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Purchased by : N V SAISUNDER
Description of Document : Article 12 Award
Property Description : AWARD 12
Consideration Price (Rs.) : 0
(Zero)
First Party : N V SAISUNDER
Second Party : N V SAISUNDER
Stamp Duty Paid By : N V SAISUNDER
Stamp Duty Amount(Rs.) : 200
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NV SAISUNDER
SOLE ARBITRATOR

.IN REGISTRY- INTERNET EXCHANGE OF INDIA
INDRP CASE NUMBER: 2068
DISPUTED DOMAIN NAME: <www.anantararesidences.in>



N V SAISUNDER
N V SAISUNDER

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IN THE MATTER OF ARBITRATION BETWEEN:

MHG IP HOLDING PTE. LTD.

2, Alexandra Road, # 05-04/05,

Delta House, Singapore - 159919

..... Complainant

Versus

J Estates Private Limited,

J House, B103, South City,

Gurugram, Haryana - 122001

..... Respondent

ARBITRATION AWARD

DATED: 16th December 2025

1. PARTIES:

The Complainant in this proceeding is MHG IP HOLDING PTE. LTD, a private limited company incorporated under the laws of Singapore, having its registered office at 2, Alexandra Road, # 05-04/05, Delta House, Singapore – 159919. The Complainant is represented by Kochhar & Co., having its office at the address, 11th Floor, Tower A, DLF Towers Jasola, Jasola District Center, New Delhi 110025.

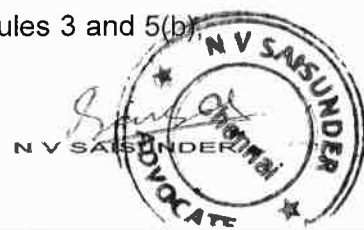
The Respondent in this proceeding is J Estates Private Limited located at J House, B103, South City, Gurugram, Haryana - 122001 as per the WHOIS details disclosed by NIXI.

2. DOMAIN NAME AND REGISTRAR:

The disputed domain name <www.anantararesidences.in> is registered with GoDaddy.com, LLC.

3. PROCEDURAL HISTORY:

The Statement of Acceptance and Declaration of Impartiality was submitted by me on 12th November 2025, as required by NIXI. Further, in accordance with Rules 3 and 5(b),



NIXI appointed me as the sole arbitrator for deciding on the complaint filed in respect of the disputed domain name on 17th November 2025 to arbitrate the dispute between the Parties in accordance with the Arbitration and Conciliation Act 1996 and accordingly notified the Parties of the appointment of the Arbitrator on the same date. Thereafter, the Complainant was directed on 19th November 2025 to serve the hard and soft copy of the complaint on the Respondent and furnish proof of such despatch as required under the INDRP. The Complainant complied with the directions and also sent proof of service of hard copy to the Respondent on 20th November 2025. In accordance with Rule 5(c), the notice to the Respondent was issued on 21st November 2025 by the Arbitrator and the Respondent was called upon to submit their response, if any within 10 (ten) days from the date of issue of the notice. The Arbitrator did not receive any formal response from the Respondent till date. Therefore, the complaint is decided based on the submissions, materials and evidence placed before the Arbitrator.

4. FACTUAL BACKGROUND:

The Complainant, MHG IP HOLDING (SINGAPORE) PTE. LTD. operates over 550 hotels, resorts and serviced suites and over 2,600 restaurants in 57 countries across the Asia Pacific, the Middle East, Europe, South America, Africa and the Indian Ocean over the course of more than 50 years of its operations. The Complainant is amongst the largest hospitality and leisure companies in the Asia Pacific region and owns and operates spa business, consisting of over 70 branded spas across Asia, Africa and the Middle East. The Complainant's chain of ANANTARA hotels have received several accolades in the spa industry for their services.

The Complainant is the registered proprietor of the trademarks "ANANTARA" and its formative marks including logo marks hereinafter collectively referred to as the ("**Trademarks**"), in respect of its resorts and spas since the year 2000. The Complainant owns, operates and/or manages over 50 luxury hotels, resorts and premium serviced apartments and over 30 spas under the "ANANTARA" Trademarks in Asia, the Middle East, Africa and Europe, including in Jaipur, Rajasthan in India.

The Complainant holds various trademark registrations for the "ANANTARA" Trademarks in India evidenced through registration certificates and extracts of the International registrations through the relevant trademark website annexed with the complaint. Few of the trademarks are as below:



- (1) Indian Trademark Application number 5175781 for "Anantara" word mark as on 16th October 2021 under Class 3
- (2) Indian Trademark Application number 5175784 for "Anantara" word mark as on 16th October 2021 under Class 43

The Complainant also owns and operates website <anantara.com> created in 2000.

The disputed domain name was registered on 27th March 2025. The Complainant's Trademark registrations and domain registration containing the Trademark predates the registration of the Disputed Domain Name. The Complainant claims that the Respondent promoted real estate services to potential customers and the general public through the Disputed Domain. However, currently the Disputed Domain Name remains inactive and not accessible.

5. PARTIES CONTENTIONS:

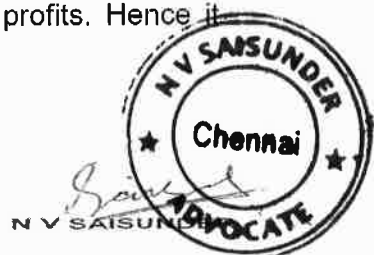
A. Complainant:

The Complainant has contended that all three elements of the INDRP are applicable to the present case.

The Complainant claims that the Disputed Domain Name is identical to its registered Trademark which is well-known in nature.

