

AND IN THE MATTER OF:-

Rocky's Matcha LLC

640 S Curson Ave #804

Los Angeles, California 90036

USA

.....Complainant

Versus

Ankit M

304, Cadenza

Kudlu Gate

Bangalore, KA

560068

India

Telephone Number: +91.98998905

E-mail: ankitmahindru@gmail.com

.....Respondent

AWARD

10.01.2026

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 <rockysmatcha.in> from the Respondent to the Complainant.
3. The Registrant/Respondent has registered the <rockysmatcha.in> (hereinafter 'disputed domain name') with the domain name Registrar duly accredited with the NIXI i.e. Spaceship, Inc. since 27 July, 2025.

Procedural history

4. I was appointed as an Arbitrator by the NIXI in the present matter vide their email dated 17.11.2025 which email

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containing the complaint and other documents was marked to the Respondent (ankitmahindru@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 18.11.2025 under Rule 5(c) of INDRP Rules of Procedure whereby the Respondent was directed to file its reply to the Complaint till 18.12.2025. The parties were directed to file their respective written submissions by 23.12.2025. The said notice issued by the present Arbitrator was marked via email dated 18.11.2025 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 17.11.2025 by NIXI. Thereafter, the notice 18.11.2025 of the Arbitrator was also duly served on the Respondent vide Arbitrator's email dated 18.11.2025.

5. The Complainant, vide notice dated 18.11.2025 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.
6. The Complainant, through its learned counsel vide email dated 19.11.2025, with a copy to the Arbitrator, has sent the complaint and annexures thereof to the Respondent at his aforesaid email id i.e. ankitmahindru@gmail.com. Thereafter, the learned Counsel for the Complainant vide his email dated 21.11.2025 to the Respondent, with a copy to the Arbitrator, informed that the requisite documents were couriered to the Respondent, and that the email dated 19.11.2025 was delivered to the Respondent. A delivery

report was attached with the email dated 21.11.2025 showing the delivery of email dated 19.11.2025 to the Respondent. Thereafter, the learned Counsel for the Complainant has vide email dated 09.12.2025 has informed to the Arbitrator that the documents, sent through courier, were returned to the sender. The learned counsel in his said email dated 09.12.2025 has attached the envelope which was returned by the courier company.

7. Furthermore, on finding that the annexures to the Complaint were not provided to the Arbitrator either by NIXI or by the Complainant, the Arbitrator vide email dated 03.01.2026 wrote to the parties herein and requested the Complainant to supply the annexures as mentioned in the complaint within 5 days from 03.01.2025 with a copy to the Respondent. In the said email dated 03.01.2026, the Respondent was given a further period of 5 days from the supply of such annexures/documents from the Complainant to the Respondent, to file its reply. It was made clear in the said email that if the reply is not filed within the said period, appropriate orders will be passed. Thereafter, the Complainant vide email dated 05.01.2026 sent all the documents/annexures mentioned in the complaint to the Arbitrator, with a copy to the Respondent.
8. Thereafter, the Respondent vide his email ankitmahindru@gmail.com dated 06.01.2026 stated as under:-

“I consent to the transfer of the domain name rockysmatcha.in to the complainant. Pls go ahead,”

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The aforesaid was the only reply from the Respondent to the complaint received by the Arbitrator.

9. In view of foregoing, it is apparent that the Respondent was duly served with domain complaint along with all other documents. The Respondent was provided with ample opportunities to file its proper reply. This Tribunal has received aforesaid communication/reply dated 06.01.2026 from the Respondent and no other formal reply or objection to the Complaint is received by the Arbitrator.
10. 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 18.11.2025. 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

11. 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

12. The Complainant in its complaint, *inter alia*, states the following:-

- a. The Complainant states that the Complainant company was founded in 2020 by Rocky Xu. The focus of the Complainant's business is the sale of high-quality, ceremonial-grade matcha sourced from Japan; however, it has expanded into a wider cultural platform that connects Japanese traditions with modern culture through partnerships with streetwear, fashion, and art brands.
- b. The Complainant has devoted an enormous amount of time, effort, and energy in promoting and advertising the trademark '**ROCKY'S MATCHA**' and the said trademark is consequently identified solely with the Complainant. The Complainant has a significant online presence.
- c. Complainant also owns several domain name registrations that include the '**ROCKY'S MATCHA**' trademark which as follows:
 - i. <www.rockysmatcha.com> registered since March 29, 2022

- ii. <www.rockymatcha.com> registered since November 28, 2024
- iii. <www.rockysmatcha.uk> registered since June 20, 2025
- iv. <www.rockysmatcha.co.uk> registered since June 20, 2025

d. The Complainant states that it is the first and prior adopter, sole owner, registered proprietor, and first and exclusive user across several countries worldwide of the well-known trademark ROCKY's MATCHA. The complainant's trademark registration for ROCKY's MATCHA is as follows:-

Mark	Application No. /Registration No.	Date of Filing	Class(es)	Goods & Services
UNITED STATES OF AMERICA				
ROCKY'S MATCHA	7562687	Sep 01, 2023	30	Tea; matcha; matcha green tea; matcha powder; green tea; black tea; loose leaf tea; loose leaf green tea; herb tea; mixes for making matcha tea; mixes in the nature of concentrates, syrups or powders used in the preparation of tea-based beverages; tea-based beverages
ROCKY'S MATCHA	98160312	Sep 01, 2023	21, 25	Class 21 - Bowls; Cups; Drinkware;

