



INDIA NON JUDICIAL

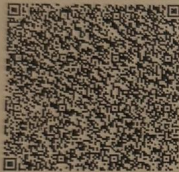
Government of Uttar Pradesh

IN-UP09574638158263Y

e-Stamp

ACC Name: HARI KISHAN
ACC Code: UP14099804
Licence No.- 566/2021 (GZB)
Mob. No.- 9873463177

Certificate No. : IN-UP09574638158263Y
Certificate Issued Date : 09-Jun-2026 02:32 PM
Account Reference : NEWIMPACC (SV)/ up14099804/ GHAZIABAD SADAR/ UP-GZB
Unique Doc. Reference : SUBIN-UPUP1409980413550014508255Y
Purchased by : RAJENDRA KUMAR
Description of Document : Article 4 Affidavit
Property Description :
Consideration Price (Rs.) :
First Party : RAJENDRA KUMAR
Second Party : OTHER
Stamp Duty Paid By : RAJENDRA KUMAR
Stamp Duty Amount(Rs.) : 100
(One Hundred only)



Please write or type below this line

IN-UP09574638158263Y

Before : Rajendra Kumar (SOLE ARBITRATOR)

In the matter of 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-

An Arbitration between

-----To be contioued

Statutory Alert:

1. The authenticity of this Stamp certificate should be verified at 'www.sholestamp.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 REGISTRY OF INDIA
INDRP CASE No. 2132**

IN THE MATTER OF AN ARBITRATION UNDER THE

.IN DOMAIN NAME DISTPUTE RESOLUTION POLICY

CA EXAM TEST SERIES.COM

Plot 2-10A/11, Street no 2,

Mini Secretariat Road,

Chattinda, Pimpri- 411001

E-mail: mayank1994@gmail.com

Phone: 91 947223842

(Complainant)

/S/

Sanjeiv Kumar

Proprietor- CA Exam Test Series

CA Exam Test Series, Khirwa, Jalalpur,

House no.- 41, Bhatavai Road, Khirwa,

Naugbad, Pradesh- 250341

Phone- 01-7535956781

E-mail: comotivationhub@gmail.com

(Respondent)

A Dispute Relating to the Domain name :

**THE INDRP RULES OF PROCEDURE AND THE
ARBITRATION AND CONCILIATION ACT- 1996**

Dr. Mayur Singla
Prop.- CATESTSERIES.COM
MCB Z-104711, Street no 2,
Mini Secretariat Road,
Bhathinda, Punjab- 151001
E-mail: mayor.singla96@gmail.com
Phone: 91 9478723642

(Complainant)

V/S.

Sanjeev Kumar
Proprietor- CA Exam Test Series
CA Exam Test Series, Khirwa Jalalpur,
House no.- 41, Bhafavat Road Khirwa,
Nauabad, Pradesh- 250341
Phone- 91- 7535958781
E-mail: camotivationhub@gmail

(Respondent)

A Dispute Relating to the domain name :

CATESTSERIES.IN

- A- PARTIES TO THE ARBITRATION
- B- APPLICABLE LAW AND JURISDICTION
- C- THE DOMAIN NAME, REGISTRAR AND REGISTRANT
- D- PROCEDURAL HISTORY
- E- COMPLAINANT'S CONTENTIONS
- F- RESPONDENTS CONTENTIONS
- G- DISCUSSIONS AND FINDINGS
- H- DISPOSITIONS

