



सत्यमेव जयते

INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

₹100

e-Stamp

Certificate No.	: IN-DL22485048976697X
Certificate Issued Date	: 22-Jul-2025 03:20 PM
Account Reference	: IMPACC (IV)/ dl815803/ DELHI/ DL-WSD
Unique Doc. Reference	: SUBIN-DL81580379908616533163X
Purchased by	: ABHINAV S RAGHVANSHI
Description of Document	: Article 12 Award
Property Description	: Not Applicable
Consideration Price (Rs.)	: 0 (Zero)
First Party	: ABHINAV S RAGHVANSHI
Second Party	: Not Applicable
Stamp Duty Paid By	: ABHINAV S RAGHVANSHI
Stamp Duty Amount(Rs.)	: 100 (One Hundred only)



Please write or type below this line

BEFORE THE .IN REGISTRY OF INDIA
INDRP CASE NO. 1980

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

FINAL AWARD

[Signature]

Statutory Alert:

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.

**IN THE MATTER OF THE ARBITRATION ACT 1996 as Amended by
Arbitration & Conciliation (Amendment) Act, 2015
and
INDRP Rules of Procedure;
and
.IN Domain Name Dispute Resolution Policy (INDRP)
and
In the matter of arbitration between**

Major League Baseball Properties Inc.

1271 Avenue of the Americas,
New York, NY 10020,
United States of America

....Complainant

Vs

Peters Margaret,

261 Heavens Way
San Juan Capistrano, CA
United States of America

....Respondent

in respect of Disputed Domain Name(s):

[MLBINDIA.CO.IN]

INDRP Case No; 1980

FINAL AWARD

Date: 22.07.2025

Venue: New Delhi, India


ABHINAV S. RAGHUVANSHI

SOLE ARBITRATOR

Table of Contents

S.NO	PARTICULARS	PAGE NO.
A.	The Parties and their Representative	1
B.	The Domain Name and Registrar	2
C.	Procedural History	2-3
D.	Complainant Contention	3-9
E.	Respondent Contention	9
F.	Discussion and Findings	9-13
G.	Decision	13

A. THE PARTIES AND THEIR REPRESENTATIVE:

1. Claimant

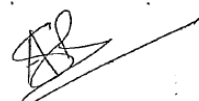
Major League Baseball Properties, Inc.
1271 Avenue of the Americas,
New York, NY 10020,
United States of America
Tel: 0120 6233100
Email: trademarks@sc-ip.in

Legal Representative

Sujata Chaudhri, Urfee Roomi
Sujata chaudhri IP Attorneys
2106, Express Trade Towers 2
1st Floor, B-36, Sector 132
Expressway, NOIDA
Uttar Pradesh 201301
Tel: 0120 6233100
Email: trademarks@sc-ip.in ; urfee@sc-ip.in;

2. Respondent

Peters Margaret
261 Heavens Way
San Juan Capistrano, CA
United States of America
Tel: (+1) 9493913059
Email: MattCaamano@mail.com

A handwritten signature in black ink, appearing to be 'AS' followed by a long horizontal stroke.

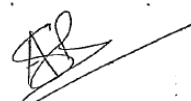
B. THE DOMAIN NAMES AND REGISTRAR:

The disputed domain name <MLBINDIA.CO.IN> is registered through the Registrar NameCheap.Inc is accredited with the .IN Registry and is listed on the website of the .IN Registry having its Contact Address:

Peters Margaret
261 Heavens Way
San Juan Capistrano, CA
United States of America
Email: MattCaamano@mail.com

