



**BEFORE THE .IN REGISTRY OF INDIA  
INDRP CASE NO. 2092  
IN THE MATTER OF AN ARBITRATION UNDER THE .IN DOMAIN NAME  
DISPUTE RESOLUTION POLICY; THE INDRP RULES OF PROCEDURE  
AND THE ARBITRATION CONCILIATION ACT, 1996**

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*VP Pathak*  
V. P. PATHAK  
H.J.S.  
Former Judge  
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Tata Motors Passenger Vehicles Limited  
Bombay House,  
24, Homi Mody Street,  
Mumbai, - 400001  
State of Maharashtra  
India

...(Complainant)

**Versus**

Vishal Gupta  
Raja Bazar, Jaunpur  
Uttar Pradesh 222125  
India

... (Respondent)

**DISPUTE RELATING IN THE DOMAIN DISPUTE NAME  
www.tatasierra.co.in**

**Award Dated- 24.02.2026**

**BEFORE V.P. PATHAK  
SOLE ARBITRATOR  
AT NEW DELHI**

⇒ **DISPUTED DOMAIN NAME & REGISTRAR-**

The disputed domain name is registered through the Registrar of the disputed domain name [legal@godaddy.com](mailto:legal@godaddy.com), which is accredited with the .IN registry and is listed on the of the website of the .IN registry.

⇒ **ARBITRATION TRIBUNAL-**

1. The Complainant has filed this Complaint for the disputed domain name, to be transferred to it. To decide this Complaint, NIXI has appointed the undersigned as Arbitrator. A consent letter with a declaration of impartiality by the undersigned to decide this case was sent to NIXI on 21.01.2026. The NIXI on 22.01.2026, appointed the undersigned as Arbitrator to proceed with the case.
2. The Tribunal primarily ordered the Complainant on 22.01.2026, to send the soft & hard copy of the Complaint along with annexures to the Respondent & to send the Postal Slip of the same to the Tribunal. The Complainant on 22.01.2026 & 23.01.2026, had sent the soft & hard copy, respectively, along with other documents to the Respondent

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by Courier, the receipt of which was sent to the Tribunal on 27.01.2026 by the Complainant.

3. As per **Rule 5 of the INDRP Rules** the Tribunal issued a notice dated 28.01.2026 calling upon the Respondent to file its reply on the Complaint within fifteen days from the date of receipt of the notice and rejoinder within fifteen days thereafter.
4. This Tribunal resumed this matter on 28.01.2026, by sending notice to the Respondent for reply, but no reply was filed. Since, no reply was filed by the Respondent so, in the interest of justice, the Tribunal gave an extension to the Respondent of 5 days till 19.02.2026, but there was no response even though the Complainant had sent a hard copy of the Complaint to the Respondent.
5. The Tribunal is constituted under the INDRP Policy and Rules. Under rule 13, the arbitration proceedings must be conducted according to the Arbitration and Conciliation Act, 2019 (as amended up to date) read with the Arbitration & Conciliation Act, Rules, Dispute Resolution Policy and its by-laws, and guidelines, as amended from time to time.
6. As mentioned above, the Respondent has not replied to any of the notices hence, this Tribunal is bound to proceed Ex Parte against the Respondent.

⇒ **PARTIES TO ARBITRATION-**

7. The Complainant is Tata Motors Limited, a company incorporated under the laws of India and forming part of the Tata Group, one of India's most reputed and globally recognised business conglomerates. The Complainant is engaged in the manufacture, sale, and distribution of motor vehicles, automotive components, and allied services, and has established a substantial reputation and goodwill in India and internationally.
8. The Complainant is the registered proprietor of the trademark TATA, along with several formative and derivative marks, and has used the said mark continuously for several decades. The trademark TATA is recognised as a well-known mark under Indian law and enjoys extensive statutory and common-law protection.
9. The Complainant has also adopted and used the mark SIERRA in relation to its automobiles and associated branding, including in respect of its legacy and revival models. The mark SIERRA is closely associated with the Complainant's automotive business and forms part of its brand portfolio.
10. The Complainant has filed this instant complaint challenging the registration of the domain tatasierra.co.in under the ".in" as well as the Complainant's trademark "TATA SIERRA" under the Domain Dispute Resolution Policy (INDRP). The complainant has preferred this Arbitration by raising this dispute for the reprisal of its grievances.
11. **Rule 2 of the INDRP Rules of Procedure** provides for communication/services of the complaint. Per this rules, the respondent was sent a copy of the Complaint on the email shown in the domain name registration data in the .IN Registry WHOIS database.
12. Despite valid service of the Complaint & reminder through both electronic & physical modes, the Respondent has not filed any response or objections.

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domain name itself, and is sufficient to create confusion, misrepresentation, and an impression of endorsement.

21. In the light of the Complainant's prior adoption of the mark and the reputation and goodwill created by the Complainant, it is recognized as the proprietor of the said mark, which is perceived and identified by consumers and members of the trade, as the Complainant's mark alone. Thus, the adoption and use of a mark by a third party, that is similar and/or identical to the Complainant's Trademark and trading style "TATA SIERRA" with respect to any of the diversified fields of the market, will lead to confusion and deception amongst the relevant class of consumers and the members of the trade.