A- PARTIES TO THE ARBITRATION

1. Dr. Mayur Singla

Prop.- CATESTSERIES.COM

MCB Z-104711, Street no 2,

Mini Secretariat Road,

Bhathinda, Punjab- 151001

E-mail: mayor.singla96@gmail.com

Phone: 91 9478723642

2. Sanjeev Kumar

Proprietor- CA Exam Test Series

CA Exam Test Series, Khirwa Jalalpur,

House no.- 41, Bhafavat Road Khirwa,

Nauabad, Pradesh- 250341

Phone- 91- 7535958781

E-mail: camotivationhub@gmail.com

B- APPLICABLE LAW AND JURISDICTION

The .IN Domain Name Dispute Resolution Policy

1. The present arbitration policy proceeding is under and in accordance with the .IN Domain Name Dispute resolution Policy which was adopted by National Internet Exchange of India(NIXI) and sets out the legal framework for resolution of disputes between a domain name registrant and a complainant arising out of the registration and use of an .IN Domain name. By registering the domain name www.CATESTSERIES with the NIXI accredited Registrar the Respondent has agreed to the resolution of disputes under the .IN Dispute Resolution Policy and Rules framed there under. The policy and the .IN domain dispute resolution procedure 2020(the Rules)were approved by NIXI in accordance with Arbitration and Conciliation Act ,1996. Filing of the Complaint and Constitution of the Arbitral Tribunal.
2. The complainant filed the complaint under the .IN domain name dispute resolution policy against the respondent, seeking transfer of domain name www.CATESTSERIES into the complainant, following which, the .In Registry sought the consent Of Mr. Rajendra Kumar (The under signed), Who is a listed .IN dispute resolution arbitrator under 5 (a) of the rules, to act as arbitrator in the said matter.
3. On 23-05-2026, handing over note of INDRP domain dispute in the matter of www.CATESTSERIES by NIXI.



4. Thereafter the arbitral Tribunal issued the notice of arbitration under 5 (c) of the rules

C- THE DOMAIN NAME, REGISTRAR AND REGISTRANT

The particulars of the registration of the domain name **www.CATESTSERIES** as-

found in the .IN registry database

Domain name : **www.CATESTSERIES**

THE DISPUTED DOMAIN NAME AND REGISTRAR

This dispute concerns the following domain name:

Disputed Domain Name

CATESTSERIES.IN ccTLD .IN (India)

Registry Domain ID

D1C75849E1AC24B2683FB577B55629FCB-IN

Registrar

GoDaddy (Registrar

IANA ID: 146; WHOIS:

whois.godaddy.com;

Abuse: abuse@godaddy.com)

Creation Date

14 November 2019 (2019-

11-14T12:08:28.750Z)

Registry Expiry Date

14 November 2026 (2026-

11-14T12:08:28.750Z)

Last Updated

19 April 2026 (2026-04-

19T05:52:39.391Z)

Domain Status

clientTransferProhibited

clientRenewProhibited

	clientDeleteProhibited
	clientUpdateProhibited
	(Active, locked)
Registrant Organization	CA Exam Test series
Registrant State/Province	Uttar Pradesh, India
Name Servers	athena.dns-parking.com
	apollo.dns-parking.com
	(Domain-Parked)
Registrant Name	REDACTED FOR PRIVACY
	(per ICANN Temporary Specification)
Date Respondent	January 2026 (approx.)
	- as evidenced by
	website screenshots
Commenced Active Use	(Annex M) and WhatsApp solicitation (Annex N)

D- Procedural History

- 1- The Sole arbitrator Rajendra kumar was appointed for the INDRP case no. 2132 regarding the complaint instituted against the op under the INDRP on 19.05.2026
- 2- The Service of the notice of arbitration on the respondent was done in accordance the Rule 2(a) of INDRP Rules.
- 3- The respondent was informed through notice and the Respondent replied.

E- COMPLAINANT CONTENTIONS

1- THE complainant authorized representative in this arbitration proceeding is Dr. Mayur Singla

Prop.- CATESTSERIES.COM

MCB Z-104711, Street no 2,

Mini Secretariat Road,

Bhathinda, Punjab- 151001

E-mail: mayor.singla96@gmail.com

Phone: 91 9478723642

3- Grounds of complaint

V. FACTUAL BACKGROUND

A. The Complainant's Trademark Rights

10. The Complainant, Dr. Mayur Singla, is the registered owner of the following trademarks under Class 41 (Education and Training Services) of the Trade Marks Act, 1999, registered with the Trade Marks Registry, Government of India:

Trademark	TM No.	Reg. Date (as of)	Class / Services
CATESTSERIES.COM (Wordmark)	3755755	16 February 2018	Class 41 – Education Services
CA TEST SERIES (Logo Mark)	3755756		Class 41 – Education Services

11. The Complainant's trademark CATESTSERIES.COM (TM No. 3755755, Class 41) was registered as of 16 February 2018, with the Certificate of Registration sealed on 09 September 2018 by the Trade Marks Registry, Mumbai (Annex A). The proprietor named in the certificate is Mayur Singla (Dr. Mayur Singla), having registered office at MCB Z-1 04711, Street Number 2, Mini Secretariat Road, Bathinda, Punjab, Indian National.

