



सत्यमेव जयते

# INDIA NON JUDICIAL Government of Uttar Pradesh



IN-UP96420715384009Y



e-Stamp

₹100 ₹100 ₹100 ₹100 ₹100 ₹100 ₹100 ₹100 ₹100 ₹100 ₹100 ₹100 ₹100 ₹100 ₹100 ₹100 ₹100 ₹100 ₹

Certificate No.

: IN-UP96420715384009Y

Certificate Issued Date

: 27-Jul-2026 06:49 PM

Account Reference

: NEWIMPACC (SV)/ up14016804/ GAUTAMBUDDH NAGAR 1/ UP-GBN

Unique Doc. Reference

: SUBIN-UPUP1401680486064462759910Y

Purchased by

: KARNNIKA A SETH

Description of Document

: Article 12 Award - Registerable

Property Description

: INDRP ARBITRATION AWARD No. 2138

Consideration Price (Rs.)

:

First Party

: KARNNIKA A SETH

Second Party

: KARNNIKA A SETH

Stamp Duty Paid By

: KARNNIKA A SETH

Stamp Duty Amount(Rs.)

: 100  
(One Hundred only)

Signature: Krishan  
Name: Krishan Kasanwal, Acc Code UP14016804  
Acc. Add Sub-Registrar, Noide, Mob 8287330929  
Licence No: 199/2021-2022, Tehsil & Distt Dadri, G.B Naga



I, KARNNIKA A SETH

DECLARE THAT THIS E-STAMP CERTIFICATE IS BEING USED IN ORIGINAL FORM AND IS NOT A PHOTOCOPY

Please write or type below this line

## ARBITRATION AWARD

Before the Sole Arbitrator, (Dr.) Karnnika A Seth

IN INDRP Case No. 2138

### Statutory Alert:

(1) No amount other than the value printed on the e-Stamp is payable in any form for the purchase of e-Stamp. (2) If the above information/declaration is found to be false or incorrect, I shall be personally responsible for the same. (3) The authority before whom the deed is presented shall ensure that the e-stamp is being used only for the purpose and in the name for which it was purchased. (4) The authenticity of this Stamp certificate should be verified at [www.shoilestamp.com](http://www.shoilestamp.com) or using 'E-Stamping' Mobile App of Stock Holding. Any discrepancy in the details on this Certificate and as available on the website/Mobile App renders it invalid.

K Seth

**.IN REGISTRY**  
**(NATIONAL INTERNET EXCHANGE OF INDIA)**  
**.IN Domain Name Dispute Resolution Policy (INDRP)**

Disputed Domain Name: www.stgobain.org.in

Dated: 27 JULY, 2026

**IN THE MATTER OF:**

**COMPAGNIE DE SAINT-GOBAIN**

Tour SAINT-GOBAIN

12 place de l'Iris, 92400 Courbevoie

France

..... Complainant

Vs.

**Ecommerce - Sneha Ahuja**

TDS height, Flat 3A, Khalisakota

Sukur Ali Moar, Kolkata, West Bengal, 700079

INDIA

..... Respondent

**1. Parties**

- 1.1 The Complainant in the present arbitration proceeding is **COMPAGNIE DE SAINT-GOBAIN**, a company incorporated under the laws of France, having its registered office at Tour SAINT-GOBAIN, 12 Place de l'Iris, 92400 Courbevoie, France. The Complainant is represented in the present proceedings by **NAMESHIELD**, France, through its authorised representatives,

*K Seth*



namely Laurent Becker, Enora Millocheau and Clémence Guillaume.

1.2 According to 'WHOIS' database, the Respondent is **Ecommerce - Sneha Ahuja**, having its address at TDS height, Flat 3A, Khalisakota, Sukur Ali Moar, Kolkata, West Bengal, 700079, INDIA. E-mail id of registrant is [sperspicacity@gmail.com](mailto:sperspicacity@gmail.com). Registrant has registered the disputed domain name with GoDaddy.com, LLC.

