

भारतीय गैर न्यायिक

एक सौ रुपये

Rs. 100

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सत्यमेव जयते

ONE  
HUNDRED RUPEES

भारत INDIA  
INDIA NON JUDICIAL



तमिलनाडु TAMILNADU

17 SEP 2025

ED 985287

M. Shirijha  
Chennai - 15

*K. Sivakami Shree*  
K. SIVAKAMI SHREE  
STAMP VENDOR

BEFORE THE SOLE ARBITRATOR

Licence No.1347/B2/CH(S)/2021-4  
Saidapet, Chennai-600 015.  
Cell: 8056090171

UNDER THE .IN DOMAIN NAME DISPUTE RESOLUTION POLICY

PRESENT :: TMT.M.SHIRIJHA, B.Sc.,M.L.

25TH SEPTEMBER 2025

COMPLAINT INDRP Case No. 2018

IN THE MATTER OF AN  
ARBITRATION FOR DISPUTE RELATING TO  
THE DOMAIN NAME "tataneuonline.in"

1. Tata Digital Private Limited,  
Army and Navy Building,  
148, M.G.Road, Opposite Kala Ghoda,  
Fort, Mumbai 400 001.
  2. Tata Sons Private Limited  
Bombay House,  
24, Homi Mody Street,  
Mumbai, Maharashtra 400 001.
- Versus

...Complainants

Mavendra Singh,  
2056, Type II, IIT Kanpur,  
Kanpur Nagar, Uttar Pradesh, Pin: 2080 16.

...Respondent

1

*M. Shirijha*

M.SHIRIJHA B.SC., M.L.  
STS Law Associates  
2/669A, River View Enclave, First Main Road,  
Manapakkam, Chennai - 600 125.

**AWARD PASSED UNDER THE INDRP RULES OF PROCEDURE**

**AND THE ARBITRATION AND CONCILIATION ACT, 1996**

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**I. PARTIES TO THE ARBITRATION**

1. The Complainants are Tata Digital Pvt. Ltd., and Tata Sons Private Ltd., having their Office at Fort House, 221, Dr. Dadabhai Naoraji Borabazar Precinct, Ballard Estate, Fort, Mumbai, Maharashtra 400 001.

2. The Registrar's publicly-available WhoIs record for the domain name "tataneuonline.in" is partially masked for reasons of data protection legislation. The WhoIs record only mentions the registrant's name as Mavendra Singh, 2056, Type II, IIT Kanpur, Kanpur Nagar, Uttar

Pradesh, Pin: 208016, India. The Registrar with whom the domain name is registered indicated as: GoDaddy.com, LLC, Abuse Department, 2155 East GoDaddy Way, Tempe, 85284 USA.

## **II. APPLICABLE LAW AND JURISDICTION**

### **The .IN Domain Name Dispute Resolution Policy**

The present arbitration proceeding is under and in accordance with the .IN Domain Name Dispute Resolution Policy (the Policy) which was adopted by the National Internet Exchange of India (NIXI) and sets out the legal framework for resolution of disputes between a domain name registrant and the Complainants arising out of the registration and use of an .IN Domain Name. By registering the domain name "tataneuonline.in" with the NIXI accredited Registrar, the Respondent has agreed to the resolution of disputes under the .IN Dispute Resolution Policy and Rules framed thereunder. The Policy and the .IN Domain Name Dispute Resolution Rules of Procedure posted 2020 (the Rules) were approved by NIXI in accordance with the Arbitration and Conciliation Act, 1996.

### **III. Filing of the Complaint and Constitution of the Arbitral Tribunal**

1. The Complainants filed the Complaint under the .IN Domain Name Dispute Resolution Policy against the Respondents, seeking transfer of the Domain Name name "tataneuonline.in" to the Complainant, following which, the .IN Registry sought the consent of Tmt. M. SHIRIJHA (the undersigned), who is a listed .IN Dispute Resolution Arbitrator under 5 (a) of the Rules, to act as Arbitrator in the said matter.

