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Purchased by	: S S RANA AND CO
Description of Document	: Article 12 Award
Property Description	: AWARD
Consideration Price (Rs.)	: 0 (Zero)
First Party	: VIKRANT RANA
Second Party	: VIKRANT RANA
Stamp Duty Paid By	: VIKRANT RANA
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BEFORE THE SOLE ARBITRATOR UNDER THE .IN DOMAIN NAME DISPUTE RESOLUTION POLICY
(Appointed by the National Internet Exchange of India)

ARBITRATION AWARD

Disputed Domain Name: <casety.in>

IN THE MATTER OF
CASETAGRAM LIMITED
18/F, NEO, 123 Hoi Bun Kwun Tong,
Kowloon HONG KONG CN

..... Complainant

-----versus-----

SHRI VINOD (as per WHOIS records)
Mumbai, Maharashtra,
Pin: 400012

..... Respondent

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1. The Parties

The **Complainant** in this arbitration proceeding is **CASETAGRAM LIMITED**, of the address: 18/F, NEO, 123 Hoi Bun Kwun Tong, Kowloon HONG KONG CN.

The **Respondent** in this arbitration proceeding is **SHRI VINOD**, of the address: Mumbai, Maharashtra, Pin: 400012 as per the WHOIS records.

2. The Domain Name, Registrar and Registrant

The present arbitration proceeding pertains to a dispute concerning the registration of the domain name <CSETIFY.IN> with the .IN Registry. The Registrant in the present matter, while not clearly outlined in the WHOIS records, appears to be **SHRI VINOD**. Further, the Registrar of the disputed domain is **Endurance Digital Domain Technology Private Limited**.

3. Procedural History

The arbitration proceeding is in accordance with the .IN Domain Name Dispute Resolution Policy (INDRP), adopted by the National Internet Exchange of India (NIXI). The procedural history of the matter is tabulated below:

Date	Event
December 29, 2025	<p>NIXI sought consent of Mr. Vikrant Rana to act as the Sole Arbitrator in the matter.</p> <p>The Arbitrator confirmed his availability and gave his consent vide email on the same date, along with the Statement of Acceptance and Declaration of Impartiality and Independence in compliance with the INDRP Rules of Procedure.</p>
January 29, 2026	<p>NIXI handed over the Domain Complaint and Annexures thereto to the Arbitrator.</p> <p>The Arbitrator, vide email on the same date, requested NIXI to provide the annexures (exhibits) referred to in the domain complaint as they were not included.</p> <p>On the same date, Complainant's Counsel asked Arbitrator if they can file the complete set of documents, which includes a copy of the cancellation petition filed in the Delhi High Court against third party, or adhere to the 100-page limit and remove the Cancellation Petition filed against third party for the sake of brevity.</p>



January 30, 2026	The Arbitrator directed Complainant's Counsel to provide the following within seven (07) days of receipt of the email: <ol style="list-style-type: none"> 1. An apostilled/notarized authorisation document. 2. All annexures (excluding the cancellation petition filed before the Delhi High Court against third party) which shall not exceed the page limit prescribed under Rule 4 of the INDRP Rules of Procedure.
February 02, 2026	Complainant's Counsel submitted a duly signed and notarized PoA, Annexures of 100 pages in compliance with the page limit prescribed under Rule 4 of the INDRP Rules of Procedure as well as a copy of the Cancellation Petition filed against third party along with the Judgment dated 24.12.2025 passed therein.
February 3, 2026	The Arbitrator directed the Complainant's Counsel to serve a full set of the domain complaint as filed, along with annexures, upon the Respondent by email as well as physical mode (in case Complainant had already not done so) and provide proof of service within seven (07) days.
February 7, 2026	Complainant's Counsel confirmed that the domain complaint as well as annexures have been successfully served upon the Respondent via email and WhatsApp and provided a copy of the delivery report as evidence.
February 9, 2026	Respondent submitted a Response in respect of the domain name dispute, stating that they have spoken with Complainant Counsel regarding settlement and are willing to transfer the disputed domain name "casetify.in".
February 10, 2026	The parties were directed to furnish a signed and notarized settlement agreement capturing the mutually agreed terms of the domain name transfer (and provide valid identification proof of the signatories to the same), within seven (07) days of receipt of the email
February 13, 2026	Complainant's Counsel clarified that no settlement has been arrived at between the Parties.
February 16, 2026	Respondent submitted a Response in respect of the domain name dispute
February 18, 2026	The Arbitrator granted the Complainant a time of seven (07) days from the date of the email to furnish a rebuttal/ rejoinder in the matter.
February 24, 2026	Complainant's Counsel requested Arbitrator to grant an extension of two (02) additional days, for the submission of notarized Power of Attorney.
February 25, 2026	The Arbitrator granted the Complainant's Counsel a period of two (02) more days from the date of the email to submit notarized Power Of Attorney in the matter.

