

BEFORE THE SOLE ARBITRATOR
MR. PRAVEEN KUMAR JAIN, ADVOCATE
INDRP CASE NO. 2076

In the arbitration between:

Google LLC

1600 Amphitheatre Parkway

Mountain View

California- 94043

United State of America

Email: google@fiduslawchambers.com

...Complainant

and

Shahid Sheikh

Emitac Enterprises Solutions LLC

AI Hudaiba Awards, Block A

5th Floor, Dubai

Maharashtra - 400 002, India

Email: shahidsheikh0887@gmail.com

...Respondent

Disputed domain name: <androidenterprise.in>

Date of Complaint: November 04, 2025

ARBITRAL AWARD DATED 20-04-2026

A. INTRODUCTION:

1. The above-titled Complaint dated 04-11-2025 has been filed by the Complainant - Google LLC for adjudication of the domain name dispute in accordance with the *.IN Domain*

Name Dispute Resolution Policy (hereinafter referred to as “the Policy”) and *the INDRP Rules of Procedure* (hereinafter referred to as “the INDRP Rules”), as adopted by the .IN Registry - *National Internet Exchange of India* (hereinafter referred to as “*the Registry*”). The disputed domain name <androidenterprise.in> is registered with the Registrar, namely GoDaddy.com, LLC. The domain name is registered by Shahid Sheikh, the Respondent herein.

B. THE PARTIES:

1. The Complainant in these proceedings is **Google LLC**, a limited liability company incorporated under the laws of the State of Delaware, United States of America, having its principal place of business at 1600 Amphitheatre Parkway, Mountain View, California 94043, United States of America. The Complainant is represented by Ms. Astha Negi, Ms. Shipra Shandilya, Mr. Dharendra Singh, Ms. Isha Tiwari and Ms. Sankalpita Pal of Fidus Law Chambers LLP, F-12, Sector 8, Noida – 201301, India.
2. The Respondent in these proceedings is **Shahid Sheikh**, associated with Emitac Enterprises Solutions LLC, having his address at Al Hudaiba Awards, Block A, 5th Floor, Dubai, Maharashtra – 400002, India. The Respondent has not participated in these proceedings and is not represented.

C. PROCEDURAL HISTORY:

I. Complaint:

1. The Complainant filed a Complaint dated 04-11-2025 with the National Internet Exchange of India (NIXI), New Delhi, seeking transfer of the domain name <androidenterprise.in>.

II. Appointment of the Sole Arbitrator:

2. *Vide* its email dated 11-11-2025, the Registry sought my consent for appointment as the Sole Arbitrator to adjudicate the above-stated domain name dispute between the parties.
3. *Vide* my email dated 13-11-2025, I furnished to the Registry my digitally signed “*Statement of Acceptance and Declaration of Impartiality & Independence*” dated 13-11-2025, in the format prescribed by the Registry, confirming that I had no conflict of interest in the matter.
4. Thereafter, *vide* email dated 17-11-2025, the Registry informed the parties that the undersigned had been appointed as the Sole Arbitrator to adjudicate the dispute pertaining to the domain name <androidenterprise.in>, and accordingly, the matter was assigned INDRP Case No. 2076.

III. Tribunal's Notice to the Parties:

5. *Vide* my Notice under Rule 5(C) of the INDRP Rules of Procedure dated 13-12-2025, the Complainant was directed to serve the complete set of the Complaint along with annexures upon the Respondent at the address reflected in the WHOIS record *via* email and Registered Post/Speed Post or International Courier Service. The Respondent was directed to file a detailed Response within ten (10) days from the date of receipt of the Complaint, failing which the matter would be decided *ex parte* on merits.

IV. Filing of Notarised and Apostilled Documents:

6. In the Notice dated 13-12-2025 issued under Rule 5(C) of the INDRP Rules of Procedure, this Tribunal had directed the Complainant to place on record duly notarised/ apostilled copies of the Certificate of Incorporation, the Board Resolution authorising execution of the Power of Attorney, and the Power of Attorney executed in favour of the Complainant's authorised representatives.
7. In compliance with the aforesaid directions, the Complainant filed its written submissions along with supporting documents, including the Certificate of

Conversion, Delegation of Authority, and the Power of Attorney.

8. The submissions and documents filed by the Complainant were duly examined by this Tribunal, and no objection or challenge having been raised by the Respondent, the same were found to be in order.
9. Accordingly, the aforesaid documents have been taken on record and form part of the arbitral record.