2. **The Dispute-** The domain name in dispute is **stgobain.org.in** registered by the Respondent on 17<sup>th</sup> November, 2025. According to the .IN 'WHOIS' search, the Registrar of the disputed domain name is [www.godaddy.com](http://www.godaddy.com).

### 3. Important Dates

| S. No | Particulars                                                                            | Dates<br>(All Communication done<br>in electronic mode) |
|-------|----------------------------------------------------------------------------------------|---------------------------------------------------------|
| 1.    | Date on which NIXI's email was received seeking consent for appointment as Arbitrator. | 2 June 2026                                             |
| 2.    | Date on which consent was given to act as an Arbitrator in the case.                   | 3 June 2026                                             |
| 3.    | Date of Appointment as Arbitrator.                                                     | 5 <sup>th</sup> June 2026                               |
| 4.    | Soft Copy of complaint and annexures were received from NIXI through email.            | 5 <sup>th</sup> June 2026                               |
| 5.    | Date on which notice was issued to the Respondent                                      | 8 June 2026                                             |

*K Seth*

|    |                            |              |
|----|----------------------------|--------------|
| 6. | Date on which Award passed | 27 July 2026 |
|----|----------------------------|--------------|

#### 4. Procedural History

- 4.1 This is mandatory arbitration proceeding in accordance with the .IN Domain Name Dispute Resolution Policy (INDRP) adopted by the National Internet Exchange of India (NIXI). The INDRP Rules of Procedure (the Rules) were approved by NIXI on 28<sup>th</sup> June, 2005 in accordance with the Indian Arbitration and Conciliation Act, 1996. The updated rules are available on <https://www.registry.in/indrprulesprocedure>. By registering the disputed domain name with the accredited Registrar of NIXI, the Respondent agreed to the resolution of the dispute pursuant to the .IN Dispute Resolution Policy and Rules framed thereunder.
- 4.2 In accordance with Rule 5 of INDRP Rules, NIXI formally notified the Respondent of the complaint and appointed (Dr.) Karnnika A Seth as a sole arbitrator for adjudicating upon the dispute in accordance with the Arbitration and Conciliation Act, 1996 and the rules framed thereunder. The Arbitrator submitted the statement of Acceptance and Declaration of impartiality and independence, as required by NIXI.
- 4.3 The complaint was filed in accordance with the requirements of Rule 3 of the INDRP Rules.
- 4.4 The Arbitrator issued notice to the Respondent on 8 June 2026 at the email address sperspicacity [sperspicacity@gmail.com](mailto:sperspicacity@gmail.com) calling upon the Respondent to submit his reply to the complaint within fifteen (15) days of receipt of the Arbitrator's email.
- 4.5 Despite notice, the Respondent failed to file any reply. Therefore, in accordance with the Rule 17 of INDRP Rules, the Arbitration

Kseth

proceedings were conducted ex-parte and the Award is passed which is binding on both parties herein.

## **5. Factual Background**

5.1 The Complainant, **COMPAGNIE DE SAINT-GOBAIN**, is a French multinational corporation incorporated in France and is one of the world's oldest and most reputed manufacturers of construction and industrial materials. Founded in 1665, the Complainant has continuously carried on business for over three and a half centuries and has established itself as a global leader in the production, processing and distribution of materials for the construction and industrial markets. The Complainant has submitted that it presently operates in 80+ countries across the globe and is recognised internationally as a leader in sustainable construction and innovative building solutions. It has established extensive goodwill and reputation through continuous commercial use of the trademark **SAINT-GOBAIN**. (The Complainant has filed Annexure 2 showing its worldwide business operations, and brand reputation.)

## **6. Parties Contention**

### **6.1 Complainant's Submissions**

**GROUND 1: CLAUSE 4(a) of THE INDRP POLICY – DISPUTED DOMAIN NAME IS IDENTICAL OR CONFUSINGLY SIMILAR TO COMPLAINANT'S TRADEMARK/SERVICE MARK**

6.1.1 The Complainant submits that it is a French multinational corporation engaged in the production, processing and distribution of materials for the construction and industrial markets. The Complainant has been carrying on business under the trademark

*Kseth*



"SAINT-GOBAIN" for several decades and has acquired extensive goodwill and reputation worldwide through continuous and extensive commercial use of the said trademark. The Complainant has also been conducting extensive business in India using the said trademark. (The Complainant has filed Annexure 2 and 3 showing the history and worldwide (including India) operations of the Complainant.)

