



தமிழ்நாடு தமில்நாடு TAMILNADU

05/03/2026



Raja pannir Selvam

ET 687507

K. SARAVANAN, M.Com

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BEFORE THE NATIONAL INTERNET EXCHANGE OF INDIA (NIXI)

IN THE MATTER OF ARBITRATION BETWEEN

Khadi & Village Industries Commission

...Complainant

Versus

Mithun PP

...Respondent

IN RESPECT OF DISPUTED DOMAIN NAME:

<keralakhadi.in>

INDRP Case No.: 2100

ARBITRATION AWARD

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“Gramodaya”, 3, Irla Road,
Vile Parle (West),
Mumbai – 400056,
Maharashtra, India

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Versus

Mithun PP

Pullumettel, Bisonvalley,
Idukki, Kerala – 685565,
India

...Respondent

IN RESPECT OF DISPUTED DOMAIN NAME:

<keralakhadi.in>

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ARBITRATION AWARD

Date: March 9, 2026

Venue: Chennai

Raja Pannir Selvam
Sole Arbitrator

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1. THE PARTIES AND THEIR REPRESENTATIVES

1. Complainant

Khadi & Village Industries Commission
“Gramodaya”, 3, Irla Road,
Vile Parle (West), Mumbai – 400056
Maharashtra, India

Authorized Representative:

Astha Negi & Aishwarya Ambardekar
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2. Respondent

Mithun PP
Pullumettel, Bisonvalley,
Idukki, Kerala – 685565
India
Email: trendsetters693@gmail.com

2. THE DOMAIN NAME AND REGISTRAR

The disputed domain name <**keralakhadi.in**> is registered through the Registrar GoDaddy LLC, which is accredited by the .IN Registry (NIXI). The WHOIS details provided by NIXI identify the Respondent as the registrant of the disputed domain name.

3. PROCEDURAL HISTORY

- i. The Complainant filed the present Complaint under the .IN Domain Name Dispute Resolution Policy (INDRP) in respect of the disputed domain name <keralakhadi.in> on February 11, 2026.
- ii. The National Internet Exchange of India (NIXI) appointed Mr. Raja Pannir Selvam as the Sole Arbitrator in the present matter on February 13, 2026, and the matter was formally handed over to the undersigned on the same date.
- iii. Upon entering reference, the Sole Arbitrator issued a Notice to the Respondent under Rule 5(c) of the INDRP Rules of Procedure on February 13, 2026, directing the Complainant to serve a complete copy of the Complaint along with all annexures upon the Respondent and to furnish proof of service.
- iv. In compliance with the directions of the Tribunal, the Complainant served the Complaint along with annexures upon the Respondent by electronic mail on February 18, 2026, at the email address reflected in the WHOIS records, and also dispatched a physical copy of the

Complaint along with annexures to the Respondent by courier on February 18, 2026 which was delivered on February 23, 2026. The Complainant thereafter filed proof of service before the Tribunal.

- v. The Respondent was granted time to file its Reply to the Complaint on or before March 1, 2026. Despite valid service of notice and expiry of the prescribed timeline, the Respondent failed to file any Reply or make any submission in the present proceedings.
- vi. In view of the Respondent's failure to appear or contest the proceedings, the Tribunal proceeded to adjudicate the matter ex-parte, on the basis of the pleadings and material available on record, in accordance with the INDRP Policy and Rules of Procedure.

4. COMPLAINANT'S CONTENTIONS

It is contended by the Complainant that:

- i. The Complainant is a statutory body formed in April 1957 by the Government of India, under the Act of Parliament, *Khadi and Village Industries Commission Act of 1956*.
- ii. The Complainant, in April 1957, took over the work of the former All India Khadi and Village Industries Board. The Complainant plays an important role in the Indian economy as it generates employment in about 2.48 lakh villages throughout the country. The Complainant has a widespread presence across the country and has implemented various programmes in all the states.
- iii. The programmes offered by the Complainant are to promote products under the trademark KHADI. The Complainant also implements the Prime Minister's Employment Generation Programme (PMEGP) for the upliftment and improvement of artisans, weavers and other members of small-scale village and rural industries.
- iv. The Complainant adopted the trademark **KHADI** (which forms a part of its trade name, corporate name and trading style) on September 25, 1956, and the same has been in continuous use till date. By virtue of its adoption more than sixty years ago and extensive use thereof, the trademark KHADI has become exclusively and globally associated with the Complainant.
- v. The Complaint is based on the Complainant's registered trademark KHADI, in respect of which the Complainant owns several trademark registrations in India and in several other jurisdictions across the world in multiple classes.
- vi. The Complainant has also applied for and registered the trademark KHADI and its variations in several jurisdictions across the world.
- vii. The Complainant is engaged in the promotion and development of the KHADI brand and the products under the KHADI trademark through institutions certified by the Complainant. The Complainant authorizes various retail sellers, organizations, societies and institutions to sell products under its KHADI trademarks. In order to be listed as an authorized user of the KHADI trademarks for the purpose of sales and promotions of KHADI-certified products and services, each organization is required to obtain recognition through the Khadi Institutions Registration & Certification Sewa (KIRCS).
- viii. The Complainant's trademark KHADI has been declared as a well-known trademark in judicial and quasi-judicial proceedings. The Hon'ble Delhi High Court, in *Khadi and Village Industries Commission v. Khadi Design Council of India & Others*, CS