V. Service of complaint and non-participation of Respondent:

10. *Vide* email dated 19-01-2026, the Complainant informed the Tribunal that the Complaint along with all annexures had been duly served upon the Respondent *via* email dated 19-12-2025, and placed on record the email delivery receipt evidencing successful service of the soft copy.
11. *Vide* email dated 20-01-2026, the Complainant further informed the Tribunal that the hard copy of the Complaint along with annexures sent to the Respondent *via* Speed Post under Consignment No. ED891545792IN had been returned with the

endorsement “incorrect address”. The Complainant submitted that the failure of service through Speed Post was attributable to the Respondent.

12. In light of the successful service of the Complaint upon the Respondent *via* email, the *bona fide* efforts undertaken by the Complainant to effect service through Speed Post, and the absence of any communication from the Respondent seeking correction of the address reflected in the WHOIS records, this Tribunal, by its order dated 09-02-2026, held that service of the Complaint upon the Respondent shall be deemed to have been duly effected. Accordingly, the Respondent was proceeded *ex parte*. The Tribunal framed the issues and directed the parties to file their respective statements of costs on or before 15-02-2026. However, neither party has filed its statement of costs, nor has any request been made for oral hearings for leading evidence and/or making oral submissions.

D. FACTUAL BACKGROUND:

I. The Complainant and its Trademarks:

1. The Complainant, Google LLC, is a limited liability company incorporated under the laws of the State of Delaware, United States of America, and is one of the

world's leading technology companies. The Complainant is widely known for its internet-based products and services, including search technologies, online advertising, cloud computing, software development, and operating systems.

2. The Complainant is the developer and proprietor of the ANDROID operating system, which was originally developed by Android Inc. in 2003 and subsequently acquired by the Complainant in July 2005. Since then, the ANDROID platform has become one of the most widely used operating systems for mobile devices globally.
3. The Complainant offers a wide range of goods and services under the ANDROID trademark, including mobile operating systems, software development kits (SDKs), and specialized platforms such as ANDROID TV and ANDROID AUTO. The ANDROID ecosystem caters to smartphones, tablets, televisions, automobiles, and other smart devices.
4. The ANDROID operating system has achieved immense popularity worldwide. Since its launch, it has consistently remained one of the most widely adopted smartphone platforms, with global shipments of

Android-based devices reaching approximately one billion units annually in recent years.

5. The Complainant has also developed the Android Enterprise initiative, which provides tools, APIs, and solutions to enable the use of Android devices and applications in enterprise environments. This initiative further strengthens the association of the ANDROID trademark with business and enterprise solutions.
6. The Complainant has secured numerous trademark registrations for ANDROID across various jurisdictions worldwide, including India. The trademark ANDROID has also been recognized as a well-known trademark in India, thereby enjoying enhanced protection under applicable laws.
7. The Complainant operates its primary website at <www.android.com>, which has been registered since 23 June 1997, and also operates domain names such as <androidenterprise.dev>, through which it provides information regarding its enterprise solutions and related services.
8. Owing to extensive use, global reach, and continuous innovation, the trademark ANDROID has acquired

substantial goodwill and reputation worldwide, including in India. The mark is exclusively associated with the Complainant, and any unauthorized use thereof is likely to cause confusion and mislead consumers.

II. The Disputed Domain Name:

9. The Disputed Domain Name <androidenterprise.in> was registered on July 06, 2025, by the Respondent through the registrar GoDaddy.com, LLC. The WHOIS details for the Disputed Domain Name are as follows:

Domain Name:	Androidenterprise.in
Registrant:	Shahid Sheikh
Email:	Shahidsheikh0887@gmail.com
Registration Date:	July 06, 2025
Registrar:	GoDaddy.com, LLC

10. The Complainant has submitted evidence demonstrating that the Disputed Domain Name resolves to a parked webpage displaying third-party links and suggested results, which may generate commercial gain for the Respondent.
11. The Disputed Domain Name incorporates the Complainant's well-known trademark ANDROID in its

entirety along with the generic term “enterprise”, thereby creating an impression of association with the Complainant’s Android Enterprise initiative.

12. The Respondent has not placed any disclaimer on the website to indicate lack of affiliation with the Complainant. The overall composition of the Disputed Domain Name is likely to mislead internet users into believing that the same is associated with or endorsed by the Complainant.