6.1.2 The Complainant has registered the device mark, "SAINT-GOBAIN" vide Trade Mark No. 921541 in Class 6 wef. 28-4-2000, in the Trade Marks Registry, Mumbai, under the Trade Marks Act, 1999. The same is valid upto 28/4/2030. (The Complainant has filed Annexure 4 to support its claim). The Complainant also filed documents evidencing various International Trademark Registrations of the said Trademark (both device and wordmark) in a number of classes under the Madrid Agreement. (Annexure 4 filed with the Complaint in re: International Trademark Application numbers 740184,740183,596735,551682 filed under Madrid Agreement).

6.1.3 The Complainant submits that it is also the proprietor of the domain name <saint-gobain.com>, which was registered on 29-12-1995, much prior to the registration of the disputed domain name (which was registered only on 17.11.2025) and is used as its official website. (The Complainant has filed Annexure 1 containing the WHOIS record of the disputed domain name and Annexure 5 containing the WHOIS record of the domain name <saint-gobain.com>.)

6.1.4 The Complainant submits that the disputed domain name <stgobain.org.in> is identical and confusingly similar to the Complainant's trademark "SAINT-GOBAIN" as it incorporates the distinctive portion of the trademark and abbreviates word "saint" as

"st" in disputed domain name, "stgobain.org.in". Also, the omission of the hyphen between the words "SAINT" and "GOBAIN", does not distinguish the disputed domain name from the Complainant's trademark. The addition of the country-code top-level domain ".org.in" is merely a technical requirement of registration and is irrelevant while determining likelihood of confusion as substantive portion of domain name is deceptively similar and likely to cause confusion.

6.1.5 The Complainant further submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has never been authorised, licensed or otherwise permitted by the Complainant to register or use the trademark "SAINT-GOBAIN" or any domain name incorporating the whole or port of the said trademark. The Respondent is neither commonly known by the disputed domain name nor has it acquired any independent rights in the trademark "SAINT-GOBAIN".)

**GROUND 2: CLAUSE 4(b) of THE INDRP POLICY –  
RESPONDENT HAS NO RIGHTS OR LEGITIMATE INTERESTS  
IN THE DOMAIN NAME**

6.1.6 The Complainant submits that the Respondent registered the disputed domain name with full knowledge of the Complainant's prior rights and international reputation in the trademark "SAINT-GOBAIN". The disputed domain name is not being used for any bona fide offering of goods or services and resolves to an inactive webpage. Such passive holding of a domain name incorporating the Complainant's well-known trademark further evidences the Respondent's lack of any legitimate interest and supports an

*K Seth*

inference of bad faith registration and use. (The Complainant has filed Annexure 6 showing the screenshot of the disputed domain name resolving to an inactive webpage.)

6.1.7 The Complainant further submits that the DNS configuration of the disputed domain name shows MX servers are configured, thereby increasing the likelihood of confusion and demonstrating the Respondent's attempt to create an appearance of association with the Complainant. (The Complainant has filed Annexure 7 containing the relevant DNS query records showing MX Servers are configured for the disputed domain name.)

6.1.8 The Complainant therefore submits that the Respondent has registered and is using the disputed domain name in bad faith within the meaning of Clause 4 of the INDRP Policy. Accordingly, the Complainant has prayed that the disputed domain name <stgobain.org.in> be transferred in its favour.

6.1.9 The Complainant states that none of the circumstances under Clause 6 of the INDRP Policy which may demonstrate a Respondent's rights or legitimate interests are present in the instant case—

- (a) There is no evidence of use of the disputed domain name in connection with any bona fide offering of goods or services prior to notice of the dispute.
- (b) The Respondent has not been commonly known by the disputed domain name or by the expression "**SAINT-GOBAIN**" in any capacity.
- (c) The Respondent is not making any legitimate non-commercial or fair use of the disputed domain name. Instead, the disputed domain name remains inactive and the fact that its MX servers are configured is capable of being commercially used and

K Seth



mislead Internet users into believing that it is associated with the Complainant.

