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e-Stamp Serial Number : 202526000006158645

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Govt. Reference No.(GRN) : KL037906090202526E
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 11:25:11
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, Ernakulam

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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.

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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. 2011

Between

Complainant:

Blackstone TM L.L.C.,
354 Park Avenue,
New York, NY 10154,
United States of America.

And

Respondent:

Blackstone Finserv,
Block No. 30, Madhav Residency,
Bh. Rajkot Nagrik Sahakari Bank,
Rajkot, Gujarat-360005, India.

Disputed Domain Name : "BLACKSTONEPAY.IN"
Seat of Arbitration : Office of the NIXI at Delhi, India.
**Date of commencement
of Arbitration Proceeding** : 14th July, 2025



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

1. The Parties to the Arbitration:

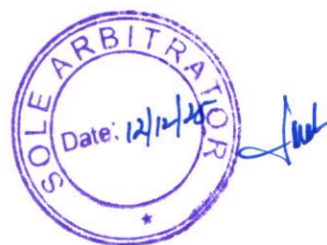
1.1 The Complainant in the Arbitration Proceedings is BLACKSTONE TM L.L.C., 354 Park Avenue, New York, NY 10154, United States of America. The Complainant's authorized representative in these proceedings is Sujata Chaudhri, Urfee Roomi, Deeksha Anand, Ajaya Kumar V., Janaki Arun, Jaskaran Singh, Anuja Chaudhury, Ritesh Kumar and Ayush Dixit of Sujata Chaudhri IP Attorneys, 4th Floor, Tower B Windsor IT Park, A-1, Sector 125, Noida, Uttar Pradesh-201301 (Phone: +91 01206233100, Email: *trademarks@sc-ip.in; sujata@sc-ip.in; urfee@sc-ip.in*) as per **Annexure 1** Power of Attorney dated 22nd April, 2025.

1.2 The Respondent in the proceedings is BLACKSTONE FINSERV, Block No. 30, Madhav Residency, Bh. Rajkot Nagrik Sahakari Bank, Rajkot, Gujarat-360005, India (E-mail: *UDRPdisputes@godaddy.com, abuse@godaddy.com;*), as per the details publically available in the WHOIS database (**Annexure 12**) 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 "**BLACKSTONEPAY.IN**" was registered on 18th February, 2024, with GoDaddy.com LLC, 14455 N. Hayden Rd.Ste.226 Scottsdale, AZ 85260, USA.

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

DNS Form	blackstonepay.in
User Form	blackstonepay.in
ROID	D6DB2B67C1025408B936140670C000453-IN
Registrar Name	GoDaddy.com, LLC
IANA ID	146
Create Date	2024-02-18T14:06:18Z
Expiry Date	2027-02-18T14:06:18Z
Last Updated Date	2025-05-22T12:34:38Z
EPP Status	clientRenewProhibited serverRenewProhibited clientTransferProhibited serverUpdateProhibited clientDeleteProhibited serverDeleteProhibited serverTransferProhibited clientUpdateProhibited
Domain Status	Registered
Assigned Nameservers	cns6002.hostgator.in cns6001.hostgator.in
Registrant Client ID	CR841381103
Registrant ROID	CA2C4AF7045EB459EB8E83CA9060154B3-IN
Registrant Create Date	2024-10-05T14:10:09Z
Email	blackstonefinserv@gmail.com
Phone	(91).9913939137
International Postal Name	Blackstone Finserv
International Postal Street Line 1	Block No. 30, Madhav Residency
International Postal Street Line 2	Bh Rajkot NagrikSahakari Bank
International Postal City	Rajkot
International Postal State	Gujarat
International Postal Postcode/ Zip Code	360005
International Postal Country	IN



4. Procedural History

4.1 The Sole Arbitrator, Adv. Sunil V. Mohammed was appointed on 14th July, 2025, in the above INDRP Case to resolve the domain dispute raised in the Complaint dated 2nd July, 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 1 to 14** and also the WHOIS details of the domain and the Authorisation of Agent.