				Mugs; Tea pots; Tea cups; Tea bag rests; Tea canisters; Tea infusers; Tea infusers not of precious metal; Tea sets; Tea strainers; Whisks, non-electric, for household purposes; Household strainers for tea
ROCKY'S MATCHA	99001697	Jan 16, 2025	35, 43	Class 25 - Footwear; Hats; Headwear; Hoodies; Pants; Shorts; Socks; Sweatpants; Sweatshirts; Jogging pants; T-shirts; Bottoms as clothing; Hiking jackets; Hooded sweatshirts; Outer jackets; Rain jackets; Rainproof jackets; Sports jackets; Tops as clothing

				tea, clothing, bowls, cups, drinkware, whisks, and tea sets Class 43 - Tea rooms; Tea bars; Tea shops
WIPO				
(European Union, Japan, Republic of Korea, United Kingdom)				
ROCKY'S MATCHA	IR1860355	April 18, 2025	21, 25, 30, 35, 43	<p>Class 21 - Bowls; cups; drinkware; mugs; tea pots; tea cups; tea bag rests; tea canisters; tea infusers; tea infusers not of precious metal; tea sets; tea strainers; whisks, non-electric, for household purposes; household strainers for tea.</p> <p>Class 25 - Footwear; hats; headwear; hoodies; pants; shorts; socks; sweatpants; sweatshirts; jogging pants; t-shirts; bottoms as clothing; hiking jackets; hooded sweatshirts; outer jackets; rain jackets; rainproof jackets; sports jackets; tops as clothing.</p> <p>Class 30 - Tea; matcha; matcha green tea;</p>

				<p>matcha powder; green tea; black tea; loose leaf tea; loose leaf green tea; herb tea; mixes for making matcha tea; mixes in the nature of concentrates, syrups or powders used in the preparation of tea-based beverages; tea-based beverages.</p> <p>Class 35 - On-line retail store services featuring tea, powdered tea, tea mixes, accessories for use in preparing tea, clothing, bowls, cups, drinkware, whisks, and tea sets; retail store services featuring tea, powdered tea, tea mixes, accessories for use in preparing tea, clothing, bowls, cups, drinkware, whisks, and tea sets.</p> <p>Class 43 - Tea rooms; tea bars; tea shops.</p>
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e. The Complainant has successfully removed the Complainant's images from the <www.rockysmatcha.in> website through a DMCA takedown notice to Shopify.

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13. The Respondent vide his email dated 06.01.2026 consented to the transfer of the disputed domain name to the Complainant.

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

14. The trade mark and tradename of the Complainant are prior to the registration of the disputed domain name.

15. When the Arbitrator tried to visit the website hosted by the disputed domain name, the website did not open.

16. The Complainant is successful in showing the prior use of its registered trademarks. Furthermore, the whois record w.r.t the domain names of the Complainant shows that the domain names of the Complainant <www.rockysmatcha.com> and <www.rockymatcha.com> are in use prior to the creation of the disputed domain name.

17. It is well established law that the specific top-level domain such as '.com', '.net', '.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 of the Complainant 'ROCKY'S MATCHA' and the disputed domain name are considered, there is no doubt that the disputed domain name is confusingly similar to the registered

¹ WIPO Case No. D2000-0429

trade mark 'ROCKY'S MATCHA', the trade name and aforesaid domain names of the Complainant.

18. Furthermore, the Respondent has used the whole of the registered trade mark of the Complainant in disputed domain name.
19. The domain names and the registered trade marks of the Complainant are in prior use vis-à-vis the disputed domain name.
20. In view of foregoing, it is apparent that the disputed domain name is confusingly similar to the registered trade marks, the domain names, and trade name 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

21. The Respondent has used the entire registered trade mark/trade name ROCKY'S MATCHA of the Complainant, in the disputed domain name. The Respondent is not commonly known by the domain name. Furthermore, the registration of the disputed domain name is created and used without any consent of the Complainant.
22. Moreover, 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.
23. The disputed domain name also makes a hopeless attempt to make an association with the Complainant's trade marks and domain names which can never be termed as legitimate use

of the disputed domain name. The disputed domain name uses in its entirety the word 'ROCKY'S MATCHA' which is the registered trade mark of the Complainant, to divert the users from the Complainant's platform.

24. The Respondent cannot be said to have any legitimate right or interest in the disputed domain name which is confusingly similar to a registered trade mark of the Complainant.
25. The disputed domain name incorporates a trade mark which is neither owned by the Respondent nor the Respondent is known by the name 'ROCKY'S MATCHA'.
26. 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.
27. 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

28. The registration of the disputed domain name affects the rights of the Complainant vis-à-vis its registered trade marks which finds its place prominently in complainant's domain names, and its trade name as well. Therefore, the Complainant's right to exclusively use its registered trade marks is affected by the registration of the disputed domain name.



29. The disputed domain name will negatively affect the goodwill and reputation of the Complainant thereby disrupting business of the Complainant. The disputed domain name can divert the internet users to itself who otherwise would visit 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.

30. 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.

31. When the Arbitrator tried to visit the website under the disputed domain name, the website did not open. 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 activity on the disputed domain name, its confusing similarity to the Complainant's registered trademark, trade name, and domain names coupled with the Respondent's lack of legitimate rights, demonstrates bad faith registration.

² WIPO Case No. D2000-0003

Varughese

32. 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.

Consent of the Respondent to transfer the disputed domain name

33. In view of the email dated 06.01.2026 by the Respondent whereby the Respondent has clearly consented to the transfer of the disputed domain name to the Complainant, the complaint deserves to be allowed as there is no objection to prayer in the complaint seeking transfer of the disputed domain name from the Respondent to the Complainant.

Decision

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



(VARUN SINGH)

Sole Arbitrator



Advocate-on Record

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GH 04/A, Sector-45, Noida,
Uttar Pradesh-201303