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BEFORE THE .IN REGISTRY OF INDIA
INDRP CASE NO. 2133

IN THE MATTER OF AN ARBITRATION UNDER THE .IN DOMAIN NAME DISPUTE RESOLUTION POLICY; THE INDRP RULE OF PROCEDURE AND THE ARBITRATION AND CONCILIATION ACT, 1996

FINAL AWARD

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IN THE MATTER OF THE ARBITRATION ACT 1996 as Amended by Arbitration & Conciliation (Amendment) Act,2015

and

INDRP Rules of Procedure;

and

.IN Domain Name Dispute Resolution Policy (INDRP)

and

In the matter of arbitration between

VOICTREE TECHNOLOGIES PRIVATE LIMITED
91Springboard, Plot No. D-107, Sector 2, Noida, Uttar Pradesh - 201301, India ....Complainant

Vs

MYOPERATOR
Suraj Institute, In front of Apna Hotel Jaitpur road village gohparu Shahdol, Madhya Pradesh 484770 India .... Respondent

in respect of Disputed Domain Name(s):

[myoperator.in]

INDRP Case No. 2133

FINAL AWARD

Date: 24.10.2026

Venue: New Delhi, India

ABHINAV S. RAGHUVANSHI

SOLE ARBITRATOR

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A. THE PARTIES AND THEIR REPRESENTATIVE:

1. **Claimant**
   VOICTREE TECHNOLOGIES PRIVATE LIMITED
   91Springboard, Plot No. D-107, Sector 2, Noida,
   Uttar Pradesh - 201301, India
   Email: legal@myoperator.com
   Website: www.myoperator.com
   Phone: +91 9911836161

   Authorised Representative
   Avneet Bhargava,
   VP- Operations and Compliance
   Tel:
   Email:

2. **Respondent**
   MYOPERATOR
   Service
   Suraj Institute,
   In front of Apna Hotel Jaitpur road village
   Gohparu Shahdol, Madhya Pradesh 484770 India
   Tel: +91 9399850958
   Email: surajinsgohparu@gmail.com

B. THE DOMAIN NAMES AND REGISTRAR:

The disputed domain name < **myoperator.in** > is registered through the Registrar **GoDaddy** is accredited with the .IN Registry and is listed on the website of the .IN Registry having its Contact Address:
Suraj Institute
Service
In front of Apna Hotel Jaitpur road village
Gohparu Shahdol, Madhya Pradesh 484770 India
Tel: +91 9399850958
Email: surajinsgohparu@gmail.com

C. **PROCEDURAL HISTORY:**

1. Sh. Abhinav S. Raghuvanshi was appointed as the sole Arbitrator on 02.06.2026 by the NIXI to act as an Arbitrator in the INDRP case no. 2133 regarding the complaint dated 18.05.2026 filed under the INDRP by the Complainant.

2. That the Arbitral Tribunal upon receipt of Complaint, issued the Notice of Arbitration on 15.06.2026 and further directed the Complainant to effect the service onto the Respondent and provide Proof of Service to the effect. The Respondent was given an opportunity to file a response in writing in opposition to the complaint, if any, along with evidence in support of its stand or contention on or within 15(fifteen) days.

3. That the service of the Notice of Arbitration dated 23.06.2026 was effected by the counsel for the Complainant, and the same was intimated to the Tribunal, The Complaint (with annexures) was sent to the Respondent using the address details available from the WHOIS records. Consequently, the service of the Notice of Arbitration on Respondent was done in accordance with Rule (2) of the INDRP Rules.

4. In the interest of justice, the Arbitral Tribunal under Rule 13 of the INDRP Rules of Procedure directed the Complainant to once again effect service of the Notice of Arbitration along with the copy of the Complaint and annexures, complete in all respects, however, delivery could not be affected.

5. Even after the Service of Notice of Arbitration twice, the Respondent failed to submit a formal Response. The Tribunal nevertheless granted the Respondent a further opportunity, vide notice, to file a formal Response in PDF format within 15 (fifteen) days, expressly stipulating that failure to do so would result in the Complaint being decided on its merits. However, the Respondent failed to avail itself of the said opportunity within the stipulated period.