E. COMPLAINANT’S CONTENTIONS:

The Complainant contends that the Disputed Domain Name should be transferred to it on the following grounds:

I. The Disputed Domain Name is identical or confusingly similar to the Complainant’s trademarks:

1. The Complainant submits that the Disputed Domain Name <androidenterprise.in> is confusingly similar to its registered and well-known ANDROID trademark. The Disputed Domain Name incorporates the Complainant’s trademark ANDROID in its entirety, adding only (i) the descriptive or generic term “enterprise”, which is directly associated with the

Complainant's Android Enterprise initiative, and (ii) the ccTLD ".in".

2. The Complainant contends that the addition of a descriptive or generic term such as "enterprise" does not avoid confusing similarity, but rather increases the likelihood of confusion by suggesting a connection with the Complainant's enterprise-related services. The Complainant relies on prior INDRP and UDRP decisions to submit that incorporation of a well-known trademark in its entirety within a domain name is sufficient to establish confusing similarity.

II. The Respondent has no rights or legitimate interests in the Disputed Domain Name:

3. The Complainant submits that the Respondent has no rights or legitimate interests in the Disputed Domain Name. The Respondent is not commonly known by the name "ANDROID" or any variation thereof. The Respondent has not been licensed, authorized, or otherwise permitted by the Complainant to use the ANDROID trademark, nor is the Respondent affiliated with the Complainant in any manner.

4. The Complainant contends that the Respondent's use of the Disputed Domain Name for a parked webpage displaying third-party links does not constitute a *bona fide* offering of goods or services or a legitimate non-commercial or fair use. Such use is intended to derive commercial gain by taking advantage of the goodwill associated with the Complainant's well-known trademark.
5. The Complainant submits that the Respondent's conduct is misleading and is calculated to create a false impression of association with or endorsement by the Complainant. The unauthorized incorporation of the Complainant's trademark in the Disputed Domain Name and its use for commercial gain cannot constitute a legitimate or fair use under the INDRP Policy.

III. The Disputed Domain Name was registered or is being used in bad faith:

6. The Complainant submits that the Disputed Domain Name was registered and is being used in bad faith. The Complainant contends that at the time of registration of the Disputed Domain Name on July 06, 2025, the ANDROID trademark was already well-known and widely recognized across the world, including in India.

The registration of the Disputed Domain Name, several years after the Complainant's adoption and extensive use of the ANDROID trademark, clearly indicates that the Respondent had knowledge of the Complainant's rights.

7. The Complainant further submits that the Respondent has used the Disputed Domain Name to host a parked webpage displaying third-party links and suggested results, thereby attempting to attract internet users by creating an association with the Complainant's ANDROID trademark. Such use is intended to mislead users into believing that the website is connected with or endorsed by the Complainant.
8. The Complainant contends that by using the Disputed Domain Name incorporating the ANDROID trademark for a parked webpage displaying third-party links, the Respondent has attempted to commercially benefit, unfairly and opportunistically, from the goodwill associated with the Complainant's trademark. This conduct of diversion shows bad faith registration and use pursuant to Paragraphs 4(b)(iv) and 7(a)-(d) of the INDRP Policy.

F. RESPONDENT’S CONTENTIONS:

1. Despite service of the Complaint upon the Respondent *via* email dated 19-12-2025 and attempted service through Speed Post, and despite the grant of adequate opportunity to file a Response, the Respondent has failed to participate in these proceedings. The Respondent has not filed any Response or submissions in defence of its registration and use of the Disputed Domain Name. Accordingly, the Respondent is deemed to be in default, and this Tribunal proceeds to decide the matter on the basis of the Complainant’s submissions and the material available on record.