4.3 Accordingly, on 16th July, 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 17th July, 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., *UDRPdisputes@godaddy.com*, *abuse@godaddy.com*. Thereafter, vide e-mail dated 22nd July, 2025 the Complainant has forwarded the Receipt dated 19th July, 2025 as proof of service of the Notice, Complaint and Annexures to the Respondent 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 and considering the fact that in accordance with Rule 13 of the INDRP Rules of Procedure sufficient time was granted after the notice period to submit response/reply to the domain complaint, the Respondent was set ex parte on 20th August, 2025, going by Rule 17 of the INDRP Rules of Procedure and the matter was adjourned for further proceedings in accordance with Rule 5(e) of the INDRP Rules of Procedure.



4.6 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 *Blackstone TM L.L.C.* submits that it is a corporation existing under the laws of the State of Delaware, United States of America, having a place of business at New York. According to the Complainant, it was founded in the year 1985 by Peter G. Peterson and Stephen A. Schwarzman and it is the world's largest alternative asset manager, and provides a wide range of investment management, financial advisory and consultancy related services. It is further stated by the Complainant that today, it is a well renowned publicly traded investment firm, and as of 31st December, 2024, it has more than USD 1.1 trillion in assets under management (AUM), which include global investment strategies focused on real estate, private equity, infrastructure, life sciences, growth equity, credit, real assets, secondaries and hedge funds. To substantiate the said contentions, the Complainant relies on its **Annexure 2** Annual Report for the year 2024.

6.2 It is the case of the Complainant that it has offices in more than twentyseven cities across several countries, including India and as of 31st December, 2024 it has more than 4,800 employees at their headquarters in New York and around the world. The Complainant would assert that the name '**BLACKSTONE**' is synonymous with the highest quality of financial and investment services around



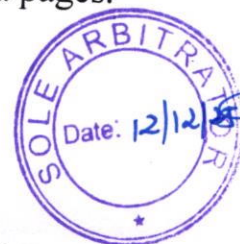
the globe. In support of the same, the Complainant relies on **Annexure 3** Extracts from its website and the Annual Report for the year ending in 2024.

6.3 The Complainant would content based on **Annexure 4** extracts from its website and websites of ranking firms that it has been the recipient of many coveted awards and recognitions including a combined eighteen awards from Private Equity International, Private Equity Real Estate, Real Estate Capital Europe and Private Debt Investor, the award for the Asset Manager of the Year 2024 (Retail Advisory AUM more than USD 100 billion) by Money Management Institute, a combined ten awards and accolades from Deal Catalyst, GlobaCapital, Creditflux and Debtwire for the year 2023 and the award for the Best Overall Fundraising Buyout by Private Equity Wire in 2023.

6.4 It is the specific case of the Complainant that as early as on 1990, the name 'BLACKSTONE' has formed part of its corporate name and it has also used, and continues to use the mark BLACKSTONE and marks that incorporate the BLACKSTONE mark, in relation to its services, including financial and financial advisory and consultancy services, and related goods and services, which is collectively referred to as the "**BLACKSTONE Name and Marks**". According to the Complainant, the said Name and Marks are not only inherently distinctive, but they have also achieved worldwide fame and repute, as a result of their extensive use and thus, these marks are immediately recognized as designating the Complainant and its services.

6.5 It is stated by the Complainant that it has an active website '**www.blackstone.com**' that is accessible to consumers around the world, including in India and the domain name was registered on **22nd September, 1994**. The Complainant would assert that consumers can access information about its services through this website and to prove the use of its 'BLACKSTONE Name and Marks', the Complainant relies on **Annexure 5** extracts from the WHOIS records and screenshots from its website.

6.6 According to the Complainant, it has expanded its online presence through official social media pages and accounts on Facebook (around 40K followers), Instagram (around 189K followers), X (formerly Twitter-around 147.6K followers), and LinkedIn (around 1 M followers) wherein its 'BLACKSTONE Name and Marks' feature prominently. To prove the said fact, the Complainant has produced **Annexure 6** screenshots of its social media pages.



6.7 Based on **Annexure 7** articles, the Complainant submits that by its ubiquitous use of the 'BLACKSTONE Name and Marks', consumers have come to associate these marks solely and exclusively with the Complainant and its services.