B. The Complainant's Established Presence and Goodwill

12. The Complainant has been continuously and exclusively using the marks CATESTSERIES.COM and CA TEST SERIES since 2016, providing CA (Chartered Accountant) examination preparation services including mock test series, online evaluation, model papers, and coaching support. The Complainant's primary online platform is accessible at www.catestseries.com.

13. The earliest documented proof of the Complainant's platform being live and operational is an email from Softel Systems, Bathinda (the web developer) to Dr. Mayur Singla dated 5 July 2016, which contains the teacher login link <http://catestseries.com/panel/Teacher/Login.aspx> with login credentials – confirming the platform was technically live and in development as of July 2016 (Annex D – Softel Systems Emails dated 5 July 2016 and 13 July 2016).

14. The Complainant registered the domain CATESTSERIES.COM on 10 March 2016, as confirmed by the WHOIS record showing Registrar: GoDaddy.com, LLC, Registration Date: 2016-03-10, and domain status locked/protected (Annex F – WHOIS Record for CATESTSERIES.COM). The Internet Archive (Wayback Machine) has continuously indexed CATESTSERIES.COM since at least May 2016, with 124 total captures recorded through February 2025. A screenshot from 7 September 2016 shows the live website with the Complainant's CA logo, tagline 'Learning Today For A Better Tomorrow', and student registration interface (Annex E – Wayback Machine Screenshot, September 2016).

15. From August 2016 onwards, the Complainant was processing student payment transactions through the PayU payment gateway (Merchant ID: 5518567, registered as 'CAtestseries', Bathinda). Monthly commission invoices from PayU to the Complainant show continuous and growing transactions: ₹47.98 commission in August 2016 → ₹656.42 in September 2016 → ₹6,425.10 in February 2017 → ₹7,145.04 in August 2017 – demonstrating rapid growth in student enrollment and revenue on the CATESTSERIES.COM platform (Annex G – Five PayU Commission Invoices, Aug 2016 to Aug 2017).

16. The Complainant has operated physical office premises under the 'CA Test Series' brand, as evidenced by PSPCL electricity bills in the name of 'CA Test Series' paid in September 2017 (₹9,330) and October 2017 (₹26,930) (Annex H – PSPCL Electricity Payment Receipts, Sep–Oct 2017).

17. Since 2016, thousands of CA examination aspirants register on CATESTSERIES.COM every year, making it one of the well-known and trusted platforms in the CA test-prep category in India. The growing payment gateway commissions (from ₹48 in the first month to over ₹7,000 per month by 2017) directly evidence this student enrollment growth. Through this long and continuous use, the trademark CATESTSERIES has acquired significant secondary meaning, goodwill, and consumer recognition.

18. By 2018, the Complainant's CATESTSERIES brand had achieved national commercial recognition, as evidenced by: (i) VoiceTree Technologies invoice 05-07-2018 for IT development services for CATESTSERIES.COM worth ₹35,400 (Annex I); (ii) Network18 Media & Investments Ltd. (nw18.com / News18) formal business invoice email to Dr. Mayur Singla dated 10 July 2018 (Annex J); (iii) Softel Solutions Tax Invoice No. 67 dated 22-Sep-2018 explicitly for 'Development & Maintenance - catestseries.com – from 01-07-2018 to 30-09-2018' worth ₹70,800 (Annex K); and (iv) Khannba Enterprises Tax Invoice

INV-000005 dated 12-09-2018 for agent services, Bathinda, worth ₹29,500 (Annex L).

19. The Complainant's trademark rights both in common law (by use since 2016, documented above) and by statutory registration (effective 16 February 2018) therefore substantially and overwhelmingly pre-date the Respondent's registration and use of the Disputed Domain Name, which commenced in January 2026 – nearly 10 years later.