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February 27, 2026	Complainant's Counsel submitted a response to the Counterstatement dated February 16, 2026, on behalf of the Complainant.
March 2, 2026	The Arbitrator concluded the arbitral proceedings and reserved the arbitral award to be passed on the basis of the material available on record and in accordance with the law as applicable.

4. Factual Background – Complainant

Complainant, in the present matter, has, inter alia, submitted as follows:

- i. That the Complainant is a company organized and existing under the laws of Hong Kong. That the Complainant is engaged in the business of manufacturing and trading a wide range of phone cases and electronic accessories specially adapted for electronic equipment, including cell phones, tablet computers, laptop computers, music players, video players, and battery chargers, falling under Class 9 and other allied and cognate goods. That the Complainant is one of the first and largest global platforms for personalized tech accessories and is recognized as one of the fastest-growing tech accessories brand in the world. That the Complainant is known worldwide for its trademark **CASETIFY**, including its distinctive labels, logos, and stylized representations, and is easily identifiable in the minds of the purchasing public by the said marks.
- ii. That the Complainant was incorporated in November 1, 2011 in Hong Kong by its founders, Wesley Ng and Ronald Yeung. That the Complainant initially commenced its business by focusing on the design and sale of custom phone cases, providing customers with the option to personalize their cases using photographs from their Instagram accounts. Unable to find a phone case that matched their aesthetic preferences, they developed an app called **CASETAGRAM**, which allowed users to transform Instagram photos into custom phone cases. The concept—merging social media with personalized tech accessories—quickly garnered attention and popularity, laying the foundation for the Complainant's business. Over time, the Complainant expanded its product portfolio to include a wide range of accessories featuring diverse designs, thereby diversifying its business operations and further strengthening its position in the global tech accessories market.
- iii. That the Complainant regularly runs extensive advertisements from time to time in various countries showcasing its portfolio of products under the mark **CASETIFY**. That the Complainant also maintains the website www.casetify.com (registered on November 22, 2013), which has contributed immensely to the popularity of the Complainant as well as its products both internationally and nationally. Additionally, information pertaining to the Complainant and its said goods and service under the trademark **CASETIFY** are displayed, advertised, promoted through social media accounts such as Instagram, Facebook, YouTube, Pinterest, etc. That the internet is a ready medium of exposure to potential consumers and members of trade to widespread

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information about the Complainant and its said goods and service under the trademark **CASETIFY**. In this regard, the Complainant has annexed excerpts from their website, social media platforms along with its Whois report as Exhibit-A and B.

