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Varun Singh

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IN THE MATTER OF:-

Novartis AG

CH - 4002 Basel

Switzerland

Email: disputes@abion.com

.....Complainant

Versus

Nagarjuna Reddy Cheppala

Bollavaram post office

Kurnool

Andhra Pradesh 518512

India

Email:- arjun46214@gmail.com

.....Respondent

AWARD

12.08.2026

1. The present arbitration proceedings are initiated under and in accordance with the INDRP, and the INDRP Rules of Procedure which are adopted by the National Internet Exchange of India (NIXI) which governs the dispute in connection with .IN domain name.
2. The Complainant has filed the subject complaint against the Respondent seeking transfer of domain name <novartisld.in> from the Respondent to the Complainant.
3. The Registrant/Respondent has registered the <novartisld.in> (hereinafter 'disputed domain name') with the domain name Registrar duly accredited with the NIXI i.e. Hosting Concepts B.V. dba Openprovider since 20.06.2025.

Procedural history

4. I was appointed as an Arbitrator by NIXI in the above matter vide email dated 18.06.2026. The said email dated 18.06.2026 containing the complaint along with documents thereto and statement of acceptance and declaration of impartiality and independence of the Arbitrator was marked

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to the Respondent (arjun46214@gmail.com) as well. The said email of the Respondent is reflected as such in the WHOIS record of the disputed domain name.

5. The Arbitrator issued a notice dated 21.06.2026 under Rule 5(c) of INDRP Rules of Procedure whereby the Respondent was directed to file its reply to the complaint till 21.07.2026. The parties were directed to file their respective written submissions by 25.07.2026. The said notice issued by the present Arbitrator was marked via email dated 21.06.2026 to the Complainant and to the Respondent, which email did not bounce back. Therefore, the notice 21.06.2026 of the Arbitrator was also duly served on the Respondent through Arbitrator's email dated 21.06.2026.
6. The Complainant, vide notice dated 21.06.2026 was directed to serve again on the Respondent the subject complaint and all accompanying documents, including the said Notice of the Arbitrator, so that the Respondent is provided with ample opportunity to file his reply.
7. The Complainant, through its learned counsel, vide email dated 23.06.2026, and 24.07.2026 (this email was marked to the Respondent as well) informed this Tribunal that the Complainant has served the domain complaint and documents thereto on the Respondent through email dated 23.06.2026 (delivery receipt was attached with email dated 24.07.2026) as well as through courier (courier receipt was attached with email dated 24.07.2026).
8. In view of foregoing, it is apparent that the Respondent was duly served with domain complaint along with all other documents. The Respondent was provided with ample opportunities to file its proper reply.

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9. Rule 5(d) of the INDRP Rules of Procedure states that the date of commencement of the arbitration proceeding shall be the date on which the arbitrator issues notice to the Respondent. Therefore, the date of commencement of arbitration in the present case is 21.06.2026. Rule 5(e) of the INDRP Rules of Procedure states that an Arbitrator shall pass an award within a period of 60 days from the date of commencement of the arbitration proceeding and in exceptional circumstances, the timeline may be extended by a maximum period of 30 days by the Arbitrator subject to a reasonable justification in writing. The present award is passed within the timelines prescribed under the INDRP Rules of Procedure.

Issues for consideration

10. Paragraph 4 of the INDRP provides the grounds on which a complaint can be filed by the aggrieved Complainant who considers that a registered domain name conflicts with his/her legitimate rights or interests on the following grounds:
- (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.

Contention of the Parties

11. The Complainant in its complaint, inter alia, states the following:-
- a. Novartis Group is one of the biggest global pharmaceutical

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and healthcare groups. It provides solutions to address the evolving needs of patients worldwide by developing and delivering innovative medical treatments and drugs. Novartis AG (the “Complainant”), is the holding company of the Novartis Group. In 2025, Novartis achieved net sales of USD 54.5 billion, and total net income amounted to USD 14 billion and employed 75267 full-time equivalent employees as of December 31, 2025.