- **Respondent:**

22. Despite due notice of the proceedings, the Respondent has not filed any reply, explanation, or justification for its registration or use of the disputed domain name. The Respondent has therefore failed to rebut the Complainant's assertions or establish any legitimate basis for the registration.

⇒ **CONTENTIONS OF PARTIES-**

- **Complainant:**

23. The Complainant contends that it is the prior adopter and exclusive proprietor of the trademark TATA, which is a well-known mark enjoying the highest level of protection under Indian trademark law. The Complainant submits that the reputation attached to the TATA mark extends across industries, including automobiles.
24. The Complainant submits that the mark SIERRA is closely associated with its automotive products and forms part of its branding and commercial strategy. The use of SIERRA in conjunction with TATA directly invokes the Complainant's identity and product line.
25. It is contended that the disputed domain name tatasierra.co.in is identical and confusingly similar to the Complainant's trademarks, as it combines the Complainant's house mark with a distinctive model identifier, thereby creating a false impression of association. A Copy of the registration certificate of the trade mark is attached.
- ANNEXURE E.**
26. The Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain name, as the Respondent is neither commonly known by the name "TATA" or "SIERRA", nor authorised to use the same.
27. The Complainant relies upon judicial and arbitral precedents cited in the Complaint, which consistently hold that incorporation of a well-known mark in its entirety within a domain name, without authorisation, constitutes evidence of bad faith.
28. The rights of the promoter and the principal investment holding company, Tata Sons Limited, in its trademark/name have been recognized in a previous WIPO decision, being *Tata Sons Limited v. Domain Admin, Private Registrations Aktien Gesellschaft of Kingstown, Saint Vincent and the Grenadines / DomainAdmin, Privacy Protection*

*Service INC d/b/a PrivacyProtect.org of Nobby Beach, Queensland, Australia, WIPO Case No. D2014-2132*, wherein the domain name **tatatrucks.com** was transferred to the Complainant. The Complainant is the licensee of the trademark TATA, percolating from the said promoter and the principal investment holding company, and therefore is beneficiary of the decision passed by WIPO.

29. Furthermore, the Complainant's rights in its trademark/name "TATA MOTORS" have been recognized in a previous WIPO decision, being *Tata Motors Limited v. Ratan Dhajal, WIPO Case Number. D2025-2426*, wherein the domain name **tatamotors.org** was transferred to the Complainant. **ANNEXURE F.**
30. The Respondent registered the disputed domain name after the Complainant acquired common law trademark rights in its mark "TATA SIERRA". The disputed domain name appears to be registered by the Respondent with the sole purpose of selling it to the Complainant's competitors. This shifts the burden of proof on the Respondent to produce evidence demonstrating rights or legitimate interests in respect of the disputed domain name.
31. Clause 3(d) of the INDRP requires a Respondent to not knowingly use the domain name in violation or abuse of any applicable laws or regulations. The obligations imposed by clause 3(d) are an integral part of the INDRP applicable to all the Respondents, and cannot be ignored, as was observed by the Ld. Arbitrator in the case- *Momondo A/S vs. Ijorghe Ghenrimopuzulu*, INDRP Case No 882.
32. Thus, the Complainant prays for IN Registry of NIXI to transfer the disputed domain name "tatasierra.co.in" to the Complainant along with the costs of the proceedings of the Complainant.

- **Respondent:**

33. The Respondent has not filed any reply. In the absence of any rebuttal, the Complainant's assertions remain uncontroverted, and adverse inference is liable to be drawn against the Respondent.

⇒ **ANALYSIS-**

According to the above-mentioned facts of the case, the Tribunal must decide the following points-

- A. Whether the Respondent's domain tatasierra.co.in is identical and confusingly similar to the trademark or service mark in which the Complainant has rights.?**

The Complainant has established clear statutory and common-law rights in the trademark TATA, which is recognised as a well-known mark, as well as in the mark SIERRA, which is associated with its automotive products. The disputed domain name **tatasierra.co.in** incorporates both these marks in their entirety, without any modification or distinguishing element. The addition of the country-code top-level domain (ccTLD) ".in" is a technical requirement of registration and does not serve to distinguish the domain name from the underlying trademarks. In the context of the automobile industry, the combination of a

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manufacturer's house mark with a model name is commonly used to denote official product pages, promotional platforms, or authorised portals. A consumer encountering the term "TATA SIERRA" or the domain [tatasierra.co.in](http://tatasierra.co.in) would naturally assume that it refers to the Complainant's Indian operations, subsidiary, or authorized business division. The domain therefore creates a false impression of official affiliation, particularly in an industry where consumers frequently rely on official country-specific portals for service information, warranty support, and product purchases. Such misleading association is precisely the harm that INDRP seeks to prevent. The disputed domain name, viewed as a whole, is therefore confusingly similar in appearance, meaning, and commercial impression to the Complainant's TATA SIERRA mark. Moreover, the Tribunal finds persuasive that the Complainant has submitted evidence of its official domains such as [tatasierra.com](http://tatasierra.com), [tatasierra.org](http://tatasierra.org), all of which precede the registration of [tatasierra.co.in](http://tatasierra.co.in). In such circumstances, the Respondent's domain is positioned to mislead the public into believing that it is associated with, endorsed by, or officially operated by Acer's Indian operations. The Tribunal therefore finds [tatasierra.co.in](http://tatasierra.co.in) to be confusingly similar to the Complainant's trademark TATA SIERRA.

