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Account Reference	: IMPACC (SH)/ dlshimp17/ HIGH COURT/ DL-NDD
Unique Doc. Reference	: SUBIN-DLDSLHIMP1767903532380815Y
Purchased by	: BHARAT S KUMAR
Description of Document	: Article 12 Award
Property Description	: Not Applicable
Consideration Price (Rs.)	: 0 (Zero)
First Party	: BHARAT S KUMAR
Second Party	: Not Applicable
Stamp Duty Paid By	: BHARAT S KUMAR
Stamp Duty Amount(Rs.)	: 100 (One Hundred only)



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BEFORE BHARAT S KUMAR, SOLE ARBITRATOR

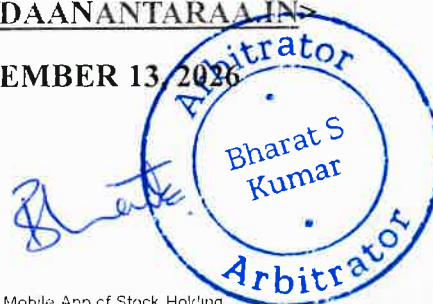
NATIONAL INTERNET EXCHANGE OF INDIA (NIXI)

INDRP ARBITRATION

INDRP Case No. 2152

DISPUTED DOMAIN NAME: <VAKRATUNDAANANTARAA.IN>

ARBITRATION AWARD DATED SEPTEMBER 13, 2026



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BEFORE BHARAT S KUMAR, SOLE ARBITRATOR
.IN REGISTRY
NATIONAL INTERNET EXCHANGE OF INDIA (NIXI)
INDRP ARBITRATION
INDRP Case No. 2152
DISPUTED DOMAIN NAME:<VAKRATUNDAANANTARAA.IN>
ARBITRATION AWARD DATED SEPTEMBER 13, 2026

IN THE MATTER OF:

MHG IP HOLDING (SINGAPORE)

PTE. LTD.,

Having its registered office at

2, Alexandra Road,

05-04/05, Delta House,

Singapore - 159919

Complainant

VERSUS

Swikruti Dash

Pooja CHS,

Sector 20, Airoli,

Mumbai,

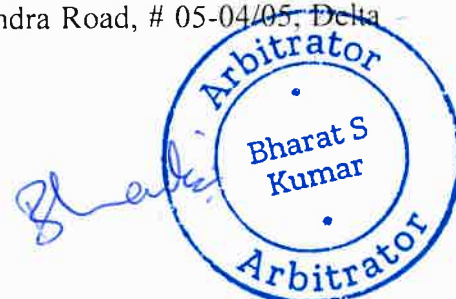
Maharashtra – 400708,

India

Respondent

1. The Parties in the proceeding:

The complainant in this administrative proceeding is **MHG IP HOLDING (SINGAPORE) PTE. LTD.**, a company incorporated under the laws of Singapore, having its registered office at 2, Alexandra Road, # 05-04/05, Delta



House, Singapore, 159919 (hereinafter referred to as the 'complainant'). The complainant's authorized signatory is Mr. Jesse Liberman. Mr. Liberman has further authorized, vide a Board Resolution (BR) dated July 15, 2025, Mr. Rohit Kochhar, Mr. Amit Panigrahi, Ms. Parul Panthi and Mr. Sahil Arora, and all advocates of Kochhar & Co. in the present proceedings.

The respondent in the present proceedings is Swikruti Dash, having his/her address at Pooja CHS, Sector 20, Airoli, Mumbai, Maharashtra – 400708, India. The respondent's email address is swiki3130@gmail.com. The complainant has also filed the publicly-available WHOIS record, for the domain name <vakratundaanantaraa.in>.

2. **Domain Name and Registrar:-**

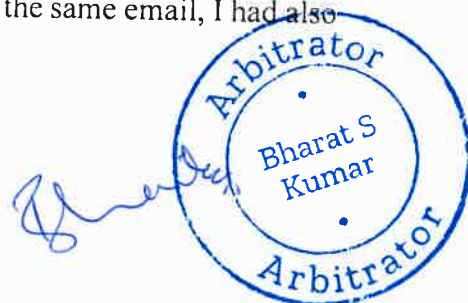
The disputed domain name is < www.vakratundaanantaraa.in >. As per the WHOIS record shared by the complainant, the domain name was registered on May 09th, 2026 (the complainant has mentioned the same as March 27, 2025 in its complaint). The registrar with which the domain name is registered is GoDaddy.

3. **Procedural History:**

3.1 This arbitration proceeding is in accordance with the .IN Domain Name Dispute Resolution Policy (the "Policy") adopted by the National Internet Exchange of India ("NIXI") and the INDRP Rules of Procedure (the "Rules"). The arbitration proceeding is approved in accordance with the Indian Arbitration and Conciliation Act, 1996, amended as per the Arbitration and Conciliation (Amendment) Act, 2015. By registering the disputed domain name with a NIXI accredited Registrar, the respondent has agreed to the resolution of disputes pursuant to the said Policy and the Rules.



- 3.2 The complaint was filed by the complainant with NIXI against the respondent. On 13.07.2026, to ensure compliance, I had submitted statement of acceptance and declaration of impartiality and independence as required by the Arbitrator's Empanelment Rules (Rule 5). On 15.07.2026, I was appointed as the sole arbitrator to decide the disputes between the parties. NIXI notified both the parties of my appointment as arbitrator *via* email dated 15.07.2026. NIXI had also served by email an electronic copy of the complainant with annexures, on the respondent at the email address of the respondent, swiki3130@gmail.com, whilst appointing me as an arbitrator.
- 3.3 On 16.07.2026, I had issued notice to the respondent on swiki3130@gmail.com and directed the complainant to serve the complete paperbook on the respondent through post and email, i.e. the complaint which was filed by the complainant and the complete annexures. In the same email, I had also stated to the parties that I have been appointed by NIXI and should any of them require a change in the arbitrator, they may approach NIXI for the same. That, pursuant to my email, the service was done by the complainant's counsel, Ms. Ishikaa Seth, on 17.07.2026, on the email address present through a WHOIS lookup, i.e. swiki3130@gmail.com. The courier receipt of the physical delivery was also shared by her in the same email. It may be noted that I had on 16.07.2026 also granted the respondent a time period of 15 days, to file a response to the complaint, from my email and the delivery of service of the complete paperbook.
- 3.4 That pursuant to no response from the respondent for 15 days after service of the complaint and the documents(annexures), I had on 02.08.2026 sent an email to the respondent apprising it of its rights to file a defence (response). I had also in the interest of justice, granted the respondent 10 more days to file a response. That on 14.08.2025, I had finally closed the respondent's rights to file a response. It is pertinent to note that this was only after about 25 days from the service of the paperbook. That in the same email, I had also