Further, Complainant claims that the Respondent has adopted the Disputed Domain Name with the sole intention to use the fame of the Complainant's Trademarks to generate web traffic and confuse the internet users and the public at large, and such use by the Respondent is neither *bona fide*, nor a legitimate fair use of the Disputed Domain Name.

Also, the Respondent adopted the Disputed Domain Name in the first place containing Complainant's Trademark in its entirety with a minor addition "residences" to draw an apparent association with them and to depict to the public at large that they are the authorized service provider, partner/affiliate or related entity for the Complainant when that is not the case in order to usurp illegal profits. Hence it indicates bad faith use and registration.



B. Respondent:

The Respondent did not file any response to the submissions of the Complainant.

6. DISCUSSION AND FINDINGS:

Under the INDRP, the following three elements are required to be established by the complainant in order to obtain the remedy of transfer of the disputed domain name to the complainant:

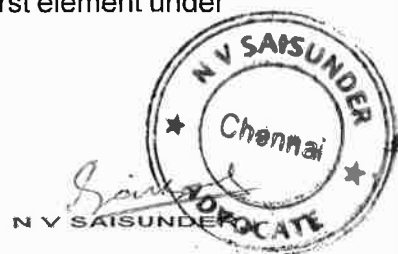
- (i) The disputed domain name is identical or confusingly similar to a name, trademark or service mark in which the Complainant has rights; and,
- (ii) The Respondent lacks rights or legitimate interests in respect of the disputed domain name; and
- (iii) The disputed domain name has been registered or is being used in bad faith.

A. IDENTICAL OR CONFUSINGLY SIMILAR

It is a well-accepted principle that the first element functions primarily as a standing requirement. The threshold test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the Disputed Domain Name. The Complainant has submitted evidence of its trademark registrations that establish that the Complainant has statutory rights in the mark "ANANTARA" for the purpose of policy and specifically also holds registrations in India where the Respondent is purportedly operating out of.

The Trademark of the Complainant has been reproduced in entirety along with the term "residences". The Panel notes that even minor additions to a well-known trademark do not serve to distinguish the Disputed Domain Name from the Trademark and do not eliminate the confusing similarity between the Disputed Domain Name and the Trademark for the purposes of the Policy.

The Disputed Domain Name is accordingly found to be identical or confusingly similar to the Complainant's mark. The Complainant has successfully fulfilled the first element under paragraph 4(a) of the INDRP Policy.



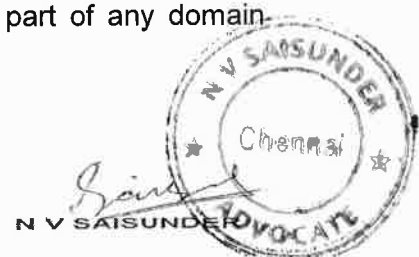
B. RIGHTS OR LEGITIMATE INTEREST

Paragraph 6 of the INDRP Policy provides a list of circumstances in which the registrant of a domain name may demonstrate rights or legitimate interests in a disputed domain name. While the overall burden of proof in the proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.

Having reviewed the evidences on record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. The Respondent has not appeared in these proceedings and has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name

The Panel finds the following from the records before it:

- a. The Respondent does not appear to engage in any legitimate non-commercial or fair use of the Disputed Domain Name, nor any use in connection with a *bona fide* offering of goods or services. In fact, the Panel has reasonable grounds to believe that the Respondent has made a commercial use of the Disputed Domain Name, with the intent to unlawfully gain and misleadingly divert consumers and to tarnish the Trademark at issue which is evidenced from the earlier content of the webpage of the Disputed Domain Name as shown by the Complainant in its complaint;
- b. the Respondent has not been commonly known by the Disputed Domain Name; or,
- c. the record contains no other factors demonstrating rights or legitimate interests of the Respondent in the Disputed Domain name. The Respondent has no authorization from the Complainant to use the "ANANTARA" trademark as part of any domain name.



In light of the facts and circumstances discussed, it is accordingly found that the Complainant has made out a prima facie case that the Respondent lacks rights and legitimate interests in the disputed domain name. The second element under paragraph 4(b) of the INDRP Policy has been met by the Complainant.

C. REGISTERED AND/OR USED IN BAD FAITH

The Panel notes that, for the purposes of paragraph 4(c) of the INDRP Policy, paragraph 7 of the INDRP Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

Based on the evidence put forward by the Complainant, the Panel agrees that that the Respondent ought to at least have had constructive notice of the Complainant's well-known Trademark and rights to the "Anantara" Trademark when it registered the Disputed Domain Name. The evidence submitted by the Complainant with respect to the content that was displayed by the Respondent on the Disputed Domain Name relating to real estate services directly points out that the Respondent was very well aware of the Trademark and the business reputation of the Complainant thereby indicating the opportunistic bad faith of the Respondent. The Respondent's deliberate use of the Complainant's Trademark in conjunction with the word "residences" is calculated to create the false impression that the Respondent's real estate services are associated with, endorsed by, or affiliated with the Complainant which is not the case.

The Panel agrees with the Complainant that besides, causing grave harm and loss of revenue and reputation to the Complainant, the Respondent is causing severe losses to the users/consumers, who may use the Respondent's services, under a belief that the same are provided by the Complainant and thereby duping them off heavy monetary losses.

The Complainant has accordingly satisfied the third element under paragraph 4(c) of the INDRP Policy, that the Disputed Domain Name has been registered and is being used in bad faith.



7. DECISION:

In view of the above findings it is ordered that:

- a. The Disputed Domain Name <www.anantararesidences.in> be transferred to the Complainant.
- b. The Respondent pay the Complainant a sum of INR 1,50,000/- (Indian Rupees One Lakh and Fifty Thousand only) towards costs of these proceedings.


N V SAISUNDER
Arbitrator
Date: 16th December 2025

