

AND IN THE MATTER OF:-

Blink Health Inc,

1407 Broadway,

Suite 1910,

New York

NY 10018,

United States of America

.....Complainant

Versus

Justclick Pharmacy

533 Juhu Beach,

Mumbai, Maharashtra – 400049

India

Email :- justclickpharmacy@gmail.com

Mob No.:- +91-7398560785

.....Respondent

AWARD

17.12.2025

1. The present arbitration proceedings are initiated under and in accordance with the INDRP, and the INDRP Rules of Procedure which are adopted by the National Internet Exchange of India (NIXI) which governs the dispute in connection with .IN domain name.
2. The Complainant has filed the subject complaint against the Respondent seeking transfer of domain name <blinkpharmacy.in> from the Respondent to the Complainant.
3. The Registrant/Respondent has registered the <blinkpharmacy.in> (hereinafter 'disputed domain name') with the domain name Registrar duly accredited with the NIXI i.e. HOSTINGER operations, UAB , since 10.01.2025.

Vasem Singh

Procedural history

4. I was appointed as an Arbitrator by the NIXI in the present matter vide their email dated 30.10.2025 which email containing the complaint and all relevant documents was marked to the Respondent (justclickpharmacy@gmail.com) as well. The said email of the Respondent is reflected as such in the WHOIS record of the disputed domain name. The Arbitrator issued a notice dated 31.10.2025 under Rule 5(c) of INDRP Rules of Procedure whereby the Respondent was directed to file its reply to the Complaint till 01.12.2025. The parties were directed to file their respective written submissions by 07.12.2025. The said notice issued by the present Arbitrator was marked via email dated 31.10.2025 to the Complainant and to the Respondent, which email did not bounce back. The Respondent was duly served with the complaint and documents vide email dated 30.10.2025 by NIXI. Thereafter, the notice 31.10.2025 of the Arbitrator was also duly served on the Respondent vide Arbitrator's email dated 31.10.2025.
5. The Complainant, vide notice dated 31.10.2025 was directed to serve again on the Respondent the subject complaint and all accompanying documents, including the said Notice of the Arbitrator, so that the Respondent is provided with ample opportunity to file his reply. The Complainant, through its learned counsel vide email dated 04.11.2025 has send the aforesaid documents to the Respondent at his aforesaid email id i.e. justclickpharmacy@gmail.com. The said email dated 04.11.2025 (sent by the Counsel for the complainant to the Respondent) was sent as an attachment to the Arbitrator by

Vasum Singh

the learned counsel for the Complainant vide his email dated 07.11.2025, which email was also marked to the Respondent, wherein the learned Counsel for the Complainant stated that required documents were sent to the Respondent through email on 04.11.2025. The email dated 04.11.2025 whereby the complaint and its documents were sent to the Respondent was marked to the Arbitrator as well. However, the document sent to the Respondent through courier by the Counsel of the Complainant remained undelivered. The email dated 07.11.2025 also has attachment of tracking report of courier.

6. In view of foregoing, it is apparent that Respondent was served with domain complaint along with all other documents firstly by NIXI vide their email dated 30.10.2025, secondly by the Complainant vide their email dated 04.11.2025. The Notice dated 31.10.2025, via email of same date by the Arbitrator was also served on the Respondent. The said email of the Arbitrator did not bounce back. Furthermore, communication (email) of Complainant dated 07.11.2025 to the Arbitrator stating that Respondent was duly served with the complaint was also marked to the Respondent as well.
7. All possible attempts were made to serve the Respondent. Therefore, I can safely hold that Respondent was duly served with domain complaint along with documents thereto and is aware of present proceedings. This Tribunal has not received any reply to the Complaint from the Respondent. The Respondent has avoided participation in present proceedings.
8. Rule 5(d) of the INDRP Rules of Procedure states that the date of commencement of the arbitration proceeding shall be the date on which the arbitrator issues notice to the

Respondent. Therefore, the date of commencement of arbitration in the present case is 31.10.2025. Rule 5(e) of the INDRP Rules of Procedure states that an Arbitrator shall pass an award within a period of 60 days from the date of commencement of the arbitration proceeding and in exceptional circumstances, the timeline may be extended by a maximum period of 30 days by the Arbitrator subject to a reasonable justification in writing. The present award is passed within the timelines prescribed under the INDRP Rules of Procedure.

Issues for consideration

9. Paragraph 4 of the INDRP provides the grounds on which a complaint can be filed by the aggrieved Complainant who considers that a registered domain name conflicts with his/her legitimate rights or interests on the following grounds:
 - (a) the Registrant's domain name is identical and/or confusingly similar to a Name, Trademark or Service Mark etc. in which the Complainant has rights; and
 - (b) the Registrant has no rights or legitimate interests in respect of the domain name; and
 - (c) the Registrant's domain name has been registered or is being used either in bad faith or for illegal/unlawful purpose.