6.8 The Complainant by virtue of **Annexure 8** Annual Report for the year 2024 and total assets under management would state that it had a total revenue of USD 8,517 million, USD 8,022 million and USD 13,229 million in the financial years ending 2022, 2023 and 2024, respectively, and, in the year 2024, the total assets under management (AUM) in real estate were approximately, USD 974.7 billion, in private equity were approximately, USD 1040.2 billion, and in credit and insurance were approximately, USD 1,127.2 billion, a significant percentage of which is attributable to its services under 'BLACKSTONE Name and Marks'.

6.9 As regarding the business in India, based on **Annexure 9** extracts from the website of the Ministry of Corporate Affairs showing particulars of the Complainant's Indian subsidiaries, it contents that it had significant ties with India for decades and used the 'BLACKSTONE Name and Marks' in India since the year 1990 and further that, in order to strengthen its relationship with Indian consumers, incorporated subsidiary companies namely, *Blackstone Advisors India Private Limited* in 2005 and *Blackstone COE India Private Limited* in 2019. It also contended that the Complainant has also established a branch office in Mumbai and that during March 2025; it celebrated its 20th Anniversary of its direct trading in India, which was widely covered by Indian media outlets. In support of the same, the Complainant has produced **Annexure 10** extracts of the media articles covering its activities.

6.10 It is the case of the Complainant that the 'BLACKSTONE Name and Marks' are the subject of numerous trademark registrations worldwide, including in India, the United States of America, Switzerland, Mexico, Malaysia, Brazil, New Zealand, the European Union, Australia, etc. The Complainant has produced **Annexure 11** copies of the Certificates of registration issued by the Trade Marks Registry showing its trademark registrations in India. It is also stated that its marks qualify as '**well known trade marks**', as envisaged by Section 2(1)(zg) and Section 11(6) of the Act as well as Article 6bis of the Paris Convention.

6.11 The Complainant through **Annexure 13** would indicate that the disputed domain name resolves to an active website 'www.blackstonepay.in.' and it features



information regarding a digital payment and financial services app 'BLACKSTONEPAY', purportedly offered by one 'BLACKSTONE FINSERV' and further that the said website lists financial services and utilities management services that any user can avail from the 'BLACKSTONE PAY' app, such as bank transfers, bill payments, cash outs, mobile recharge etc. and notably, the said website has links to the Google Play Store and AppleApp Store to facilitate the download of the said 'BLACKSTONE PAY' App, however, the said links do not direct to any app purchase site, but direct users back to the same website '*www.blackstonepay.in.*'

6.12 It is the specific contention of the of the Complainant that it came to know about the disputed domain name after it was registered on 18th February, 2024, and immediately on 20th January, 2025, and 28th January, 2025, the Complainant reached out to the Registrant of the domain name through the 'Contact Us' from the website, and notified the Registrant of the Complainant's rights in the 'BLACKSTONE Name and Marks', and demanded the immediate cessation of the disputed domain name.

6.13 According to the Complainant, despite that, as per **Annexure A14** search results for disputed domain name on the search engine Google leads to the Complainant's website, BLACKSTONE.COM, as well as other links displaying information about its services bearing the 'BLACKSTONE Name and Marks'.

6.14 The Complainant placing reliance on various decisions would assert that the very use of a domain name by someone with no connection with the Complainant suggests opportunistic bad faith.

6.15 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 17th July, 2025 to the Respondent's e-mail *UDRPdisputes@godaddy.com*, *abuse@godaddy.com*.and even after the extended time period, the Respondent failed to submit a reply/response 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 reply/response 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 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.

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.*



8.2 The Complainant has produced Annexure 2 to 14 to substantiate its contentions. As per Rule 13(d) of the INDRP Rules of Procedure, the Arbitrator is to determine the admissibility, relevance, materiality and weight of the evidence placed for consideration in the proceedings while deciding the Complaint.