- iv. In order to safeguard its right in its trademarks, the Complainant has secured several trademark registrations and filed applications worldwide including in India. That the Complainant has been using the mark **CASETIFY** since 2014 in India. That the Complainant has superior national and international statutory rights in the mark **CASETIFY**. That the Complainant has its **CASETIFY** trademarks duly registered in India under the Trade Marks Act, 1999.
- v. The **CASETIFY** trademark and its formatives have acquired global reputation and goodwill on account of high quality of products and services offered by the Complainant. In this regard, the Complainant has annexed copies of the status pages from e-register detailing the above-mentioned applications and the Statement of Grant for application no. IRDI-3878274 in Class 09, along with the list of international registrations as Exhibit-C.
- vi. The Complainant through collaboration with internationally renowned brand and celebrities has received widespread consumer recognition and loyalty. The brand's products are prominently featured in reputed online and offline channels, and its social media presence commands millions of followers across platforms, thereby reinforcing its strong reputation and goodwill. The mark **CASETIFY** has garnered brand recognition by investing in the latest marketing strategies, sales distribution, logistics, and technology and customer service standards.
- vii. That the Complainant has filed a trademark Cancellation Petition before the Hon'ble Delhi High Court against a third party in December 2024 under no. C.O. (COMM.IPD-TM) 251/2024, seeking cancellation of the registration of the trademark "CASETIFY" in Class 35, bearing Application No. 3306261, registered in the name of one Mr. Tushar Malhotra, trading as M/s. Nukkads. The said cancellation petition has been filed on the grounds of bad faith adoption and subsequent dishonest adoption. However, the Respondent in the Cancellation filed before Delhi High Court failed to appear either personally or through counsel. Subsequently, the matter was listed where the arguments on behalf of the Petitioner were heard and judgment was reserved.

5. Contentions And Legal Grounds Submitted By The Complainant

In support of the requirements under the captioned provisions of the INDRP (combined with the relevant Rules of Procedure) the Complainant has submitted that:

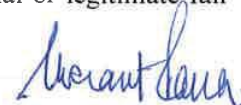


A. The Respondent's domain name "casetify.in" is identical to a name, trademark/trade name in which the Complainant has rights

- i. That the disputed domain is identical to and comprises in its entirety the Complainant's registered trademark **CASETIFY**.
- ii. The disputed domain name has no meaning or significance independent of the Complainant's said registered trademark **CASETIFY**.
- iii. The disputed domain name is identical to the Complainant's said website/domain name www.casetify.com.
- iv. The disputed domain name was registered on September 07, 2018, whereas the Complainant's domain **casetify.com** was created/registered many years before the disputed domain name, on November 22, 2013. Thus, the Complainant's adoption and use of the said registered trademark **CASETIFY** is prior to Respondent's registration of the disputed domain name.
- v. That the Complainant has prior rights in the trademark comprising of **CASETIFY** vis-à-vis the Respondent.

B. The Respondent has no rights or legitimate interests in respect of the domain name

- i. That the Respondent's use of the identical domain name with the Complainant's registered trademark **CASETIFY** cannot be considered bona fide, given the Complainant's well-known trademark and global reputation. That the Registrant's intentional disregard of prior rights and attempt to exploit Complainant's goodwill clearly evidences mala fide conduct.
- ii. That the Respondent is not commonly known by the disputed domain name.
- iii. That the Respondent is not authorized or licensed by the Complainant to use its registered trademark **CASETIFY**.
- iv. Due to the extensive and continuous use of the Complainant's registered trademark **CASETIFY**, the same has become well-known and is exclusively associated with the Complainant and no one else. Hence, the Respondent cannot establish any association with the disputed domain name for any reason whatsoever.
- v. When typing **CASETIFY** into the Google search engine, the Complainant's said website <https://www.casetify.com> is the main result on the page.
- vi. That the Respondent is not making any legitimate non-commercial or legitimate fair use of the disputed domain name.




- vii. Registration of the disputed domain name is aimed to divert visitors/customers by creating initial internet confusion from use of the Complainant's registered trademark **CASETIFY**.
- viii. That the Respondent is indulging in tarnishing the goodwill and reputation enjoyed by the Complainant's well-known trademark **CASETIFY**. The Respondent, therefore, cannot justify any legitimate interest in the disputed domain name.