C. PROCEDURAL HISTORY:

1. Sh. Abhinav S. Raghuvanshi was appointed as the sole Arbitrator on 28th March 2025 by the NIXI to act as an Arbitrator in the INDRP case no. 1956 regarding the complaint dated 20rd February 2025 filed under the INDRP by the Complainant.
2. On 25th April 2025, the Arbitral Tribunal issued the Notice of Arbitration and further directed the Complainant to effect the service into the Respondent and file an Affidavit of Service to the effect. The Respondent was given an opportunity to file a response in writing in opposition to the complaint, if any, along with evidence in support of its stand or contention on or within 15(fifteen) days.
3. The Respondent did not respond to the notice issued on 25th April 2025.
4. Service of the Notice of Arbitration dated 25th April 2025 was affected by the counsel for the complainant, and the same was intimated to the Tribunal by Sujata Chaudhri, Urfee Roomi representative of the complainant. The complaint (with annexures) was sent to the email address of the Respondent shown in the WHOIS details. Consequently, the service of the Notice of Arbitration on the Respondent was done in accordance with Rule (2) of the INDRP Rules.



5. In the interest of Justice, the Arbitral Tribunal under Rule 13 of the INDRP Rules of Procedure directed the Complainant to once again affect service of this Notice of Arbitration along with copy of Complaint and Annexure, complete in all respects and Complainant and Annexures, complete in all respects by email on 3rd May 2025 to the Respondent.
6. Even after the Service of Notice of Arbitration twice, the Respondent did not respond.
7. On 18th June 2025, Evidence Affidavit were filed by the Complainant in relation to the case of INDRP Case No. 1980.
8. There was a delay of 28 (twenty-eight) days in passing the present award, primarily due to the Arbitrator's unavailability, as he was unwell owing to a high blood sugar episode and other health-related issues.

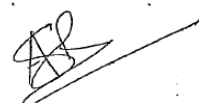
D. COMPLAINANT CONTENTION:

It is case of Complainant that:

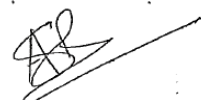
1. The Complainant i.e. Major League Baseball Properties, Inc., is a corporation existing under the laws of the State of New York, United States of America, with a principal place of business at 1271 Avenue of the Americas, New York, New York 10020, United States of America. For the purpose of the instant complaint, the Complainant shall, unless the context requires, include its predecessors-in-business and interest, subsidiaries, and affiliated companies.
 - I. The Complainant is the licensee of and/or acts as agent for Major League Baseball ("MLB") with respect to a variety of matters, including the licensing and/or protection of intellectual property rights of all MLB affiliated entities and events, including without limitation the 30 MLB clubs, Spring Training, Opening Day, All Star Game events, World Series, and so on. MLB is the historic and world-renowned professional baseball league based out of the United States of America and Canada. In that capacity, Complainant supervises and is responsible for licensing the manufacture, sale and distribution of products bearing the trademarks of the MLB entities and events



- II. Major League Baseball professional baseball ("**MLB Baseball**") is the pinnacle of professional baseball in the world, having a history going back to the year 1876. Today, MLB Baseball has, become an international sport followed by hundreds of millions, if not billions, of fans around the world. With more than 1,000,000 players participating in the sport worldwide, baseball is played in more than 100 countries around the world, including in India. As per estimations, over 70 million people, including people from India, attended MLB Baseball games in 2023, with average attendance figures reaching an impressive 29,176 per game. The Complainant's MLB Marks are displayed on signage throughout the stadiums during these games, on the uniforms worn by the MLB Clubs' players, on apparel worn by fans and the MLB Clubs' personnel. The Complainant's MLB Marks also appear on a variety of merchandise offered for sale during such games
- III. The official global website of the Complainant is located at *www.mlb.com* (the "Official MLB Website"). The Complainant also has dedicated official websites for each of the thirty (30) MLB Clubs (collectively the "Official MLB Club Websites"). Additionally, certain regional licensees of the Complaint also own and operate their own websites, selling official MLB merchandise within their respective jurisdictions in accordance with the scope of their licenses. All of these websites are accessible to consumers around the world, including in India. The Official MLB Website and the Official MLB Club Websites, as well as numerous other websites which cover MLB Baseball news and events and/or sell MLB Baseball products, have featured the Complainant's MLB Marks and have been/are viewed by millions of Internet users throughout the world, including in India. The news and entertainment services provided on these websites, as well as the Complainant's goods offered for sale bearing the Complainant's MLB Marks, are available to global and Indian consumers having Internet access. As per the WHOIS records, the domain name MLB.COM was registered on November 1, 1994. Consumers can access information about and avail the Complainant's services and purchase the Complainant's goods under the Complainant's MLB Marks through these websites.
- IV. The Complainant also has a dedicated e-commerce website located at *www.mlbshop.com*, where consumers from all around the world, including in India, can view and purchase products, bearing MLB Marks. Complainant has attached Screenshots from the Complainant's website evidencing use of the MLB Marks and extracts from the WHOIS records in support of its contention.