8.3 Policy No. 4 of the .IN Policy categorises the class of disputes on three premises. **The Complainant's specific case is that the Respondent's domain name is identical and confusingly similar to its name/marks or services, that the Respondent has any rights or legitimate interests in respect of the disputed domain name and that the Respondent's domain name was registered and is being used in absolute bad faith.**

8.4 Accordingly, now the issues raised in the matter are answered separately for the sake of brevity.

8.5 **Issue No. 1:** As per Policy No. 3(b) of the .IN Policy, the Respondent Registrant is to ensure that to its knowledge the registration of the domain name will not infringe upon or otherwise violate the rights of any third party. In this case, the Respondent's domain name is identical to the trademark and domain name of the Complainant in accordance with Policy No. 4(a) of the .IN Policy. To prove the same, the Complainant has produced sufficient documents and would submit that the Respondent has registered the domain name on 18th February, 2024 with the malafide intention to gain leverage from it and make illicit gains by adopting the Complainant's 'BLACKSTONE Name and Marks' in its entirety. According to the Complainant, the Respondent has registered the disputed domain name with full knowledge of the Complainant, its business activities and IPR Rights. It is clear from the WHOIS records (**Annexure 12**) that the disputed domain name '*www.blackstonepay.in.*' was registered only on 18th February, 2024, which is much after the registration of the Complainant's domain name dedicated website '*www.blackstone.com*' which was created on 9th May, 2002. It is also contended that the earliest trademark registration of the Complainant in India dates back to 2005 and that it owns a registration claiming use since the year 1990. Further, going by **Annexure 5 and 11**, it is clear that the Complainant had registered the 'BLACKSTONE Name and Marks' prior to the registration of the disputed domain name.

8.6 It is the specific contention of the Complainant that it came to know about the disputed domain name after it was registered on 18th February, 2024, and



immediately on 20th January, 2025, and 28th January, 2025, the Complainant reached out to the Registrant of the domain name through the 'Contact Us' from the website, and notified the Registrant of the Complainant's rights in the 'BLACKSTONE Name and Marks', and demanded the immediate cessation of the disputed domain name, which effort remained fruitless. So the contention of the Complainant that its rights in the 'BLACKSTONE Name and Marks' predate registration of the disputed domain name by several decades and, therefore, it has prior rights in the 'BLACKSTONE Name and Marks' and that use of the 'BLACKSTONE Name and Marks' also precedes the date of registration of the disputed domain name by decades appears to be appealing.

8.7 The Hon'ble High Court of Delhi in the matter of **Thoughtworld Inc. Vs. Super Software Pvt. Ltd. & Others (MANU/DE/0064/2017)** has held that "*with the domain name taking up the entire name of the petitioner, there could be no doubt that the use of such domain name by the Respondent would be deceptively confusing and erroneously indicate a connection of Respondent with the Petitioner where there is none*". In **F Hoffmann-La Roche AG Vs. Relish Enterprises (WIPO) D2007-1629**, it was held that "*If the Complainant owns a registered trademark, then it satisfies the threshold requirement of having the trademark rights and the domain name is confusingly similar to Complainant's trademark because the disputed domain name looks and reads like Complainant's trademark*". Moreover, in the decisions in **Kenneth Cole Productions Vs. Viswas Infomedia (INDRP/093)**, **Inter-Continental Hotels Corporation Vs. Jaswinder Singh (INDRP/278)**, **Starbucks Corporation Vs. Mohanraj (INDRP/I18)** and, **Raddison Hospitality Belgium BV/SRL Vs. Najim (INDRP/I818)** deceptive similarity is answered in similar lines. Moreover, the Respondent hasn't cared to dispute the contentions of the Complainant. Thus, it is clear that the Respondent's domain name is closely identical and/or confusingly similar to the trademark of the Complainant. Accordingly, Issue No. I is answered in favour of the Complainant.

8.8 **Issue No.2:** It is the contention of the Complainant that the Respondent has no rights or legitimate interests in respect of the Domain Name 'BLACKSTONE' as the Respondent has not established one or more of the circumstances enumerated in Policy No. 6 of the .IN Policy. The Complainant's specific case is that the Respondent's adoption of the disputed domain name, its dishonest use and confusing similarity would not constitute a bonafide offering of services and that intentional ignorance of the Respondent while registering the



domain name is malafide. Policy No. 3(d) of the .IN Policy provides that the Registrant while applying to register a domain name must represent that the Registrant will not knowingly use the domain name in violation or abuse of any applicable laws or regulations and infringing or violating someone else's rights. In this context, it is relevant to note that nothing is brought on record to show that prior to any notice of this dispute, the Respondent was using, or had made demonstrable preparations to use the Domain Name in connection with a bonafide offering of services in accordance with Policy No. 6(a) of the .IN Policy. Further, there is nothing to show that the Complainant had authorised, licensed or otherwise allowed the Respondent to make any use of its domain name.