C. The disputed domain name has been registered in bad faith

- i. That the Respondent was aware of Complainant's registered trademark **CASETIFY**, as well as their business, and yet chose to adopt the identical domain name as of the Complainant's. This clearly indicates that the Respondent has acquired the disputed domain name for the sole purpose of causing unnecessary damage to the Complainant.
- ii. That the registration of the disputed domain name is detrimental to the Complainant's statutory right in the registered trade mark **CASETIFY**.
- iii. That the conduct of the Respondent amply proves its mala fide intention to divert internet users to its website by using the Complainant's registered trademark **CASETIFY** and consequently creating a likelihood of confusion as to the source, sponsorship, affiliation of the Respondent's disputed domain name.
- iv. That the internet users desirous of accessing the Complainant's website will inevitably get confused and therefore may land on the disputed domain name.
- v. That the general public, in all likelihood, will be deceived into believing that disputed domain name is either affiliated with, an extension of or is associated to the Complainant's business and its registered trademark **CASETIFY**, which in fact, is not the case.
- vi. That the Respondent purposely registered the disputed domain name, solely looking to prevent the Complainant from using the same. Therefore, Respondent's possession of the disputed domain name is therefore an act of bad faith.

6. Reliefs claimed by the Complainant

The Complainant has requested that the domain name <CASETIFY.IN> be transferred to them.



7. **Respondent's Contentions – vide reply dated February 09, 2026**

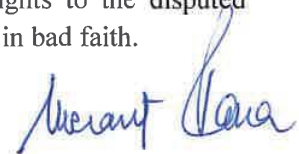
The Respondent, vide its reply dated February 09, 2026, to the present Domain Complaint, has put forward the below submissions:

- i. That the Respondent, Vinod Parmar, is a genuine admirer of Complainant's **CASETIFY** brand and registered the disputed domain name with the primary intent of protecting it from being registered by third parties who might misuse it to damage Complainant's brand reputation.
- ii. That the Respondent has never hosted a live website or been actively using the disputed domain name.
- iii. That the Respondent has never used Complainant's **CASETIFY** brand or the disputed domain name to sell or promote his own business. That the Respondent operate an independent business called Case Junction which sells premium cases. That there is no commercial connection, and the Respondent has not sought to mislead/divert customers.
- iv. That the Respondent is ready to transfer the disputed domain name to the Complainant immediately. That the Respondent offers to cover the standard administrative transfer fee levied by the domain registrar. That this is a gesture of Respondent's good faith and respect for Complainant's **CASETIFY** brand.

8. **Complainant's Contentions – vide reply dated February 13, 2026**

The Complainant, vide its reply dated February 13, 2026, to the present Domain Complaint, has put forward the below submissions:

- i. That the Complainant clarifies that no settlement has been arrived between the Complainant and the Respondent.
- ii. That the disputed domain name was parked by the Respondent prior to Complainant being able to secure registration of its own brand name in the Indian domain space. Thus, it constitutes a clear case of cyber-squatting, particularly in light of the Complainant's prior and well-established trademark rights in the mark **CASETIFY**.
- iii. That the Respondent's conduct satisfies the trinity test of the INDRP Policy, which includes: (a) Respondent's domain name is identical or confusingly similar to the Complainant's trademark, (b) Respondent has no legitimate rights to the disputed domain name, and (c) The disputed domain name was registered in bad faith.



