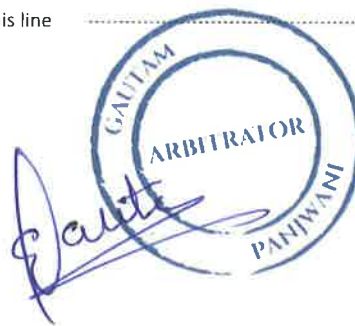


Government of National Capital Territory of Delhi

Certificate No.	: IN-DL80134617578671Y
Certificate Issued Date	: 20-Aug-2026 06:14 PM
Account Reference	: IMPACC (IV)/ dl735803/ DELHI/ DL-WSD
Unique Doc. Reference	: SUBIN-DL73580362171934973429Y
Purchased by	: GAUTAM PANJWANI
Description of Document	: Article 12 Award
Property Description	: Not Applicable
Consideration Price (Rs.)	: 0 (Zero)
First Party	: GAUTAM PANJWANI
Second Party	: Not Applicable
Stamp Duty Paid By	: GAUTAM PANJWANI
Stamp Duty Amount(Rs.)	: 100 (One Hundred only)



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1. The authenticity of this Stamp certificate should be verified at 'www.shcilestamp.com' or using e-Stamp Mobile App of Stock Holding. Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
2. The onus of checking the legitimacy is on the users of the certificate.
3. In case of any discrepancy please inform the Competent Authority.

**BEFORE MR. GAUTAM PANJWANI, SOLE ARBITRATOR, .IN REGISTRY
NATIONAL INTERNET EXCHANGE OF INDIA (NIXI)
INDRP ARBITRATION
INDRP CASE NO. 2140
DISPUTED DOMAIN NAME: <www.zohocloud.in>**

IN THE MATTER OF:

Zoho Corporation Private Limited
Plot No. 140, 151 Estancia IT Park, Vallancheri
Chengalpet District, Tamil Nadu 603202
India

Through its Authorised Representative:

Abion AB
Kungsgatan 42, 411 15 Göteborg, Sweden
Email: disputes@abion.com | Phone: +41 44 515 65 75

...Complainant

Versus

Eneas Rodriguez
2900 E Broadway Blvd, Tucson
AZ 85716
United States of America

...Respondent

EX-PARTE ARBITRAL AWARD DATED 20.08.2026

1. PARTIES INVOLVED IN THE PROCEEDINGS

About the Complainant as per the Complaint

1.1. The Complainant in the present proceedings is Zoho Corporation Private Limited. As set out in the Complaint, the business was originally established in 1996 under the name



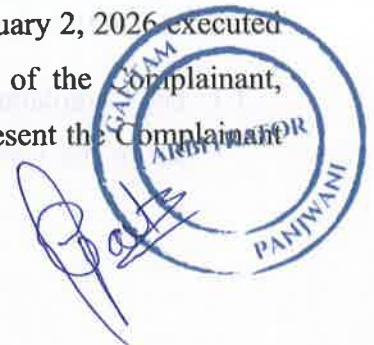
AdventNet Inc. in New Jersey, United States. The Complaint states that products under the “ZOHO” name were introduced from 2004 onwards, including “Zoho Virtual Office” in 2004, “Zoho Writer” in 2005, and “Zoho Sheet”, “Zoho Creator” and “Zoho Projects” in 2006. In 2009, AdventNet Inc. was renamed “Zoho Corporation”. The Complaint further states that the business subsequently expanded its operations and established offices in various jurisdictions, including India and the United States. It is further stated that, by 2023, the business had reached 100 million users and that, as of the date of the Complaint, it employed over 19,000 persons and had over 150 million users worldwide.