Contention of the Parties

10. The Complainant in its complaint, *inter alia*, states the following:-
 - a. The Complainant is a healthcare company based out of New York, United States of America. The Complainant owns the

domain names <blinkhealth.com> and <blinkrx.com> (hereinafter 'the Complainant's domain names') which were created on 03.02.2011 and 12.07.2012, respectively. The Complainant's domain names host websites which prominently feature Complainant's mark Blink Health.

- b. The Complainant also owns the domain name <blinkpharmacy.com> which was created on 10.11.2015 and the said websites redirects to the <blinkrx.com>.
- c. The Complainant has its trade marks namely 'BLINK', 'BLINK HEALTH', 'BLINK HEALTH PHARMACY', 'BLINK PHARMACY PLUS', BLINK HEALTH PHARMACY (DEVICE MARK), BLINK PHARMACY PLUS (Device Mark), and 'BLINKRX' registered in United States of America.
- d. The Complainant states that it has been educating consumers and physicians that Blink Marks communicate a unique source of goods and services that benefit patients' health and well-being. The Complainant has expended huge resources in communicating to the the public that the Complainant is a one-stop shop for a wide and expanding variety of health needs, including providing a digital concierge service for patients who are prescribed branded and specialty medications while facilitating better healthcare experiences across the care continuum. The Complainant owns and operates several pharmacies, including Blink Health Pharmacy, BlinkRx and Blink Pharmacy Plus, all of which are available through the Complainant's websites.

Vasum Singh

- e. The Complainant has prominent social media presence, including accounts on facebook, Instagram, X, and LinkedIn. On LinkedIn the Complainant has over 37,000 followers.
- f. The Complainant states that it came to know about the Respondent's domain name in April, 2025. It further states that the Respondent on its website www.blinkpharmacy.in has provided email addresses info@blinkpharmacy.us and info@blinkpharmacy.com ostensibly suggesting that the email pertains to a US entity. However, the domain name <blinkpharmacy.us> does not exist, and the domain name <blinkpharmacy.com> is owned by the Complainant. Furthermore, the address of the Respondent's head office as per its website, www.blinkpharmacy.in, is 47 W 13th St, New York, NY 10011, USA, again suggesting that the Respondent is a US entity.
- g. The Complainant states that on April 08, 2025, the Complainant, through its counsel, addressed a legal notice to the Respondent, by e-mail and courier informing him of the Complainant's rights in the BLINK Marks and calling upon the Respondent to inter-alia, (i) cease use of the Impugned Mark 'BLINK PHARMACY', (ii) Surrender/transfer the Impugned Domain Name <blinkpharmacy.in> and email addresses info@blinkpharmacy.us and info@blinkpharmacy.com to the Complainant and further refrain from adopting and/or using the Complainant's BLINK Marks in future in any manner whatsoever. However, the legal notice sent by courier have returned unserved with remarks "incorrect address". Further, the emails sent to the Respondent on email addresses info@blinkpharmacy.us and

Vasw Singh

info@blinkpharmacy.com bounced back with the remarks “recipient's domain does not exist” and “the recipient's email system refused to accept a connection from your email system” respectively. Thus, the Respondent appears to be running a fake website as the Respondent’s website as the email addresses and the contact address as furnished on the website are incorrect. Moreover, the Respondent’s website www.blinkpharmacy.in operates under the country specific top level domain name ‘.in’ (i.e. India), but the contact address on the said website is that of United States of America. This clearly shows that the sole intention of the Respondent is to misuse of the goodwill of the Complainant and mislead the general public.

11. The Respondent did not file any reply to the complaint, despite ample opportunity granted, as mentioned above.

Respondent’s disputed domain name confusingly similar to Complainant’s trade mark

12. The trade mark and tradename of the Complainant are prior to the registration of the disputed domain name.
13. When the Arbitrator tried to visit the website hosted by the disputed domain name, the website did not open.
14. The Complainant is successful in showing the prior use of its registered trademarks and domain names. The Complainant’s domain names namely <blinkhealth.com>, <blinkrx.com> and <blinkpharmacy.com> are created prior to the creation of the disputed domain name.