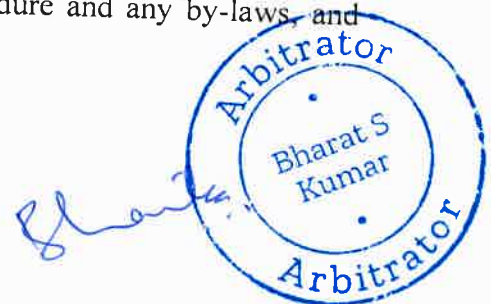
asked the complainant's counsel whether they wish to seek any personal hearing, to which they declined the same and requested that the complaint further proceed on merits. It is pertinent to mention that on 16.07.2026, I had categorically asked both the parties to confirm my appointment as an arbitrator. The complainant had vide email dated 17.07.2026, confirmed my appointment.

3.5 That, all the communications to the complainant, respondent and NIXI by this tribunal have been through email. None of the emails sent on swiki3130@gmail.com have bounced or returned. I therefore hold that the service is complete as per the INDRP rules as all correspondences effectively took place on swiki3130@gmail.com.

Respondent being proceeded ex-parte:

3.6 I wish to highlight Clause 13(b) of the INDRP Rules of procedure requires that the arbitrator shall at all times treat the parties with equality and provide each one of them with a fair opportunity to present their case. Clause 17 of the INDRP Rules of procedure grant the power to an arbitrator to proceed *ex-parte*, in the event any party breaches the provisions of INDRP rules and/or directions of the arbitrator.

3.7 The respondent has been given a fair opportunity to represent itself, respond to the complainant's assertions & contentions and counter the same, if it so wishes to. However, there has been no response by the respondent, despite effective service. It is noteworthy that Clause 18 of the INDRP Rules of procedure mandate that an arbitrator shall decide a complaint on the basis of the pleadings submitted and in accordance with the Arbitration & Conciliation Act, 1996 amended as per the Arbitration and Conciliation (Amendment) Act, 2015 read with the Arbitration & Conciliation Rules, Dispute Resolution Policy, the Rules of Procedure and any by-laws, and



guidelines and any law that the arbitrator deems to be applicable, as amended from time to time. In these circumstances this tribunal proceeds to decide the complaint on merits, in accordance with said act, policy and rules on respondent's failure to submit a response, despite having been given sufficient opportunity and time to do so and represent itself. As a result of the aforementioned, the respondent is proceeded *ex-parte*.

4. Legitimate rights under which a complainant can approach NIXI:

4.1 The complainant has invoked Clause 4 of the INDRP policy to initiate the arbitration proceeding. Clause 4 reads as under:

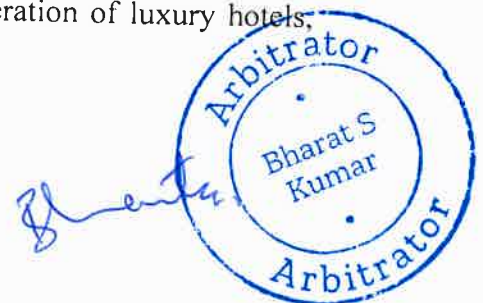
4. Any person who considers that a registered domain name conflicts with his/her legitimate rights or interests may file a Complaint to the .IN Registry on the following premises:

- (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.*

The complainant therefore has to satisfy this arbitral tribunal on all the three aforementioned clauses/conditions, i.e 4 (a), (b) and (c).

5. Case of the complainant

5.1 The complainant states that it, MHG IP HOLDING (SINGAPORE) PTE. LTD., forms part of the globally renowned Minor Group and is engaged in the ownership, development, management and operation of luxury hotels,

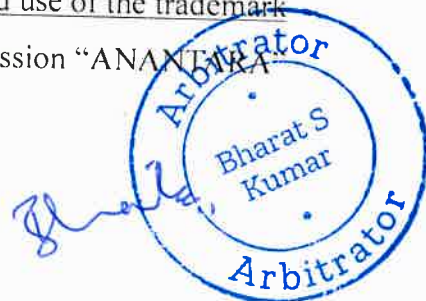


resorts, residences, spas, wellness destinations and allied hospitality and lifestyle ventures across the world.

- 5.2 The complainant states that it is a subsidiary of Minor International Public Company Limited, an internationally acclaimed hospitality and leisure conglomerate which presently operates in excess of 550 hotels, resorts and serviced suites and over 2,600 restaurants across more than 57 countries spanning Asia Pacific, the Middle East, Europe, Africa, South America and the Indian Ocean region.
- 5.3 It is averred that the complainant and its group entities own, manage and operate a diverse portfolio of hospitality, wellness, lifestyle and real estate assets under several internationally recognized brands, including their alleged flagship ANANTARA brand. It states that over the years, it has established a significant global presence through its luxury hotels, resorts, branded residences, premium serviced apartments and destination experiences, and has acquired substantial goodwill and reputation amongst consumers, investors and members of the trade across multiple jurisdictions. The complainant states that it is also widely recognized for its luxury wellness and spa offerings, which are operated through a network of branded spas across Asia, Africa, the Middle East and other parts of the world.
- 5.4 In addition to the above, it avers that it has expanded its commercial footprint into the field of branded residences, luxury villas, residential developments, real estate management and related services, thereby establishing the ANANTARA brand as a distinctive source identifier extending beyond hospitality and wellness services and encompassing premium lifestyle, residential and real estate offerings.