20. The domain CATESTSERIES.IN (registered 14 November 2019) has a documented history of repeated trademark infringement against the Complainant by multiple successive registrants/users. The Complainant has consistently enforced its trademark rights against each successive infringer, and the Respondent Sanjeev Kumar acquired this domain with full prior knowledge of its disputed and infringing history. The complete chronology is as follows:

(i) February 2020 – First Cease & Desist (Earlier Infringer):

On 4 February 2020 and 29 February 2020, the Complainant sent trademark infringement notices from exam@catestseries.org to admin@cacstestseries.com and testseriescacs@gmail.com, asserting exclusive rights in the CA TEST SERIES mark being used since 2015 and demanding cessation of use (Annex P – Cease & Desist Emails dated 4 Feb 2020 and 29 Feb 2020).

(ii) **2021 – Bhopal/MP Registrant Ceased Operations:** The domain CATESTSERIES.IN was at this time registered to a person from Bhopal, Madhya Pradesh, who was using it to offer infringing CA test series services. Following the Complainant's trademark infringement complaint bearing Reference Number 321586596026574, that person ceased all operations on the domain. This is expressly confirmed in the Complainant's January 2024 infringement notice (Annex S, below).

(iii) **January 2022 – Cease & Desist Specifically Against CATESTSERIES.IN:** On 29 January 2022, Rahul Singla on behalf of CA Test Series sent a formal cease and desist notice to testseriescacs@gmail.com explicitly listing catestseries.in as an infringing URL, along with associated Instagram and Facebook accounts, demanding cessation within 7 days and citing the registered trademark (TM No. 3755755, Class 41, registered 16 February 2018) (Annex Q – Cease & Desist dated 29 January 2022).

(iv) **January 2024 – Infringement Notice Directly to Sanjeev Kumar and Rajendra Singh:** On 12 January 2024, the Complainant's legal department sent a formal Trademark Infringement Notice from legal@catestseries.org to info@catestseries.in (the Respondent's email), cc'd to studycalleredutech@gmail.com, naming both Sanjeev Kumar and Rajendra Singh as infringers operating catestseries.in for CA Final / Intermediate online test series under the mark 'CA

TEST SERIES'. The notice explicitly stated: 'In 2021, this domain was registered to a person from Bhopal, India and he chose to Cease to operations after our Trademark Infringement Complaint vide Reference Number 321586596026574.' The notice warned that trademark infringement communications would be sent to Facebook, Instagram and Google to discontinue their ad accounts and social handles (Annex S – Infringement Notice dated 12 January 2024).

(v) **Post-January 2024 – Temporary Cessation:** Following the January 2024 infringement notice, the Respondent Sanjeev Kumar appears to have temporarily suspended infringing operations on CATESTSERIES.IN, causing the domain to go relatively inactive.

(vi) **February 2026 – Deliberate Reactivation:** Notwithstanding the Complainant's repeated notices (2020, 2022, 2024), the Respondent Sanjeev Kumar reactivated CATESTSERIES.IN in or around February 2026, deploying a full 'CA Test Series Platform' website offering CA Foundation, Intermediate and Final test series in direct and knowing competition with the Complainant (Annex M – Website Screenshots). Simultaneously, the Respondent's representatives were actively soliciting CA students via WhatsApp from the Respondent's own phone number +91 81786 40252 (Annex N – WhatsApp Chat). The WHOIS

updated date of 19 April 2026 reflects continued active management of the domain (Annex O – WHOIS).

(vii) March 2026 – Legal Notice and Hosting Takedown: On 06 March 2026, the Complainant issued a formal Legal Notice through Advocate Gurwinder Singh Dhillon to the Respondent (Annex B). The Complainant also filed an abuse complaint with Vultr (Ticket NEN-34AGI), following which Vultr confirmed on 20 March 2026 that the Respondent removed the infringing content (Annex C). The domain now resolves to DNS parking servers (athena.dns-parking.com / apollo.dns-parking.com per Annex O), confirming no legitimate independent use exists.