8.9 The use of the 'BLACKSTONE Name and Marks' in an unauthorized manner for financial services further highlights the malafide intention of the Respondent, who has deliberately chosen to register the disputed domain name, to misrepresent to unwary users an affiliation of the Respondent with the Complainant. The malafide intention of the Respondent is clear since the Respondent is not only using the domain name 'BLACKSTONEPAY.IN', but also identifies itself as 'Blackstone Finserv' on the website. Since the Respondent intends to use the disputed domain name for financial services, it is assumed to be aware of the Complainant's 'BLACKSTONE Name and Marks'. Clearly, there can be no doubt that the registration of the disputed domain name consisting of the Complainant's 'BLACKSTONE Name and Marks' in combination with the term 'PAY' came as a deliberate and wilful attempt to register a deceptively/confusingly similar domain name to the 'BLACKSTONE Name and Marks' and intended to capitalize on the confusion.

8.10 Therefore, it is clear that the Respondent's adoption of the disputed domain name, its dishonest use and confusing similarity would not constitute a bonafide offering of goods/services and that intentional ignorance of the Respondent while registering the domain name is malafide. Policy No. 3(d) of the .IN Policy provides that the registrant while applying to register a domain name must represent that the Registrant will not knowingly use the domain name in violation or abuse of any applicable laws or regulations and infringing or violating someone else's rights. In **Wacom Co. Ltd. Vs. Liheng, INDRP/634 (<wacom.in>)**, it was held that no legitimate interest is made out where *"the Complainant has not licensed or otherwise permitted the Respondent to use its name or trademark or to apply for or use the domain name incorporating said name"*.



8.11 Mere technical requirement of the addition of the TLD and CCT.Ds does not grant any distinction to the Respondent (See the decisions of the INDRP Panel in **Urban Outfitters Inc. Vs. HuaAn Holdings (H.K.) Limited** (INDRP/601), **Starbucks Corporation Vs. Aditya Khanna** (INDRP/614) and **Sudhir Kumar Segar Vs. John Doe** (INDRP/1645)). Infact, a generic TLD/CCTLD such as ".in" is a standard registration requirement and therefore cannot be said to distinguish the Respondent's domain name from the Complainant's registered trademark or its domain name as held in **Equifax Inc. Vs. Nikhlesh Kunwar** (INDRP/1038) and **Walmart Stores, Inc. v. Richard MacLead** (WIPO Case No. D2000-0662). As such, when the disputed domain name includes the trademark, or a confusingly similar approximation, regardless of the other terms in the domain name, it is to be considered identical or confusingly similar for the purposes of the Policy as held by the Hon'ble Supreme Court of India in **Satyam Infoway Ltd. Vs. Sifynet Solutions Pvt. Ltd.** (2004 Supp. (2) SCR 4651) that the domain name has acquired the characteristic of being a business identifier when it identify the subject trade or service that an entity seeks to provide to its potential customers (See the decisions in **Dell Inc. Vs. Mani, Soniya** (INDRP/753), **Patagonia Inc. Vs. Doublefist Ltd.** (INDRP/I185), **Factory Mutual Insurance Company Vs. Rhianna Leatherwood** (WIPO Case No. D 2009) and **Avanti Feeds Limited Vs. Pradeep Chaturvedi** (INDRP/I388) that followed the dictum of the Hon'ble Supreme Court of India). Further, in **Zippo Manufacturing Company Inc. Vs. Zhaxia** (INDRP/840), it has been observed that *"the Respondent has picked up the mark without changing even a single letter and when a domain name wholly incorporates a complainant's registered mark that is sufficient to establish identity or similarity for purpose of the Policy."*

8.12 In view of the above discussion, the Respondent herein cannot legitimately claim that it is commonly known by the Domain Name in accordance with Policy No. 6(b) of the .IN Policy and it can be concluded that the Domain Name carries with it an implied risk of affiliation with the Complainant, which cannot constitute fair use. Therefore, it is found that the Respondent has no rights or legitimate interests in the Domain Name, in accordance with Policy No. 4(b) of the .IN Policy and Issue No. 2 is answered in favour of the Complainant.