The trademark "ANANTARA":

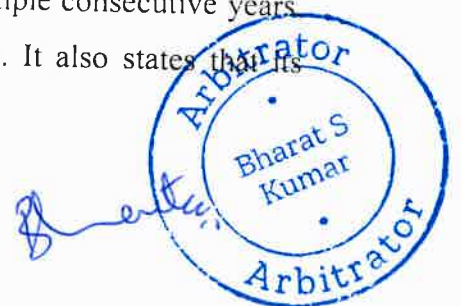
- 5.5 The complainant avers that it adopted and commenced use of the trademark ANANTARA in the year 2000. It avers that the expression "ANANTARA"



is derived from the Sanskrit language and conveys the meaning “without end” or “endless”. It implies that ANANTARA is a coined term. The complainant states that over the course of more than two decades, the **ANANTARA** trademark has been extensively and continuously used by it and its group entities in relation to luxury hotels, resorts, spas, branded residences, lifestyle experiences and allied services across numerous jurisdictions worldwide.

5.6 The complainant avers that the ANANTARA brand embodies its philosophy of providing destination-specific luxury experiences that integrate hospitality, wellness, culture, heritage and local authenticity. The complainant states that through its properties are situated in some of the world’s most sought-after destinations, the complainant has consistently promoted and commercialized the ANANTARA brand as a distinctive identifier of its premium hospitality, lifestyle and residential offerings. As a consequence of such long, continuous and extensive use, the trademark **ANANTARA** has acquired substantial goodwill, reputation and recognition amongst consumers and members of the trade internationally, including in India.

5.7 The complainant avers that its ANANTARA brand has acquired substantial international goodwill, reputation and recognition and is widely acknowledged as one of the leading luxury hospitality, wellness and lifestyle brands in the world. It avers that, over the years, properties operating under the ANANTARA brand have received numerous awards, accolades and industry recognitions from reputed international organizations and publications, reflecting the quality, exclusivity and distinctive character associated with the **ANANTARA** trademark. It states that amongst other distinctions, ANANTARA Spa has been recognised as the “World’s Best Hotel Spa Brand” at the World Spa Awards for multiple consecutive years including 2017, 2018, 2019, 2020, 2021 and 2022. It also states that its



various ANANTARA properties have received regional and international recognition for excellence in hospitality, wellness and guest experiences, including recognition bestowed upon Anantara Desaru Coast Resort & Villas (Malaysia) at the World Spa Awards.

5.8 The complainant states that its group entities have also, in recent years, received several international recognitions and distinctions in relation to hospitality excellence, sustainability, corporate governance and luxury travel experiences. It avers that the ANANTARA brand has further been recognised through prestigious awards conferred upon its properties, including the Anantara Jewel Bagh Jaipur Hotel, which was declared a Global Winner at the Luxe Global Awards 2025 in the categories of “Best Luxury Wedding Destination” and “Best Luxury Cultural Hotel”.

Trademark registrations of ANANTARA:

5.9 The complainant avers that it is the owner of the trademarks


ANANTARA
 HOTELS · RESORTS · SPAS

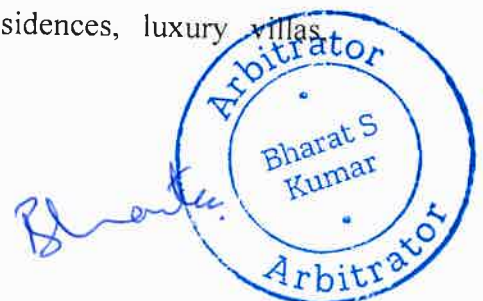
“ANANTARA”,  (hereinafter collectively referred to as the “**ANANTARA trademarks**”), in respect of its resorts and spas since the year 2000, and, have continuously expanded its business under the said trademarks by opening ANANTARA resorts and spas in a number of countries around the world. It avers that today, 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 countries such as Thailand, Sri Lanka, Vietnam, Cambodia, China, Indonesia, Maldives, Mozambique, Portugal, the United Arab Emirates, Oman and Qatar, etc. The complainant avers that through its group companies, it operates and manages hotels, resorts and spas, including those under the **ANANTARA trademarks**.




Also, it avers that in addition to its hotels and resorts under the famous and prior **ANANTARA** trademarks, the complainant operates hotels under many other prestigious brands, i.e. AVANI, TIVOLI, NH, NH Collection, NHow, Oaks Hotels & Resorts, and Elewana Collection. The complainant states that it has consistently invested in opportunities to expand their business and has also intensified their footprint in India by launching ANANTARA brand in Jaipur, Rajasthan. It had filed as **Annexure – C**, documents affirming the same.

5.10 The complainant avers that it has continuously, extensively and consistently used the **ANANTARA** trademarks across its various business verticals, thereby ensuring a uniform and distinctive brand identity worldwide. It states that the ANANTARA trademark constitutes the dominant and source-identifying element of the complainant's hospitality, wellness, residential and lifestyle offerings and is prominently used in relation to its hotels, resorts, branded residences, villas, spas and experiential services operating across multiple jurisdictions. The complainant states that it's properties and offerings are uniformly marketed and promoted under the **ANANTARA** brand architecture. It states that by way of illustration, several of the complainant's luxury properties bear the **ANANTARA** trademark as the leading and distinguishing component of their respective names, including ANANTARA Hua Hin Resort, ANANTARA Koh Samui Resort, ANANTARA Dhigu Maldives Resort, ANANTARA Desaru Coast Resort & Villas, Anantara Jewel Bagh Jaipur Hotel and numerous other properties worldwide.

5.11 It states that similarly, the complainant's wellness and spa services are offered under the **ANANTARA** brand through a network of internationally recognised spa facilities and wellness destinations. The complainant avers that it has also expanded the **ANANTARA** brand beyond conventional hospitality offerings to encompass branded residences, luxury villas



destination experiences and lifestyle services. Under the ANANTARA brand, the Complainant avers to offer curated luxury experiences, residential developments, wellness programmes and bespoke guest experiences designed to reflect the distinctive quality, exclusivity and reputation associated with the ANANTARA Trademarks. It states that as a result of such long, continuous, extensive and prominent use across multiple jurisdictions and business sectors, the ANANTARA trademark has become exclusively associated with the complainant and serves as a distinctive badge of origin identifying the complainant's goods, services and commercial activities. The complainant alleges that consequently, its ANANTARA trademarks have accordingly acquired substantial goodwill, reputation and source-identifying significance amongst consumers, investors, members of the trade and public at large.

