

**BEFORE MR. GAUTAM PANJWANI, SOLE ARBITRATOR, .IN REGISTRY
NATIONAL INTERNET EXCHANGE OF INDIA (NIXI)
INDRP ARBITRATION
INDRP CASE NO. 2125
DISPUTED DOMAIN NAME: <www.careersibm.in>**

IN THE MATTER OF:

International Business Machines Corporation

1 New Orchard Road

Armonk, New York 10504-1722

United States of America

Through its Attorneys:

Remfry & Sagar

Remfry House at the Millennium Plaza

Sector-27, Gurgaon – 122009

Email: ca.brijesh@remfry.com; simranjot.kaur@remfry.com

Fax: 0124-2806101; 2572123 | Phone: 0124-2806100; 4656100

... Complainant

Versus

1. EVONSY

211, Chennai, Tamil Nadu, 600044, India

Phone: +91-9121074075

Email: satishn17482@gmail.com

... Respondent No. 1

2. HOSTINGER operations, UAB

Švitrigailos g. 34, LT-03230 Vilnius, Lithuania

Email: domains@hostinger.com; support@hostinger.com

... Respondent No. 2 (Registrar)



EX-PARTE ARBITRAL AWARD DATED 06.07.2026

1. PARTIES INVOLVED IN THE PROCEEDINGS

About the Complainant as per the Complaint

1.1 The Complainant, **International Business Machines Corporation**, is a company incorporated under the laws of the State of New York, United States of America, on June 16, 1911, originally as the Computing-Tabulating-Recording Co. (C-T-R). In the year 1924, C-T-R changed its name to "International Business Machines Corporation", which gave birth to the acronym "IBM". The Complainant is today one of the world's foremost technology and consulting organisations, with a presence in over 175 countries through its wholly-owned subsidiaries and a global workforce of over 288,300 employees. The Complainant is engaged in four principal business segments: (a) *Software*, (b) *Consulting*, (c) *Infrastructure*, and (d) *Financing*. The Complainant's revenue from worldwide operations for the year ending 2024 was USD 62.8 billion, with a net income of USD 6.02 billion. The Complainant asserts extensive statutory as well as common law rights in the well-known trademark "IBM" and domain name www.ibm.com, which has acquired immense goodwill and recognition both within India and internationally.

About the Respondent as per the Complaint

1.2 The Respondent No. 1, **EvonSys**, is the registrant of the disputed domain name **www.careersibm.in**, as reflected in the WHOIS records and .IN Registry details placed on record by the Complainant. The Respondent is alleged to have registered and used the disputed domain name without any authorisation, permission, or consent from the Complainant, and to have operated a website falsely portraying an association with the Complainant's business and official recruitment operations, inter alia by redirecting internet users to the Complainant's official IBM recruitment page and by enabling email servers capable of sending and receiving emails through the domain – a conduct highly indicative of phishing and recruitment fraud targeting unsuspecting job seekers. Despite due service of proceedings and multiple opportunities granted, the Respondent failed to enter any appearance or file any response, and the matter accordingly proceeded ex-parte vide email dated 30.06.2026.

1.3 The Respondent No. 2, **HOSTINGER operations, UAB**, is the accredited Registrar through whom the disputed domain name was registered. Respondent No. 2 has been arrayed solely in its



capacity as Registrar and for the purposes of giving effect to any order that may be passed herein in relation to the disputed domain name.

2. PROCEDURAL HISTORY

2.1 The present dispute pertains to the domain name "www.careersibm.in", registered in the name of the Respondent No. 1. As per the WHOIS details and material placed on record by the Complainant, the said domain name is registered through an accredited Registrar under the .IN Registry governed by the National Internet Exchange of India (NIXI). The Complainant alleges that the disputed domain name fingerings its well-known trademark "IBM" and its registered domain name www.ibm.com in its entirety and has been registered and used in violation of the .IN Domain Name Dispute Resolution Policy (INDRP).