8.13 **Issue No. 3:** The Complainant would point out that its domain and trademarks were registered much prior to the registration of the disputed domain name of the Respondent and that its 'BLACKSTONE Name and Marks' is a



well known mark. The earliest trademark registration in India dates back to 2005. Moreover, the Complainant also owns a registration claiming use since the year 1990. The Respondent, on the other hand, has registered the disputed domain name only on 18th February, 2024. According to the Complainant, it owns the following registrations in India:

Trademark	Reg. No.	Class	Status	Reg. Date	Status
BLACKSTONE	4540192	35	Registered	22.06.2020	Registered
BLACKSTONE	1362983	36	Registered	10.06.2005	Registered
BUILD WITH BLACKSTONE	5668034	35 & 36	Registered	03.11.2022	Accepted and Advertised

The Complainant has also placed reliance on **Annexure 11** in support of its contentions.

8.14 Moreover, the Complainant has succeeded in proving evident identity between Respondent's domain name and that the Complainant's marks, domain name incorporating 'BLACKSTONE' is likely to mislead, confuse and deceive Complainant's customers as well as the general lay public as to the source, sponsorship, affiliation or endorsement of Respondent's domain name. The Complainant through **Annexure 13 and 14** has succeeded in establishing that the key word 'BLACKSTONE' in any leading search engine throws up the web pages of 'BLACKSTONE.COM' among the leading hits.

8.15 It also to be reasonably presumed that even after the Complainant reached out to the Respondent twice, it did not receive any response, which indicates that the Respondent does not have any rights and legitimate interest in the disputed domain name.

8.16 In support of its above contentions, the Complainant has cited the decisions in **Satyam Infoway Ltd. Vs. MIS Siffynet Solution (P) Ltd** (JT 2004 (5) SC 541), **Byte Dance Lid. Jing Ren** (INDRP/1228, 07.07.2020), **ONEY BANK Vs. Xiao LongLin., A La Si Jia** (D2020-2968 WIPO, 23.12.2020), **Dareos Ltd., Dareos Inc. Vs. Evgeniy Khlintsev** (D2020-1727 WIPO, 28.09.2020), **Charles Jourdan Holding AG Vs. AAIM** (D2000-0403 WIPO, 27.06.2000), **Google Inc.**



USA Vs. Vaibhav Jain (INDRP/132, 03.04.2010), Kenneth Cole Productions Inc. Vs. Viswas Infomedia (INDRP/93, 10.04.2009), Vestel Elektronik Sanayi ve Ticaret AS Vs. Mehmet Kahveci (WIPO-D2000-1244), Etechaces Marketing and Consulting Pvt. Ltd. Vs. Sudeshna Mukherjee (INDRP/1238, 13.07.2020), NuMark LLC Vs. Privacydotlink Customer 3030896/Garret Boyd (WIPO Case No. D/2017-2084, 10.01.2018), Ebay Inc. Vs. Wangming (WIPO Case No. D2006-1107, 28.12.2006), OSRAM GmbH vs. Privacy dotlinkk Customer 3069957, 3069958, 3069959, 3069960/Paul David Song (WIPO Case No. D2017-2307, 15.02.2018), Merrvvalhnhited Vs. Vikramaditya Ashtikar (INDRP/1258, 10.09.2020) and HAPPN (Society) Vs. Happndating.in (INDRP/1393, 14.08.2021). A scrutiny of the findings in the said decisions would show that the same are squarely applicable to the contentions of the Complainant.

8.17 The documents produced by the Complainant would show that the disputed domain name is identical and confusingly similar to that of the name and mark of the Complainant. As such, it is to be concluded that actual knowledge of a well known trademark at the time of registration of a domain name constitutes evidence of bad faith. In the decision dated 16th June, 2005 in **Viacom International Inc & MTV Networks Europe Vs. Web Master** (Case No. D2005-0321-WIPO), it was observed that *"Given long and widespread reputation of the Complainant's mark, the compelling conclusion is that the Respondent, by choosing to register and use a domain name which is not only confusingly similar to the Complainant's widely known and distinctive mark but identical thereto, intended to ride on the goodwill of the Complainant's trademark in an attempt to exploit, for commercial gain, Internet traffic destined for the complainant. Potential partners and end users are led to believe that the website is either the Complainant's site, especially made up for bearings, or the site of the official authorized partners of the Complainant, while, in fact, it is neither of these"*. In **QRG Enterprises Limited & Havells India Limited Vs. Zhang Mi** (INDRP/852) it was held that *"Such registration of a domain name based on awareness of a trade mark is indicative of bad faith registration under the Policy."*