5.12 That at paragraph 4 (vi) of its pleadings, it has also shared its worldwide revenues of its businesses which use its ANANTARA brand/trademarks. To affirm its growth in the same, it mentions the sale figures during the year 2001 as \$6.5 million to a growth of \$711.6 million in 2026.

5.13 The complainant has also filed as **Annexure H** its ANANTARA trademark certificates which affirm its statutory rights. The trademark registration numbers of "ANANTARA" in India are 5175781(class 3), 5175784(class 43), 5175777(class 35), 5175780 (class 44), 5175775(class 44), 5175779 (class 43) and 5175776 (class 3). The complainant has also filed trademark registrations of other countries. Additionally, it has also filed copies of representative publications, media articles and related materials evidencing the reputation and recognition enjoyed by the ANANTARA Trademarks are collectively annexed herewith as **Annexure D (Colly)**. The complainant has also mentioned in paragraph 4(xvi) a table elucidating its trademarks across the world. Part of its registration table which evidences the list of registered trademarks are affixed below:



APP. NO.	TRADEMARK	CLASSES	COUNTRY
5175781	ANANTARA	03	INDIA
5175784	ANANTARA	43	INDIA
5175777	 ANANTARA HOTELS RESORTS SPAS	35	INDIA
5175776	 ANANTARA HOTELS RESORTS SPAS	3	INDIA
5175780	 ANANTARA HOTELS RESORTS SPAS	44	INDIA
5175783	ANANTARA	36	INDIA
5175782	ANANTARA	35	INDIA
5175785	ANANTARA	44	INDIA
5175779	 ANANTARA HOTELS RESORTS SPAS	43	INDIA
40M1432842	 ANANTARA	3, 36, 43, 44	Mongolia
180125686	 ANANTARA	39, 41	Thailand
J00201303308 8	 ANANTARA	44	Indonesia
V0020110036 28	 ANANTARA	43	Indonesia
J00201101699 3	 ANANTARA	35	Indonesia


 Arbitrator
 Bharat S
 Kumar
 Arbitrator

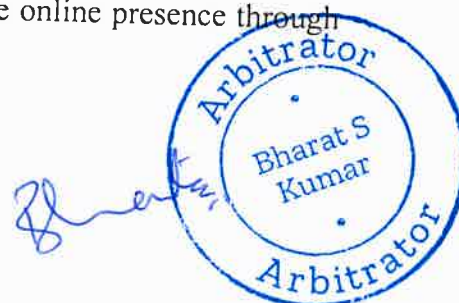
26482020	ANANTARA	35, 43, 44	Switzerland
2018008749	 ANANTARA	36	Malaysia

2018008748	 ANANTARA	3	Malaysia
310658	 ANANTARA	3, 43, 44	Israel
M1432842	 ANANTARA	36, 3	Laos
TNM1001432 842	 ANANTARA	3	Tunisia
1105613	ANANTARA	3, 36, 43, 44	New Zealand
1106794	 ANANTARA	43	New Zealand
1429924	ANANTARA	3, 36, 43, 44	Madrid
1964293	ANANTARA	3, 36, 43, 44	Australia
1968400	 ANANTARA	43	Australia
KH 1432842 M	 ANANTARA	3	Cambodia

The list affirms the complainant's statutory rights and trademark registration across myriad countries.

The complainant's presence online through a website:

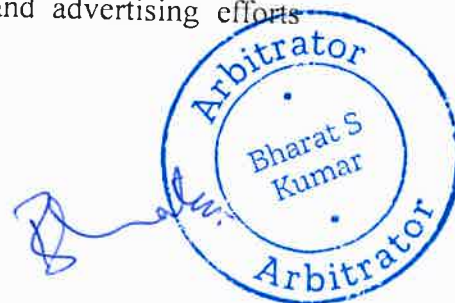
5.14 The complainant avers that in addition to its substantial offline presence and commercial operations, it enjoys an extensive online presence through



its official websites, digital platforms and online booking channels operating under and in association with the **ANANTARA** trademarks. The complainant states that its principal website, accessible through the domain name www.anantara.com , has been operational since the year 2000 and serves as a primary platform through which consumers worldwide, including consumers in India, access information regarding the complainant's hotels, resorts, residences, spas, lifestyle offerings and related services. The complainant avers that the ANANTARA online platforms attract significant traffic from consumers across numerous jurisdictions and generate substantial user engagement, bookings, transactions and revenue. The complainant has also filed screenshots and extracts from its Google Analytics reports, Geo Market reports and related materials evidencing website traffic, user engagement, transactions and revenues generated through the complainant's online platforms. They are collectively annexed with the complaint as **Annexure E (Colly)**.

5.15 Affirming its brand popularity, the complainant has also in paragraph 4(ix) its total number of guests, with the number averred to now as 289,632 total bookings with 615473 total guests. The complainant states that besides having a significant presence in offline business, the complainant has extensive presence and outreach to global customer base, through its dedicated website, <https://www.anantara.com/en> which website was created in the year 2000. It avers that the said website has been accessible from India since its inception, and it has been possible at all times for residents in India to book their stay at the complainant's ANANTARA resorts through this website. Documents evidencing the same are collectively filed along with the complaint as **Annexure F (Colly)**.

5.16 The complainant avers that by virtue of the long, continuous and extensive use of the **ANANTARA** trademarks, the substantial revenues generated thereunder, the extensive promotional and advertising efforts



undertaken by the complainant, the widespread media recognition received by the ANANTARA brand, and the significant goodwill and reputation acquired by it internationally as well as in India, the ANANTARA trademarks have acquired an exceptionally high degree of distinctiveness and consumer recognition. The ANANTARA trademarks have become exclusively associated with the complainant and serve as distinctive source identifiers of the complainant's hospitality, wellness, lifestyle, residential and allied services. The complainant also actively promotes and advertises the ANANTARA trademarks and the goods and services offered thereunder through various digital and social media platforms, including Instagram, YouTube, Facebook and X (formerly Twitter).