About the Respondent as per the Complaint

1.2. The Respondent, Eneas Rodriguez, is the registrant of the disputed domain name www.zohocloud.in, with a recorded postal address at 2900 E Broadway Blvd, Tucson, Arizona 85716, United States of America, as reflected in the WHOIS records placed on record by the Complainant and as subsequently confirmed by the Registrar, Namecheap (Amended Annex 2). The Registrant's email address on record, info@musichearingdevices.com, bears no correspondence whatsoever to the disputed domain name, the ZOHO trademark, or any cloud-based business. The Respondent is alleged to have registered the disputed domain name without any authorisation, permission, or consent from the Complainant, to have concealed its identity through a privacy shield service on the publicly available WHOIS records, and to have failed to respond to a cease-and-desist communication addressed to it. Despite due service of proceedings, including physical service effected through DHL Express (Waybill No. 8483122233) at the Respondent's registered address on **June 30, 2026**, and multiple opportunities granted, the Respondent failed to enter any appearance or file any response, and the matter accordingly proceeded *ex parte* vide email dated 28.07.2026.

Authorisation of the Complainant's Representative

1.3. The Complainant is represented in these proceedings by Abion AB, Kungsgatan 42, 411 15 Göteborg, Sweden, pursuant to a Power of Attorney dated February 2, 2026 executed by Mr. Srinivasa Ravi Sankar Veda, Senior Corporate Counsel of the Complainant, specifically authorising Abion AB and its named attorneys to represent the Complainant



in the dispute concerning the domain name <zohocloud.in>. A copy of Power of Attorney has been placed on record as Annexure 1 to the Complaint.

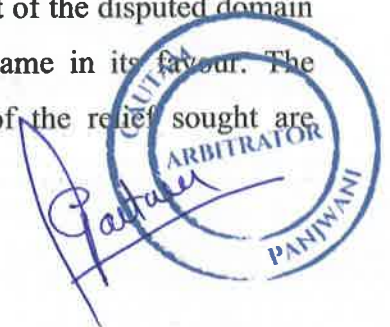
2. PROCEDURAL HISTORY

2.1 The present dispute pertains to the domain name "www.zohocloud.in", registered in the name of the Respondent. As per the WHOIS details and material placed on record by the Complainant, the said domain name is registered through Namecheap, an accredited Registrar under the .IN Registry governed by the National Internet Exchange of India (NIXI). The Complainant alleges that the disputed domain name wholly incorporates its well-known trademark "ZOHO" together with the descriptive term "cloud" and has been registered and used in violation of the .IN Domain Name Dispute Resolution Policy (INDRP).

2.2 As per the records placed on record, the disputed domain name "**www.zohocloud.in**" was registered on **January 7, 2025** and carries a registry expiry date of **January 7, 2027**. At the time of filing of the Complaint, the Respondent's identity and contact particulars stood masked by a privacy shield service, and the Registrant details were confirmed by the Registrar only upon a subsequent request by the Complainant, as recorded in the Amended Complaint dated **June 18, 2026**.

2.3 Upon notification of the present dispute, the .IN Registry imposed additional server-level locks on the disputed domain name, including *serverHold*, *serverDeleteProhibited*, *serverRenewProhibited* and *serverTransferProhibited*. The aforesaid status is reflected in the updated WHOIS records dated 16 June 2026, which have been placed on record as **Amended Annex 2**.

2.4 In the aforesaid circumstances, the Complainant initiated the present proceedings under the .IN Domain Name Dispute Resolution Policy (INDRP) in respect of the disputed domain name and seeks, inter alia, transfer of the disputed domain name in its favour. The Complainant's case and the grounds relied upon in support of the relief sought are considered in the subsequent sections of this Award.