G. DISCUSSION AND FINDINGS:

I. Applicable Legal Framework:

1. The present dispute is governed by the .IN Domain Name Dispute Resolution Policy (INDRP Policy) and the Rules for the .IN Domain Name Dispute Resolution Policy (INDRP Rules) of the National Internet Exchange of India, read with the applicable provisions of the Arbitration and Conciliation Act, 1996 (as amended up to date).
2. Paragraph 4 of the INDRP Policy requires a Complainant to prove each of the following three

elements to obtain an order for cancellation or transfer of a domain name:

- i. The domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
 - 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.
3. The burden of proof lies on the Complainant to establish all three elements. However, where a Complainant makes out a *prima facie* case, the evidentiary burden shifts to the Respondent to rebut the same. In the present case, the Respondent has failed to participate in these proceedings despite being given adequate opportunity. Accordingly, adverse inferences may be drawn against the Respondent.
4. At the outset, this Tribunal notes that pursuant to its directions issued in the Notice dated 13-11-2025 under Rule 5(C) of the INDRP Rules, the Complainant was directed to place on record duly notarised/ apostilled

documents, including the Certificate of Incorporation, the Board Resolution/Delegation of Authority, and the Power of Attorney. The Complainant thereafter filed its written submissions along with supporting documents, including the Certificate of Conversion, Delegation of Authority, and the Power of Attorney, which have been duly examined and taken on record by this Tribunal.

II. Identical or Confusingly Similar (Paragraph 4(a)(i) of the INDRP Policy):

5. The first element that the Complainant must establish is that the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

6. The Complainant has adduced extensive evidence of its trademark rights in the mark **ANDROID**. It holds numerous trademark registrations for **ANDROID** in India and across various jurisdictions worldwide. Copies of these registrations have been placed on record and constitute *prima facie* evidence of the validity of the trademark and the Complainant's rights therein. The Respondent has neither disputed these registration documents nor produced any material demonstrating

any trademark rights in respect of the Disputed Domain Name.

7. Hence, this Tribunal holds that the Complainant has established clear and incontrovertible rights in the ANDROID trademark through (i) its extensive portfolio of trademark registrations in India and worldwide, (ii) its long, continuous, and widespread use of the ANDROID trademark, and (iii) the substantial goodwill and reputation acquired by the ANDROID trademark through the Complainant's global operations.
8. The question then arises whether the Disputed Domain Name <androidenterprise.in> is identical or confusingly similar to the Complainant's ANDROID trademark.
9. The Disputed Domain Name incorporates the Complainant's trademark ANDROID in its entirety. The only additional elements in the Disputed Domain Name are (i) the suffix "enterprise" and (ii) the country code top-level domain ".in".
10. It is well-established in domain name dispute resolution jurisprudence that the addition of generic or descriptive terms to a trademark does not avoid confusing similarity. In the present case, the term "enterprise" is a

descriptive term that is directly associated with the Complainant's Android Enterprise initiative and business offerings.

11. Hence, this Tribunal holds that the addition of the term "enterprise" to the ANDROID trademark does not serve to distinguish the Disputed Domain Name from the Complainant's trademark. Rather, the use of such a term increases the likelihood of confusion, as it suggests a connection with the Complainant's enterprise-related services.
12. The country code top-level domain ".in" is a technical requirement for domain name registration and does not serve to distinguish the Disputed Domain Name from the Complainant's trademark.
13. The dominant and distinctive element in the Disputed Domain Name is undoubtedly the trademark ANDROID. An average Internet user is likely to be misled into believing that the Disputed Domain Name is associated with, endorsed by, or operated by the Complainant, particularly in light of the Complainant's Android Enterprise initiative.

14. The Complainant has also relied upon various INDRP and UDRP precedents wherein incorporation of a well-known trademark in its entirety along with a descriptive term has been held to be sufficient to establish confusing similarity. Although such precedents are not binding, they carry persuasive value.
15. In particular, panels have consistently held that the addition of a generic or descriptive term to a well-known trademark does not negate confusing similarity, especially where the trademark remains clearly recognizable within the domain name.
16. Similarly, in the present case, the Disputed Domain Name incorporates the ANDROID trademark in its entirety and merely adds the descriptive term “enterprise”, which is insufficient to distinguish the Disputed Domain Name from the Complainant’s trademark.
17. For the reasons stated above, this Tribunal holds that the Disputed Domain Name <androidenterprise.in> is confusingly similar to the Complainant’s registered ANDROID trademark.

18. Accordingly, the Complainant has successfully established the first element under Paragraph 4(a)(i) of the INDRP Policy.