2.2 As per the WHOIS records and .IN Registry details placed on record by the Complainant and forming part of the material in the present proceedings, the disputed domain name www.careersibm.in was registered on August 29, 2025, and is due to expire on August 29, 2026. The domain name is registered with HOSTINGER operations, UAB as the Registrar (IANA ID: 299). At the time of filing of the Complaint, the domain name status reflected EPP codes indicating that a client transfer prohibition was in place on the domain. A copy of the .IN Registry WHOIS details has been placed on record as Annexure 19 to the Complaint.

2.3 It is in the aforesaid backdrop, the Respondent's unauthorised registration and deceptive use of a domain name incorporating the Complainant's globally renowned and well-known trademark "IBM" that the Complainant was constrained to invoke the .IN Domain Name Dispute Resolution Policy (INDRP) and initiate the present arbitration proceedings seeking transfer of the disputed domain name.

3. WHAT LED TO THE FILING OF THE COMPLAINT

The proceedings in the present matter unfolded as set out in the table below:

S.No.	Date	Particulars
1.	08.05.2026	Mr. Gautam Panjwani was appointed as Sole Arbitrator by NIXI for adjudication of the present dispute in accordance with the INDRP Policy and the Arbitration and Conciliation Act, 1996.



2.	08.05.2026	Intimation of appointment and commencement of proceedings issued to the parties. Complainant's counsel directed to serve the complete Complaint and all supporting documents upon the Respondent through electronic and physical modes, with proof of service to be placed on record.
3.	02.06.2026	Email service of the copy of the Complaint along with the Annexures was done.
4.	09.06.2026	Physical service of the copy of the complaint along with the Annexures was Delivered.
5.	22.06.2026	The Respondent was given one last Opportunity to file a Response to the Complaint or raise Objections <i>(if any)</i> .
6.	30.06.2026	The Respondent having failed to enter any appearance or file any response despite effective service of proceedings and expiry of the prescribed period, the matter was proceeded ex-parte vide email dated 30.06.2026.
7.	30.06.2026	Further communication issued to both parties to ascertain whether either party required an oral hearing before the matter was taken up for decision. No response was received from either side.

This Award is accordingly rendered on the basis of the Complaint, annexures, documentary evidence placed on record by the Complainant, and the applicable provisions of the INDRP Policy and Rules.

4. RIGHTS OF THE COMPLAINANT AS PER THE INDRP

The Complainant has invoked Clause 4 of the INDRP Policy to initiate the present arbitration proceedings. Clause 4 of the INDRP Policy reads as follows:

"Any Person who considers that a registered domain name conflicts with his/her legitimate rights or interests may file a Complaint to the .IN Registry on the following premises:

- (a) the Registrant's domain name is identical and/or confusingly similar to a Name, Trademark or Service Mark etc. in which the Complainant has rights; and*
- (b) the Registrant has no rights or legitimate interests in respect of the domain name; and*



(c) *the Registrant's domain name has been registered or is being used either in bad faith or for illegal/unlawful purpose."*

All three conditions as set out above must be cumulatively satisfied for a Complaint to succeed under the INDRP Policy.

5. BRIEF FACTS ABOUT INTERNATIONAL BUSINESS MACHINES CORPORATION AS DETAILED IN THE COMPLAINT

5.1 The Complainant, International Business Machines Corporation ("IBM"), is one of the world's oldest and most distinguished technology enterprises, with an uninterrupted commercial history dating back to 1911. The Complainant asserts that the trademark "IBM" and domain name www.ibm.com has acquired immense reputation, goodwill, and recognition both in India and internationally through well over a century of extensive and uninterrupted commercial use.