3. LIST OF DATES AND EVENTS

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

S.NO.	DATE	PARTICULARS
1.	19.06.2026	I was appointed as Sole Arbitrator by NIXI for adjudication of the present dispute in accordance with the INDRP Policy and the Arbitration and Conciliation Act, 1996.
2.	24.06.2026	Intimation of appointment and commencement of proceedings issued to the parties. Complainant's authorised representative directed to serve the complete Complaint and all supporting documents upon the Respondent through electronic and physical modes, with proof of service to be placed on record.
3.	25.06.2026	Email service of the copy of the Complaint along with the Annexures was done.
4.	30.06.2026	Physical service of the copy of the complaint along with the Annexures was Delivered.
5.	21.07.2026	The Respondent was given one last opportunity to file a Response to the Complaint or raise Objections (if any).
6.	28.07.2026	The Respondent having failed to enter any appearance or file any response despite effective service of proceedings and expiry of the prescribed period, the matter was <u>proceeded ex parte</u> .
7.	11.08.2026	Further communication was issued to both parties affording them an opportunity to indicate whether they required an oral hearing in the matter. Both parties were also informed that, in the absence of any response within the stipulated period, the matter would proceed for determination on an <u>ex parte</u> basis.



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

4. RIGHTS OF THE COMPLAINANT AS PER THE INDRP

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

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

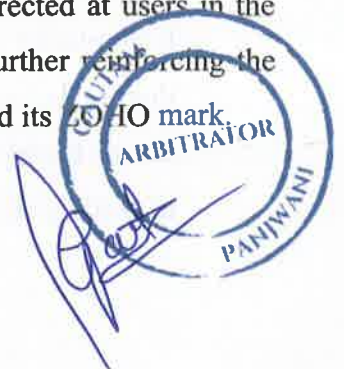
- (a) the Registrant's domain name is identical and/or confusingly similar to a Name, Trademark or Service Mark etc. in which the Complainant has rights; and*
- (b) the Registrant has no rights or legitimate interests in respect of the domain name; and*
- (c) the Registrant's domain name has been registered or is being used either in bad faith or for illegal/unlawful purpose."*

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

5. BRIEF FACTS ABOUT ZOHO CORPORATION PRIVATE LIMITED AS DETAILED IN THE COMPLAINT

5.1 The Complainant submits that the trademark "ZOHO" enjoys statutory and common law protection across numerous jurisdictions, including India, the United States, the European Union and Canada, and has been extensively used in connection with cloud-based business software and services, including Zoho Analytics and Zoho Meeting.

5.2 The Complainant maintains an active business presence in the United States, including offices in Texas and California, and offers products specifically directed at users in the United States, the jurisdiction in which the Respondent is based, further reinforcing the inference that the Respondent had knowledge of the Complainant and its ZOHO mark.



5.3 The Complainant is the registered proprietor of the domain names www.zoho.com (registered on January 16, 2004) and www.zoho.in (registered on February 25, 2005), both of which predate the registration of the disputed domain name by well over a decade, and through which the Complainant conducts its online business and maintains a strong presence across social media platforms including LinkedIn, Facebook, X, Instagram and YouTube.

6. TRADEMARK RIGHTS OF THE COMPLAINANT

6.1 The Complainant has placed on record an extensive schedule of trademark registrations for the mark "ZOHO", establishing its statutory and proprietary rights beyond doubt. These include, among others, International trademark ZOHO No. 929558 (registered June 19, 2007, class 42); International trademark ZOHO No. 1841998 (registered October 16, 2024, classes 9 and 42); International trademark ZOHO No. 1734167 (registered January 30, 2023, class 42); India trademark ZOHO No. 5088211 (registered July 3, 2023, class 9); India trademark ZOHO No. 5931492 (registered October 23, 2023, class 35); India trademark ZOHO No. 5931493 (registered October 23, 2023, class 42); India trademark ZOHO No. 5931496 (registered October 23, 2023, class 42); European Union trademark ZOHO No. 18721836 (registered November 2, 2022, class 9); United States trademark ZOHO No. 3260807 (registered July 10, 2007, class 42); United States trademark ZOHO No. 3487290 (registered August 19, 2008, class 42); United States trademark ZOHO No. 7741928 and No. 7741979 (registered April 1, 2025, classes 9 and 42); and Canada trademark ZOHO No. TMA817108 (registered February 7, 2012, classes 9 and 42).