9. Respondent's Contentions – vide reply dated February 16, 2026

The Respondent, vide its reply dated February 16, 2026, to the present Domain Complaint, has put forward the below submissions:

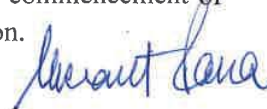
- i. That the Respondent approached the said proceedings in complete good faith and reached out to the Complainant offering to transfer the disputed domain name voluntarily. That the offer was made to resolve the matter amicably and avoid unnecessary arbitration proceedings. That the Complainant's counsel rejected it while simultaneously demanding that costs be awarded against the Respondent. That, rejecting a pre-arbitration settlement offer and then claiming costs against the offering party is inconsistent with the objectives of the INDRP framework, which seeks to encourage efficient dispute resolution.
- ii. That the disputed domain name was registered in 2018, approximately 8 years before the complaint was filed by the Complainant. That the Complainant took no action to secure the disputed domain name for 8 years.
- iii. That the Respondent never hosted a live website and there was no commercial use on the disputed domain name.
- iv. That the INDRP defines bad faith to include registering a domain name, primarily to sell it for profit, to block a trademark owner, or to disrupt business. None of these are applied in the said case as Respondent never offered to sell the domain for profit, the disputed domain name has never hosted a website, and there were no commercial gain.

10. Complainant's Submissions/Contentions – vide Rejoinder dated February 27, 2026

The Complainant, vide the abovementioned rejoinder, had responded to the Respondent's reply dated February 16, 2026. Facts, submissions and contentions already stated are not being repeated hereunder for the sake of brevity.

The Complainant in the said rejoinder, outrightly refutes and disavows the submissions made by the Respondent in their Response.

- i. That although the Respondent's alleged post-dispute offer may be in good faith, it does not seem to be the Respondent's intention while parking / squatting the domain name which prompted the Complainant to file the instant domain name complaint before the National Internet Exchange of India, causing inconvenience and costs. Furthermore, since the registrant details were redacted for privacy, there was no means for the Complainant to ascertain the contact details of the Respondent for acquiring the domain name. As such, it is submitted that a conditional offer made after commencement of proceedings cannot retrospectively legitimize a bad faith registration.

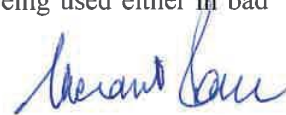


- ii. That the Respondent's reliance on alleged delay is misconceived. It is submitted that the Complainant acted promptly upon learning about the disputed domain name's illegal registration. Moreover, the INDRP Policy does not recognize delay as a ground of defense to legitimize cybersquatting. Clause 4 of the Policy contains no temporal limitation, and the Respondent's registration is required to be tested strictly against the elements set out therein. That the Complainant's trademark **CASETIFY** predates the Respondent's registration of the disputed domain name and had acquired substantial goodwill and reputation prior thereto. The Respondent's reliance on the Complainant's enforcement timeline does not assist his case.
- iii. That the Respondent's contention that absence of active use negates bad faith is contrary to the scheme of the INDRP Policy. The Complainant placed reliance on the case of *Elicyon v. Elicyon Designer Studio*, wherein the Learned Arbitrator held that "Registration of a domain name identical to the Complainant's trademark, without any bona fide use and without any rights or legitimate interests, and having the effect of blocking the complainant from reflecting its mark in a corresponding domain name, constituted bad faith under the Policy". In the present case, there is no evidence of bona fide offering of goods or services, no case that the Respondent is commonly known by the disputed domain name, and no legitimate non-commercial or fair use. That the Respondent's assertion of being an "admirer" seeking to "protect the name" finds no recognition under the INDRP Policy.
- iv. That the Respondent's submissions on costs are misplaced. While the filing fee is borne by the Complainant at the initiation stage, the INDRP Policy does not preclude consideration of costs or other monetary consequences where the Respondent's conduct has necessitated the proceedings. That the Respondent's registration and continued holding of the disputed domain name compelled the Complainant to initiate these proceedings. A belated and conditional offer does not absolve the Respondent of the consequences of such conduct.