2. On 12<sup>th</sup> August 2025, the Arbitral Tribunal consisting of the said Tmt. M. SHIRIJHA as Sole Arbitrator was constituted under 5(b) of the Rules in respect of the Complaint filed by Tata Digital Pvt. Ltd., and Tata Sons Private Ltd against the Respondent Mavendra Singh, Registrant of the domain name "tataneuonline.in"

3. On perusing the documents, on 14<sup>th</sup> August 2025, The Arbitral Tribunal directed the Complainants to file the Amended Complaint with the details of the Respondent which was compiled by the Complainants on 22<sup>nd</sup> August 2025 along with documents showing the authorization given by the Complainants to file present Complaint. Immediately thereafter, on 29<sup>th</sup> August 2025, the Arbitral Tribunal issued the Notice of Arbitration under 5(c) of the Rules. to the parties for commencement of Arbitral Proceedings.

4. The Arbitral Tribunal has been constituted properly and in accordance with the Arbitration and Conciliation Act 1996, the INDRP Policy and the Rules as amended from

Domain Name	"tataneuonline.in"
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time to time. No party has objected to the constitution and jurisdiction of the Arbitral Tribunal and to the arbitrability of the dispute.

**IV. THE DOMAIN NAME, REGISTRAR & REGISTRANT**

1. The particulars of the registration of the domain name "tataneuonline.in" as found in the .IN Registry database are set out below:

  
**M.SHIRIJHA B.SC., M.L.**  
STS Law Associates  
2/669A, River View Enclave, First Main Road,  
Manapakkam, Chennai - 600 125.

Registrant Name	Mavendra Singh, 2056, Type II, IIT Kanpur Nagar, Uttar Pradesh - 208016, India
Registered on	28/12/2023
Organisation	NA
Email	msc8707@gmail.com
Phone No.	Ph:91.8707359311
Registrar with whom subject domain name is registered	GoDaddy.com, LLC, Abuse Department, East GoDaddy Way. Tempe, AZ 85284 USA.

#### **V. PROCEDURAL HISTORY**

1. The Sole Arbitrator, Tmt. M.Shirijha was appointed On 12<sup>th</sup> August 2025 for the above case regarding the Complaint filed under the INDRP.

2. On perusing the documents, on 14<sup>th</sup> August 2025, The Arbitral Tribunal directed the Complainants to file the Amended Complaint with the details of the Respondent which was compiled by the Complainants on 22<sup>nd</sup> August 2025 along with documents showing the authorization given by the Complainants to file the present Complaint. Immediately thereafter, on 29<sup>th</sup> August 2025, the Arbitral Tribunal issued the Notice of Arbitration under 5(c) of the Rules. to the parties for commencement of Arbitral Proceedings and directed the Complainant to serve the said Notice to the Respondent both Online and Offline to the address mentioned therein. The Respondent was given an opportunity to file a response in writing in opposition to the Complaint, if any along with evidence in support of its stand or contention on or before seven working days from the date of receipt of the said Notice.

3. On 8<sup>th</sup> September 2025, the ComplainantS informed the Arbitral Tribunal that they have served the copy of the Complaint along with the Annexures via email and the address furnished by the Respondent and the same has been delivered to him and submitted the delivery proof. The Arbitrator on 11<sup>th</sup> September 2025, considering the service made to the Respondent both offline and online, held the service to the Respondent as sufficient and as the

Respondent, who in spite of sufficient opportunity given, has not turned up to appear before the Arbitrator, set him exparte.

#### VI. COMPLAINANT'S CONTENTIONS:

1. The present dispute has arisen on account of registration of the domain <tataneuonline.in> by the Respondent which fully incorporates the well-known trademark **TATA** of the Complainants. The disputed domain name is also identical to Complainant no.2's trademark "**TATA NEU**", which also happens to be the dominant part of the trade name of Complainant 1. The Complainant no.1 is part of **TATA** group of companies, which is headed by the Complainant no.2 which includes service companies and companies selling **TATA** products to franchisees in certain markets. The Complainants Group is engaged in various kinds of business which includes companies providing consultancy services, selling and manufacturing vehicles, steel products, chemicals products, consumer products, watches, electricity, hospitality services, communications, financial and electronics.