- b. The complainant is an innovative medicines company. Its medicines reach 296 million people worldwide.
- c. Complainant’s products are manufactured and sold in many countries worldwide, including in India, where it has an active presence especially through the companies Novartis Healthcare Private Limited and Novartis India Limited (hereinafter “Novartis India”), part of the Novartis group.
- d. The Novartis group employs around 8300 persons in India. Many job openings in India are also displayed on the Complainant’s website at “www.novartis.com/in-en/careers”, on the page “Career Search”.
- e. The Novartis group’s Development organization – which is responsible for advancing the group’s pipeline of investigational medicines, to bring transformative new treatment options to patients with serious diseases – has key hubs in Switzerland (Basel), the United States of America (East Hanover) and India (Hyderabad and Mumbai). The India hub is an important base to support the development journey of many breakthrough medicines across all therapy areas (cardiovascular, oncology, immunology, neurology and global health).
- f. The World Health Organization has collaborated with the

complainant to provide MDT (multidrug therapy) and clofazimine, free of cost, to all leprosy patients worldwide. Moreover, Novartis country organizations in higher-burden geographies like India and Brazil work with partners to employ initiatives that go beyond donating medicines. For instance, in collaboration with The Leprosy Mission Trust of India, Novartis India provides vocational training and quality skilling to individuals affected by leprosy, aiming to rehabilitate them into society. The first phase of this Corporate Social Responsibility (CSR) program, which began in 2022, involved The Leprosy Mission Trust of India's Vocational Training Centers in Maharashtra and Andhra Pradesh. The project provides certified vocational skill-building courses such as motor mechanics, computer operation, and tailoring to students who have dropped out of mainstream education.

- g. in many previous ccTLD cases or UDRP, Arbitrators and Panels have stated that the NOVARTIS trademark is well-known (Novartis AG v. Hemaswaroop Dindukurthi, INDRP Case No. 1699; see also Novartis AG v. Amartya Sinha, Global Webs Link, Novartis RO, WIPO Case No. D2020-3203; Novartis AG v. zilong zhao, WIPO Case No. DCC2024-0037; Novartis AG v. Robert Braastad, Alliance Union Pty Limited, WIPO Case No. DCC2025-0001).
- h. The Complainant owns numerous domain names composed of either its trademark NOVARTIS alone, including <novartis.com> (registered on 2 April 1996) and <novartis.in> (registered on February 16, 2005) or in combination with other terms, such as <novartispharma.com> (registered on 27 October 1999) and

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<novartispharma.in> (registered on May 12, 2015). The Complainant uses the domain names <novartis.com>, <novartis.in> and <novartispharma.com> to resolve to its official website through which it informs Internet users and potential consumers about its NOVARTIS mark and its related products and services. Moreover, on the Complainant's website, the page at "www.novartis.com/in-en/" is intended for an audience in India. The Complainant also enjoys a strong presence online via its official social media platforms intended for a global audience as well as an audience in India (such as LinkedIn, Facebook, Instagram, X and Youtube).

- i. The disputed domain name does not resolve to an active website.
- j. The complainant owns numerous trademarks Novartis registered in numerous jurisdictions all over the world, which were registered many years before the creation of the disputed domain name on 20.06.2025. The complainant stated that the following trademarks are registered world over:-
 - i. The International trademark NOVARTIS No. 663765, registered on July 1, 1996, in classes 1, 2, 3, 4, 5, 7, 8, 9, 10, 14, 16, 17, 20, 22, 28, 29, 30, 31, 32, 40, 42;
 - ii. The International trademark NOVARTIS No. 1349878, registered on November 29, 2016, in classes 9, 10, 41, 42, 44 and 45, designating India;
 - iii. The International trademark NOVARTIS No. 1249666, registered on April 28, 2015, in classes 1, 3, 5, 9, 10, 16, 29, 30, 31, 32, 35, 40, 41, 42 and 44, designating India;
 - iv. The International trademark NOVARTIS No. 1544148,