- V. The MLB Baseball games featuring the Complainant's MLB Marks have been televised and broadcasted internationally for many decades, including in India, thereby exposing Indian consumers and sports fans alike to MLB Baseball, and in turn, to the Complainant's MLB Marks. At least since 1997, MLB games prominently featuring the Complainant's MLB Marks have been, and continue to be, broadcasted in India by various modes, including via on-air channels such as Star Sports India, Fox Sports Asia, ESPN Star, VEQTA, and more recently, through the popular social media platforms, Facebook as well. Further, in 2020, FanCode, an aggregator platform by Sparta Technologies Private Limited, acquired the live streaming rights for MLB Baseball games in India. The acquisition of the live streaming rights received substantial media attention in well-known publications in India, both online and offline. During broadcasts of these games, the Complainant's MLB Marks can be seen on the uniforms of the MLB Clubs' players, coaches, and other on-field MLB Clubs' personnel, on apparel and other merchandise worn or held by fans, on displays on the television screen and on signage visible in the stadium, further adding to the global fame of the Complainant's MLB Marks, including in India. Supporting documents have been annexed with complaint and marked as annexure 5 & annexure 6.
- VI. The Complainant further asserts that in recent years, the popularity of baseball as a sport, and with it the popularity of MLB Baseball as well, has witnessed an immense growth in India. This popularity received a massive boost in 2008 when Z-Sports organized a contest called the "Million Dollar Arm" to discover America's next baseball "hero" from India. More than thirty thousand (30,000) people in India participated in the contest. Rinku Singh and Dinesh Kumar Patel were signed to a professional contract by the PITTSBURGH PIRATES MAJOR LEAGUE BASEBALL club after the duo emerged as winners in the contest. This recruitment of two Indian citizens generated a lot of buzz and excitement about the sport of baseball, in general, and MLB Baseball, in particular, in India. The two players made their debut in a baseball game on July 4, 2009. This debut was widely reported in well-known publications circulated in India. Complainant has annexed representative articles evidencing the media attention received by Rinku Singh, Dinesh Kumar Patel and/or MLB Baseball, in India and worldwide, post the "Million Dollar Arm" also attached.
- VII. In 2014, the "Million Dollar Arm" contest and Rinku Singh's and Dinesh Kumar Patel's stories were the subject of a widely popular Disney motion picture titled

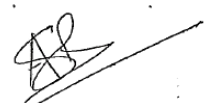


"Million Dollar Arm." Articles and printouts evidencing the popularity of the movie "Million Dollar Arm" are annexed with the Complaint as **Annexure- 8**.

VIII. The Complainant has expanded its online presence in India by launching an official India-specific social media account with the handle MLB.INDIA on Instagram, one of the world's most popular and trafficked social networking sites, to cater to MLB fans in India. This social media page comprises posts in at least three (3) different languages pertaining to MLB Baseball and, often, feature one or more of the Complainant's MLB Marks. Fans from all across India have subscribed to, and actively engage in the posts on, this page. This has added to the consumer recognition and popularity of MLB Baseball, including the Complainant's MLB Marks, in India. Screenshots from the Complainant's Instagram page evidencing use of the MLB Marks has been annexed as **Annexure- 9 by the Complainant**.