6. Subsequently, the Complainant, in compliance to the directions issued by this Tribunal, filed their Evidence Affidavit on dated 19.08.2026 in INDRP Case No. 2133.

7. There was a delay in passing the Final Award beyond the prescribed period of 60 days due to a combination of procedural circumstances and unavoidable factors, including the Respondent's failure to submit a formal Response despite being afforded an opportunity to do so.

8. Further, the timeline was affected by the Arbitrator's ill health, including high blood pressure and diabetes, which contributed to the extension of the period required for passing the Final Award.

D. COMPLAINANT CONTENTION:

It is case of the Complainant that:

i. The Complainant is the proprietor of the registered trademark **"MYOPERATOR"**, registered in Class 42 under Application No. 2952135. The Complainant asserts that the mark has been in continuous commercial use since 2010 in relation to cloud telephony solutions, IVR, call management software and related services.

ii. The Complainant contends that the disputed domain name wholly incorporates its trademark "MYOPERATOR", with the only addition being the country-code Top-Level Domain ".in". In support of its contention, the Complainant has placed on record the trademark search record bearing Application No. 2952135 in Class 42, identifying VoiceTree Technologies Private Limited as the proprietor of the mark, reflecting the date of user as 01.01.2010, and recording the mark as registered.

iii. The Complainant further contends that the trademark "MYOPERATOR" has been used continuously and extensively by the Complainant and has acquired significant goodwill and consumer recognition in relation to its services.

iv. The Complainant asserts that the the Complainant has never licensed, authorized or permitted the Respondent to use the trademark "MYOPERATOR" in any form or as a domain name.

v. The Complainant further asserts that the Complainant's trademark has been in use since 2010, whereas the disputed domain name was registered only on 06.10.2024.

vi. The Complainant furthermore asserts that the Respondent is not commonly known by the disputed domain name or the trademark "MYOPERATOR" and has deliberately adopted the identical trade name "MY OPERATOR" for commercial purposes, which is phonetically and visually identical to the Complainant's mark, thereby creating confusion and evidencing an intention to pass off its services as those of, or otherwise establish an association with, the Complainant.

vii. The Complainant furthermore contends that the Respondent registered the disputed domain name nearly a decade after the Complainant had established its trademark and business presence and that the Respondent adopted both the trademark and domain name with full knowledge of the Complainant's rights.

viii. The Complainant states that the Respondent has used the disputed domain name to attract Internet users searching for the Complainant's services and thereby commercially benefit from confusion created by the disputed domain name.

ix. The Complainant highlights that it issued a Cease and Desist Notice dated 09.12.2025, informing the Respondent of its registered trademark rights and requiring cessation of the use of the mark and disputed domain name. However, the Respondent neither responded to nor complied with the notice

within the stipulated period, which, according to the Complainant, further supports bad faith and bad intention of the Respondent.

E. RESPONDENT CONTENTION:

The disputed domain name was registered on 06.10.2024. Pursuant to the notice issued by this Tribunal dated 15.06.2026., the Respondent have failed to file their response- Reply in Opposition to the Complaint. And thus, this Tribunal is not in position to appreciate the exact contentions of the Respondent. However, prima facie it appears that the Respondent's use of disputed domain name is not bona fide. Nevertheless, the Tribunal firmly believes that even in the uncontested matter, the petitioner's case must stand on its own legs and it cannot derive any advantage by absence of the respondents therefore, the complainant must still establish each of the three elements as mentioned in clause 4 of the INDRP policy. Tribunal also notes decision of Hon'ble Supreme Court of India in Sudha Agarwal vs Xth Additional District Judge & Ors (1996) 6 SCC 332.

F. DISCUSSIONS AND FINDINGS:

The complainant seeks to rely upon paragraph 4 of the .IN Policy, which reads as:

"Any Person who considers that a registered domain name conflicts with his 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 Respondent has no rights or legitimate interests in respect of the domain name; and

c) the Registrant's domain name has been registered or is being used in bad faith."

