

നോൺ ജുഡീഷ്യൽ

NON JUDICIAL

₹ 100

₹ 100



കേരള സർക്കാർ
GOVERNMENT OF KERALA
e-Stamp

e-Stamp Serial Number : 202526000006158622

Verification Code : 966255348V

Govt. Reference No.(GRN)	: KL037906393202526E
Purpose	: Arbitration Award
Amount of Stamp Paper Purchased in Numeral	: ₹ 100
Amount of Stamp Paper Purchased in Words	: Rupees One Hundred
Stamp Paper Purchased on	: 12/12/2025 11:26:08
First Party Name	: Adv SUNIL V. MOHAMMED
First Party Address	: NIXI, DELHI
Second Party Name	: LEGAL
Second Party Address	: , NIXI, DELHI
Vendor Code & Name	: 11102959 - KUNJUBEEVI M A
Treasury Code & Name	: 1110 - Additional Sub Treasury, Eranakulam

Please write or type below this line

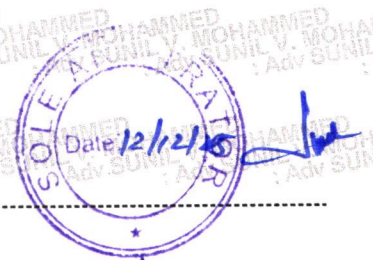
BEFORE THE NATIONAL INTERNET EXCHANGE OF INDIA

Adv. SUNIL V. MOHAMMED BA., LL.B.
(Sole Arbitrator)

AWARD

Dated 12th December, 2025

Venue: New Delhi, India



This can be verified by
https://www.estamp.treasury.kerala.gov.in/index.php/estamp_search using e-Stamp
Serial Number and Verification Code.

In case of any discrepancy, please inform the competent authority. Page 1 of 19

M.A. KUNJU BEEVI
High Court Vendor

**In the matter of Arbitration under the .IN Domain Name Dispute
Resolution Policy; The INDRP Rules and Procedure and
The Arbitration and Conciliation Act, 1996**

INDRP CASE No. 2000

Between

Complainant:

Tata Motors Limited
24 Homi Mody Street,
Fort, Mumbai-400001
State of Maharashtra,
INDIA

And

Respondent

Tejinder Singh,
709 PSB Complex Sector 49,
Chandigarh, Chandigarh-160047,
India

Disputed Domain Name : "http://www.tatatrucks.in"
Seat of Arbitration : Office of the NIXI at Delhi, India.
**Date of commencement
of Arbitration Proceeding** : 21st May, 2025



TABLE OF CONTENTS

Sl. No.	Description	Page No.
1	PARTIES TO THE ARBITRATION	4
2	APPLICABLE LAW AND JURISDICTION	4
3	THE DOMAIN NAME AND REGISTRAR	4 - 5
4	PROCEDURAL HISTORY	5 - 7
5	GROUND S URGED FOR THE ADMINISTRATIVE PROCEEDINGS	7 - 8
6	COMPLAINANT' S CONTENTIONS	8 - 9
7	RESPONDENT' S CONTENTIONS	9 - 10
8	DISCUSSIONS AND FINDINGS	10 - 18
9	DISPOSITIONS	18
10	LIST OF ANNEXURES	19



Adv. SUNIL V. MOHAMMED BA., LL.B.
(Sole Arbitrator)

1. The Parties to the Arbitration:

1.1 The Complainant in the Arbitration Proceedings is TATA MOTORS LIMITED, having its registered office at 24 Homi Mody Street, Fort, Mumbai-400001. State of Maharashtra, India. The Complainant's authorized representative in these proceedings is Arindam Paul, Ajay Kumar S, Julick Isaiah, Koushik Banerjee, Malavika T Vikram, Mahalakshmi G, Ruchi Singh, Sumeet Basu, Sumit Verma, Vijay Anand A and Venkatesan C of M/s. DePenning & DePenning, 120 Velachery Main Road, Guindy, Chennai-600 032 (Phone: +91 44 4221 3444, Email: *domain@depenning.com*) as per the Power of Attorney dated 19th March, 2025.

1.2 The Respondent in the proceedings is TEJINDER SINGH, 709 PSB Complex Sector 49, Chandigarh, Chandigarh 160047, India (E-mail: *falkanmedia@gmail.com*), as per the details publically available in the WHOIS database (**Annexure A**) maintained by the National Internet Exchange of India (hereinafter referred to as NIXI).