IX. Further, since at least as early as 2017, the Complainant has been providing support to various organizations in India for promoting the game of baseball among youth and school children. In July 2019, the Complainant announced the opening of an office in India to promote the game of baseball among Indian consumers. The Complainant's announcement received substantial media attention in well-known publications such as *Hindustan Times*, *The Hindu*, *SportBusiness* and *Business Standard*, both online and offline. In 2020, the Complainant introduced the *First Pitch* program, a grassroots initiative to create a compelling experience that inspires individuals to want to participate in baseball or softball regularly, in more than 300 schools across three cities, namely, New Delhi, Mumbai and Bangalore in India. In 2021, the Complainant collaborated with India On Track, one of India's leading sports management companies, and the Amateur Baseball Federation of India, the governing body for baseball in India, to conduct online training and coaching sessions for baseball coaches across the country. Printouts of articles evidencing the above statements are annexed as **Annexure- 10**.

X. Further, in 2021, the Complainant kicked-off its first MLB Cup, a youth baseball tournament for children, in India. The popularity of MLB Cup in India is evident from that fact that the 2022 edition of the tournament saw participation of around 160 teams across the country. The Complainant's above efforts in popularizing the game of baseball, and MLB Baseball in particular, in India have garnered substantial media coverage, that prominently feature the Complainant's MLB Marks. This has further enhanced the familiarity of the Complainant's MLB Marks in the minds of the Indian consumers. Printouts of



articles evidencing the above statements are annexed as **Annexure- 11 by the Complainant alongwith the Complaint.**

XI. The Complainant has further demonstrated before me that the Complainant's MLB Marks have been registered in numerous jurisdictions and countries worldwide, including **India**, Argentina, Australia, Benelux, Brazil, Canada, Chile, China, Colombia, Denmark, Dominican Republic, the European Union, Finland, Germany, Indonesia, Israel, Japan, Macau, Malaysia, Mexico, Morocco, New Zealand, Nicaragua, Panama, Paraguay, Peru, Philippines, Singapore, South Africa, South Korea, Taiwan, the United States of America and Venezuela. An updated list of the Complainant's international registrations for the Complainant's MLB Marks has been annexed as **Annexure- 13 by the Complainant alongwith the Complaint.**

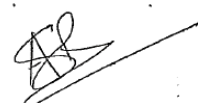
XII. Insofar as the registration position in India is concerned, the Complainant owns the following valid and subsisting registrations:

Marks	Registration No.	Class(es)	Registration Date
MLB	1317846	25	October 28, 2004
MLB	IRDI No. 4655770	9, 14,16, 18, 28, 35 & 41	May 7, 2020
MLB CUP	4954215	25 & 41	April 23, 2021
MLB LIVE	4954214	25 & 41	April 23, 2021

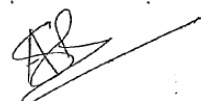
Photocopies of Certificates of Registrations issued by the Trade Marks Registry and/or evidence of renewal, as well as extracts from the online records of the Trade Marks Registry showing particulars of the Complainant's trademark registrations are annexed as **Annexure- 14 by the Complainant.**

XIII. Owing to the extensive and continuous use of the Complainant's MLB Marks, these marks have become well-known under Section 2(1)(zg) and Section 11(6) of the Trade Marks Act, 1999 (hereinafter the "Act") and Article 6bis of the Paris Convention that deals with well-known marks.