11. Discussion and Findings

As mentioned in Paragraph 4 of the .IN Domain Name Dispute Resolution Policy, the Complainant is required to satisfy the below three conditions in a domain complaint:

- i. The Registrant's domain name is identical and confusingly similar to a name, trade mark or service mark in which the Complainant has rights; and
- ii. The Registrant has no rights and legitimate interest in respect of the domain name; and
- iii. The Registrant's domain name has been registered or is being used either in bad faith or for illegal/ unlawful purpose.



i. **The Registrant's domain name is identical or confusingly similar to a name, trade mark or service mark in which the Complainant has rights**
(Paragraph 4(a) of the .IN Domain Name Dispute Resolution Policy)

- In the present domain dispute, the Complainant has furnished information about their trade mark rights over the mark **CASETIFY** in several countries of the world, including in India.
- The Complainant has also submitted that the disputed domain incorporates the Complainant's trademark **CASETIFY** in its entirety and hence is identical to the Complainant's trademark.
- The Complainant has also provided details of their domain name www.casetify.com, comprising its trademark **CASETIFY**, which is identical to the disputed domain name.
- The Complainant has also made submissions and provided evidence in respect of its prior adoption and use, as well as reputation in its trademark **CASETIFY**.
- The Complainant submitted that the Respondent is not commonly known by or associated with the disputed domain name and a simple search on the search engine Google for the term/expression/word **CASETIFY** reveals exclusive results pertaining to the Complainant's website <https://www.casetify.com>.

Thus, in light of the trademark rights presented by the Complainant and the documents placed on record, the Arbitrator finds that the Complainant has been successful in establishing their rights in the trademark **CASETIFY**. It is well established that trademark registration is recognized as prima facie evidence of rights in a mark. The Complainant, by filing documents showing its ownership over registered trademark **CASETIFY**, has established its prior rights in the same in India (the jurisdiction where the disputed domain is registered).

Further, it has been held by prior panels deciding under the INDRP that there exists confusing similarity where the disputed name incorporates the Complainant's trade mark, such as *Kenneth Cole Productions v. Viswas Infomedia INDRP/093*, *Indian Hotel Companies Limited v. Mr. Sanjay Jha, INDRP/148 <Gingerhotels.co.in>*, *Carrier Corporation, USA v. Prakash K.R. INDRP/238 <Carrier.net.in>*, *M/s Merck KGaA v. Zeng Wei INDRP/323 <Merckchemicals.in>*, *Colgate-Palmolive Company & Anr. v. Zhaxia INDRP/887 <Colgate.in>* and *The Singer Company Limited v. Novation In Limited INDRP/905 <singer.co.in>*. More recently, as held by the INDRP Panel in the matter of *Tata Communications Limited v. Chandan [INDRP/1880]* on August 29, 2024 – “It is well established that the full incorporation of a complainant's trademark in a disputed domain name is sufficient for a finding of identical or confusing similarity”.

Further, it has been held by prior panels under the INDRP that mere addition of the ccTLD “.IN” is not sufficient to escape the finding that the disputed domain name is

confusingly similar to Complainant's trademark and does not change the overall impression of the designation as being connected to the trademarks of the Complainant.

Accordingly, it may be stated that the disputed domain name < CASETIFY.IN > is confusingly similar to the Complainant's trademark CASETIFY, and incorporates the same in entirety.

In view of the aforesaid, the Arbitrator accepts that the Complainant's rights in its trademarks, under Paragraph 4(a) of the INDRP has been established.

ii. **The Registrant has no rights and legitimate interest in respect of the domain name (Paragraph 4(b) and Paragraph 6 of the .IN Domain Name Dispute Resolution Policy)**

As per paragraph 6 of the Policy, a Registrant may show legitimate rights and interests in a domain name, by demonstrating any of the following circumstances:

- (a) before any notice to the Registrant of the dispute, the Registrant's use of, or demonstrable preparations to use the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services;*
- (b) the Registrant (as an individual, business, or other organization) has been commonly known by the domain name, even if the Registrant has acquired no Trademark or Service Mark rights; or*
- (c) the Registrant is making a legitimate non-commercial or fair use of the domain name, without the intention of commercial gain by misleadingly or diverting consumers or to tarnish the Trademark or Service Mark at issue.*

