of the Respondent is identical/confusingly similar to Complainant's CIBC trademark as well domains as mentioned above, in which the Complainant has both prior and superior rights. The Disputed Domain Name is a clear attempt to cybersquat on Complainant's CIBC Domain, only differing by the .TLD used. The Complainant further submitted that it has been in use of the trademark for more than 150 years around the World which far predates Respondent's registration of the Disputed Domain Name. Further, the Complainant has also registered the CIBC Domains as mentioned above which are quite before the Respondent's registration of the Disputed Domain Name.

The Complainant has also shown that its trademark CIBC and its variants are registered and used abroad in other countries. The Complainant has filed its trademark registration details and documents in support

of usage of its trademark and domain along with the Complaint which suffices the requirement of establishing its prior adoption and usage by the Complainant.

The Complainant has been able to establish the fact that the domains as well as the trademark CIBC are adopted and used by the Complainant much prior in time than the disputed domain name of the Respondent. The Complainant has also been able to establish the fact that the Respondent has copied the trademark and domain names of the Complainant and obtained the domain with dishonest and mala fide intention. The Complainant has also been able to establish all the three statutory requirements as laid down in Rule 4 of the INDRP Policy namely: -

- (a) The Respondent Registrant's domain name is identical to the Domain Name, Trademark / Service Mark of the Complainant; and
- (b) The Respondent Registrant has no rights or legitimate interests in respect of the domain name; and
- (c) The Respondent Registrant's domain name has been registered in bad faith and for illegal/unlawful purpose.

The Complainant has also relied upon a few case laws precedents as mentioned in Para No.8 of his Complaint.

DECISION

On the basis of the submissions made herein by the Complainant in their Complaint and the findings of the Tribunal, it is hereby held that the Complainant has been able to make out his case on merits. It is accordingly, ordered that the domain CIBC.CO.IN be transferred to the Complainant. Parties are to bear their own Costs.

NIXI is also requested to facilitate transfer of the domain in favour of the Complainant as per the INDRP Policy and Rules of Procedure.



PUNEET DHAWAN

INDEPENDENT ARBITRATOR

Date: 17.06.2026

Place: Delhi