DOMAIN NAME OF THE COMPLAINANT

6.2 The Complainant states that it is the registered proprietor of the domain names www.zoho.com and www.zoho.in, and that these were registered on January 16, 2004 and February 25, 2005 respectively. No documentary evidence of these registration dates has been placed on record; the dates are as stated in the Complaint. The Complainant states that it conducts its online business through these domain names and maintains a presence across social media platforms including LinkedIn, Facebook, X, Instagram and YouTube as evidenced by Annexure 5.



7. ANALYSIS AND FINDINGS

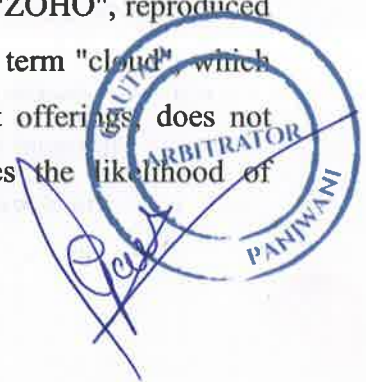
I have carefully considered the Complaint, the Amended Complaint, the annexures, the WHOIS records, the trademark registration extracts, and all communications exchanged between the parties in the course of these proceedings. Since the Respondent has failed to enter any appearance or file any response despite due service of proceedings and repeated opportunities, the assertions made by the Complainant stand wholly unrebutted on record. The present dispute is examined in light of the three cumulative requirements under Clause 4 of the INDRP Policy as enumerated herein below:-

- A. Confusing Similarity with the Complainant's Trademark
- B. Absence of Rights or Legitimate Interests of the Respondent
- C. Registration and Use in Bad Faith

It is accordingly necessary to examine each of the aforesaid elements in turn, in relation to the facts of the present dispute.

A. Confusing Similarity with the Complainant's Trademark

- i. The Complainant has adduced extensive and credible material establishing its statutory as well as common law rights in the trademark "ZOHO" and in its official domain names www.zoho.com and www.zoho.in. The evidence placed on record, including numerous trademark registrations across India, the United States, the European Union and Canada, together with over a decade of continuous commercial use and a global user base exceeding 150 million, conclusively demonstrates that the mark has acquired substantial goodwill, distinctiveness and recognition both in India and internationally.
- ii. A comparison of the disputed domain name "www.zohocloud.in" with the Complainant's trademark "ZOHO" unmistakably demonstrates that the dominant and essential element of the disputed domain name is the trademark "ZOHO", reproduced in its entirety without alteration. The addition of the descriptive term "cloud", which corresponds directly to the Complainant's cloud-based product offerings, does not distinguish the disputed domain name but instead aggravates the likelihood of

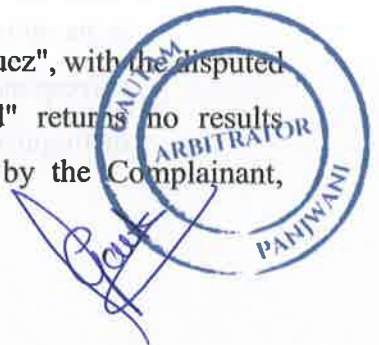


confusion, since it reinforces the false impression that the disputed domain name is connected with the Complainant's cloud-based services.

- iii. It is a well-established principle of domain name jurisprudence that the incorporation of a well-known trademark in its entirety is sufficient to establish confusing similarity, and that the addition of descriptive or generic expressions does not mitigate such similarity. The country code Top Level Domain ".in" is a standard registration requirement and is disregarded for the purpose of this comparison, in accordance with the consistent practice under the INDRP Policy and applicable jurisprudence.
- iv. I am accordingly satisfied that the disputed domain name "www.zohocloud.in" is confusingly similar to the Complainant's well-known trademark "ZOHO". The first requirement under Clause 4 of the INDRP Policy stands satisfied.