5.17 The complainant also avers that the popularity and reach of the ANANTARA brand is further reflected through the substantial consumer engagement and following enjoyed by the complainant across such platforms. As of 2026, the complainant alleges its social media presence collectively extends to several hundred thousand followers and subscribers across its various official channels, thereby reinforcing the visibility, recognition and reputation of the ANANTARA trademarks amongst consumers worldwide, including in India. That, the extensive online presence, consumer engagement and digital visibility associated with the ANANTARA trademarks further demonstrate the substantial goodwill and reputation vested in the said marks and the likelihood of consumer confusion arising from any unauthorized adoption or use of an identical or deceptively similar mark or domain name by a third party. The complainant has also filed and lays reliance on extracts from its official social media platforms **Annexure G (Colly)**. In paragraph 4(xv), the complainant has also tabulated its promotional expenditure which affirms a multifold increase in 15 years.

Orders passed by courts in India

5.18 The complainant avers that it regularly checks such misuse and takes appropriate legal actions against such unscrupulous third parties. The

[Signature]

Arbitrator
Bharat S
Kumar
Arbitrator

complainant avers that it has obtained injunction orders and decree from Indian courts against infringement and unauthorized use of its trademark, **ANANTARA** along with various favourable orders in a number of UDRP/INDRP domain name complaints against third party infringers who were found making use of identical/similar domain names. Copies of the favourable orders for the transfer of the domains in the name of the complainant, have been filed as **Annexure I**.

Query raised to the complainant's counsel - Any prior and/or continuing litigation with the builder of 'Vakratunda Anantaraa' or the Respondent herein

5.19 I had on 13.09.2026, asked the complainant's counsel whether any civil proceedings had been initiated against the builder of the real estate project 'Vakratunda Anantaraa'. This was specifically asked because the respondent served herein did not seem to be the builder of the real estate project, with the project name 'Vakratunda Anantaraa'.

5.20 I had specifically asked for this clarification because paragraph 7 of the complaint stated:

*[7.] It is submitted that the Complainant has initiated **another** legal proceeding in terms of Pre-institution Mediation before the Mediation Centre, Hon'ble Delhi High Court against the Impugned Domain.*

5.21 That on 13.09.2026, Ms. Seth had immediately clarified that the respondent herein had no relation to an ongoing pre-litigation mediation against the concerned builder, ISPL Machine Builders. This litigation is pending adjudication of the alleged usage of "Vakratunda Anantaraa" by the aforementioned builders for its real estate projects. The snapshot of the email is below:



Ishika Seth
to me, Rishi, Ram, Rishab, Amit, Bhavish, Legal@anantaraa.in, Legal@anantaraa.in, Legal@anantaraa.in

Dear Sir,

Thank you for your email.

We wish to clarify that no proceedings have been initiated before any commercial civil court for infringement of trade mark or passing off against the Respondent herein or in relation to the Impugned Domain Name which forms the subject matter of the present proceedings.

However, it is pertinent to note that Pre-Litigation Mediation proceedings are currently ongoing against the concerned builder i.e. ISPI Absolute Builders in relation to the project 'Vakratunda Anantaraa'. The builder has, however, confirmed that it has no relation to the registration of the Impugned Domain Name which forms the subject matter of the present complaint.

Separately, against the same respondent, we have recently received a Writ Petition filed in the Hon'ble High Court of Madhya Pradesh, Bhopal, seeking a writ of Habeas Corpus against the Respondent. Trust the same is in order.

Best Regards,

Ishika Seth

Reply Reply all Forward

There was, therefore, a need to know whether *Res-Judicata* will apply, owing to any ongoing proceeding being adjudicated on the same and/or similar set of issues in the court. Ms. Seth, as stated above had clarified that there was no ongoing proceeding in any court with respect to the Impugned Domain, i.e. the domain in dispute here, www.vakratundaanantaraa.in. Further, in the absence of any statement of defense (response from the respondent), the statements of the complainant's counsel are taken as true and correct.

6. The dispute raised before this tribunal – case of the complainant:

The Domain Name and associated website

6.1 The complainant states that in or around April 2026, the complainant became aware that the respondent had adopted and commenced use of the impugned brand “VAKRATUNDA ANANTARAA” in relation to a real estate development project and allied commercial activities. It avers that during the course of its investigations, the complainant further discovered that the respondent had registered and was using the domain name www.vakratundaanantaraa.in (hereinafter referred to as the “Impugned Domain Name”). The complainant states that the Impugned Domain Name incorporates the expression “ANANTARAA”, which is phonetically

[Signature]

Arbitrator
Bharat S
Kumar
Arbitrator

identical and deceptively similar to allegedly the complainant's well-known and prior trademark **ANANTARA**. It avers that the Impugned Domain Name has been adopted and is being used in connection with the real estate projects marketed under the names "VAKRATUNDA ANANTARAA", "VAKRATUNDA ANANTARAA BUSINESS PARK" and "VAKRATUNDA ANANTARAA TOWER 1". The complainant avers that it possesses statutory rights in Class 36 and have established commercial activities in relation to branded residences, luxury residential developments, real estate management and allied services under the ANANTARA brand.

6.2 The complainant states that upon visiting the website hosted at the Impugned Domain Name, the complainant discovered that the respondent was using the Impugned Domain Name as part of its commercial branding, promotional and marketing activities relating to the aforesaid real estate project. It avers that the respondent has thereby incorporated and adopted a domain name containing the dominant and distinctive element "ANANTARAA", which bears a striking phonetic, visual and conceptual similarity to the complainant's ANANTARA trademarks. The complainant submits that the respondent's adoption and use of the Impugned Domain name is neither accidental nor coincidental. It further alleges that the Impugned Domain Name forms an integral part of the respondent's broader adoption and commercial exploitation of the impugned brand "VAKRATUNDA ANANTARAA", which is itself the subject matter of proceedings initiated by the complainant. The respondent's conduct, it alleges, demonstrates a deliberate attempt to create an association with, and derive unfair advantage from, the goodwill, reputation and distinctiveness associated with the complainant's ANANTARA trademarks. The complainant has also filed (affixed) screenshots of the website hosted at the Impugned Domain Name in the complaint.