- In the present domain dispute, the Complainant has asserted that the Respondent's registration of the disputed domain name is much subsequent to the Complainant's adoption of its trademark CASETIFY.
- The Complainant has not authorized, licensed or otherwise allowed the Respondent to make any use of its trademark CASETIFY, in a domain name or otherwise.
- The Respondent is not commonly known by or associated with the disputed domain name and a simple search on the search engine Google for the term/expression/word CASETIFY reveals exclusive results pertaining to the Complainant's website <https://www.casetify.com>.
- The Respondent's past use of the disputed domain name to redirect internet users to a website featuring links, which appear to be pay-per-click links.
- The disputed domain name is currently operating in a dubious manner - it frequently redirects users to unrelated or random pages/websites, suggestive of an artificial or automated setup with no legitimate business or bona fide offering of goods or services.

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- Registration of the disputed domain name is aimed to divert visitors/customers by creating initial internet confusion from use of the Complainant's registered trademark **CASETIFY**.
- The Respondent is not making any legitimate non-commercial or legitimate fair use of the disputed domain name.

In this regard, Respondent may show legitimate rights and interests in a disputed domain name, by demonstrating any of the circumstances laid down under Paragraph 6 of the .IN Domain Name Dispute Resolution Policy.

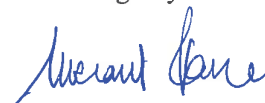
- The Respondent has responded in these proceedings and submitted that they are a genuine admirer of Complainant's **CASETIFY** brand and registered the disputed domain name with the primary intent of protecting it from being registered by third parties who might misuse it to damage Complainant's brand reputation.
- The Respondent has never used Complainant's **CASETIFY** brand or the disputed domain name to sell or promote their own business.
- The Respondent has not sought to mislead/divert customers.

In the present case, the Respondent's claim that it never used the Complainant's **CASETIFY** mark or the disputed domain name to sell or promote its own business, and did not intend to mislead or divert customers, does not negate a finding that the Respondent lacks rights or legitimate interests in the domain name. Nor does such a claim constitute a plausible or legally sustainable justification for adopting a domain name identical to the Complainant's distinctive and well-established trademark. Moreover, the Complainant's own admission that they had registered the disputed domain name with the intention to protect the Complainant's brand from getting misused and that they have never used the **CASETIFY** brand or the disputed domain to sell or promote their own business further reaffirms the finding that the Respondent has no rights and legitimate interest in respect of the domain name.

In view of the aforesaid, the Arbitrator accepts that the Respondent has no rights or legitimate interests in the disputed domain name in accordance with Paragraph 4(b) of the INDRP.

iii. The Registrant's domain name has been registered or is being used in bad faith (Paragraph 4(c) and Paragraph 7 of the .IN Domain Name Dispute Resolution Policy)

As per paragraph 7 of the Policy, the Complainant is required to establish that the disputed domain name was registered or is being used in bad faith, by demonstrating any of the following circumstances:



- (a) circumstances indicating that the Registrant has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant, who bears the name or is the owner of the Trademark or Service Mark, or to a competitor of that Complainant, for valuable consideration in excess of the Registrant's documented out-of-pocket costs directly related to the domain name; or
- (b) the Registrant has registered the domain name in order to prevent the owner of the Trademark or Service Mark from reflecting the mark in a corresponding domain name, provided that the Registrant has engaged in a pattern of such conduct; or
- (c) by using the domain name, the Registrant has intentionally attempted to attract Internet users to the Registrant's website or other on-line location, by creating a likelihood of confusion with the Complainant's name or mark as to the source, sponsorship, affiliation, or endorsement of the Registrant's website or location or of a product or service on the Registrant's website or location; or
- (d) The Registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor.