5.2 The Complainant submits that the trademark "IBM" is a well-known trademark within the meaning of the Trade Marks Act, 1999 and enjoys the highest degree of statutory as well as common law protection. The Complainant is also the proprietor of the domain name www.ibm.com, which has been extensively used worldwide as its official online presence and has, through long, continuous, and extensive use, acquired immense goodwill and reputation, serving as a distinctive identifier of the Complainant and its business. In recognition of the unparalleled reputation and distinctiveness of the trademark "IBM", the Trade Marks Registry, Government of India, has officially declared "IBM" as a Well-Known Trademark and included it in the List of Well-Known Trade Marks published in Trade Marks Journal No. 2065 dated 15 August 2022. Further, the Complainant and its group entities are the proprietors of numerous trademark registrations for the mark "IBM" in more than 170 countries across the world, covering a wide spectrum of goods and services, including, inter alia, computers, computer hardware, software, computer accessories, information technology services, consulting services, telecommunications, infrastructure solutions, and various allied goods and services.

5.3 The Complainant's association with India is longstanding, dating back to 1920. IBM India Private Limited, the Indian subsidiary of the Complainant, is headquartered at Bengaluru, Karnataka, with offices in 15 cities across India. In 2017 alone, the Complainant employed approximately 130,000 persons in India. The Complainant is one of the largest employers in India.



and its trademark "IBM" has, through sustained promotion, widespread commercial use, and consistent public recognition, become exclusively associated with the Complainant in India and globally.

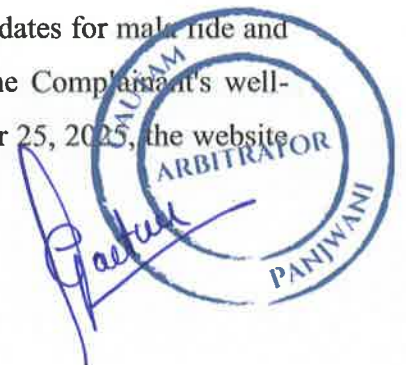
5.4 The Complainant has placed on record details of trademark registrations before the Indian Trade Marks Registry, with the earliest registration of the trademark "IBM" in India dating back to September 3, 1955 (Registration No. 170687). The Complainant presently holds over 84 registrations and applications for the trademark "IBM" and its formative variants across multiple classes before the Indian Trade Marks Registry. All such registrations predate the registration of the disputed domain name by several decades and establish the Complainant's prior statutory and common law rights.

5.5 The Complainant further owns the domain names <ibm.com> (registered on March 19, 1986) and <ibm.in> (registered on February 14, 2005), both of which predate the registration of the disputed domain name "careersibm.in" by decades. The Complainant maintains an active website at www.ibm.com and a significant presence across social media platforms including Facebook (2.8 million followers), Instagram (660,000+ followers), LinkedIn (18 million+ followers), and YouTube (346,000+ subscribers).

5.6 The Complainant contends that the Respondent registered the domain name "www.careersibm.in", which wholly incorporates the Complainant's well-known trademark "IBM" in its entirety and the domain name, along with the descriptive generic term "careers" a term directly associated with the Complainant's recruitment and employment activities. This combination is confusingly similar to the Complainant's trademark and domain names and falsely suggests official association, sponsorship, or endorsement by the Complainant.

5.7 The Complainant asserts that the Respondent has never been authorised, licensed, or permitted to use the trademark "IBM" and the domain or any deceptively similar mark, and has no association whatsoever with the Complainant or its group entities in any capacity.

5.8 The Complainant contends that the Respondent intentionally sought to attract internet users - in particular, unsuspecting job seekers and prospective employment candidates for male rade and potentially fraudulent commercial gain, by exploiting confusion with the Complainant's well-known domain name and official recruitment operations. As of November 25, 2025, the website



at the disputed domain was found to redirect to the Complainant's official IBM recruitment page. Concurrently, the disputed domain had been linked to active email servers, enabling it to send and receive emails from accounts associated with careersibm.in, creating a significant and imminent risk of recruitment fraud and phishing. These facts clearly demonstrate deliberate bad faith registration and use under Clauses 7(b) and 7(c) of the INDRP Policy.