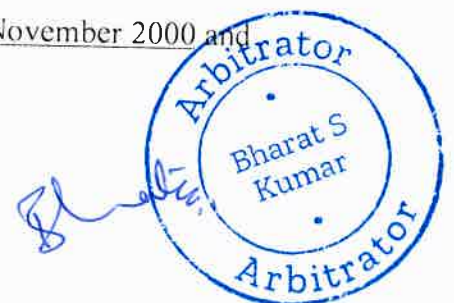
6.3 The complainant avers that owing to its global popularity and impeccable reputation, the respondent has adopted and is using the complainant's well-known brand and trademark, **ANANTARA**. It states that moreover, the respondent has no reason to adopt the same for providing allied and overlapping services, establishing the malicious intentions and dishonest adoption of the complainant's trademark. It avers that these acts of respondent are causing grave loss of revenue and reputation to the complainant as also severe loss to the unwary customers. It avers that both the complainant and consumers would continue to incur losses unless the respondent's website is taken down and the Impugned Domain is transferred to the complainant / suspended immediately.

7. Analysis

7.1 It is pertinent to note that Paragraph 4 of the INDRP Domain Name Dispute Resolution Policy, mentions about class of disputes, which grants any person who considers that a registered domain name conflicts with his/her legitimate rights or interests, the right to file a complaint with the .IN Registry. There are 3 conditions which an aggrieved right holder may file the complaint under. The complainant has in the present complaint mentioned that its rights under all the three conditions have been violated:

- i. Condition 4(a) - The Registrant's domain name is identical and/or confusingly similar to a name, trademark or service mark in which the complainant has rights;

The complainant states in the complaint that it has statutory and common law rights in the trademark(s) **ANANTARA**. The complainant states that its trademark has consistently been used from the year 2000 and has statutory protection in several countries. The complainant also avers that it has maintained an extensive online presence through their principal domain name www.anantara.com, which was registered on 08 November 2000 and



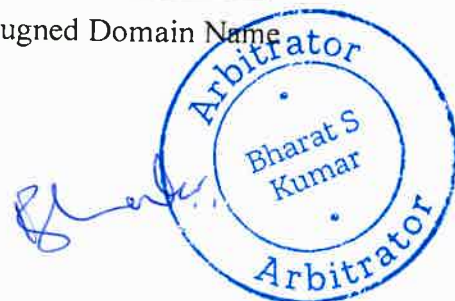
has been continuously used in relation to the complainant's hospitality, wellness, residential and related services.

The complainant asserts that the respondent's domain name, <http://www.vakratundaanantaraa.in/> is extremely similar to the complainant's trademark, **ANANTARA**. It further avers that the dominant, essential and distinctive component of the Impugned Domain Name is the expression "ANANTARAA". It avers that the said expression is phonetically identical, visually similar and deceptively similar to the complainant's trademark ANANTARA. It alleges that the mere addition of the letter "A" at the end of the word, it being ANANTARAAA does not alter its pronunciation, commercial impression or overall identity.

The complainant states that the addition of the prefix "Vakratunda" does not diminish or eliminate the confusing similarity between the Impugned Domain Name and the complainant's **ANANTARA** Trademarks. It avers that it is well settled that where a disputed domain name wholly incorporates the dominant portion of a complainant's trademark, the addition of a descriptive, corporate or distinguishing expression is insufficient to avoid a finding of confusing similarity. It states that in the present case, the expression ANANTARAA remains the dominant and memorable element of the Impugned Domain Name. It further states that internet users and consumers encountering the Impugned Domain Name are likely to perceive ANANTARAA as being the same as, or originating from, the Complainant ANANTARA brand.

The complainant states that the Impugned Domain Name was registered on 09 May 2026, long after the complainant acquired statutory and common law rights in the **ANANTARA** Trademarks and more than twenty-five years after registration of the complainant's domain name www.anantara.com.

It thus states that the respondent's adoption of the Impugned Domain Name



is therefore subsequent to, and in derogation of, the complainant's prior rights.

I have gone through the pleadings and documents filed by the complainant. With regard to the fulfilment of paragraph 4(a) of the INDRP policy, it is evident that the complainant has been continuously and extensively using the registered trademark **ANANTARA** in the course of trade and commerce since its adoption in the year 2000. Pertinently, the trademark **ANANTARA** is registered in India, with the date of application, dating back to the year 2021. The same indicates the complainant's presence in India in realty, hospitality and wellness, among other areas. Pertinently, the complainant has also registered its trademark **ANANTARA** across myriad classes (trademark registrations) in India and across numerous jurisdictions. To name a few, the trademark registration numbers of "ANANTARA" in India are 5175781(class 3), 5175784(class 43), 5175777(class 35), 5175780 (class 44), 5175775(class 44), 5175779 (class 43) and 5175776 (class 3). Its statutory rights thus, in the trademark **ANANTARA** is well established. It is pertinent to note that the disputed domain name <www.vakratundaanantaraa.in> was registered on May 09, 2026, at least 25 years after the adoption and almost 5 years after the subsequent registration of the complainant's registered trademark, **ANANTARA** in India.

It is noteworthy that a perusal of the disputed domain name 'vakratundaanantaraa.in' of the registrant/respondent shows that the respondent has used the complainant's trademark **ANANTARA** in its entirety and merely added the word/prefix "vakratunda" to it and added an alphabet "a" to 'ANANTARA'. It is well established that the mere addition of a TLD such as ".in" and even words, such as 'vakratunda' to a registered trademark, are not significant in distinguishing a domain name.