2. The Complainant no. 2 is principal investment holding company and promoter of Tata companies. In 2023-24, the revenue of Tata companies, taken together, was \$165 billion. There are 26 publicly listed Tata enterprises with a combined market capitalization of \$365 billion as on March 31, 2024. The Complainant No. 1 in the year 2021, launched its mobile application/ platform under the trademark/ brand name Tata Neu, which aims to bring all the brands of Complainants Group together on one single platform. Additionally, Complainant No. 1 has also expanded its activities under its brand Tata Neu by introducing various other ventures, brands and schemes under the Neu-formative marks such as: NeuCoins, NeuPass, NeuCard and NeuSkills. The trademark **TATA** was registered as early as 1942 by the Complainant and inherently distinctive and is a strong identifier of source for the Complainants Group and its goods and services. It has no dictionary meaning and does not otherwise exist in the English language. The Complainant no. 2 was incorporated on 8<sup>th</sup> November 1917. The Complainant no. 1 is authorized to use and enforce the trademark and trade name **TATA** and to do business under it in India. The trademark **TATA** is the subject of a large number of trademark registrations in several countries around the world. In India, the trademark **TATA** is related to the values of integrity, responsibility, excellence, pioneering, unity. A list of the Complainants trademark registrations for trademarks **TATA** in India is listed below:

Registration	Trademark	Registration Da
6089		2 <sup>nd</sup> October, 1942
109360		12/4/ 1945
111694		13/7/1945
92651	TATA	16/2/1944

The Complainant No. 2 has obtained registration of its trademark '**TATA NEU**' vide Certificate No. 2954021 Dated: 27/09/2021. The Complaint No. 1, in the year 2021, launched its mobile application/ platform under the name Tata Neu, under the logo  vide Certificate No. 3070060 Dated: 25/09/2022. The Complainants Group owns the domain name <tata.com> and <tataneu.com> registered since 15<sup>th</sup> October 1996 and 17<sup>th</sup> August 2021 respectively. On the basis of the extensive goodwill and reputation associated with the **TATA** trademark, the Complainants Group has been able restrain several third parties who were using the trademark **TATA** unauthorizedly in relation to their business.

3. The Respondent has registered the domain name <tataneuonline.in> thereby misappropriating illegally and without authority the Complainants Group's trademark **TATA**, which is identical to the tradename and brand name of Complainant no. 1 **TATA NEU**. The disputed domain name decades after the Complainants Group established its rights in the well-known trademark **TATA**, that too, subsequent to the Complaint No. 1 launching its mobile application/ platform under the name **Tata Neu app** in 2021. The disputed domain has merely been parked and no commercial use of the domain is being made, with a view to earn profit by selling the domain or defrauding the people using tradename of Complainant no.1, **TATA NEU** and well-known nature of the trademark **TATA** has incorporated it in the disputed domain name. Hence this Petition.

  
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2/669A, River View Enclave, First Main Road,  
Manapakkam, Chennai - 600 125.

## **VII. DISCUSSIONS AND FINDINGS:**

The Hon'ble Apex Court of India has repeatedly held that even in an uncontested matter the Plaintiff's case must stand on its own legs and it cannot derive any advantage by the absence of the defendants. Accordingly, A Complainant who alleges that the disputed domain name conflicts with its legitimate rights or interests must establish the following three elements required by Paragraph 4 of the INDRP Policy namely:

- a) The Respondent's domain name is identical and confusingly similar to the trademark or service mark in which the Complainant has rights.
- b) The Respondent has no rights or legitimate interests in respect of the domain name
- c) The Respondent's domain name has been registered or is being used in bad faith.