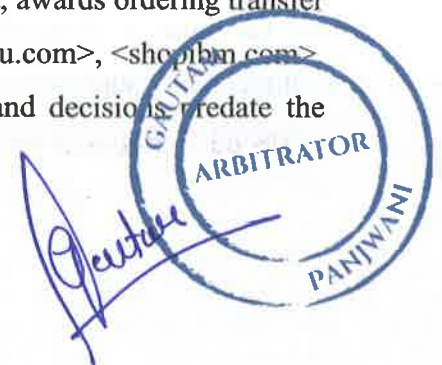
5.9 The Complainant has further drawn attention to a prior INDRP award passed in its favour in the matter concerning the domain name "ibmcareers.in", wherein the INDRP panel ruled in favour of the Complainant, recognised the Complainant's trademark rights, and ordered the transfer of the domain. A copy of the said INDRP Award has been placed on record as Annexure 24 to the Complaint. The present dispute involves a domain name that is in substance an inverted composite of the very same component terms "IBM" and "careers" rendering this precedent directly on point.

5.10 On the basis of the foregoing, the Complainant prays that the domain name "www.careersibm.in" be transferred in its favour, together with costs of the proceedings.

6. TRADEMARK RIGHTS OF THE COMPLAINANT

6.1 The Complainant has placed on record an extensive schedule of trademark registrations for the mark "IBM" and its formative variants, establishing its statutory and proprietary rights beyond doubt. The Complainant holds registrations in multiple classes before the Indian Trade Marks Registry, covering goods and services including computers and computer hardware, software, accessories, IT services, consulting, telecommunications, infrastructure services, financial services, and a host of allied goods and services spanning Classes 6, 8, 9, 11, 14, 16, 18, 20, 21, 22, 24, 25, 26, 28, 30, 35, 36, 37, 38, 41, and 42, amongst others. These registrations are valid, subsisting, and continue to remain in force.

6.2 The Complainant has further relied upon registrations globally in more than 170 countries with the earliest international applications dating back to September 1949, as well as multiple successful UDRP decisions from the WIPO Arbitration and Mediation Center affirming the internationally well-known character of the "IBM" trademark. These include, inter alia, awards ordering transfer of domains such as <ibmjobs.com>, <ibmresearchgroup.com>, <ibmblu.com>, <shopibm.com>, <ibmdownload.com>, and <onlineibm.com>. All such registrations and decisions predate the registration of the disputed domain name.



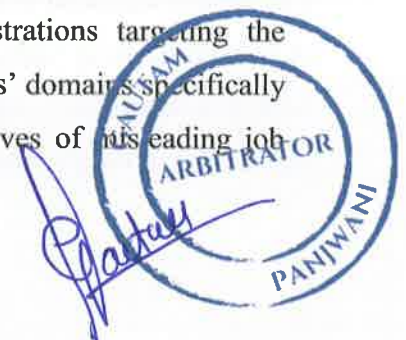
6.3 The Complainant submits that, by virtue of the long, continuous, extensive, uninterrupted, and exclusive use of the trademark "IBM" for over a century, coupled with its substantial commercial presence, enormous global sales, extensive advertising and promotional activities, and widespread public recognition in India as well as across the world, the trademark "IBM" has acquired an unparalleled reputation and goodwill and has indisputably attained the status of a well-known trademark within the meaning of the Trade Marks Act, 1999. The Complainant's official domain name, www.ibm.com, has likewise been extensively and continuously used as the principal online identifier of the Complainant's business worldwide and has acquired immense goodwill, reputation, and distinctiveness, such that it is exclusively associated with the Complainant and its goods and services. The exceptional reputation and distinctiveness of the trademark "IBM" have also received formal statutory recognition by the Trade Marks Registry, Government of India, which has declared "IBM" as a Well-Known Trademark and included it in the official List of Well-Known Trade Marks published in Trade Marks Journal No. 2065 dated 15 August 2022.