21. This documented history of repeated, wilful, and knowing infringement – spanning 2020 to 2026 – is unambiguous evidence of bad faith. The Respondent Sanjeev Kumar: (a) acquired a domain he knew was previously used to infringe the Complainant's trademark; (b) had been specifically notified of the infringement as early as January 2024; (c) temporarily ceased and then deliberately reactivated the infringing platform in February 2026; and (d) continued infringing even after receiving a formal legal notice in March 2026, until forced to remove content by the web hosting provider. This is precisely the pattern of conduct that INDRP Clause 7 is designed to address.

20. The Disputed Domain Name CATESTSERIES.IN wholly incorporates the Complainant's registered wordmark

CATESTSERIES (TM No. 3755755, Class 41, Government of India) in its entirety. The dominant and distinctive element – "CATESTSERIES" – is a letter-for-letter reproduction of the Complainant's trademark. The only difference is the country-code TLD ".IN" appended in place of ".COM".

21. It is well-settled in Indian law and INDRP arbitral practice that a domain name has the same characteristics as a trademark and serves as a source and business identifier. The Hon'ble Supreme Court of India, in *Satyam Infoway Ltd. v. Sifynet Solutions Pvt. Ltd.* AIR 2004 SC 3540, held that the law pertaining to the Trade Marks Act, 1999 shall be applicable to domain names, and that domain names have the same characteristics of a trademark and act as a source and business identifier.

22. It is equally well-established that the mere addition of a TLD such as ".in" to a registered trademark is not significant in distinguishing a domain name (see: *Kenneth Cole Productions v. Viswas Infomedia*, INDRP/093; *M/s Retail Royalty Company v. Mr. Folk Brook*, INDRP/705). A TLD/ccTLD such as ".in" is an essential part of a domain name and cannot be said to distinguish the Respondent's domain name from the Complainant's trademark. The Disputed Domain Name is therefore identical and/or confusingly similar to the Complainant's marks.

23. The Complainant's trademark CATESTSERIES.COM (registered 16 February 2018) and the domain CATESTSERIES.COM (in continuous use since 2016) both substantially pre-date the Respondent's registration and use of CATESTSERIES.IN (January 2026 onwards) – a gap of nearly 10 years of prior use and over 8 years of prior registration. This temporal priority strongly affirms the Complainant's rights.

24. The Complainant also holds the logo mark CA TEST SERIES (TM No. 3755756, Class 41). The Disputed Domain Name CATESTSERIES.IN is the phonetic and visual equivalent of "CA TEST SERIES" with spaces removed. Both the Complainant and the Respondent operate in the identical field – CA examination preparation services in India (Class 41) – and the target audience (CA students in India) would readily associate CATESTSERIES.IN with the Complainant's established platform CATESTSERIES.COM.

The Complainant submits that Condition 4(a) of the INDRP is conclusively established.

B. Condition 4(b): The Respondent has No Rights or Legitimate Interests in the Disputed Domain Name

25. The Respondent has no rights or legitimate interests in CATESTSERIES.IN. Paragraph 6 of the .IN Policy sets out the circumstances under which a respondent may demonstrate rights or legitimate interests. None of those circumstances are present here:

(i) **No Authorisation:** The Complainant has never granted any licence, authorisation, permission, or consent to the Respondent to use the trademark CATESTSERIES or any variant thereof, including as a domain name. There is no relationship – commercial or otherwise – between the Complainant and the Respondent.

(ii) **Not Commonly Known by this Name:** The Respondent's entity is named "CA Exam Test Series" – a different commercial identity. The Respondent holds no trademark registration for "CATESTSERIES" or any variation thereof. The Respondent only commenced use of the Disputed Domain Name in January 2026 – nearly a decade after the Complainant's first use in 2016. The Respondent has no independent or pre-existing identity under the designation "CATESTSERIES."

(iii) **No Bona Fide Use:** The Respondent's use of CATESTSERIES.IN from January 2026 was not a bona fide offering of independent services under Paragraph 6(a) of the .IN Policy. It was a deliberate attempt to capitalise on the Complainant's 10-year-old established reputation among CA students by operating under a name identical to the Complainant's registered trademark for identical services. It is well-established that it is neither a bona fide offering of goods or services nor a legitimate non-commercial or fair use when the holder of a domain name that is confusingly similar to an

established mark uses the domain name without approval of the holder of the mark (*Sports Authority Michigan, Inc. v. Internet Hosting, NAF Case No. 124516*). Moreover, when confronted via legal notice and hosting abuse complaint, the Respondent promptly removed the infringing content (Vultr, 20 March 2026) – an implicit admission that the use was not legitimate.