**GROUND 3: CLAUSE 7 OF THE INDRP POLICY – DISPUTED DOMAIN NAME HAS BEEN REGISTERED AND IS BEING USED IN BAD FAITH**

6.1.10 The Complainant submits that the Respondent intentionally registered the disputed domain name by adopting a domain name confusingly similar to the Complainant's well-known trademark with the intention of creating a likelihood of confusion amongst Internet users regarding the source, sponsorship, affiliation or endorsement of the disputed domain name.

6.1.11 The Complainant submits that the disputed domain name was registered long after the Complainant had acquired statutory and common law rights in the trademark "**SAINT-GOBAIN**" and after the Complainant had already established substantial goodwill and reputation worldwide. (The Complainant has relied upon Annexures 1,2,3, 4 and 5 in support of this contention.).

6.1.12 The Complainant submits that the disputed domain name, by incorporating the dominant portion of the Complainant's trademark and adopting the India-specific ccTLD ".org.in", is likely to cause confusion amongst Internet users regarding the source, sponsorship, affiliation or endorsement of the disputed domain name.

6.1.13 The Complainant submits that the disputed domain name is configured with active MX Servers despite resolving to an inactive webpage, indicating that the registration serves no legitimate purpose and is capable of being used for deceptive activities. (The Complainant has filed Annexure 7 containing the DNS query records

showing MX Servers are configured relating to the disputed domain name.)

6.1.14 The Complainant submits that the Respondent's conduct is calculated to exploit the goodwill and reputation attached to the Complainant's trademark and prevent the Complainant from reflecting its trademark in the corresponding domain name.

6.1.15 The Complainant further submits that having regard to the worldwide reputation and distinctiveness of the trademark "**SAINT-GOBAIN**", the Respondent had actual knowledge of the Complainant's rights at the time of registration of the disputed domain name.

6.1.16 Complainant submits that the passive holding of the disputed domain name coupled with the absence of any explanation from the Respondent constitutes evidence of bad faith registration and use within the meaning of Clause 7 of the INDRP Policy.

6.1.17 The Complainant submits that the continued registration of the disputed domain name poses a risk of confusion amongst members of the public who may mistakenly believe that the disputed domain name is associated with or authorised by the Complainant.

6.1.18 The Complainant relies upon the documentary evidence annexed to the Complaint, including the WHOIS records (Annex. 1), trademark registrations (Annex. 4), WHOIS record of the Complainant's domain name (Annex. 5), screenshot of the inactive webpage (Annex.6) and DNS query records (Annex.7) demonstrating the Respondent's registration and use of the disputed domain name.

## 6.2 Respondent's defence

6.2.1 Despite service of notice by email, the Respondent failed to reply to notice within stipulated time.

K Seth

6.2.2 The INDRP Rules of Procedure require under Rule 13(b) that the Arbitrator must ensure that each party is given a fair opportunity to present the case. Rule 13(b) reads as follows:

*"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."*

6.2.3 Further, the INDRP Rules of Procedure empowers the Arbitrator to proceed with arbitration proceedings ex-parte and decide the arbitration in case any party does not comply with the stipulated time limit to file its response. Rule 17 reads as follows:

*"In the event any party breaches the provisions of INDRP rules and/or directions of the arbitrator, the matter can be decided ex-parte by the Arbitrator and such arbitral award shall be binding in accordance with law."*

6.2.4 In present arbitration, despite due service, the Respondent has failed to file any reply to the Complaint and has not sought any further time to answer the Complainant's assertions, contentions or evidences in any manner. The Arbitrator thus finds that the Respondent has been given a fair chance to present its case. Since the Respondent has failed to reply to Notice to submit its response, Arbitration has been conducted ex-parte in accordance with Rule 17 of the INDRP rules and decided on merits ex-parte.