And the Complainant seeks to assert that each of the aforementioned factors.

A. Whether the Respondent's domain name < myoperator.in > is identical to a name, trademark/ Trade name or Service mark, in which the Complainant has right?

i. The Complainant has pointed out that by virtue of its trademark registration, the Complainant is the owner of the trademark **"MYOPERATOR"**.

ii. The Complainant has further pointed out that the disputed domain name **<MYOPERATOR.IN>** incorporates the entirety of the Complainant's trademark **MYOPERATOR** without any alteration or distinguishing element and the only addition is the country-code top-level domain **".in"**, which does not render the disputed domain name distinctive from the Complainant's trademark.

iii. The Complainant has highlighted that the disputed domain name is phonetically and visually identical to its trademark and is likely to cause confusion as to the source, sponsorship or affiliation of the services offered through the disputed domain name.

iv. In view of the above, it is prima facie clear that the Disputed Domain Name **<myoperator.in>** is confusingly similar to the Complainant's registered trademark **"MYOPERATOR"**.

B. Whether the Respondent has rights or legitimate interests in respect of the domain name?

i. The Complainant asserted that the Respondent had not been licensed, authorised, or otherwise permitted to use the trademark "MYOPERATOR", either as a domain name or in any other capacity.

ii. The Complainant further asserted that the WHOIS particulars identify the Respondent/Registrant Organization as Suraj Institute and do not

indicate that the Respondent is commonly known by the name "MYOPERATOR" and the disputed domain name was registered on 06.10.2024, whereas its trademark record reflects use of the mark since 01.01.2010. by the Complainant.

iii. The Complainant pointed out that there was no evidence to demonstrate that the Respondent had used or made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services under an independently recognised brand. Even the website associated with the disputed domain name uses the expression "MyOperator" / "MY OPERATOR" and contains references to business operations and services, thereby indicating the Respondent's adoption of the identical mark in connection with its activities.

iv. Thus, it is evident that the Respondent registered the domain name for the sole purpose of creating confusion and misleading the general public and therefore is not making a legitimate, fair or bona fide use of the domain name.

C. Whether the Registrant's domain name has been registered or is being used in bad faith?

i. The Complainant has stated that its trademark **MYOPERATOR** has been extensively used and promoted in India since 2010 and that it operates its primary online presence through the domain name www.myoperator.com, whereas the disputed domain name **<MYOPERATOR.IN>** was registered by the Respondent on **06.10.2024**, substantially after the Complainant had established its trademark rights and business presence in India.

ii. The Complainant has affirmed that the disputed domain name **<MYOPERATOR.IN>** reproduces the Complainant's trademark **MYOPERATOR** in its entirety. The Respondent has further adopted the trade name **"MY OPERATOR"**, which is visually and phonetically

indistinguishable from the Complainant's registered trademark. The simultaneous adoption of an identical domain name and an identical or phonetically identical trade name, particularly in light of the Complainant's prior rights, cannot reasonably be regarded as a mere coincidence.

iii. The Complainant has placed on record screenshots of the website accessible through the disputed domain name, demonstrating the Respondent's use of the name **"MyOperator"** along with representational material relating to its business. The Complainant has contended that such use is likely to mislead Internet users searching for the Complainant's services and divert them to the Respondent's website, thereby enabling the Respondent to derive commercial benefit from the resulting likelihood of confusion.

iv. Thus, it is established by the Complainant that the Respondent has registered the disputed domain name and is using it in bad faith.

G. DECISION:

In the light of foregoing discussions, it is abundantly clear that the disputed domain name is confusingly similar to a mark in which the Complainant have rights, that the Respondent has no rights or legitimate interests in respect of disputed domain name. It can be clearly held that the Complainant succeeded in establishing that the disputed domain name was registered by the Respondent in bad faith and being used in bad faith in accordance with the policy and rules.

This Tribunal, therefore, orders that the domain name < **myoperator.in** > be transferred to the Complainant.

Abhinav S. Raghuvanshi
Sole Arbitrator

Place: New Delhi
Date: 27.10.2026