(iv) Mere Registration Does Not Create Rights or Legitimate Interests: It is well-settled in INDRP jurisprudence that mere registration of a domain name does not, by itself, establish rights or legitimate interests in it. As held in *Wacom Co. Ltd. v. Liheng, INDRP/634*: 'the Complainant has not licensed or otherwise permitted the Respondent to use its name or trademark or to apply for or use the domain name incorporating said name.' The burden then shifts to the Respondent to demonstrate, by concrete evidence, that he falls within one of the circumstances set out in Paragraph 6 of the .IN Policy. The Respondent holds no trademark registration for 'CATESTSERIES', has no known independent commercial identity under that name, and was never authorised by the Complainant. He cannot satisfy any of the Paragraph 6 conditions.

(v) No Fair Use: The Respondent used the Disputed Domain Name purely for commercial gain competing directly with the

Complainant's services. This is not a case of criticism, commentary, or fair use.

26. The Complainant has established a prima facie case that the Respondent has no rights or legitimate interests in the Disputed Domain Name. The Respondent cannot satisfy any of the conditions in Paragraph 6 of the .IN Policy. Condition 4(b) is therefore established in favour of the Complainant.

C. Condition 4(c): The Disputed Domain Name Was Registered or Is Being Used in Bad Faith

27. The Complainant submits that the Disputed Domain Name was registered and is being used in bad faith within the meaning of Paragraph 4(c) of the INDRP, read with Clause 7 of the Policy. The following circumstances, individually and cumulatively, establish bad faith:

(i) **Actual, Personal Knowledge – Directly Notified Since January 2024:** The Respondent Sanjeev Kumar was personally and specifically notified of the Complainant's trademark rights in CATESTSERIES by a formal Trademark Infringement Notice dated 12 January 2024, sent directly to his registered email address info@catestseries.in (Annex R). That notice named him by name along with Rajendra Singh, cited TM No. 3755755 (registered 16 February 2018), and described exactly how his use of CATESTSERIES.IN infringed the Complainant's rights. Despite receiving this notice over two years before the present Complaint, the Respondent resumed



and escalated full commercial infringing operations on CATESTSERIES.IN in February 2026. This is not innocent adoption – this is wilful, deliberate, and knowing infringement in the face of clear prior notice.

(ii) Pattern of Bad Faith Use – Repeated Infringers on the Same Domain: The domain CATESTSERIES.IN has a documented history of being used to infringe the Complainant's trademark by multiple successive holders. The Complainant issued cease and desist notices regarding related infringing parties in February 2020 (Annex P), a specific cease and desist notices against CATESTSERIES.IN in January 2022 (Annex Q), and a named infringement notice against Sanjeev Kumar in January 2024 (Annex R). The January 2024 notice explicitly recorded that a previous Bhopal registrant had ceased operations on the same domain after the Complainant's complaint (Reference No. 321586596026574). Sanjeev Kumar acquired this domain knowing it had a prior infringement history against the Complainant and deployed it for the same purpose. This pattern of conduct across multiple holders – each using CATESTSERIES.IN to infringe the same mark, each stopping only when forced – constitutes compelling evidence of bad faith both at the registration and use stages.

(iii) Respondent's Obligations Under Rule 3 of the INDRP: Rule 3(b) and 3(d) of the INDRP impose obligations on a registrant to warrant that to his knowledge the registration will

not infringe any third party's rights, and that he will not knowingly use the domain in violation of applicable law. Sanjeev Kumar violated both warranties – he registered or acquired CATESTSERIES.IN with actual knowledge of the Complainant's trademark (having been directly notified in 2024) and then used it for identical services in deliberate contravention of the Trade Marks Act, 1999.