## **7. Discussions and Finding**

7.1 The .IN Domain Name Dispute Resolution Policy in para 4 requires Complainant to establish the following three requisite conditions:

- (a) The disputed domain name is identical or confusingly similar to the trademark in which Complainant has right, and

*Kseth*



- (b) The Respondent has no rights or legitimate interest in the domain name, and
- (c) The Respondent's domain name has been registered or is being used in bad faith.

**7.2 The Registrant's domain name is identical or confusingly similar to a name, trademark or service mark in which the Complainant has rights (Paragraph 4(a))**

The Complainant has registered the Device mark "SAINT-GOBAIN", being Trade Mark No. 921541 in Class 6 wef 28 April 2000, with the Trade Marks Registry, Mumbai, under the Trade Marks Act, 1999. The documentary evidence filed by the Complainant establishes that the trademark registrations are valid (upto 28 April 2030) and subsisting (The Complainant has filed **Annexure 4** to support its claim)

The Arbitrator finds that the disputed domain name "**stgobain.org.in**" incorporates the dominant and distinctive portion of the Complainant's trademark "**SAINT-GOBAIN**". The use of the abbreviation "st" in place of "Saint" and the omission of the hyphen between the words "SAINT" and "GOBAIN" does not materially distinguish the disputed domain name from the Complainant's trademark, as hyphens are incapable of conferring distinctiveness in domain names. The disputed domain name is visually, phonetically and conceptually deceptively similar to the Complainant's registered trademark "**SAINT-GOBAIN**".

The addition of the country code top-level domain "**.org.in**" does not alter the deceptive similarity as it does not distinguish the disputed domain name from the Complainant's trademark.

As per WIPO Overview 3.1 (1.9), while each case is judged on its own merits, where a domain name incorporates the entirety of a

trademark, or where at least a dominant feature of the relevant mark, or, deliberately uses abbreviations in the disputed domain name but nevertheless is recognizable in the domain name, the domain name will normally be considered confusingly similar to the trademark for the purposes of the UDRP. (*Ref. Disney Enterprises, Inc. v. John Zuccarini, Cupcake City and Cupcake Patrol, WIPO Case No. D2001-0489.*)

Accordingly, the Arbitrator finds that the first requirement under Paragraph 4(a) of the INDRP Policy has been established.

### **7.3 The Registrant has no rights or legitimate interest in respect of the domain name (Para 4(b))**

Under Paragraph 6 of the INDRP Policy, a Respondent may establish rights or legitimate interests in the disputed domain name. The Complainant has produced sufficient evidence establishing that it enjoys statutory as well as common law rights in the trademark "SAINT-GOBAIN" and that the disputed domain name is confusingly similar to the said trademark.

The Complainant has further submitted that it has never authorised, licensed or otherwise permitted the Respondent to use the trademark "SAINT-GOBAIN" or to register any domain name incorporating the said trademark. The Complainant has also produced evidence showing that the disputed domain name resolves to an inactive webpage but its MX Servers are configured which is capable of misleading public and misused for commercial gain (The Complainant has filed **Annexure 6** and **7** respectively in support of this contention.)

Despite service of notice, the Respondent has failed to file any response or produce any material establishing rights or legitimate

interests in the disputed domain name. The Arbitrator is therefore of the considered opinion that the Respondent has failed to establish any rights or legitimate interests in the disputed domain name. (*Ref. Croatia Airlines d.d. v. Modern Empire Internet Ltd., WIPO Case No. D2003-0455; Belupo d.d. v. WACHEM d.o.o., WIPO Case No. D2004-0110; Malayan Banking Berhad v. Beauty, Success & Truth International, WIPO Case No. D2008-1393.*)

Further, the Complainant has also submitted that it has not authorised or licensed the Respondent to use the "SAINT-GOBAIN" trademark and that no relationship exists between the parties. The Respondent has failed to rebut these submissions. The Arbitrator is therefore of the considered opinion that the unauthorised use of the disputed domain name incorporating the Complainant's trademark establishes that the Respondent has no rights or legitimate interests in the disputed domain name. (*Ref. Belupo d.d. v. WACHEM d.o.o., WIPO Case No. D2004-0110.*)

Accordingly, the Arbitrator finds that the second requirement under Paragraph 4(b) of the INDRP Policy has also been established.