XIV. **Therefore, the Complainant has been clearly able to demonstrate that it is related to MLB and the associated Mark historically.** However, the details of the disputed domain name -MLBINDIA.CO.IN, have been provided by the National Internet Exchange of India ("NIXI"). The domain name MLBINDIA.CO.IN was registered on **April 10, 2024**. An extract of the WHOIS records of the disputed domain name as provided by NIXI is annexed as **Annexure 15 by the Complainant.**



- XV. The Complainant further Claims that the disputed domain name redirects to an active website which has been deliberately designed by the Registrant/Respondent to make visitors believe that it is an official website of the Complainant selling/offering for sale MLB branded merchandise, such as readymade clothing and accessories, including t-shirts, caps, sweatshirts, hoodies, sweaters, chains, bags, and so on, all unauthorizedly bearing the MLB Marks. Such use by the Registrant constitutes unauthorized use and infringement of the MLB Marks. The user interface of the website located at the disputed domain name has been designed in a manner such that unwary and unassuming consumers are bound to be misled into believing that the disputed domain name pertains to an official MLB website. Screenshots from the website located at www.mlbindia.co.in are annexed as **Annexure - 16** by the **Complainant**.
- XVI. The Complainant further asserts that infact, the patently *ma/a fide* and dishonest intentions of the Registrant are evident from the fact that the entire interface of the website located at the disputed domain name is an exact replica of one of the official websites of the Complainant, located at <https://en.mlb-korea.com/index.html>, which is operated by the Complainant's licensee operating in South Korea. Screenshots from the official website operated by the Complainant's South Korean licensee are annexed as **Annexure - 17**. These screenshots make it *ex facie* evident that the adoption as well as use of the disputed domain name by the Complainant is innately dishonest.
- XVII. It is further noted that the website located at the disputed domain name is a rogue and fraudulent website created solely to cheat unwary consumers into placing orders and making payments. The Registrant/Respondent does not provide any actual product or service in exchange for the amounts it elicits from persons who visit and transact on the website at the disputed domain name.
- XVIII. The Complainant first learnt of the disputed domain name around the first week of September 2024, when the Complainant's Indian representatives alerted the Complainant of the existence of the fraudulent website located at MLBINDIA.CO.IN. Thereafter, the Complainant's Indian representatives also placed an order for a few of products listed on the website and even effected payment of INR 4740 in this regard. However, despite waiting for a period of over four weeks from the date of placing the orders on the website, no products were actually delivered to the Complainant's Indian representatives.

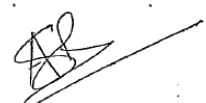


Screenshots from the website at the disputed domain name evidencing the orders placed by the Complainant's Indian representatives, and the current status of the orders so placed, are annexed as **Annexure - 18**. Such conduct of the Registrant of eliciting payments from customers, under the garb of selling MLB branded products, but not delivering any product in return, and also not offering any option to claim refunds, make it abundantly clear and leave no measure of doubt that the Registrant is using the Complainant's MLB Marks for defrauding and cheating customers of their hard-earned monies, thereby misappropriating the Complainant's MLB Marks. Even assuming the products were delivered, they are bound to have been counterfeit, given that this is not a website authorized by the Complainant, and the Registrant is not a licensee of the Complainant.

- XIX. The *mala fide* intention of the Registrant is also evidenced from a mere comparison of the screenshots of the Complainant's authorized website located at <https://en.mlbkorea.com/index.html> (annexed as Annexure - 17) with the screenshots from the website located at the disputed domain name (annexed as Annexure - 16). Thus, the Registrant's *malafides* and blatant attempts at duping consumers, by taking advantage of the Complainant's rights in the Complainant's MLB Marks, as well as by copying substantial elements from the user interface of the Complainant's website operated by the Complainant's South Korean licensee, are immediate and apparent.