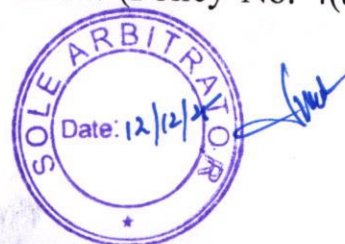
8.18 Further, in **Amazon Technologies Inc. Vs. Mr. Alex Parker** (INDRP/I166) it was held that *"The Respondent's registration of the domain name <amazonemi.in> is likely to cause immense confusion and deception and lead the general public into believing that the said domain name enjoys endorsement or*



authorized by or is in association with and/or originates from the Complainant. The foregoing circumstances lead to the presumption that the domain name in dispute was registered and used by the Respondent in bad faith." The Tribunal is also of the view that the case of the Complainant is well supported by the decision in **M/s. Merck KGa Vs. Zeng Wei** (INDRP/323), wherein it was held that *"The choice of the domain name does not appear to be a mere coincidence, but a deliberate use of a well-recognized mark....Such registration of a domain name, based on awareness of a trademark is indicative of bad faith registration."* In that view of the matter, it is to be presumed that the Respondent has adopted identical name as opportunistic bad faith as held in **Mozilla Foundation and Mozilla Corporation Vs. LINA Double fist Limited** (INDRP/934). In the decision dated 5th April, 2008 in **ITC Ltd Vs. Travel India** (Case No. L-2/5/R4 OF 2008-NIXI), it has been held that *"Registration of domain name which is identical to trademark, with actual knowledge of the trademark holder's rights is strong evidence that the domain name was registered in bad faith"*. Further, in **Wockhardt Ltd. Vs. Kishore Tarachandani**: (INDRP No: INDRP/382), it has been held that *"The Respondent cannot have a right or legitimate interest in the disputed domain name when it incorporates the entire mark of the Complainant, a clear case of abusive registration of a well-known mark."*

8.19 Therefore, it is be concluded that the Respondent's use of the Domain Name, is an intentional attempt to attract internet users to online locations by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation or endorsement of the website, in accordance with Rule 4(c) of the INDRP Rules of Procedure and Policy No.7(c) of the .IN Policy. Accordingly, Issue No. 3 is also answered in favour of the Complainant.

8.20 In the light of the above discussions and on an analysis of the documents produced and on the facts and circumstances of this case, the Tribunal is of the firm view that the Complainant has succeeded in establishing that the registration of the disputed domain prima facie conflicts with its legitimate rights and interests, that the registration is in bad faith, that the Respondent did not produce evidence to rebut the Complainant's case, that in the absence of such evidence, the Complainant is deemed to have satisfied the requirements of Policy No. 4(b) of the .IN Policy, that the Complainant has also succeeded in establishing that the disputed Domain Name is identical and confusingly similar to the inherently distinctive and known trademark of the Complainant (Policy No. 4(a) of the .IN



Policy), that it was registered or is being used in bad faith (Policy No. 4(c) and 7 of the .IN Policy), that the Respondent by all means is presumed to have knowledge of the Complainant's name/marks when it registered the Domain Name and therefore the registration of the domain name constitutes evidence of bad faith, that through the Respondent's use of the Domain Name, it has intentionally attempted to attract customers by creating a likelihood of confusion with the Complainant's trademarks/name as to the source, sponsorship, affiliation or endorsement of the website, in accordance with Policy No. 7(c) of the .IN Policy and that the Respondent ultimately derives commercial advantage from the Respondent's unauthorized use of the Complainant's domain name and marks, which is covered by Policy No. 7(d) of the .IN Policy.

8.21 As regarding, the claim to award of cost of the proceedings, the Complainant has succeeded in persuading the Tribunal to allow the same for the reason that from the very nature of the duplication of the trade mark, name and service the misuse of the same clearly proves that the Respondent was acting fraudulently with the sole intent of making financial gain at the cost of the Complainant.