Accordingly, the Arbitral Tribunal shall deal with each of the elements as under

### **a) Whether the Respondent domain name "tataneuonline.in" is identical and/or deceptively similar to domain name and trademarks of the Complainant?**

i) The Complainant provided evidence with the Annexures, to establish that the Disputed Domain name is identical or confusingly similar to the Complainant's registered and distinctive trademark

ii) The copy of the trademark registration certificate of Domain name "TATA" and WHOIS records shows Complainant is the owner of the said trademark registrations in India.

iii) It is further evident from the WHOIS records that the disputed domain name by Respondent, i.e. "tataneuonline.in" long after the 'TATA' trademark was recognised.

iv) The Extensive Annexures shows that The Complainant holds 'TATA' trademark registrations in India and because of the extensive use and promotion of 'TATA' trademark, the brand 'TATANEU' has gained recognition.

v) It is the contention of the Complainant that The disputed domain name <tataneuonline.in> completely subsumes the Complainants Group's well-known trademark **TATA** and identical to the dominant portion of the primary brand name of Complainant no.1 and therefore the People accessing the disputed domain name, are likely to think that the disputed domain name is owned by the Complainants or is in some way connected with the



Complainants. The Complainants in its submission relies upon *Nike Inc. v. Nike Innovative C. Zhaxia*, INDRP Case No. 804; *Metropolitan Trading Company v. Chandan Chandan*, INDRP Case No. 811; *Lego Juris A/s v. Robert Martin*, INDRP Case No. 125, where it was held that if a disputed domain name completely incorporates the trademark of the Complainant, then the mere addition of domain codes such as ".in" and/or ".co.in" will not distinguish the Respondent's disputed domain name. They contend that In several UDRP decisions as well, various panels have found that the fact that a domain name wholly incorporates a Complainant's registered trademark is sufficient to establish identity or confusing similarity for the purpose of the Policy and relies upon the following decisions:

(a) In *The Tata Sons Limited v. Ramniwas & Ors.*, 2016 SCC OnLine Del 6376, the Hon'ble Delhi High Court held that "It is evident that the mark TATA has been used by the plaintiff for a long period of time and enjoys reputation and goodwill and has acquired the status of a "well-known" mark".

(b) In *Tata Sons Limited & Anr. v. Krishna Kumar*, (2018) 75 PTC 607, the defendant had registered/operating a domain name "www.tatafinserve.com" and the website which was parked on the impugned domain name. The Hon'ble Delhi High Court passed an order of permanent injunction in the favour of Tata Sons Limited.

© In *Tata Sons Limited v. Hakunamatata Tata Founders and ors.* (2022) 293 DLT 760, the Hon'ble Delhi High Court had permanently restrained a UK-based company from unauthorizedly using the Indian conglomerate's registered trademark 'TATA' while selling and marketing digital token. The court had also asked the company and domain name registrar to take down the two websites "www.hakunamatata.finance" and "www.tatabonus.com". Additionally, the Complainants rights over and priority in adoption and use of the **TATA** trademarks have been upheld in several UDRP and INDRP decisions.

(d) In *Tata Sons Limited v. TATA Telecom Inc/Tata-telecom.com, Mr. Singh*, Case No. D2009-0671 it was held that the addition of the descriptive term "telecom" does not dispel such confusingly similarity, as many of the Tata Group companies use Tata as the



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initial word in their business or trade names – i.e., Tata Communications, Tata Teleservices, Tata Steel, Tata Tea, and so forth.

(e) In *Tata Motors Limited vs. Mr. Chunnu Ji*, INDRP Case No. 1364, recognized that the Registrant had no right and had adopted domain name <tatagravitas.in> with *mala fide* intention to confuse the public thus the Forum accordingly transferred the domain name to the Complainant.

(f) In *Tata Motors Limited vs. Sanjay Sharma*, INDRP Case No. 1358, the Panelist held that concerning domain name <tatamotors.org.in> is identical to <tatamotors.in>. Hence, the disputed domain name was transferred to the Complainant.

(g) In *Tata Sons Private Limited and Tata Digital Private Limited v. Hardik Dabhi*, WIPO Case No. DIO2024-0002 and in WIPO Case No. DAI2024-0011, the Panelist recognized that the domain names <tatadigital.io.> and <tatadigital.ai> was registered by the respondent in bad faith and directed transfer of the domain name to the Complainant.