E. **RESPONDENT CONTENTION:**

Despite service of Arbitration Notice dated 25th April 2025, Respondent have failed to file their response- Reply in Opposition to the Complaint. Affidavit of service filed on behalf of the complaint establishes that service has been affected onto the Respondent validly. However, the Tribunal firmly believes that Even in the uncontested matter the petitioners case must stand on its own legs and it cannot derive any advantage by absence of the respondents therefore, the complainant must still establish each of the three elements as mentioned in clause 4 of the INDRP policy. Tribunal also notes decision of Hon'ble Supreme Court of India in Sudha Agarwal vs Xth Additionl District Judge & Ors (1996) 6 SCC 332. The disputed domain name was registered on 04th April 2024. The disputed domain name is parked and there is no bona fide use of the disputed domain name by the Respondent. An extract of the landing page of the disputed domain name <MLBINDIA.CO.IN>



F. DISCUSSIONS AND FINDINGS:

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

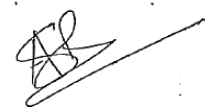
"Any Person who considers that a registered domain name conflicts with his legitimate rights or interests may file a Complaint to the .IN Registry on the following premises:

- a) the Registrant has no rights or legitimate interests in respect of the domain name; and
- b) the Respondent has no rights or legitimate interests in respect of the domain name:
- c) the Registrant's domain name has been registered or is being used in bad faith."

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

Whether the Registrant's/Respondent's Domain Name is Identical and/or Confusingly Similar to a Mark in which the Complainant has Rights ?

- a) It is well-settled that a domain name has all the characteristics of a trademark. *MIS Satyam Infoway Ltd, y. MIS Siffynet Solution (P) Ltd.*, JT 2004 (5) SC 541. Thus, a trademark and a domain name, although used in a different manner, can be identical or confusingly similar. The Complainant has well established statutory and common law rights in the MLB Marks. As discussed above, the Complainant owns registrations for the MLB Marks in various countries and jurisdictions around the world, including India. The earliest registration in India dates back to October 28, 2004. WIPO panellists, over the years, have concurringly ruled that if a complainant owns a trade mark registration, then it generally satisfies the threshold requirement of trade mark rights. *ByteDance Ltd. Jing Ren*, INDRP/1228 (July 07, 2020). The Registrant, on the other hand, has registered the disputed domain name only in April 2024. Clearly, the Complainant's rights in the MLB Marks predate registration of the disputed domain name and, therefore, the Complainant has prior rights in the MLB Marks. Furthermore, the Complainant's use of the MLB Marks also precedes the date of registration of the disputed domain name.



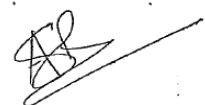
- b) The disputed domain name MLBINDIA.CO.IN incorporates the Complainant's MLB mark in its entirety, with the addition of the country code .CO.IN. It is pertinent to note that .CO.IN is a country code and is non-distinctive. It is an essential part of every domain name. Thus, the .CO.IN part of the domain name does nothing to distinguish the disputed domain name from the Complainant's MLB mark. Further, the word India in the domain name would lead to a likelihood of association, since consumers may assume that this is an India-specific website for the Complainant's merchandise. It follows that the disputed domain name, MLBINDIA.CO.IN, is identical to the Complainant's MLB mark. See, *Walmart Stores, Inc. v. Ambr@Berthiaume*, INDRP/491 (June 11, 2013). In this decision, the arbitrator held that the domain name WAL MART.IN is identical to the WALMART mark under the Policy because the domain name incorporates the WALMART mark in its entirety.

Clearly, in this case, the disputed domain name, MLBINDIA.CO.IN, incorporates the Complainant's MLB mark in its entirety and is, consequently, identical to the MLB Marks. Thus, the Complainant has proved that the requirements under INDRP Policy Paragraph 4 (a) and Rules, Paragraph 4(b)(vi)(l) are satisfied.

Whether the Registrant/Respondent has No Right or Legitimate Interest in the Domain Name ?

- c) The Registrant cannot have any right or legitimate interest in the disputed domain name because the disputed domain name incorporates the MLB Marks in which the Complainant has sole and exclusive rights and that have become well-known owing to the Complainant's efforts.
- d) The Registrant is not a licensee of the Complainant, nor has the Registrant ever been authorized by the Complainant to use the MLB Marks or register the disputed domain name. Indeed, the Complainant has no relationship whatsoever with the Registrant. *Charles Jourdan Holding AG y, IAMA*, D2000-0403 (WIPO, June 27, 2000) (finding no rights or legitimate interests where respondent was not a licensee of the complainant) and *Google Inc. U.S.A. v. VaibhavJain*, INDRP/132 (April 3, 2010).