Vasum Singh

15. It is well established law that the specific top-level domain such as '.com', '.net', '.in' etc does not affect the domain name for the purpose of determining whether it is identical or confusingly similar (*Relevant decision:- Rollerblade, Inc. v. Chris McCrady*¹). Therefore, TLD '.in' is to be disregarded while comparing the disputed domain name with the trademark of the Complainant. When the trade mark (BLINK PHARMACY PLUS) and the domain names (<blinkhealth.com>, <blinkrx.com> and <blinkpharmacy.com>) of the Complainant and the disputed domain name (<blinkpharmacy.in>) are considered, there is no doubt that the disputed domain name is confusingly similar to the registered trade mark, and domain names of the Complainant.
16. The domain names and the registered trade marks of the Complainant are in prior use.
17. In view of foregoing, it is apparent that the disputed domain name is confusingly similar to the registered trade marks, the domain names of the Complainant. Therefore, The Complainant has established its case under paragraph 4 (a) of the INDRP.

Respondent has no rights or legitimate interests in disputed domain name

18. The Respondent has used the disputed domain name which is similar to the domain names of the Complainant. The Respondent is not commonly known by the domain name.

¹ WIPO Case No. D2000-0429

Vasum Singh

Furthermore, the registration of the disputed domain name is created and used without any consent of the Complainant.

19. Moreover, the disputed domain name is currently not used w.r.t any operating website as was observed by the Arbitrator while doing a search on the internet. The failure to use disputed domain name with respect to any business demonstrates that Respondent is not using the disputed domain name for a bona fide offering of goods or services or a legitimate non-commercial fair use.
20. Moreover, the web-pages of the website under the disputed domain name filed by the Complainant shows that the disputed domain name hosts or hosted a website mentioned an email as info@blinkpharmacy.us and mentions its 'head office' in USA suggesting that the website has addresses or caters to people in USA. This invariably displays that the Respondent is not making any fair use of the disputed domain name. The use of disputed domain name is misleading and is not a legitimate commercial use of disputed domain name.
21. The disputed domain name also makes a hopeless attempt to make an association with the Complainant's domain names which can never be termed as legitimate use of the disputed domain name. The disputed domain name uses in its entirety the earlier present domain name of the Complainant, to divert the users from the Complainant's platform.
22. The Respondent cannot be said to have any legitimate right or interest in the disputed domain name which is confusingly similar to the prior used domain names of the Complainant.
23. The Respondent is not known by the disputed domain name.

24. The Respondent did not file any reply to the Complaint filed by the Complainant despite multiple opportunities.
25. The Complainant has been using its domain names which were registered much prior to the registration of the disputed domain name. The disputed domain name is similar to the domain names of the Complainant.
26. Therefore, the Respondent/Registrant has no rights or legitimate interests in respect of the disputed domain name. The Complainant has established its case under paragraph 4 (b) of the INDRP.

Baid Faith

27. The registration of the disputed domain name affects the rights of the Complainant vis-à-vis complainant's domain names and its registered trade mark. Therefore, the Complainant's right to exclusively use its domain name and its trade marks is affected by the registration of the disputed domain name.
28. The disputed domain name will negatively affect the goodwill and reputation of the Complainant thereby disrupting business of the Complainant. The disputed domain name which diverts the internet users to itself who otherwise would have visited the websites of the Complainant acts in disrupting the business of the Complainant. Therefore, the registration of the disputed domain name is in bad faith according to paragraph 7(d) of the INDRP.
29. The Respondent registered the disputed domain name recently and the same is registered much subsequent to the registration of the domain names of the Complainant. The

said registration of the disputed domain name is in bad faith to confuse internet users as to a possible association between the disputed domain name and the Complainant. The registration of the disputed domain name is in bad faith according to paragraph 7(c) of the INDRP.

30. In *Telstra Corporation Limited v. Nuclear Marshmallows*² it was observed that “*It is possible, in certain circumstances, for inactivity by the Respondent to amount to the domain name being used in bad faith.*” Notwithstanding the absence of current activity of the disputed domain name, its confusing similarity to the Complainant's registered trademark, coupled with the Respondent's lack of legitimate rights, demonstrates bad faith registration.
31. In view of foregoing, it is apparent that the registration of the disputed domain name is in bad faith to hurt the commercial activity of the Complainant. The Complainant has established its case under paragraph 4 (c) of the INDRP.

Decision

32. In view of the foregoing, it is ordered that the disputed domain name <blinkpharmacy.in> be transferred to the Complainant from the Respondent. Parties are ordered to bear the cost of the present proceedings.



(VARUN SINGH)

Sole Arbitrator

Varun Singh

Advocate-on Record

1203, Tower-8, SDS NRI Residency,
GH 04/A, Sector-45, Noida,
Uttar Pradesh-201303

² WIPO Case No. D2000-0003