III. No Rights or Legitimate Interests (Paragraph 4(a)(ii) of the INDRP Policy)

19. The second element that the Complainant must establish is that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

20. Paragraph 6 of the INDRP Policy sets out circumstances which, if proven, shall demonstrate the Respondent's rights or legitimate interests in the domain name for purposes of Paragraph 4(a)(ii). These circumstances include:

- i. Before receiving any notice of the dispute, the Respondent's use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a *bona fide* offering of goods or services; or
- ii. The Respondent (as an individual, business, or other organization) has been commonly known by the domain name, even if the Respondent has acquired no trademark or service mark rights; or

iii. The Respondent is making a legitimate non-commercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

21. It is well-settled that once a Complainant makes out a *prima facie* case that the Respondent lacks rights or legitimate interests in the disputed domain name, the burden of proof shifts to the Respondent to establish such rights or legitimate interests. If the Respondent fails to come forward with relevant evidence, the Complainant is deemed to have satisfied the second element under Paragraph 4(a)(ii) of the INDRP Policy.

22. In the present case, the Complainant has made the following submissions to establish a *prima facie* case that the Respondent lacks rights or legitimate interests:

i. The Respondent is not commonly known by the name “ANDROID” or “androidenterprise” or any variation thereof. The WHOIS information identifies the Respondent as Shahid Sheikh, which bears no resemblance to the Disputed Domain Name.

- ii. The Respondent is not affiliated with the Complainant in any way. The Respondent has not been licensed or authorized by the Complainant to use the ANDROID trademark.
 - iii. The Respondent has registered the Disputed Domain Name incorporating the Complainant's well-known trademark ANDROID in its entirety without authorization.
 - iv. The Disputed Domain Name resolves to a parked webpage displaying third-party links and suggested results, indicating use for commercial gain rather than any *bona fide* offering of goods or services.
 - v. The Respondent's use is intended to take unfair advantage of the goodwill and reputation associated with the Complainant's well-known ANDROID trademark.
23. This Tribunal finds that the Complainant has made out a strong *prima facie* case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. The burden therefore shifted to the Respondent to come forward with evidence demonstrating rights or

legitimate interests under Paragraph 7 of the INDRP Policy.

24. Despite being given adequate opportunity, the Respondent has failed to file any Response or provide any explanation for its registration and use of the Disputed Domain Name. The Respondent has not claimed that it was commonly known by the Disputed Domain Name. The Respondent has not claimed any authorization or license from the Complainant. The Respondent has not provided any evidence of a *bona fide* offering of goods or services or a legitimate non-commercial or fair use of the Disputed Domain Name.

25. On the contrary, the material on record establishes that the Respondent has used the Disputed Domain Name in a manner that is likely to mislead Internet users into believing that the Respondent's website is associated with or approved by the Complainant. The Disputed Domain Name incorporates the Complainant's well-known **ANDROID** trademark and resolves to a parked webpage displaying third-party links, thereby creating a false impression of association with the Complainant for commercial gain.

26. Such use does not constitute a *bona fide* offering of goods or services under Paragraph 6(a) of the INDRP Policy. The use of a domain name incorporating a well-known trademark for a parked webpage with third-party links is indicative of an intent to derive commercial benefit from user confusion.
27. Similarly, the Respondent's use does not constitute a legitimate non-commercial or fair use under Paragraph 6(c) of the INDRP Policy. The Respondent's use is clearly commercial in nature, aimed at deriving financial benefit by exploiting the goodwill and reputation of the Complainant's well-known ANDROID trademark. Moreover, such use is calculated to misleadingly divert Internet users and to take unfair advantage of the Complainant's trademark.
28. The Respondent's conduct is misleading and creates a false impression of association with the Complainant. Such conduct cannot give rise to rights or legitimate interests in the Disputed Domain Name.
29. The Respondent has failed to provide any explanation or justification for its registration and use of the Disputed Domain Name and continues to retain ownership

thereof, which demonstrates absence of any *bona fide* intent.

30. For all the reasons stated above, this Tribunal holds that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name <androidenterprise.in>.

31. Accordingly, the Complainant has successfully established the second element under Paragraph 4(a)(ii) of the INDRP Policy.

IV. Bad Faith Registration and Use (Paragraph 4(a)(iii) of the INDRP Policy):

32. The third and final element that the Complainant must establish is that the Disputed Domain Name has been registered and is being used in bad faith.

33. Paragraph 7 of the INDRP Policy sets out certain circumstances which, if found by the Arbitrator to be present, shall be evidence of the registration and use of a domain name in bad faith. These include:

- i. Circumstances indicating that the Respondent has registered or acquired the domain name primarily

for the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant or to a competitor for valuable consideration; or

ii. The Respondent has registered the domain name in order to prevent the owner of the trademark from reflecting the mark in a corresponding domain name; or

iii. The Respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

iv. By using the domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark.