8.22 Therefore, on the basis of the aforementioned findings, the Tribunal is pleased to order as follows:

Decision

- i) *The disputed domain name is confusingly similar to Complainant's name/trademarks or services.*
- ii) *The Registrant has no rights or legitimate interests in respect of the domain name.*
- iii) *The Registrant's domain name has been registered or is being used in bad faith.*
- iv) *The NIXI is to transfer the registration of the Domain Name in dispute "www.blackstonepay.in." to the Complainant, as prayed for, after the receipt of this decision. The Complainant shall also be at liberty to contact NIXI for implementation of this decision.*
- v) *The Respondent shall pay a cost of Rs. 75,000/- to the Complainant.*



9. Dispositions

9.1 The complainant has given sufficient material evidence to prove extensive trademark rights over the disputed domain name and the Respondent's adoption and registration of the impugned domain name is dishonest and malafide.


9.2 The various Panels have recognized that the Complainant if makes out a prima facie case that the Respondent lacks rights or legitimate interest, it is sufficient that the case put forward by the Complainant is to be accepted. In this case, the Complainant has proved a prima facie case that the Respondent is using the disputed domain name in bad faith.

9.3 The Respondent has no rights or legitimate interests in respect of the domain name in accordance with .IN Policy and INDRP Rules of Procedure and the Tribunal directs that the disputed domain name be transferred from the Respondent to the Complainant with a request to NIXI to monitor the transfer and the Respondent to pay costs to the Complainant.

9.4 A cost of Rs 75,000/- is awarded to Complainant for the reason that by the very nature of the duplication of the trade mark, name and service, the Respondent has acted with the sole intent of making financial gain at the cost of the Complainant.

Dated this the 12th December, 2025




Adv. SUNIL V. MOHAMMED
(Sole Arbitrator)


List of Annexures

- Annexure 1:** Power of Attorney dated 22nd April, 2025.
- Annexure 2:** Extracts from the Complainant's Annual Report for the year ending 2024 evidencing details of its business.
- Annexure 3:** Extracts from the Complainant's website and from its Annual Report or the year ending in 2024 evidencing the location of its headquarters, international offices and number of employees worldwide.
- Annexure 4:** Extracts from the Complainant's website and websites of ranking firms evidencing its awards and recognitions.
- Annexure 5:** Screenshots from the Complainant's website evidencing use of the BLACKSTONE Name and Marks and extracts from the WHOIS records evidencing details of its domain name.
- Annexure 6:** Screenshots from the Complainant's social media pages on Facebook, Instagram, X (formerly Twitter) and LinkedIn featuring the 'BLACKSTONE Name and Marks'.
- Annexure 7:** Media articles evidencing the unsolicited media attention received by the Complainant and to its 'BLACKSTONE Name and Marks'.
- Annexure 8:** Extracts from the Complainant's Annual Report for the year ending 2024 evidencing its annual revenue and total assets under management.
- Annexure 9:** Extracts from the website of the Ministry of Corporate Affairs showing particulars of its Indian subsidiaries, Blackstone Advisors India Private Limited and Blackstone COE India Private Limited.
- Annexure 10:** Extracts from media articles covering the activities of the Complainant, and featuring the 'BLACKSTONE Name and Marks'.



- Annexure 11:** Copies of Certificates of Registration issued by the Trade Marks Registry and/or evidence of renewal, as well as extracts from the online records of the Trade Marks Registry showing particulars of the Complainant's trademark registrations in India.
- Annexure 12:** An extract of the WHOIS records of the disputed domain name, *www.blackstonepay.in*, as received from the National Internet Exchange of India.
- Annexure 13:** Printout of the website located at *www.blackstonepay.in* evidencing information regarding a digital payment and financial services app 'BLACKSTONE PAY', purportedly offered by one 'BLACKSTONE FINSERV'.
- Annexure 14:** Printout of the search results for BLACKSTONEPAY on the search engine Google, which leads to the Complainant's website, BLACKSTONE.COM, as well as other links displaying information about the Complainant for services bearing the 'BLACKSTONE Name and Marks'.




Adv. SUNIL V. MOHAMMED
(Sole Arbitrator)