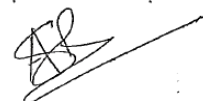
Thus, Registrant has no rights or legitimate interest in the disputed domain name under INDRP Policy Paragraph 4(b) read with Paragraph 6 and Rules, Paragraph 4(b)(vi)(2).



Whether the Respondent/Registrant has Registered or Used the Domain Name in Bad Faith ?

- e) It is clearly more than a coincidence that the Registrant chose and registered a domain name that incorporates the entirety of the Complainant's MLB Marks. The Complainant has a long- and well-established reputation in the MLB Marks through its exclusive use throughout the world, including in India. It cannot be said or assumed, by any stretch, that the Registrant was not aware of the Complainant and the Complainant's MLB Marks when he chose and registered the disputed domain name. In fact, it is evident from the preceding paragraphs of the complaint that the Registrant chose the disputed domain name intentionally because it was confusingly similar to the Complainant's MLB Marks and intended to capitalize on that confusion. This constitutes evidence of bad faith. *Kenneth Cole Productions Inc, y. Viswas Infomedia*, INDRP/93 (April 10, 2009).
- f) The Registrant is not using the domain name in connection with any legitimate business. In fact, as stated in the preceding paragraphs, the Registrant is operating an infringing rogue website containing fictitious listings for products bearing the MLB Marks, while not selling any products at all. Such bad faith is also evident from the fact that the website located at the disputed domain name is nearly identical to the website owned/operated by the Complainant's South Korean licensee, located at <https://en.mlb-korea.com/index.html>. These facts are more than enough to demonstrate the Registrant's bad faith.
- g) It can be presumed that many Internet users attempting to visit Complainant's website may have ended up on the site of Respondent. As the disputed domain wholly incorporates the Complainant's MLB Marks and displays products bearing the MLB Marks, consumer confusion is bound to happen. Previous panels have ruled that "*a likelihood of confusion is presumed, and such confusion will inevitably result in the diversion of Internet traffic from Complainant's site to Respondent's site*" (WIPO Case No. D2012-1765, *MasterCard International Incorporated "MasterCard"*) v. *Wavepass AS*; WIPO Case No. D2006-1095, *Edmunds.com, Inc. v. Triple E Holdings Limited*).

In the light of the foregoing discussion, the Complainant has discharged the onus to prove the requirements of paragraph 4(c) read with paragraph 7 of the INDRP Policy and has made *a prima facie* case in its favour by making positive assertions that the Registrant has registered and is using the disputed domain name in bad



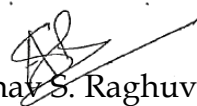
faith. The Complainant also reiterates all the contentions made in the above paragraphs relating to lack of rights and legitimate interest in the disputed domain name.

The Registrant's/Respondent's intention is to take advantage of the Complainant's reputation in order to make illegal gains to the detriment of the Complainant, to prevent the Complainant from reflecting the MLB Marks in a corresponding domain name, and to create a likelihood of confusion amongst the public as to the source and affiliation of the disputed domain name.

G. DECISION:

In the light of foregoing findings, namely, that the domain name is confusingly similar to a mark in which the complainant have rights, that the respondent has no rights or legitimate interests in respect of disputed domain name and that the disputed domain name was registered in bad faith and being used in bad faith in accordance with the policy and rules, the arbitrator orders that domain <MLBINDIA.CO.IN> be transferred to the complainant.

Place: New Delhi
Date: 22.07.2025


(Abhinav S. Raghuvanshi)
Sole Arbitrator
The Arbitral Tribunal