6.4 A schedule of the principal trademark registrations relied upon by the Complainant, together with the relevant certificates and online extracts from the Trade Marks Office website, have been placed on record as *Annexure 10* and form part of the present proceedings.

7. ANALYSIS AND FINDINGS

I have carefully considered the Complaint, the annexures, screenshots of the disputed domain name and website, the WHOIS records, the TM Registry extracts, and all communications exchanged between the parties in the course of these proceedings. Since the Respondent has failed to enter any appearance or file any response despite due service of proceedings and repeated opportunities, the assertions made by the Complainant stand wholly un rebutted on record. The present dispute is examined in light of the three cumulative requirements under Clause 4 of the INDRP Policy.

7.1 At the outset, it is submitted that there has been a marked and alarming increase in the registration of domain names by unscrupulous persons, with the deliberate intention of misappropriating the goodwill and reputation of established and well-known brands. In particular, there has been a disturbing proliferation of fraudulent domain registrations targeting the recruitment and employment functions of globally recognised corporations' domains specifically constructed to impersonate official careers portals with the twin objectives of mis leading job



seekers and extorting responses from prospective employment candidates. The disputed domain name is a textbook instance of this precise modus operandi.

7.2 I find it appropriate to place on record the decision of the Hon'ble Supreme Court of India in **Satyam Infoway Ltd. v. Siffynet Solutions (P) Ltd.** [(2004) 6 SCC 145], wherein the court observed that:

"16. The use of the same or similar domain name may lead to a diversion of users which could result from such users mistakenly accessing one domain name instead of another. This may occur in e-commerce with its rapid progress and instant (and theoretically limitless) accessibility to users and potential customers and particularly so in areas of specific overlap. Ordinary consumers/users seeking to locate the functions available under one domain name may be confused if they accidentally arrived at a different but similar website which offers no such services... It is apparent, therefore, that a domain name may have all the characteristics of a trade mark and could found an action for passing off."

7.3 Further, the decision of the Hon'ble Delhi High Court in **Dabur India Limited v. Ashok Kumar and Ors.** [CS(COMM) 135/2022, decided on 24th December 2025] is instructive on the systemic nature of bad-faith domain registrations targeting established marks, including fake employment and dealership portals. The Court observed that in all such cases where infringing domain names had been impugned, barring one or two, no bonafide registrant came forward claiming legitimate rights, and that such domain names are being proliferated only for unlawful and illegal purposes.

7.4 In the present case, the facts are even more egregious. The disputed domain not only incorporates the Complainant's well-known domain name and trademark in its entirety but was actively used to redirect internet users to the official IBM careers/recruitment page, a conduct that demonstrates acute knowledge of and deliberate targeting of the Complainant's official employment infrastructure, while simultaneously being configured with live email servers enabling the sending and receiving of emails from careersibm.in addresses. The potential for large-scale recruitment fraud and phishing, particularly targeting job seekers who are among the most vulnerable targets for online deception, cannot be overstated.