B. Absence of Rights or Legitimate Interests of the Respondent

- v. The Complainant has categorically stated on record that the Respondent has **never been authorised, licensed, or permitted to use the trademark "ZOHO"** in any manner, and that no material on record indicates any relationship, association, or affiliation between the Respondent and the Complainant.
- vi. There is no evidence that the Respondent is commonly known by the disputed domain name or owns any corresponding trademark rights. Searches conducted on online trademark databases in relation to the terms "zohocloud.in", "zohocloud" or "zoho cloud" disclose no trademark rights vesting in the Respondent, nor does any material connect the Respondent's own name with the disputed domain name.
- vii. Online searches conducted on the term "zoho", both alone and in conjunction with the term "cloud", return results overwhelmingly and exclusively associated with the Complainant, its official website, products and social media presence, with no reference whatsoever to the Respondent
- viii. A search combining the Respondent's own name, "Eneas Rodriguez", with the disputed domain name and the terms "zohocloud" and "zoho cloud" returns no results whatsoever as depicted by the Annex 11 placed on record by the Complainant,

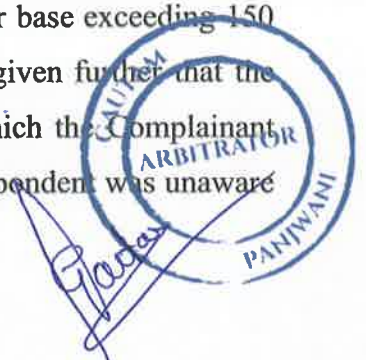


confirming the complete absence of any public association between the Respondent and the disputed domain name or the Complainant's ZOHO mark.

- ix. The Registrant's email address on record, info@musichearingdevices.com, is entirely unconnected with the disputed domain name, the ZOHO mark, or any cloud-based business, further negating any suggestion that the Respondent registered the disputed domain name in connection with its own name or any bona fide business of its own.
- x. The Respondent has, moreover, availed of a privacy shield service to mask its identity on the publicly available WHOIS records, a circumstance that suggests an intention to conceal rather than assert any legitimate interest in the disputed domain name.
- xi. The disputed domain name does not resolve to any active website and is being passively held. There is no evidence on record to suggest that the Respondent has used, or made any demonstrable preparation to use, the disputed domain name in connection with a bona fide offering of goods or services, or has made any legitimate non-commercial or fair use thereof.
- xii. Such passive holding of a domain name that wholly incorporates a well-known trademark, coupled with the complete absence of any explanation or appearance by the Respondent despite due service and repeated opportunities, cannot be characterised as bona fide or legitimate use.
- xiii. I accordingly hold that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The second requirement under Clause 4 of the INDRP Policy stands satisfied.

C. Registration and Use in Bad Faith

- xiv. The Complainant's material indicates that the trademark "ZOHO" has been in continuous commercial use since at least 2004, carries registrations spanning multiple classes and countries, and is supported by a claimed global user base exceeding 150 million persons. Given the stated reputation of the mark, and given further that the Respondent is based in the United States, a jurisdiction in which the Complainant maintains an active business presence, it is unlikely that the Respondent was unaware



A handwritten signature in blue ink is written over a circular blue stamp. The stamp contains the text "ARBITRATOR" and "PANIWANI" around the perimeter. The signature appears to be "G. Paniwani".

of the Complainant and its trademark rights at the time of registering the disputed domain name on January 7, 2025.