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- registered on June 29, 2020, in classes 9, 35, 38 and 42, designating India;
- v. The India trademark NOVARTIS No. 702108, registered on August 25, 2003, in class 9;
 - vi. The India trademark NOVARTIS No. 700020, registered on September 25, 2003, in class 5;
 - vii. The India trademark NOVARTIS No. 700021, registered on September 25, 2003, in class 29;
 - viii. The India trademark NOVARTIS No. 700023, registered on September 25, 2003, in class 30;
 - ix. The India trademark NOVARTIS No. 713122, registered on October 16, 2007, in class 30;
 - x. The India trademark NOVARTIS No. 713124, registered on November 25, 2003, in class 31;
 - xi. The India trademark NOVARTIS No. 3574875, registered on July 17, 2017, in classes 9, 10, 41, 42, 44, 45;
 - xii. The European Union trademark NOVARTIS No. 13393641, registered on March 17, 2015, in classes 9 and 10;
 - xiii. The European Union trademark NOVARTIS No. 304857, registered on June 25, 1999, in classes 1, 5, 9, 10, 29, 30, 31 and 32;
 - xiv. The United States trademark NOVARTIS No. 2336960, registered on April 4, 2000, in classes 1, 5, 9, 10, 29, 30, 31, 32 and 42.
 - xv. The United States trademark NOVARTIS No. 6990442, registered on February 28, 2023, in class 3.
 - xvi. The Singapore trademark NOVARTIS No. T9607243F, registered on November 30, 1999, in class 5.
12. The Respondent did not file any reply despite abundant

opportunity, as mentioned above.

Respondent's disputed domain name is confusingly similar to Complainant's trade mark

13. The trade mark and trade name of the Complainant are in use prior to the registration of the disputed domain name.
14. The Complainant is successful in showing the prior use of its registered trademarks. Furthermore, the trade mark Novartis is registered not only in India but abroad as well. Therefore, the said trade mark enjoys statutory protection in India.
15. Furthermore, the Complainant has physical presence in India through its subsidiary companies Novartis Healthcare Private Limited and Novartis India Limited.
16. The domain names of the complainant including <novartis.com>, <novartis.in>, <novartispharma.com> <novartispharma.in>, <novartis.com>, <novartis.in>, <novartispharma.com> primarily incorporates its registered trademark Novartis. The said domain names are also prior in use to the disputed domain name.
17. It is well established law that the specific top-level domain name (TLD) such as '.com', '.net', '.in' etc does not affect the domain name for the purpose of determining whether it is identical or confusingly similar (*Relevant decision:- Rollerblade, Inc. v. Chris McCrady*¹). Therefore, TLD '.in' is to be disregarded while comparing the disputed domain name with the trademark of the Complainant. When the trade mark/name of the Complainant 'NOVARTIS', and the disputed domain name are considered, there is no doubt that the disputed domain name is confusingly similar to the said registered trade mark of the complainant, and prior used

¹ WIPO Case No. D2000-0429

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domain names and trade name of the complainant. Furthermore, the Respondent has used the whole of the registered trade mark and tradename of the Complainant in disputed domain name. Furthermore, mere use of 'ltd' in the disputed domain name would not make the disputed domain name a distinct domain name. The said suffix is short form of 'limited' which is used for companies registered under the Companies Act in India.

18. The domain name and the registered trade mark of the Complainant are in prior use vis-à-vis the disputed domain name.
19. Moreover, the disputed domain name includes the whole of the prior used trade mark NOVARTIS. A domain name which wholly incorporates a Complainant's mark may be sufficient to establish deceptive similarity, despite the addition of other words to such marks. [*Living Media, Limited v. India Services, Case No. D2000-0973*]
20. The domain names do come under the purview of trade mark law. In *Yahoo! Inc. v. Akash Arora & Anr.*, 1999 (19) PTC 201 (Del), the Delhi High Court held that use of a deceptively similar mark in a domain name amounts to passing off, as domain names serve the same function as trademarks. In *Satyam Infoway Ltd. v. Sifynet Solutions Pvt. Ltd.*, (2004) 6 SCC 145 – the Hon'ble Supreme Court confirmed that domain names are business identifiers entitled to the same legal protection as trademarks. *Rediff Communication Ltd. v. Cyberbooth & Anr.*, 1999 (4) Bom CR 278 – Bombay High Court held that domain names are valuable corporate assets and must be protected against misuse. Therefore, the Respondent cannot be allowed to use the trade mark of the

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Complainant in its disputed domain name.

21. The disputed domain name is such that it makes an association with the Complainant which can never be termed as legitimate use of the disputed domain name. The disputed domain name uses in its disputed domain name the trade mark NOVARTIS.
22. The Complainant has been using the trade mark NOVARTIS which was registered in international domains much prior to the registration of the disputed domain name
23. In view of foregoing, it is apparent that the disputed domain name is confusingly similar to the registered trade mark, the domain name, and trade name of the Complainant. Therefore, The Complainant has established its case under paragraph 4 (a) of the INDRP.