A. Confusing Similarity with the Complainant's Trademark



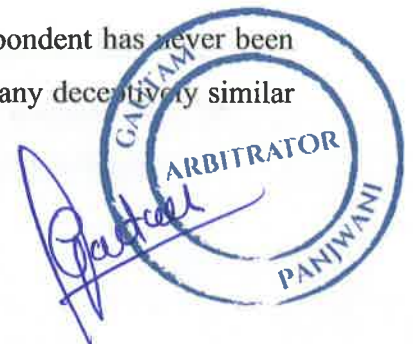
- i. The Complainant has adduced extensive, cogent, and credible material establishing its statutory as well as common law rights in the trademark "IBM" and in its official domain name www.ibm.com. The evidence placed on record, including numerous trademark registrations in India and across the world, the official declaration of "IBM" as a Well-Known Trademark by the Trade Marks Registry vide Trade Marks Journal No. 2065 dated 15 August 2022, the Complainant's ownership and extensive use of the domain name www.ibm.com, and decades of uninterrupted commercial use, conclusively demonstrate that the mark and the associated domain name have acquired immense goodwill, distinctiveness, and an unimpeachable reputation and recognition both in India and internationally.
- ii. The trademark "IBM" is indisputably a well-known trademark within the meaning of Section 2(1)(zg) read with Section 11(6) of the Trade Marks Act, 1999. The Complainant and its group entities hold registrations for "IBM" and its formative variants across multiple classes and jurisdictions. The evidence further demonstrates extensive commercial use and strong public recognition of the mark in connection with information technology, computing, consulting, and allied services.
- iii. A comparison of the disputed domain name "www.careersibm.in" with the Complainant's well-known trademark "IBM" and its official domain name www.ibm.com unmistakably demonstrates that the dominant, distinctive, and essential element of the disputed domain name is the trademark "IBM", which has been reproduced in its entirety without any alteration. The complete incorporation of the Complainant's well-known trademark within the disputed domain name renders the association with the Complainant inevitable and is likely to lead Internet users into believing that the disputed domain name is owned by, affiliated with, endorsed by, or otherwise connected with the Complainant. The addition of the descriptive term "careers" and the country code top-level domain ".in" neither diminishes the identity of the Complainant's trademark nor dispels the likelihood of confusion, particularly when viewed in light of the Complainant's official domain name www.ibm.com, through which the Complainant conducts its online business and communicates with consumers worldwide.



- iv. It is a well-established principle of domain name jurisprudence that the incorporation of a well-known trademark in its entirety is sufficient to establish confusing similarity. The addition of descriptive or generic expressions does not mitigate or negate such similarity- indeed, it may serve to aggravate it. In the present case, the prefix "careers" is plainly a generic and descriptive term directly corresponding to employment and recruitment, which is a specific and major function of the Complainant's organisation as one of the world's largest employers.
- v. Far from distinguishing the domain name, the addition of "IBM" aggravates the likelihood of confusion and deception. An ordinary internet user and more specifically, an ordinary job seeker encountering the domain name "www.careersibm.in" would, in all probability, assume that the website is the official careers portal or recruitment website of the Complainant, "IBM". The combination is specifically engineered to convey the impression that the domain is an official IBM recruitment platform.
- vi. This conclusion is reinforced by the actual conduct of the Respondent. The disputed domain was configured to redirect users to IBM's actual recruitment page at www.ibm.com, thereby further cementing in the user's mind the false belief that the website is an official IBM property. This is the most compelling possible demonstration of confusing similarity in practice.
- vii. The country code top-level domain ".in" does not diminish confusing similarity and is disregarded for this purpose, in accordance with the consistent practice under the INDRP Policy and applicable jurisprudence.
- viii. I am accordingly satisfied that the disputed domain name "www.careersibm.in" is confusingly similar and deceptively identical to the Complainant's well-known trademark "IBM" and the domain name "www.ibm.com". The first requirement under Clause 4 of the INDRP Policy stands satisfied.

B. Absence of Rights or Legitimate Interests of the Respondent

- ix. The Complainant has categorically stated on record that the Respondent has never been authorised, licensed, or permitted to use the trademark "IBM" or any deceptively similar



mark in any manner. No material on record indicates any relationship, association, or affiliation between the Respondent and the Complainant.