(h) In *Tata Digital Private Limited and Tata Sons Private Limited vs. Ronit Diwakar*, for the domain name <tataneucard.shop> UDRP case no. D2024-4672, the registrant had opted to settle the matter considering the complainants right asserted over the domain name and WIPO accordingly terminated the complaint by accepting such settlement.

The learned Counsel for the Complainant pleads that in view of the above, it is evident that the Impugned Domain Name is confusingly similar to the Complainant's trademark/name 'TATA' and submits that it has established rights in the trademark 'TATA' for purposes of paragraph 4(a) of the .IN Policy.

vi) Perused the Annexures placed in support of his contention, to show that the subject domain name "tataneuonline.in" is virtually identical to the trademark 'TATA' and 'tataneu' of the Complainants. The Annexures submitted on the side of the Complainants shows that the Complainant's adoption of the mark predates the registration of The Impugned Domain Name by decades. If We examine both the Disputed Domain name and that of the Complainant's, The Complainant's domain name is 'TATA' but the Disputed Domain name is "tataneuonline.in". It is true that the Doman name has the words 'tata' identical to that of

to the  
the Complainant's Domain name, with addition of the terms "neu" and "online", under ccTLD ".in"

vii) It is needless to say that the cases relied upon by the Complainant are squarely applicable to the present case. Even in *Inc. v. Powell Amber, INDRP/1819*), it was held that "The disputed domain name includes the Complainant's 'GUESS' trademark. Such inclusion is by itself enough to consider the disputed domain name confusingly similar to the Complainant's GUESS trademark. [...] Merely adding of a generic term to a trademark in a domain name does not mitigate the confusing similarity between the mark and the domain name." Further in *Facebook, Inc. v. Zhou Lu, INDRP/9300*), it was held that "The Complainant has established its rights in the trademark 'FB' as the acronym of the popular mark 'Facebook' by virtue of its numerous trademark registrations for the same in jurisdictions worldwide, including, but not limited to, in the United States, Canada, the European Union, Mexico, and Chile." Moreover it was held that "The FB mark is reproduced and is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [...] Although the addition of other terms, here "video" and "downloads" may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy." (*Meta Platforms, Inc. v. Batyi Bela, WIPO Case No. D2024-2017*).

viii) Further, As rightly contended by the Learned Counsel, The use of the terms 'online' does not distinguish the Impugned Domain Name from the Complainant's trademark/ name, and in fact, aggravates the likelihood of confusion and/or association with the Complainant. It is pertinent to note that the similarity of the disputed domain name with that of the Complainant's seems to have confused the consumers of the Complainant. Further the non appearance of the Respondent before this Tribunal to disprove the claim of the Complainant also implies that she has no case to say in this regard .Hence this Tribunal observes that the said decisions along with the citations relied upon by the Complainant are convincingly and squarely applicable in the case in hand.

Hence this Tribunal holds that the Complainant has established their case under Paragraph 4 of INDRP i.e. The Respondent's domain name is identical and confusingly similar

to the trademark or service mark in which the Complainant has rights and decides in favour of them.

**b) Whether the Respondent has no rights or legitimate interests in respect of the domain name?**

i) The Contention placed on the side of the Complainant is that None of the circumstances specified under paragraph 7 of the IN-Domain Dispute Resolution Policy (INDRP) exist in the present case, to demonstrate Respondent's rights or legitimate interests in a disputed domain name. The Complainants pleads that and The Respondent is not related to the Complainants any of their group companies. The Complainants have never assigned, granted, licensed, sold, transferred or in any way authorized the respondent to use as a part of their tradename, as a part of an email server or register domain names comprising its trademark **TATA**. They pleaded that registrant may be found to lack any right or legitimate interest in a domain name where there is no indication that it is known by that name as in the present case. Further They plead that the Respondent's unlicensed and unauthorized use of domain name incorporating the Complainant's trademark is solely with a view to misleadingly divert consumers and to tarnish the trademark of the Complainants.