- The Respondent has no prior right and no authorization to use Complainant's trademark **CASETIFY**.
- The Respondent's awareness that Complainant's trademark **CASETIFY** is popular and famous worldwide. As the Complainant has been using its trademark **CASETIFY** extensively and continuously since the year 2014. Thereby, the Respondent had constructive notice of the Complainant and its rights in trademark **CASETIFY**.
- The use of the disputed domain name by the Respondent is solely with mala fide intentions in order to deceive people browsing on the Internet into believing that the disputed domain name is associated with the Complainant.
- The Respondent's past use of the disputed domain name to redirect internet users to a website featuring links, which appear to be pay-per-click links.

In this regard, Respondent has *inter alia* contended the aforementioned points regarding its bad faith:

- The Respondent has responded in these proceedings and submitted that they are a genuine admirer of Complainant's **CASETIFY** brand and registered the disputed domain name with the primary intent of protecting it from being registered by third parties who might misuse it to damage Complainant's brand reputation.
- The Respondent has never used Complainant's **CASETIFY** brand or the disputed domain name to sell or promote their own business.
- The Respondent has not sought to mislead/divert customers.

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- The disputed domain name was registered in 2018, approximately 8 years before the complaint was filed by the Complainant and the Complainant took no action to secure the disputed domain name for 8 years.
- The INDRP defines bad faith to include registering a domain name, primarily to sell it for profit, to block a trademark owner, or to disrupt business. None of these are applied in the said case as Respondent never offered to sell the domain for profit, the disputed domain name has never hosted a website, and there were no commercial gain.

The Respondent asserts that its conduct does not constitute bad faith within the meaning of the INDRP. This contention is untenable, as the Arbitrator finds that the deliberate registration of a domain name without any intention of use, irrespective of any claimed bona fide intent, clearly falls within the scope of paragraph 7(b) of the Policy, as it effectively prevents the trademark owner from reflecting its mark in a corresponding domain name.

Further, the Respondent's registration of the disputed domain name not only prevents the Complainant from reflecting the mark in a corresponding domain name but also demonstrates an intent to create a likelihood of confusion with the Complainant's name and mark.

Thus, in view of the consolidated submissions of the Complainant, the Arbitrator finds that the Respondent's registration and use of the disputed domain name prima facie appears to constitute conduct as mentioned in paragraphs 7(b) and 7(c) of the Policy, namely,

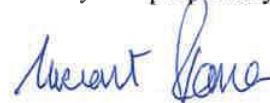
“(b) the Registrant has registered the domain name in order to prevent the owner of the Trademark or Service Mark from reflecting the mark in a corresponding domain name, provided that the Registrant has engaged in a pattern of such conduct; or

(c) by using the domain name, the Registrant has intentionally attempted to attract Internet users to the Registrant's website or other on-line location, by creating a likelihood of confusion with the Complainant's name or mark as to the source, sponsorship, affiliation, or endorsement of the Registrant's website or location or of a product or service on the Registrant's website or location.”

In view of the aforesaid, the Arbitrator finds that the Complainant has satisfactorily proved the requirements of Paragraph 4(c) and Paragraph 7 of the INDRP.

12. Decision

Based upon the facts and circumstances and further relying on the materials as available on the record, the Arbitrator is of the view that the Complainant has statutory and proprietary



rights over the trade mark **CASETIFY**. The Complainant has herein been able to prove conclusively that:

- i. The Registrant's domain name <**CASETIFY.IN**> is confusingly similar to a name, trade mark or service mark in which the Complainant has rights;
- ii. The Registrant has no rights and legitimate interest in respect of the domain name;
- iii. The Registrant's domain name has been registered or is being used in bad faith.

The Arbitrator therefore allows the prayer of the Complainant and directs the .IN Registry to transfer the domain <**CASETIFY.IN**> to the Complainant.

The Award is accordingly passed and the parties are directed to bear their own costs.



Vikrant Rana, Sole Arbitrator

Date: March 27, 2026.

Place: New Delhi, India.