34. This Tribunal notes that the circumstances listed in Paragraph 7 are not exhaustive, and bad faith may be found on the basis of other circumstances as well.

35. In the present case, there is sufficient evidence of bad faith registration and use of the Disputed Domain Name by the Respondent. The Tribunal makes the following findings:

i. Actual Knowledge of the Complainant's Rights:

- a. The Disputed Domain Name was registered on 06-07-2025, which is long after the Complainant's adoption, use, and global recognition of the ANDROID trademark.
- b. By the time of registration, the ANDROID trademark had become widely known across the world, including in India, and is also recognized as a well-known trademark.
- c. The incorporation of the Complainant's trademark ANDROID in its entirety along with the term "enterprise" (which directly relates to the Complainant's Android Enterprise initiative) clearly establishes that the Respondent had knowledge of the Complainant's rights.
- d. It is inconceivable that the Respondent could have registered the Disputed Domain Name without being aware of the Complainant's well-known trademark and business.

ii. Use to Create Confusion and Mislead Users:

- a. The Respondent use the Disputed Domain Name is being used to host a parked webpage displaying third-party links and suggested results.
- b. The evidence shows that the Respondent's website is a parked webpage displaying third-party links and suggested results, which may generate commercial gain for the Respondent by attracting Internet users through the use of the Complainant's well-known ANDROID trademark.
- c. The overall impression created by the Disputed Domain Name is that it is associated with or authorized by the Complainant, particularly in view of the inclusion of the term "enterprise," which directly relates to the Complainant's Android Enterprise initiative. This creates a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the Respondent's website.
- d. Such conduct falls squarely within Paragraph 7(d) of the INDRP Policy, which provides that

bad faith exists where, by using the domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location by creating a likelihood of confusion with the Complainant's mark.

iii. Commercial Gain from the Complainant's Goodwill:

- a. The Respondent is using the Disputed Domain Name incorporating the Complainant's **ANDROID** trademark to attract Internet users to a parked webpage displaying third-party links, thereby seeking to derive commercial gain by creating a false impression that the website is associated with or authorized by the Complainant.

- b. The Complainant has clearly stated that it has not authorized the Respondent to use its **ANDROID** trademark in any manner. The Respondent was therefore engaged in a misleading practice by falsely suggesting an association with the Complainant in order to

derive commercial benefit from Internet users.

- c. Such conduct demonstrates that the Respondent registered and used the Disputed Domain Name primarily for the purpose of unfairly and opportunistically benefiting from the goodwill and reputation associated with the Complainant's well-known ANDROID trademark. This constitutes bad faith under Paragraphs 4(b)(iv) and 7(a)-(d) of the INDRP Policy.

iv. False WHOIS Details:

- a. The record indicates that the Respondent has provided incorrect or misleading address details in the WHOIS database.
- b. This is further indicative of bad faith conduct on the part of the Respondent.

v. Failure to Participate in Proceedings:

- a. Despite proper service of the Complaint and adequate opportunity, the Respondent has failed to participate in these proceedings.

- b. The Respondent has not provided any explanation or justification for its registration and use of the Disputed Domain Name.
- c. An adverse inference is therefore drawn against the Respondent.

36. For all the reasons stated above, this Tribunal holds that the Respondent registered the Disputed Domain Name with full knowledge of the Complainant's rights in the ANDROID trademark and with the deliberate intention of exploiting the goodwill and reputation of the Complainant's well-known trademark for commercial gain.

37. The Respondent has used the Disputed Domain Name to attract Internet users by creating a likelihood of confusion with the Complainant's trademark and to host a parked webpage displaying third-party links for commercial gain. Such conduct clearly constitutes bad faith registration and use under Paragraphs 4(a)(iii), 4(b)(iii), 4(b)(iv), 4(c), and 7(a)-(d) of the INDRP Policy.

38. Accordingly, the Complainant has successfully established the third and final element under Paragraph 4(a)(iii) of the INDRP Policy.

39. Hence, considering the facts and material available on record, the applicable provisions of the INDRP Policy and Rules, and in the interest of justice, this Tribunal is of the considered view that the disputed domain name <androidenterprise.in> is liable to be transferred from the Respondent to the Complainant.