2. Applicable Law and Jurisdiction:

2.1 The present Dispute Resolution Process is in accordance with Policy No. 5 of the .IN Domain Name Dispute Resolution Policy (hereinafter referred to as the **.IN Policy**) and .IN Domain Name Dispute Resolution Rules of Procedure (hereinafter referred to as the **INDRP Rules of Procedure**), based on the Arbitration and Conciliation Act, 1996 as amended from time to time, adopted by the NIXI and sets forth the legal framework for resolution of disputes between a Domain Name Registrant and a Complainant arising out of the registration and use of an .IN Domain Name.

2.2 By registering the disputed Domain Name with the NIXI accredited Registrar, the Respondent has agreed to the resolution of disputes under the policy and Rules framed there under (See Policy No. 15 and 16 of the .IN Policy and Rule 13 (a) INDRP Rules of Procedure).

3. The Domain Name and Registrar:

3.1 The disputed Domain Name "**www.tatatrucks.in**" was registered on 21st November, 2024, with Hostinger Operations UAB, Lithuania.



3.2 The particulars of the registration of Domain Name as found in the .IN Registry database are as follows:

DNS Form	tatatrucks.in
User Form	tatatrucks.in
ROID	D1246623970F24C8E905A495A842DA733 -IN
Registrar Name	HOSTINGER operations, UAB
IANA ID	1636
Create Date	2024-11-21T04:22:43Z
Expiry Date	2025-11-21T04:22:43Z
Last Updated Date	2025-03-28T09:01:23Z
EPP Status	serverUpdateProhibited serverDeleteProhibited serverRenewProhibited serverTransferProhibited clientTransferProhibited
Domain Status	Registered
Assigned Nameservers	ns1.dns-parking.com ns2.dns-parking.com
Registrant Client ID	H-66A06DD52FDB1
Registrant ROID	CA338B4D6D6EC4545B05D5086D4521B7 7-IN
Registrant Create Date	2024-07-24T02:58:30Z
Email	falkanmedia@gmail.com
Phone	(+91)9779784816
International Postal Name	Tejinder Singh
International Postal Street Line 1	709 PSB Complex Sector 49 Chandigarh
International Postal City	Chandigarh
International Postal State	Chandigarh
International Postal Postcode/ Zip Code	160047
International Postal Country	

4. Procedural History

4.1 The Sole Arbitrator, Adv. Sunil V. Mohammed was appointed on 21st May, 2025, in the above INDRP case to resolve the domain dispute raised in the Complaint dated 17th April, 2025, in accordance with Rule 2(a) and 4(a) of the **INDRP Rules of Procedure**.

4.2 After obtaining the Statement of Acceptance and Declaration of Impartiality of Independence of the Sole Arbitrator, the NIXI has forwarded the



amended complaint along with **Annexures IA and A to H** and also the WHOIS details of the domain and the Authorisation of Agent.

4.3 Accordingly, on 22nd May, 2025, the Tribunal issued Notice under Rule 5(c) of the INDRP Rules of Procedure to the Respondent through e-mail and the Complainant was directed to serve copies of the domain complaint along with complete set of documents in soft copies as well as in physical via courier or post to the Respondent registrant at the address provided in the WHOIS details of the domain, in compliance of Rule 2 and 3(d) of the INDRP Rules of Procedure and to furnish proof of such service and delivery. In the said Notice, the Respondent was directed to file Reply to the domain complaint within 15 days.

4.4 The Complainant by email dated 27th May, 2025, informed the Tribunal about the compliance with Rule 2 and 3(d) of the INDRP Rules of Procedure with proof of service of the soft copies of the Complaint and Annexures to the known e-mail ID of the Respondent viz., *falkanmedia@gmail.com* and through courier.

4.5 After declaring the service of the domain complaint along with the Annexures and the Notice to the Respondent in compliance of Rule 3(d) and 2(d) of the INDRP Rules of Procedure, on 29th May, 2025, the Tribunal in accordance with Rule 13 of the INDRP Rules of Procedure granted a further period of 10 days to the Respondent to submit response/reply to the domain complaint.