- x. The Respondent has not placed any material on record to demonstrate legitimate rights or interests in the disputed domain name, nor has the Respondent established that it is commonly known by the name "CAREERSIBM" or has acquired any proprietary rights therein. Given the opportunity to appear and do so, the Respondent chose to not to appear and participate in the proceedings and was subsequently proceeded ex-parte.
- xi. The screenshots and MX Lookup records placed on record by the Complainant as Annexures 20, 21, and 22 reveal that the disputed domain was used in a manner specifically designed to impersonate the Complainant's official recruitment infrastructure: (a) the website, as of November 25, 2025, redirected users to IBM's official recruitment page at ibm.com, creating an immediate and powerful false impression of official affiliation; and (b) the domain was simultaneously configured with live email servers enabling the sending and receiving of emails from careersibm.in addresses enabling, and indeed facilitating, phishing and recruitment fraud in IBM's name.
- xii. Such use cannot, by any standard, be characterised as bona fide or legitimate. The overall design and deployment of the disputed domain name calculated to impersonate IBM's official careers portal while enabling fraudulent email communications is the antithesis of legitimate use.
- xiii. The Respondent appears to have intentionally adopted the Complainant's well-known trademark as well as domain name and combined it with the specific term "careers" to exploit IBM's goodwill and its position as one of India's and the world's largest employers conduct that is fundamentally incompatible with any legitimate claim to the domain name.
- xiv. I accordingly hold that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The second requirement under Clause 4 of the INDRP Policy stands satisfied.

C. Registration and Use in Bad Faith

- xv. The Domain name and Well - Known trademark "IBM" enjoys extraordinary and unparalleled fame and recognition across India and globally. It has been in continuous

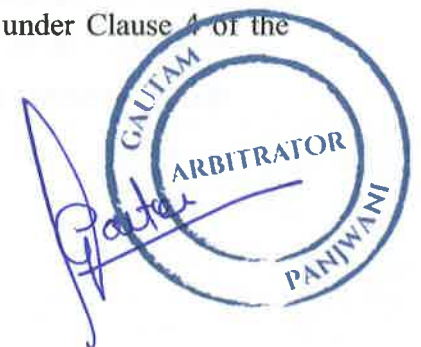


commercial use since 1911, carries registrations in over 170 countries, has been formally declared a well-known trademark and domain under Indian law, and is repeatedly recognised as a world – famous brand by panels under the WIPO UDRP. Given the pervasive fame and distinctiveness of the mark, it is utterly inconceivable that the Respondent was unaware of the Complainant and its trademark rights at the time of registering the disputed domain name on August 29, 2025.

- xvi. The deliberate incorporation of "IBM" a trademark with no meaning or significance whatsoever independent of the Complainant together with the term "careers", which is directly linked to the Complainant's status as one of India's and the world's largest employers, clearly and conclusively demonstrates prior knowledge of the Complainant's business, trademark and domain, and reflects a calculated intent to trade upon its goodwill and to impersonate its official recruitment operations.
- xvii. The material on record confirms that the Respondent actively used the disputed domain name for bad faith purposes: (a) the domain was configured to redirect internet users to IBM's own careers and recruitment portal at ibm.com- a conduct that creates the most immediate and powerful impression of official association, while also serving to harvest user trust for subsequent fraudulent use; and (b) the domain was simultaneously linked to live email servers, enabling the sending of emails from careersibm.in addresses, which is a classic instrument of phishing and recruitment fraud.
- xviii. Clause 7(c) of the INDRP Policy expressly recognises bad faith where a domain name is intentionally used to attract internet users to a website by creating a likelihood of confusion with the Complainant's name or mark as to the source, sponsorship, affiliation, or endorsement of the website. The Respondent's conduct falls squarely and unequivocally within this provision.
- xix. Additionally, the Respondent's conduct falls within the mischief addressed by Clause 7(b) of the INDRP Policy, in that the registration of the domain name prevents the Complainant, who is the rightful owner of the trademark "IBM" and the domain name www.ibm.com, from reflecting the mark in this corresponding domain name, and is part of a broader pattern of domain names incorporating the IBM trademark being improperly held by third parties.