The disputed domain name is therefore identical and confusingly similar to the Complainant's trademarks in appearance, structure, and commercial impression.

#### **B. Whether the Respondent has rights claims, or legitimate interests in respect of the disputed domain name.?**

The Complainant has established a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not commonly known by the name TATA or SIERRA and has not been authorised by the Complainant to use its trademarks in any manner. The Respondent has failed to place any material on record to demonstrate bona fide use or legitimate purpose. Mere registration of a domain name incorporating a well-known trademark does not confer rights or interests. Under *Instagram LLC v. Ding Riguo*, INDRP/1183, the burden shifted to the Respondent to demonstrate any legitimate rights. The Respondent has not appeared and has produced no evidence. The Complainant has not granted the Respondent authorization, license, or permission. In *Wacom Co. Ltd. v. Liheng*, INDRP/634, such absence of authorization is fatal to any claim of legitimate interest. The Respondent's domain name leads to a webpage that could mislead consumers into believing that they are accessing official TATA SIERRA content.

In the absence of any explanation or defence, the Respondent has failed to discharge the burden of establishing legitimate interest.

#### **C. Whether the Respondent's domain name is registered or is being used in absolute bad faith?**

The Complainant's trademarks enjoy widespread recognition and goodwill. The registration of the disputed domain name in July 2025, long after the Complainant's marks had acquired fame,

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cannot be considered coincidental. The deliberate combination of the Complainant's house mark with a distinctive model identifier demonstrates a clear intent to target the Complainant's brand and to create an impression of association. Bad faith under the INDRP does not require proof of actual misuse; it is sufficient to show that the domain name was registered in a manner likely to exploit confusion or goodwill. The Respondent's failure to respond to the Complaint further reinforces the inference of bad faith, as no plausible justification has been offered for the registration. In *Honda Motor Co. v. Rafiq Ahmed*, it was held that adopting a well-known mark in identical form reflects deliberate deception. In *Eureka Forbes Ltd. v. Gomez and Colgate Palmolive Co. v. Go On Communication*, the Panels found that exploiting goodwill and using confusingly similar marks for commercial benefit amount to bad faith. The Respondent's actions fall squarely within these parameters. The Respondent's silence, despite multiple notices, strengthens the inference of mala fide adoption. The Tribunal is satisfied that the domain was registered and used to misappropriate TATA SIERRA's goodwill, divert users, and create an impression of affiliation. The Tribunal therefore finds that the disputed domain has been registered and is being used in bad faith.

The above-mentioned facts themselves disclose the malice of the Respondent. To answer the question above - the Respondent's domain name registered is being used in absolute bad faith and such use demonstrates that the Respondent has used the disputed domain name to derive a commercial benefit and to tarnish the Complainant's website and domain name image.

⇒ **CONCLUSION-**

34. Considering the above facts, this Tribunal is of the view that the Complaint has merit. The Respondent did not have the Complainant's permission to use its domain name and hence it had no right to treat the domain name as its own. It is further clarified that the presence of a generic or country-code top-level domain, whether ".com", ".org", or ".in", is merely a technical requirement of domain name registration and does not, in itself, confer any distinctiveness or legitimacy upon the registrant. In the present case, the use of the country-code top-level domain ".in" does not alter the identity of the disputed domain name, nor does it mitigate the likelihood of confusion arising from the incorporation of the Complainant's trademark and product identifier.
35. So, even though the Respondent's domain name is "tatasierra.co.in", the name "TATA SIERRA" belongs to the Complainant. The whole dispute in this Complaint is for the domain name and the mere alteration of a domain name or its extension does not affect or alter the ownership thereof.
36. In addition to everything mentioned above, it is pertinent to mention that the Respondent is using the Complainant's domain name, but it has not once responded to the Complaint made against it. The Respondent was given notice by the Complainant and by the tribunal. The hard copy of the Complaint was also sent to it through courier (receipt enclosed). This clearly shows that the Respondent has nothing to say and is not interested in its domain name and it's all just fable.
37. The Complainant has the full right and ownership of the domain name "tatasierra.com" & "tatasierra.co.in" So, the Complaint is allowed.

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38. This Award is being passed as per Clause 5 (e) of the INDRP Rules, and Arbitration Act, 1996.

39. **ORDER-**

40. The.IN Registry of NIXI is directed to transfer the disputed domain name “tatasierra.co.in.” to the Complainant forthwith. Registry to do the needful.

41. Parties to bear their own costs.

42. This Award is passed today at New Delhi on 24.02.2026.

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**Sole Arbitrator**  
**24.02.2026**