- xv. The deliberate incorporation of "ZOHO", a coined and distinctive mark with no independent meaning, together with the term "cloud", which corresponds to the Complainant's cloud-based product offerings, demonstrates prior knowledge of the Complainant's business and trademark, and reflects an intent to create an association with, and to trade upon the goodwill of, the Complainant's mark.
- xvi. The Complainant addressed a cease-and-desist communication to the Respondent on May 23, 2025, which has also been attached with the complaint as Annex 10, drawing attention to the Complainant's rights in the ZOHO trademark. No response was received from the Respondent to the said communication, a circumstance that further strengthens the inference of bad faith.
- xvii. The Respondent's use of a privacy shield service to mask its identity on the publicly available WHOIS records is a further indicium of bad faith, suggesting an intention to evade accountability rather than to assert any legitimate claim to the disputed domain name.
- xviii. The Respondent's complete failure to participate in these proceedings independently strengthens the inference of bad faith, notwithstanding confirmed physical delivery of the Complaint and Annexures to the Respondent's registered address on June 30, 2026, as evidenced by the DHL proof of delivery (Waybill No. 8483122233). A bona fide registrant with a legitimate interest in the disputed domain name would ordinarily enter an appearance and place material on record explaining the basis of adoption and use. The Respondent's silence in the face of these allegations, despite confirmed receipt of the proceedings, is a further factor I have taken into account.
- xix. Having regard to the entirety of the material on record, I am satisfied that the Respondent has registered the disputed domain name and has since been using the same with the intention of exploiting the reputation and goodwill of the Complainant's well-known trademark "ZOHO", and that such registration and passive holding fall squarely



within the mischief addressed by Clause 6 of the INDRP Policy. The third requirement under Clause 4 of the INDRP Policy stands satisfied.

- xx. Having regard to the entirety of the material on record, I am satisfied that the Respondent has registered and has since been using the disputed domain name with the intention of exploiting the reputation and goodwill of the Complainant's trademark "ZOHO", and that such registration and passive holding fall squarely within the mischief addressed by Clause 6 of the INDRP Policy. The third requirement under Clause 4 of the INDRP Policy stands satisfied.

It is noteworthy that **Rule 3 of the .IN Domain Name Dispute Resolution Policy (INDRP)** casts an obligation on a registrant, such as the Respondent herein, to represent and warrant, among other things, that the registration of the domain name will not infringe upon or otherwise violate the right of any third party, and that the registrant will not knowingly use the domain name in violation or abuse of any applicable laws or regulation, it being the sole responsibility of the registrant to determine whether its domain name registration infringes or violates someone else's right.

From a perusal of the averments and documents placed on record, there is therefore no doubt that the Respondent has registered the disputed domain name in bad faith and to ride upon the Complainant's ZOHO trademark's goodwill and reputation. I therefore hold that the Respondent's domain name has been registered and is being used in bad faith.

8. PRELIMINARY OBSERVATIONS

8.1 I find it appropriate to place on record the decision of the Hon'ble Supreme Court of India in *Satyam Infoway Ltd. v. Siffynet Solutions (P) Ltd.* [(2004) 6 SCC 145], wherein the Court observed that the use of the same or similar domain name may lead to a diversion of users, that ordinary consumers seeking to locate the functions available under one domain name may be confused if they accidentally arrive at a different but similar website offering no such services, and that a domain name may accordingly have all the characteristics of a trademark and found an action for passing off.

8.2 The disputed domain name incorporates the Complainant's well-known trademark ZOHO in its entirety, coupled with the term "cloud", which corresponds directly to the



Complainant's cloud-based products and services such as Zoho Analytics and Zoho Meeting. The composite thus reads as an official Zoho offering, heightening rather than dispelling the likelihood of confusion.

9. DECISION AND AWARD

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

- (a) The disputed domain name "www.zohocloud.in" is confusingly similar to the Complainant's well known and globally recognised trademark "ZOHO";
- (b) The Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (c) The disputed domain name has been registered and is being used in bad faith, in violation of Clause 6 of the INDRP Policy.

In accordance with the INDRP Policy and Rules, I hereby DIRECT that the disputed domain name <www.zohocloud.in> be transferred to the Complainant, Zoho Corporation Private Limited.

No order as to costs.

Date: 20.08.2026

Place: New Delhi


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