H. COSTS OF THE PROCEEDINGS:

1. As far as the issue of awarding the costs of proceedings to the complainant is concerned, the reference may be made to the Section 31A of the Arbitration & Conciliation Act, 1996 which is as under:

31A. Regime for costs-(1) In relation to any arbitration proceeding or a proceeding under any of the provisions of this Act pertaining to the arbitration, the Court or arbitral tribunal, notwithstanding anything contained in the Code of Civil Procedure, 1908 (5 of 1908), shall have the discretion to determine—

- a) whether costs are payable by one party to another;
- b) the amount of such costs; and
- c) when such costs are to be paid.

Explanation- For the purpose of this sub-section, “costs” means reasonable costs relating to—

- i. the fees and expenses of the arbitrators, Courts and witnesses;
 - ii. legal fees and expenses;
 - iii. any administration fees of the institution supervising the arbitration; and
 - iv. any other expenses incurred in connection with the arbitral or Court proceedings and the arbitral award.
- 2) If the Court or arbitral tribunal decides to make an order as to payment of costs, — :
 - a) the general rule is that the unsuccessful party shall be ordered to pay the costs of the successful party; or
 - b) the Court or arbitral tribunal may make a different order for reasons to be recorded in writing.
- 3) In determining the costs, the Court or arbitral tribunal shall have regard to all the circumstances, including—
 - a) the conduct of all the parties;
 - b) whether a party has succeeded partly in the case;
 - c) whether the party had made a frivolous counterclaim leading to delay in the disposal of the arbitral proceedings; and
 - d) whether any reasonable offer to settle the dispute is made by a party and refused by the other party.
- 4) The Court or arbitral tribunal may make any order under this section including the order that a party shall pay—
 - a) a proportion of another party's costs;
 - b) a stated amount in respect of another party's costs;
 - c) costs from or until a certain date only;
 - d) costs incurred before proceedings have begun;
 - e) costs relating to particular steps taken in the proceedings;
 - f) costs relating only to a distinct part of the proceedings; and
 - g) interest on costs from or until a certain date.
- 5) An agreement which has the effect that a party is to pay the whole or part of the costs of the arbitration in any event shall be only valid if such agreement is made after the dispute in question has arisen.

(emphasis added)

2. A bare perusal of the above-mentioned provision of the Act makes it evident that this Tribunal is vested with the discretion to determine whether costs are payable by one party to another, the quantum of such costs, and the timing of such payment. In terms of Section 31A(2)(a) of the Arbitration and Conciliation Act, 1996, the general rule is that the unsuccessful party shall be ordered to pay the costs of the successful party. However, this Tribunal finds it appropriate to make a different order in exercise of its discretion under Section 31A(2)(b), for the following reasons, having regard to the conduct of the parties as contemplated under Section 31A(3)(a):
 - i. The Respondent has not participated in the present proceedings and has neither filed any Response nor placed any material on record contesting the claims of the Complainant.
 - ii. The present dispute has been adjudicated on the basis of pleadings and documentary material available on record, without oral hearings or prolonged evidentiary proceedings.
 - iii. The Complainant has not filed any detailed statement of costs or material quantifying the expenses incurred in the present arbitral proceedings.

3. After weighing these circumstances, the Tribunal, in the exercise of its discretion, finds it equitable that each party shall bear its own costs.

I. DECISION:

1. Having carefully considered the submissions and evidence on record, this Tribunal finds that the Complainant has successfully established all three elements required under Paragraph 4(a) of the INDRP Policy, namely:
 - i. The Disputed Domain Name <androidenterprise.in> is confusingly similar to the Complainant's registered ANDROID trademark;
 - 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 by the Respondent.

J. RELIEF:


1. Accordingly, pursuant to Paragraph 4(i) of the INDRP Policy and Rule 15(a) of the INDRP Rules, this Tribunal orders that the Disputed Domain Name <androidenterprise.in> be

TRANSFERRED from the Respondent, Shahid Sheikh, to the Complainant, Google LLC.

K. PRONOUNCEMENT:

This Award is signed and pronounced by me at New Delhi (India) on this 20th day of April, 2026.

Praveen
Kumar
Jain



Digitally signed
by Praveen
Kumar Jain
Date: 2026.04.20
20:55:56 +05'30'

Place: New Delhi

Date: April 20, 2026

(Praveen Kumar Jain)

Sole Arbitrator