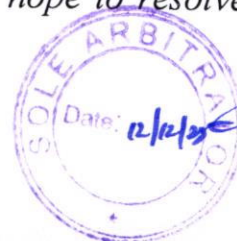
4.6 In the meantime, the Respondent in vide email dated 5th June, 2025, informed as follows:

"I understand your concerns about the domain and wish to avoid any dispute or legal proceedings.

I am willing to cooperate fully and transfer the domain "tatatrucks.in" to Tata Trucks at the earliest opportunity.

Kindly provide me with the necessary instructions, including the contact details of the designated recipient, the process for transfer, and any specific requirements or documentation needed to complete this transfer.

Please let me know if there are any additional steps I should take to facilitate this process. I look forward to your guidance and hope to resolve this matter amicably."



4.7 Considering the nature of the reply of the Respondent expressing willingness to co-operate fully and transfer the disputed domain to the Complainant upon necessary instructions, the matter was adjourned for further proceedings under Rule 5(e) of the INDRP Rules of Procedure.

4.8 While so, as per email dated 21st July, 2025, the Complainant has informed that the Respondent wants to settle the matter amicably and in-house discussions are going on and further sought to extend the deadline fixed by the Tribunal. Therefore, as a matter of precaution, the Tribunal kept the proceedings on hold till 25.07.2025 and on the same day directed the Respondent to submit a formal response/reply to the domain compliant along with an undertaking in explicit form.

4.9. As per email dated 25th July, 2025, the Complainant has informed that a draft undertaking has been forwarded to the Respondent instructing him to execute the same. The Complainant has also shared the email dated 30th July, 2025, which is in the form of a reminder issued to the Respondent. Thereafter, vide email dated 31st July, 2025; the Complainant intimated the Tribunal that the Respondent hasn't provided the undertaking or responded to the amicable settlement offer.

4.10 Accordingly, as the Respondent did not place any response/reply to the domain compliant in a formal and proper format and as the extended time period for the same had expired on 25th July, 2025, the Respondent was set exparte on 5th August, 2025 going by Rule 17 of the INDRP Rules of Procedure. Thereafter, the matter was adjourned for further proceedings in accordance with Rule 5(e) of the INDRP Rules of Procedure.

4.11 The Award in the matter ought to have been passed within 60 days from the date of handover. However, due to the aforementioned reasons the said time limit could not be followed. That apart, further time was necessitated due to health issues of the Arbitrator and consequent bed rest.

5. Grounds urged for the Administrative Proceedings:

5.1 The disputed domain name is identically and/or confusingly similar to Complainant's domain name/trademark or service marks in which Complainant has rights.

5.2 The Registrant has no rights or legitimate interests in respect of the domain name.



5.3 The Registrant's domain name has been registered or is being used in Bad faith.

6. Complainant's Contentions:

6.1 The Complainant submits that the **TATA Group of Companies** consists of over 100 operating companies in seven business sectors and has operations in more than 80 countries. According to the Complainant, **Tata Sons Pvt. Ltd** is the promoter of the major operating Tata companies and also the statutory owner of the '**Tata**' name and several '**TATA Trademarks**', which are registered in India and around the world. It is the contention of the Complainant that these are used by various Tata companies, including it, under a license from Tata Sons as part of their corporate name and/or in relation to their products and services. It is pointed out by the Complainant that terms of use of the group mark and logo by Tata companies are governed by the **Brand Equity and Business Promotion Agreement**, entered between Tata Sons Pvt. Ltd and Tata Group of Companies and that the word '**TATA**' is the dominant and essential feature of the Complainant's corporate name. The Complainant would submit that it is one of the prominent companies within the TATA Group and India's largest automobile company with consolidated revenue of Rs. 4368 trillion in 2024 and that it is among the top five commercial vehicle manufacturers in the world, India's market leader in commercial vehicles and among the top three in passenger vehicles. The Complainant also claims that it is the world's fourth largest truck and bus manufacturer and further that the '**TATA Trademark**' is prominently badged on the Complainant's commercial vehicles.

6.2 According to the Complainant, the name '**TATA**' has been respected in India for more than 140 years for quality, adherence, strong values and business ethics. The Complainant would further content that the Respondent has adopted and registered the disputed domain name, which is identical to the **well-known** '**TATA Trademarks**' and it was noticed only on 16th April, 2025. To prove the said fact and the misuse of its '**TATA Trademark**', the Complainant has produced **Annexure 1A** WHOIS record **Annexure B** printouts of the web link page about the disputed domain.