ii) Reliance is placed on *Bruyere S.A. v. Online Systems*, WIPO Case No. D2016-1686, where UDRP Panel found "Given that there is no active website associated with the Disputed Domain Name, the Panel does not find that the Respondent is making any use of the Disputed Domain Name within the meaning of paragraph 4(c) of the Policy. Rather, given that the Disputed Domain Name is identical to the Complainant's Trademark, it gives the misimpression that the Respondent is the Complainant or is otherwise affiliated with the Complainant" and Based on the above, they conclude that the Respondent's use of the disputed domain name is neither a *bona fide* offering of services, nor a legitimate non-commercial or fair use pursuant to Policy and thus The Complainants have established that the Respondent does not have any rights or legitimate interest in the disputed domain name

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iii) Heard. To pass muster under Paragraph 4(b) of the INDRP Policy, the Complainant has to show that the Respondent has no rights and legitimate interests in the disputed domain name under Paragraph 6 of the Policy.

iv) Evidence provided by the Complainant shows that The Respondent is not affiliated with Complainant in any way and has never been authorised or licensed by Complainant to use or register its trademarks, or to seek registration of any domain name incorporating the trademark in question.

v) Where the Complainants 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 and if the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. But the Respondent has remained absent showing that the Respondent is unable to invoke any of the circumstances set out in Paragraph 6 of the .IN Policy to demonstrate rights or legitimate interests in the Domain Name. Hence it is clear that the Respondent registered the Impugned Domain Name without any legitimate right to use the same with the full knowledge of the Complainant's rights in the mark 'TATA' and 'TATANEU'.

vi) Accordingly, the Arbitral Tribunal finds that the Complainants have made out a prima facie case that the Respondent has no rights and legitimate interests in respect of the disputed domain name "tataneuonline.in" as Complainant has never assigned, granted, licensed, sold, transferred, or otherwise authorised Respondent to register or use the Disputed Domain Name or the TATA Trademark and the same is also not used for making legitimate non-commercial use. Thus, it satisfies the second element under Paragraph 4 (b) of the Policy.

c) **Whether the Respondent domain name was registered or is being used in absolute bad faith?**

i) The Complainants pleads that their Group's trademark **TATA** is a well-known trademark and The Respondent ought to have been aware of the fame, repute and goodwill of the Complainants since a simple trademark search at the time of the registration of the disputed domain name would have revealed the Complainants

the Complainant

trademark rights and hence the Respondent could not reasonably have been unaware of the fame of the **TATA** trademarks at the time of registration of the impugned domain name.

ii) They would further plead that The Complainant No. 1 has also expanded its activities under its brand Tata Neu by introducing various other ventures and schemes under the Neu-formative marks, such as:

a. NeuCoins: a reward scheme under which, every time a consumer makes a transaction through the Tata Neu app or platform, they are rewarded with NeuCoins, which can then be redeemed while shopping or using the app.

b. NeuPass: a membership plan for their users under the name NeuPass and various exclusive benefits to its users.

c. NeuCard: launched a credit card in collaboration with HDFC Bank, named NeuCard offering various rewards, savings and offers for their customers with the credit card.

d. NeuSkills: launched a digital skill learning platform that provides courses, run by industry practitioners, covering a variety of topics and skills to make the young professionals ready for the industry.

e. NeuFlash: quick-commerce services under the name NeuFlash.

The Complainants pleads that in all these ventures, the trademark 'NEU' has remained a consistent feature, and thus, the trademark 'NEU' as well as all the Neu-formative trademarks are associated with the Complainant No. 1.

iii) The Respondent's bad faith is further evidenced from the fact that the Respondent registered the impugned domain name on 9<sup>th</sup> April 2025, years after the registration of the Complainants Group's trademark registrations in India; Further, there is a great likelihood that actual or potential visitors to the present website of the Respondent will be induced to (a) Believe that the Complainants have licensed its trademark **TATA/TATA NEU** to the Respondent or authorized the Respondent to register the disputed domain name; and (b) Believe that the Respondent has some connection with the Complainants in terms of a direct nexus or affiliation with the