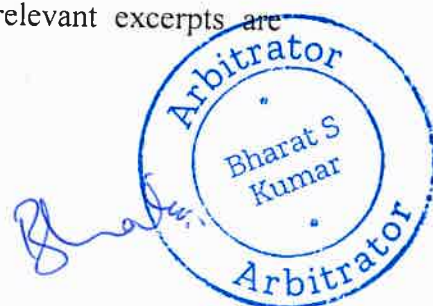


It has been held by prior panels deciding under the INDRP, such as in *Kenneth Cole Productions v. Viswas Infomedia INDRP/093*, that there is confusing/deceptive similarity where the disputed domain name wholly incorporates a complainant's trade mark. It is further noteworthy that, a TLD/ccTLD such as ".in" is an essential part of domain name. Therefore, it cannot be said to distinguish the respondent's domain name 'vakratundaanantaraa.in' from the complainant's trademark ANANTARA.

In *Satyam Infoway Ltd vs Siffynet Solutions Pvt. Ltd AIR 2004 SC 3540*, the Hon'ble Supreme Court of India stated that the law pertaining to the Trademark Act, 1999 shall be applicable to domain names in India. The Hon'ble Supreme Court of India also observed that domain names have the same characteristics of a trademark and thus act as a source and business identifier. In *M/s Retail Royalty Company v. Mr. Folk Brook INDRP/705*, wherein on the basis of the complainant's registered trademark and domain names for "AMERICAN EAGLE", having been created by the complainant much before the date of creation of the disputed domain name <americaneagle.co.in> by the respondent, it was held that:

"The disputed domain name is very much similar to the name - and trademark of the complainant. The Hon'ble Supreme Court of India has recently held that the domain name has become a business identifier. A domain name helps identify the subject of trade or service that an entity seeks to provide to its potential customers. Further that there is a strong likelihood that a web browser looking for AMERICAN EAGLE products in India or elsewhere would mistake the disputed domain name as of the complainant."

A precedent, pertinent to the present case at hand, it being *WhatsApp, Inc. v. Nasser Bahaj*, WIPO Case No. D2016-058. The relevant excerpts are highlighted as hereinunder:



"The disputed domain name <ogwhatsapp.org> comprises the Complainant's trademark WHATSAPP combined with the letters "og" which are the initials of the developer Osama Ghoraib as indicated on the website of the Respondent. Adding these two letters does not in any way eliminate the confusing similarity with the Complainant's trademark. As for the gTLD ".org", it is established that a gTLD does not typically eliminate confusion.

The disputed domain name <whatsapp-plus.org> comprises the Complainant's trademark WHATSAPP in its entirety. Adding the term "plus" not only does not eliminate confusion but on the contrary gives the impression that new and enhanced versions of the complainant's application are available through the website the disputed domain name resolves to."

The complainant has rights in the trademark ANANTARA by way of trademark registrations across myriad classes, and by virtue of use in the course of trade, as part of their company. Pertinently, the use is much prior to the date on which the respondent created the impugned domain <www.vakratundaanantaraa.in> incorporating the complainant's trademark and trade name ANANTARA in totality and as a whole. I agree that merely adding the word "vakratunda" to it and adding an alphabet "A" to "ANANTARA", particularly when the complainant operates in the same space as the respondent, not only creates confusion, but may even make a potential web user believe that this may well be associated with the complainant.

The respondent has not filed any response to the assertions put forth by the complainant. This is despite granting over 25 days to the respondent to file a response. The averments of the complainant thus remain un rebutted.



In view of the above facts and submissions of the complainant, on perusal of the documents filed and annexed with the complaint, I therefore hold that the disputed domain name <www.vakratundaanantaraa.in> of the registrant (respondent) is near identical and/or confusingly/deceptively similar to the trademark **ANANTARA** of the complainant.

- ii. Condition no.4 (b) the Respondent (Registrant) has no rights or legitimate interest in respect of the domain name:

The complainant asserts that the respondent is unable to invoke any of the circumstances set out in Paragraph 6 of the .IN Policy to demonstrate rights or legitimate interests in the domain name. To further its claims, the complainant states that it is the sole legitimate owner of the trademark **ANANTARA**. The complainant avers that it has not licensed or otherwise permitted the respondent to use the trademark **ANANTARA**. The complainant avers that it is apparent that the respondent has adopted the Impugned Domain with the sole intention to use the fame of the complainant's 'ANANTARA' Trademarks to generate web traffic and confuse the internet users and the public at large.

The complainant also avers that the respondent's use of the disputed domain name is purportedly for commercial gain. It states that the respondent's use of the complainant's **ANANTARA** trademark is unauthorised. The complainant states that the respondent's acts are probative of its intention to make profit from unauthorised use of complainant's **ANANTARA** trademark. It further states that the respondent has been using its trademark to show an association and connection with it. Therefore, it states that the respondent has no legitimate interest in the disputed domain name, rather the sole



purpose of its registration is to misappropriate the reputation associated with the complainant's popular trademark, **ANANTARA**.

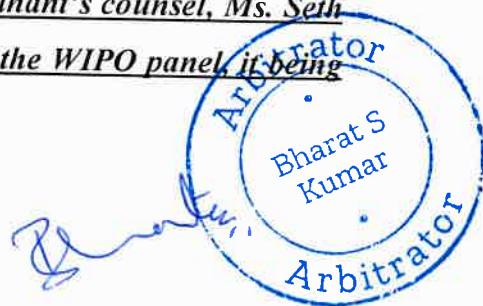
The complainant claims that it has therefore established a *prima facie* case that the respondent has no rights and legitimate interests in the disputed domain name.

I agree with the assertions put forth by the complainant. I believe that the complainant has established its rights in the trade mark **ANANTARA**.

It is significant to note that the use of **ANANTARA** in the respondent's domain name is definitely likely to give a false impression to internet users that the disputed website is either owned by the complainant or is affiliated to the complainant in some manner. The respondent cannot conceivably claim that its use of the complainant's trademark is *bona fide* as per paragraph 6(a) of the .IN Policy or is commonly known by the domain name in accordance with paragraph 6(b) of the .IN Policy.

The mere fact that the disputed domain name is registered does not imply that the respondent has any rights or legitimate interests in it. In *Deutsche Telekom AG v. Phonotic Ltd.* (WIPO Case No. D2005-1000), it has been held that "*Registration of a domain name in itself does not establish rights or legitimate interests for purposes of paragraph 4(a)(ii) of the Policy*". Therefore, any use of the disputed domain name by the respondent is not a legitimate, non-commercial or fair use. The respondent thus has no rights or legitimate interests in, the disputed domain name.