**7.4 The Registrant's domain name has been registered or is being used in bad faith (Para 4(c))**

For the purpose of Paragraph 4(c) of the INDRP Policy read with Paragraph 7 thereof, the Complainant is required to establish that the disputed domain name has been registered or is being used in bad faith.

The Complainant has submitted that it adopted and commenced use of the trademark "SAINT-GOBAIN" several decades (year 1665) prior to the Respondent's registration of the disputed domain name

*Kseth*



(i.e 17 Nov 2025 as per Annex.1) and that the Respondent intentionally adopted a domain name confusingly similar to the Complainant's well-known trademark despite having no authority or legitimate interest to do so. (Ref. WIPO Case No. D2020-3549, *Compagnie de Saint-Gobain v. On behalf of saint-gobain-recherche.net owner, Whois Privacy Service / Grigore PODAC* ("The Panel is satisfied that the Complainant is a well-established company which operates since decades worldwide under the trademark SAINT-GOBAIN.")). The Complainant has further submitted that the said trademark is registered in India vide Trademark Application No. 921541 in class 6 wef 28 April 2000 which is valid and subsisting registration with the Trademark Registry in India. Moreover, the disputed domain name resolves to an inactive webpage while its MX servers are configured which does not prevent a finding of bad faith use (Ref. CAC Case No. 102827, *JCDECAUX SA v. Handi Hariyono*). The Complainant has filed **Annexure 6** and **Annexure 7** in this regard.

The Complainant has further submitted that the Respondent intentionally adopted the disputed domain name to create a likelihood of confusion amongst Internet users as to the source, sponsorship, affiliation or endorsement of the disputed domain name by incorporating the dominant portion of the Complainant's well-known trademark together with the India-specific ccTLD ".org.in". Despite service of notice, the Respondent has produced no evidence of authorisation from the Complainant or any explanation justifying the registration, adoption or use of the disputed domain name.

K Seth

It is a settled principle that registration of a domain name with the intention of creating confusion in the minds of Internet users and taking unfair advantage of the goodwill associated with another's trademark constitutes bad faith registration. (*Ref. PepsiCo Inc. v. Wang Shaung, INDRP Case No. 400, December 13, 2012.*) Adoption of a domain name incorporating another's trademark without authorisation has consistently been held to constitute bad faith registration and use. (*Ref. Prada S.A. v. Domains for Life, WIPO Case No. D2004-1019; Karen Millen Fashions Limited V. Belle Kerry, WIPO Case No. D2012-0436.*)

In the facts and circumstances of the present case, the Arbitrator finds that the Respondent registered the disputed domain name despite the Complainant's long-standing and well-established rights in the trademark "**SAINT-GOBAIN**", has failed to establish any legitimate purpose for such registration, and has continued to passively hold the disputed domain name. The submitted facts and supporting evidence filed with the complaint establish registration and use of the disputed domain name was in bad faith. (*Ref. Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003, Feb. 18, 2000.*)

The Arbitrator accordingly finds that the third requirement under Paragraph 4(c) of the INDRP Policy has also been established.

## 8. **DECISION**

On the basis of the abovesaid findings the Sole Arbitrator finds that:

- a) The Complainant has successfully established three grounds required under the policy to succeed in these proceedings.

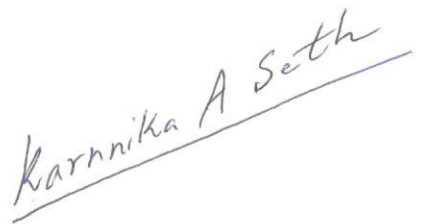
*K Seth*

- b) Respondent has failed to rebut averments, contentions and submissions of the Complainant

The Arbitrator directs the .IN Registry of NIXI to transfer the domain name [www.stgobain.org.in](http://www.stgobain.org.in) to the Complainant.

The Award is passed on 27 JULY, 2026

Place: NOIDA

  
(Dr.) Karnnika A Seth  
Sole Arbitrator