Complainants. In support of their contention. They cited *Inter IKEA Systems B.V. v. Roman Zubrickiy*, WIPO Case No. D2015-0046, wherein UDRP Panel holding that the Respondent has registered and is using the disputed domain name in bad faith observed "Further, the use of the Disputed Domain Name by the Respondent indicates an intention to attract Internet users to its website for commercial gain by taking advantage of the Complainant's reputation in connection with the IKEA Mark. The Respondent has intentionally chosen the Disputed Domain Name in order to generate traffic and income through a site falsely suggesting that it is connected to the Complainant as to source, sponsorship, affiliation or endorsement". Based on the said contentions, it is submitted that the Respondent has registered and is using the disputed domain name in bad faith.

iv) on perusing the contentions and the Annexures placed, it is evident that The Complainants provided the following reasons to show that the Respondent acquired the disputed domain name in bad faith: *Firstly*, the Respondent used the "tataneuonline.in" trademark without consent from the Complainant. *Secondly*, Respondent was aware of Complainant's rights in its well-known trademark as a consequence of Complainant's substantial use of the trademark which predates before the Respondent acquired the domain name. *Thirdly*, the domain name is only registered with no apparent legitimate purpose and holding on to the same with absolutely no justification except to make wrongful profit therefrom. Non-use, registration of domain soon after acquisition and passive holding are evidence of bad faith registration. In fact, the registrant does not properly configured the domain tataneuonline.in. *Fourthly*, The Respondent impersonated the Complainant's domain name "tataneuonline.in" which demonstrates its purpose to deceive users for commercial benefit and to harm Complainant's business by redirecting people to the infringing domain name and also making illegitimate commercial gains by banking on the hard-earned goodwill and reputation of the Complainant which is done in bad faith. *Even In HSBC Holdings [!\_]c v. Hooman Esmail Zadeh*, INDRP Case no 032, dated March 20, 2007; *Visteon Corporation v. Prahlad S.*, INDRP Case No. 1535, dated May 6, 2022; *Solidium Oy v. Privacy Service Provided by Withheld for Privacy ehfl EstormH Etormhosting. Estorm Programming*, WIPO Case No. D2022-3139; *LPL Financial LLC v. Privacy Service Provided by Withheld for Privacy I Steffen Hain*, WIPO Case No. D2022-0542 it was held

that *the mere registration of an identical domain name by an unaffiliated entity can by itself create a presumption of bad faith.*

v) The Claim of the Complainant seems to be convincing and the Respondent's bad faith registration of the Impugned Domain Name is established by the fact that (a) the Impugned Domain Name is confusingly similar to the Complainant's prior trademark TATA (b) the Impugned Domain Name of the Respondent is not providing any services; (c) the Respondent is portraying itself to be the Complainant and/or closely associated with the Complainant; (d) Respondent has concealed its identity while securing registration of the Impugned Domain Name; and (e) Respondent has furnished an incorrect address on the Impugned Domain Name. Hence the Tribunal fully accepts the contentions of the Complainants and holds that the Respondent's domain name has been registered with an opportunistic intention and is being used in bad faith. Therefore, the third element in paragraph 4(c) of the Policy has been satisfied.

### **VIII. DISPOSITIONS**

The Arbitral Tribunal holds that The three elements set out in paragraph 4 of the INDRP Policy that

- 1) The Respondent domain name "tataneuonline.in" is identical and confusingly similar to the name, trademark and brand name TATA of the Complainant.
- 2) The Respondent has no rights or legitimate interests in the domain name "tataneuonline.in" and
- 3) the same has been registered in bad faith.

have been established by the Complainant and hence It is entitled for the relief sought for.

For the foregoing reasons stated above, The Arbitral Tribunal directs that the Disputed Domain name "tataneuonline.in" be transferred to the Complainants.

Place: Chennai

Dated: 25<sup>TH</sup> SEPTEMBER 2025

  
(M.SHIRIJHA)

Sole Arbitrator,

The Arbitral Tribunal