I would also like to state that the complainant's counsel, Ms. Seth had on 13.09.2026, shared a decision by the WIPO panel, if being



Case No. D2026-3127, MHG IP Holding (Singapore) PTE. Ltd. Vs. Vinay Macha, wherein a similar domain name, <vakratunda-anantaraa.com> was in contention, albeit for a different respondent. The decision was in the favour of the complainant herein.

The adoption of word/mark "ANANTARA", therefore in the disputed domain name affirms the *mala fide* intention of the respondent to make use of and ride on the coat tails of the complainant for earning commercial benefits. Such a conduct demonstrates anything, but a legitimate interest in the domain name.

It is pertinent to note that the complainant has also not licensed the use of the mark, ANANTARA, to the respondent. In such as situation, there is no reason for the respondent to use the same as its domain name. The use is therefore clearly unauthorized. A decision of a previous panel, *Wacom Co. Ltd. v. Liheng*, INDRP/634, is relevant in this case. It was stated that:

"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"

It is reiterated that the respondent (registrant) has not filed any response to counter the complainant's assertions, despite service. The respondent has thus failed to satisfy the conditions contained in clauses 6(a), (b) and (c) of INDRP Policy. Significantly, the respondent has never been identified with the disputed domain name or any variation thereof. The respondent's (Registrant) use of the disputed domain name will inevitably create a false association and/or affiliation with complainant and its trademark (s), ANANTARA.



Therefore, in view of the submissions made in the complaint and on perusal of the accompanying documents, I am of the opinion that the respondent has no rights or legitimate interests in respect of the Disputed Domain Name. Accordingly, condition 4(b) of the INDRP policy is decided in the favour of the complainant.

- iii. Condition 4(c): The Registrant's domain name has been registered or is being used in bad faith:

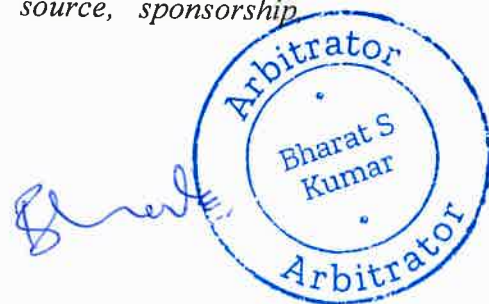
To look into condition 4 (c) of the INDRP policy, clause 7 is to be looked into. Clause 7 of the INDRP policy states as under:

For the purposes of Clause 4(c), the following circumstances, in particular but without limitation, if found by the Arbitrator to be present, shall be evidence of the Registration and use of a domain name in bad faith:

(a) circumstances indicating that the Registrant has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant, who bears the name or is the owner of the Trademark or Service Mark, or to a competitor of that Complainant, for valuable consideration in excess of the Registrant's documented out-of-pocket costs directly related to the domain name; or

(b) the Registrant has registered the domain name in order to prevent the owner of the Trademark or Service Mark from reflecting the mark in a corresponding domain name, provided that the Registrant has engaged in a pattern of such conduct; or

(c) by using the domain name, the Registrant has intentionally attempted to attract Internet users to the Registrant's website or other on-line location, by creating a likelihood of confusion with the Complainant's name or mark as to the source, sponsorship



affiliation, or endorsement of the Registrant's website or location or of a product or service on the Registrant's website or location; or
(d) The Registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor.

The complainant implies that the issue at hand falls 7 (c) of the INDRP policy as the Registrant (respondent) has intentionally attempted to attract users to the Registrant's website. The complainant states that the respondent has registered the disputed domain name subsuming the complainant's trademark **ANANTARA**, with the sole reason of attracting gaining commercially. The complainant states that by using the disputed domain name, the respondent was attracting users to its website in order to make commercial gains. The complainant further states that the respondent's bad faith is readily established by its brazen and unauthorized use of the mark **ANANTARA**, as detailed in the complaint.

It is pertinent to reiterate that the complainant is vested with statutory rights across myriad classes in its **ANANTARA** trademark(s) in India and across the globe. The use of the trademark **ANANTARA** has been from the year 2000 and particularly in India from 2021, as entailed in its trademark applications. The respondent's registration of a disputed domain name wholly incorporating the complainant's trademark is most certainly to ride on the coat tails of the complainant's commercial success which its **ANANTARA** trademark has attained over the past many years. It is also noteworthy that the actions of the respondent seem to fall squarely within subclause (c) hereinabove.

Given the enormous success of the complainant's business, its known trademark **ANANTARA**, there seems to be no reason for the

[Handwritten signature]
Arbitrator
Bharat S
Kumar
Arbitrator

respondent to adopt an identical name/ mark with respect to the impugned domain name. This adoption by the respondent, of course seems to create a deliberate and false impression in the minds of users that the respondent is somehow associated with or endorsed by the complainant. A case by a previous panel, *Mls Merck KGaA v Zeng Wei JNDRP/323*, can be referred wherein it was stated that:

"The choice of the domain name does not appear to be a mere coincidence, hut 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. "

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

3. 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 rights 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 knowingly use the domain name in violation or abuse of any applicable laws or regulations. It is the sole responsibility' of the Registrant to determine whether their domain name registration infringes or violates someone else's rights.



It is evident from 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 rights of any third party.

From a perusal of the averments and documents filed herewith, there is therefore no doubt that the respondent has got the disputed domain name registered in bad faith and to ride on the complainant's **ANANTARA** trademark's goodwill and reputation. The actions of the respondent are thus in contravention with paragraph 4(c) of the INDRP policy. I therefore hold that the respondent's domain name has been registered in bad faith.

Decision

In view of the foregoing, I hold that the disputed domain name, <vakratundaanantaraa.in> is confusingly similar to the complainant's 'ANANTARA' trademark(s). I further hold that the respondent has no rights or legitimate interests in respect of the disputed domain name and that the same was registered in bad faith by the respondent. In accordance with the INDRP Policy and Rules, I direct that the disputed domain name registration be transferred to the complainant. No order as to costs.

Date: 13.09.2026

Place: New Delhi