(COMM) 244/2021 (order dated July 26, 2022) and *Khadi & Village Industries Commission v. Raman Gupta & Ors.*, CS (COMM) 133 of 2022 (order dated March 4, 2022), has recognized and granted protection to the Complainant's trademark **KHADI**, acknowledging its substantial reputation and goodwill and declaring it to be a **well-known trademark**. Further, the Registrar of Trade Marks has notified the Complainant's trademark KHADI as a well-known trademark.

- ix. The Complainant's rights in the trademark KHADI have been upheld in several previous INDRP decisions. Some of the said decisions relied upon by the Complainant are as follows:

Disputed Domain Name	INDRP Case No.
<iwearkhadi.in>	INDRP/1241
<khadi.co.in>	INDRP/1248
<khadi.in>	INDRP/1346
<thekhadi.in>	INDRP/1956
<khadination.co.in>	INDRP/1424
<houseofkhadi.in>	INDRP/1948

5. RESPONDENT'S CONTENTION

Despite service of the Arbitration Notice dated February 13, 2026, the Respondent has failed to file any Reply or Detailed Statement to the Complaint within the stipulated time. The deadline for filing the reply expired on March 1, 2026.

Pursuant to the directions of the Sole Arbitrator, the Complainant thereafter served a copy of the Complaint along with all supporting annexures upon the Respondent by email on February 18, 2026, at the email address reflected in the WHOIS records.

In addition, the Complainant also dispatched a physical copy of the Complaint along with annexures to the Respondent by courier on February 18, 2026. The courier tracking records placed on record show that the said physical copy was successfully delivered to the Respondent on February 23, 2026.

Notwithstanding the foregoing, and despite having received the Arbitration Notice as well as both the electronic and physical copies of the Complaint and annexures, the Respondent has not submitted a response.

Accordingly, the Respondent was afforded sufficient opportunity to present its case but has chosen not to do so.

In view of the absence of any reply from the Respondent, the present proceedings are conducted ex-parte. However, even in an uncontested matter, the Complainant must stand on its own merits and is required to establish each of the three elements as prescribed under Clause 4 of

the INDRP Policy. No adverse inference can be drawn merely on account of the Respondent's non-appearance.

The disputed domain name <keralakhadi.in> is registered in the name of the Respondent on July 17, 2025. On the record, there is **no evidence to suggest any bona fide or legitimate use** of the domain name by the Respondent, whether for commercial, non-commercial, or fair purposes. The material before the Tribunal, including an extract of the current landing page of the domain, indicates that the domain is either inactive or used in a manner inconsistent with any legitimate business or personal interest of the Respondent. There is no material on record to show any bona fide use of the disputed domain name by the Respondent.

6. DISCUSSION AND FINDINGS

The Complainant relies upon Paragraph 4 of the INDRP Policy and is required to establish that:

- a) the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights; and
- b) the Respondent 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 in bad faith.

The Tribunal has examined the Complaint, documents on record, and the legal submissions advanced by the Complainant, including reliance placed on prior INDRP decisions and judicial precedents, and proceeds to record its findings under each of the three heads set out in Paragraph 4 of the INDRP Policy.

The findings recorded hereinafter are based on an assessment of the facts pleaded, the evidence placed on record, and the settled principles governing domain name disputes under the INDRP and are not based merely on the non-appearance of the Respondent.

The Tribunal now proceeds to examine, in detail, whether the Complainant has satisfied the requirements under Paragraph 4(a) of the INDRP Policy.

a) Identical or Confusingly Similar

- i. The disputed domain name <keralakhadi.in> subsumes the Complainant's trademark **KHADI** in its entirety. The mere addition of the geographical term "Kerala" does not distinguish the disputed domain name from the Complainant's trademark.
- ii. The Complainant has established statutory and common law rights in the trademark KHADI, which predate the registration of the disputed domain name.
- iii. It is well settled under INDRP jurisprudence that where a disputed domain name wholly incorporates a complainant's registered trademark, the requirement of identity or confusing similarity stands satisfied. Reliance is placed on prior INDRP decisions including *ITC Limited v. Travel India* (INDRP Case No. 065), *Allied DOMEQ Spirits and Wine Limited v. Roberto Ferrari* (INDRP Case No. 071), *International Business Machines Corporation v. Zhu Xumei* (INDRP Case No. 646) and *Jaguar Land Rover v. Yitao* (INDRP Case No. 641).