- xx. The Respondent's conduct reflects a deliberate attempt to commercially exploit one of the world's most valuable and well-known trademarks/domain name and to target job seekers who place particular trust in the authenticity of employment-related web portals for potential financial and personal data fraud. The reputational and commercial harm to the Complainant, and the potential harm to the public, is incalculable.
- xxi. The Respondent's complete failure to participate in these proceedings despite due service and repeated opportunities further and independently strengthens the inference of bad faith. A bona fide registrant with any legitimate interest in the domain name would ordinarily enter an appearance and place material on record explaining the basis of adoption and use. The Respondent's silence in the face of these serious allegations speaks for itself.
- xxii. The prior INDRP award concerning the domain "ibmcareers.in" a domain involving the same component elements ("IBM" and "careers") in transposed order which was decided in favour of the Complainant (Annexure 24) and ordered transfer of that domain, provides a directly analogous precedent. The present dispute is, in substance, a continuation of the same pattern of bad faith conduct: the registration of confusingly similar composite domain names pairing "IBM" with employment-related terms for the purpose of impersonating the Complainant's official recruitment operations. Together with the numerous WIPO decisions in the Complainant's favour ordering transfer of domains such as <ibmjobs.com>, <ibmresearchgroup.com>, and <ibmblu.com>, among others these precedents establish an unbroken line of international and domestic authority consistently condemning such conduct.
- xxiii. Having regard to the entirety of the material on record, I am fully and unequivocally satisfied that the Respondent deliberately and dishonestly registered and used the disputed domain name with the intention of exploiting the reputation and goodwill of the Complainant's globally renowned domain name www.ibm.com and the trademark "IBM", and with the specific objective of impersonating the Complainant's official recruitment operations for fraudulent and/or commercial gain at the expense of both the Complainant and unsuspecting members of the public. The third requirement under Clause 4 of the INDRP Policy stands satisfied.



It is noteworthy that Rule 3 of .IN Domain Name Dispute Resolution Policy (INDRP), casts obligation on a registrant, such as the respondent here. The same provides as under:

Registrant's Representations

By applying to register a domain name, or by asking a Registrar to maintain or renew a domain name registration, the Registrant hereby represents and warrants that:

- a) The credentials furnished by the Registrant for registration of domain name are complete and accurate;
- b) *To the knowledge of Registrant, the registration of the domain name will not infringe upon or otherwise violate the right of any third party:*
- c) The registrant is not registering the domain name for an unlawful and malafide purpose: and
- d) *The registrant will not knowledge use the domain name in violation or abuse of any applicable laws or regulation. It is the sole responsibility' of the Registrant to determine whether their domain name registration infringes or violates someone else's right.*

It is evident from the above rule that rule 3(b) and (d) puts an obligation on the Registrant, the respondent herein, before registering a domain name. the registrant is to verify that the registration of the domain name will not infringe upon or otherwise violate the right of any third party.

Form a perusal of the averments and documents filed herewith, there is therefore no doubt that the respondent has got disputed domain name registered in bad faith and to ride on the complainant's IBM trademark's goodwill and reputation. I therefor gold that respondent's domain name has been registered in bad faith.

8. DECISION AND AWARD

In view of the pleadings, documents placed on record, and the findings hereinabove, I am satisfied that:



- (a) The disputed domain name "www.careersibm.in" is confusingly similar and deceptively identical to the Complainant's well-known and globally recognised trademark "IBM" as well as the domain name www.ibm.com;
- (b) The Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (c) The disputed domain name has been registered and used in bad faith, in violation of Clauses 7(b) and 7(c) of the INDRP Policy.

In accordance with the INDRP Policy and Rules, I hereby **DIRECT** that the disputed domain name <www.careersibm.in> be transferred to the Complainant, **International Business Machines Corporation**.

No order as to costs.

Date: 06.07.2026

Place: New Delhi



Mr. Gautam Panigami
Sole Arbitrator
INDRP Arbitrator, .IN Registry / NIXI