6.3 The Complainant relies on its prior Trademark registrations and also produced **Annexure D** E-Register and Journal Notification in support of its contentions.



6.4 The Complainant would point out that various judicial forums have upheld the Complainant's and its Group Companies trademark over the well-known 'TATA Trademark'. Relying on **Annexure E** snapshot of Google search results, the Complainant explained that the use of the key word 'TATA TRUCKS' in any leading search engine throws up the web pages of Tata Motors Limited among the leading hits.

6.5 The Complainant has produced **Annexure F** copy of a previous WIPO decision held in recognition of its rights in the 'TATA Trademark'.

6.6 The Complainant alleged bad faith on part of the Respondent from the online content linked to the impugned domain name, which is nothing but a slavish copy from its website '**www.tatamotors.com**' and in support of that, **Annexure G** extract from the impugned domain address is produced.

6.7 According to the Complainant, considering the incessant use, reputation, and well-known status of the trademark 'TATA' in India, the illegitimate adoption and use of the impugned domain name will result in brand dilution, which cannot be compensated monetarily.

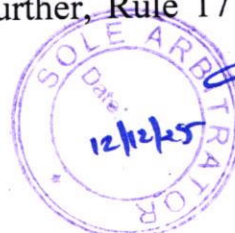
6.8 The Complainant placing reliance on **Annexure H** order in *Mozilla Foundation and Mozilla Corporation Vs. Lina, Double Fist Limited (INDRP Case No. 934 <mozilla.co.in>)* would assert that the very use of a domain name by someone with no connection with the Complainant or any of the TATA group companies suggests opportunistic bad faith.

6.9 Accordingly, the Complainant sought to transfer to it the Respondent's domain name under the .IN Policy as it is identical, deceptive and confusingly similar and used in bad faith, to protect its rights and legitimate business.

7. Respondent's Contentions:

7.1 Despite service of Notice dated 29th April, 2025 to the Respondent's e-mail *falkanmedia@gmail.com* and even after the extended time period, the Respondent failed to submit a formal reply/response in proper format to the domain complaint. Accordingly, the Tribunal proceeded further in the matter by setting the Respondent set ex-parte.

7.2 Rule 13(b) of the INDRP Rules of Procedure provides that the Arbitrator shall ensure that at all time treat the parties with equality and provide each one of them a fair opportunity to present their case. Further, Rule 17 of the said



Rules of Procedure empowers the Arbitrator to proceed with an ex-parte Award in case any party breaches the provisions of the INDRP Rules of Procedure or directions of the Arbitrator.

7.3 Infact, the Respondent was given notice under Rule 2(a) of the INDRP Rules of Procedure to employ reasonably available means calculated to achieve actual notice to the Respondent of the Complaint. As stated above, the Respondent failed to submit any formal reply/response in proper format to the domain complaint and never answered the Complainant's assertions, evidence or contentions in any manner. Therefore, it is clear that despite the Respondent being given a fair opportunity to present its case, the Respondent does not comply with the direction of the Tribunal.

7.4 In this context, it is relevant to note that vide email dated 5th June, 2025, the Respondent, though informal in nature had stated in categorical terms that to avoid any dispute or legal proceedings, he is willing to co-operate fully and transfer the disputed domain.

7.5 Going by Rule 18(a) of the INDRP Rules of Procedure, the Arbitrator shall decide the Complaint based on the pleadings submitted in accordance with the Arbitration and Conciliation Act, 1996 amended as per the Arbitration and Conciliation (Amendment) Act, 2019, the .IN Policy, INDRP Rules of Procedure and any law that the Arbitrator deems to be applicable. Therefore, the Tribunal is justified in drawing inferences as are appropriate from the Respondent's failure to reply to the Complainant's assertions and evidence or to otherwise contest the Complaint, particularly in the light of the admission made in the email dated 5th June, 2025.

8. Discussions and Findings:

8.1 Accordingly, the Tribunal framed the following issues for consideration:

(i) Whether the Respondent's Domain name is identical and/or deceptively similar to domain name and trademarks of the Complainant?

(ii) Whether the Respondent has any rights or legitimate interests in respect of the domain name?

(iii) Whether the Respondent's domain name was registered or is being used in absolute bad faith?

(iv) Reliefs and cost.