- iv. The Complainant also relies on decisions involving its own trademark, wherein the addition of geographical or descriptive terms was held insufficient to avoid confusing similarity. In *Khadi & Village Industries Commission v. Jitender Thirwani* (Case No. D2024-1629), the Administrative Panel held that the domain name <khadibharat.com> was confusingly similar to the trademark KHADI, and that the addition of the term “bharat” did not alter such finding. Similarly, in *Khadi & Village Industries Commission v. Domains By Proxy, LLC / Nanci Nette* (Case No. D2022-1200), the Panel held that <khadirishikesh.com> was confusingly similar to the Complainant’s trademark despite the addition of the geographical term “rishikesh” (a city in India).
- v. It is also a settled principle that the country-code top-level domain “.in” is to be disregarded while assessing confusing similarity under the first element of the INDRP Policy. Reliance in this regard is placed on *Nike Inc. v. Nike Innovative CV Zhaxia* (INDRP Case No. 804).
- vi. The disputed domain name is confusingly similar to the Complainant’s trademark KHADI.

Hence, the Complainant has succeeded in establishing that the disputed domain name is confusingly similar to the Complainant’s trademark KHADI and the Complainant has successfully met the first requirement set out under Clause 4(a)(i) of the INDRP Policy.

b) Rights or Legitimate Interests

- i. The Respondent is not commonly known by the name “KHADI”.
- ii. The Respondent is not authorized by the Complainant to use the trademark “KHADI”.
- iii. There is no evidence of any bona fide offering of goods or services under the disputed domain name.
- iv. The Respondent has failed to rebut the prima facie case established by the Complainant.
- v. The Respondent has no rights or legitimate interests in respect of the disputed domain name.
- vi. The Complainant has therefore established a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The burden of proof accordingly shifted to the Respondent to rebut the same. However, despite due service of notice, the Respondent has failed to appear or file any response.
- vii. The Complainant has rightly relied on decisions such as Eurocopter, an *EADS Company v. Bruno Kerrien* (INDRP Case No. 116), *Voltas Ltd. v. Sergi Avaliani* (INDRP Case No. 1257), *Hitachi Ltd. v. Kuldeep Kumar* (INDRP Case No. 1092), *Do The Hustle, LLC v. Tropic Web* (WIPO Case No. D2000-0624) and *Payoneer, Inc. / Payoneer Europe Limited v. Korchia Thibault, Quinv S.A.* (WIPO Case No. DEU2019-0013).

In view of the above, the Complainant has satisfied the requirements set out under Clause 4(a)(ii) of the INDRP Policy.

c) Registration and Use in Bad Faith

- i. The trademark KHADI is a well-known trademark with significant goodwill and reputation in India.

- ii. The Respondent could not have been unaware of the Complainant's rights at the time of registration of the disputed domain name.
- iii. Registration of a domain name incorporating a well-known trademark without authorization constitutes bad faith.
- iv. Passive holding of the disputed domain name, as per the facts of the present case, amounts to bad faith.
- v. There is a strong likelihood that Internet users accessing the disputed domain name would be led to believe that the Respondent is associated with, licensed by, or otherwise connected to the Complainant, thereby causing confusion and deception.
- vi. Further, Clause 3(d) of the INDRP imposes an obligation on registrants to ensure that registration of a domain name does not violate any applicable laws or regulations. This position has been affirmed in *Momondo A/S v. Ijorghe Ghenrimopuzulu* (INDRP Case No. 882).
- vii. Absence of any credible use, coupled with the Respondent's failure to respond to the Complaint, strongly supports the inference that the domain name was not registered or used for any bona fide purpose, and that its registration was in bad faith.

In view of the above, the Tribunal is satisfied that the Complainant has met the requirements set out under Clause 4(a)(iii) of the INDRP Policy, and that the disputed domain name has been registered and is being used in bad faith.

7. DECISION

In view of the foregoing findings, namely that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights, that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and that the disputed domain name has been registered and is being used in bad faith, the Complaint is allowed.

The National Internet Exchange of India (NIXI) is directed to transfer the domain name <keralakhadi.in> to the Complainant, Khadi & Village Industries Commission.

There shall be no order as to costs.

Place: Chennai

Date: March 9, 2026

Raja Pannir Selvam
Sole Arbitrator