Respondent has no rights or legitimate interests in disputed domain name

24. The Respondent has used the entire registered trade mark and trade name 'NOVARTIS' of the Complainant, in the disputed domain name. The Respondent is not commonly known by the domain name. Furthermore, the registration of the disputed domain name is created and used without any consent of the Complainant.
25. The Respondent through the disputed domain name makes a hopeless attempt to make an association with the Complainant's trade mark/name and domain name which can never be termed as legitimate use of the disputed domain name. The disputed domain name uses in its entirety the word 'NOVARTIS' which is the registered trade mark of the Complainant, to apparently divert the users from the Complainant's platform.
26. The Respondent cannot be said to have any legitimate right

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or interest in the disputed domain name which is confusingly similar to the registered trademarks and trade name of the Complainant.

27. The disputed domain name incorporates a trade mark which is neither owned by the Respondent, nor the Respondent is known by the name 'NOVARTIS'.
28. The Complainant has been using its domain name which was registered much prior to the registration of the disputed domain name. The disputed domain name is similar to the domain name of the Complainant.
29. The disputed domain name is inactive and does not give any impression that the Respondent has done any preparation to use the disputed domain name in connection with any offering of goods and business.
30. Furthermore, the creation of the disputed domain name, which is inactive, does not give any presumption in favour of the Respondent that the same was created with intention of legitimate non-commercial or fair use of the disputed domain name, without misleading consumers of the complainant or tarnish the trade mark rights of the complainant.
31. The Respondent is not known by the disputed domain name. The Respondent did not file any reply to the Complaint filed by the Complainant despite multiple opportunities.
32. Therefore, the Respondent/Registrant has no rights or legitimate interest in respect of the disputed domain name. The Complainant has established its case under paragraph 4 (b) of the INDRP.

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33. The registration of the disputed domain name affects the rights of the Complainant vis-à-vis its registered trade mark

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which finds its place prominently in complainant's domain name, and in its trade name as well. Therefore, the Complainant's right to exclusively use its registered trade mark is affected by the registration of the disputed domain name.

34. The disputed domain name will negatively affect the goodwill and reputation of the Complainant thereby disrupting business of the Complainant. The disputed domain name can divert the internet users to itself who otherwise would visit the website of the Complainant resulting in disrupting the business of the Complainant. Therefore, the registration of the disputed domain name is in bad faith according to paragraph 7(d) of the INDRP.
35. The Respondent registered the disputed domain name much subsequent to the registration of the domain name and trade mark of the Complainant. The said registration of the disputed domain name is in bad faith to confuse internet users as to a possible association between the disputed domain name and the Complainant. Therefore, the registration of the disputed domain name is in bad faith according to paragraph 7(c) of the INDRP.
36. The confusing similarity of the disputed domain name to the Complainant's registered trademark, trade name, and domain name coupled with the Respondent's lack of legitimate rights, demonstrates bad faith in registration of the disputed domain name.
37. When the Arbitrator tried to visit the website under the disputed domain name, the website did not open. In *Telstra Corporation Limited v. Nuclear Marshmallows*² it was

² WIPO Case No. D2000-0003

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observed that *"It is possible, in certain circumstances, for inactivity by the Respondent to amount to the domain name being used in bad faith."* Notwithstanding the absence of activity on the disputed domain name, its confusing similarity to the Complainant's registered trademark, trade name, and domain names coupled with the Respondent's lack of legitimate rights, demonstrates bad faith registration.

38. In view of foregoing, it is apparent that the registration of the disputed domain name is in bad faith to hurt the commercial activity of the Complainant. The Complainant has established its case under paragraph 4 (c) of the INDRP.

Decision

39. In view of the foregoing, it is ordered that the disputed domain name <novartisLtd.in> be transferred to the Complainant from the Respondent. Parties are ordered to bear the cost of the present proceedings.



(VARUN SINGH)

Sole Arbitrator

Varun Singh

Advocate-on Record

1203, Tower-8, SDS NRI Residency,
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Uttar Pradesh-201303