(iv) Intentional Attraction for Commercial Gain – Clause

7(c): By using CATESTSERIES.IN for identical CA examination preparation services, the Respondent intentionally attracted internet users to his platform by creating a likelihood of confusion with the Complainant's trademark as to source, sponsorship, affiliation, or endorsement. CA students searching for the Complainant's services at CATESTSERIES.COM would readily land on CATESTSERIES.IN and be misled into believing it is an official or affiliated platform. This is squarely within Clause 7(c) of the INDRP.

(v) Disruption of Competitor's Business – Clause 7(d): The Respondent registered and used the Disputed Domain Name to disrupt the Complainant's established business by diverting students seeking the Complainant's services. This is a classic Clause 7(d) scenario.

(vi) 2019 Registration Post-Dating the Complainant's Rights: CATESTSERIES.IN was registered on 14 November 2019 (Annex O) – over 21 months after the Complainant's

Indian trademark registration on 16 February 2018, and over 3.5 years after the Complainant's first use and domain registration in 2016. As held in *M/s Merck KGaA v. Zeng Wei, JNDRP/323*: 'The choice of the domain name does not appear to be a mere coincidence, but a deliberate use of a well-recognized mark... such registration of a domain name, based on awareness of a trademark, is indicative of bad faith registration.'

(vii) DNS Parking After Forced Removal: Following the Vultr abuse complaint and legal notice (March 2026), the Respondent removed the hosted content, leaving the domain parked on athena.dns-parking.com / apollo.dns-parking.com (Annex O). The Respondent has held this domain since November 2019, used it for infringing purposes, and reverted to parking after being The domain name is identical or confusingly similar to a trademark or service mark in which the complainant has the rights. The respondent has no right or legitimate interest in respect of the domain name which is the subject of the complaint. The domain name in question is registered and being used in bad faith. The Complainant submits that a prima facie case has been made out against the respondent and the balance of convenience in favour of the complainant since the respondent has no right or interest in the disputed domain name and the same has been adopted by the Respondent in bad faith.

G- DISCUSSION AND FINDINGS

1- The complainant who alleges that the disputed domain name conflicts with its' legitimate rights or interest must establish the following three elements required by paragraph 4 of the INDRP policy namely-

a- The respondent's domain name is identically and confusingly similar to the trademark for service mark in which the complainant has rights.

b- The Respondent has no rights or legitimate interests in respect of the domain name;

c- The responding domain name has been registered or is being used in bad faith.

2- Accordingly, the Arbitral Tribunal shall deal with each of the elements as under:

a- Whether the Respondent domain name WWW.CATESTSERIES.COM is identical and/or deceptively similar to domain name and trademark of Complainant?

i- The Complainant provided evidence to establish that the Disputed Domain name is identical or confusingly similar to Complainant's registered and distinctive trademark since the disputed domain name by Respondent was required long after the CATESTSERIES trademark was recognized.

ii- The Complainant holds 'CATESTSERIES' trademark registrations in India and because of the extensive use and promotion of the 'CATESTSERIES' trademark, the brand has

gained recognition. A perusal of the trademark registration certificates and WHOIS recognition records shows Complainant is the owner of the trademark registration in India.

The Arbitral Tribunal notes the decision of Fendi S.r.l.v Ndiaye Therese. WIPO Case no. D2018-0179 Birdies, Ince v/s Registration Private, Domains By Proxy LLC but a FuLi, WIPO case no. D2019-2134 which states that through a catena of order by this panel and WIPO (under the UDRP), that domain extensions such as ".com" and ".in" are to be ignored while assessing whether a domain name is identical or confusing similar to a trade mark, the disputed domain name is regarded confusingly similar to that mark for the purposes of UDRP standing. iv. The Arbitral Tribunal notes the decision of WIPO Panel's in Whatsapp Inc. v. Warrick Mulder, INDRP Case No. 1233, dated July 22, 2020; Havells India Limited v. Jojo Alappat, INDRP Case No. 1025, dated October 4, 2018; Voltas Limited v. Sergi Avaliani, INDRP Case No. 1257, dated September 22, 2020; and beIN Media Group L.L.C v. Rina Muliawati WIPO Case No. D2021-1076 stating that the Respondent is not commonly known by 'CATESTSERIES', nor does it conduct any legitimate business under such a name, thereby proving that the Respondent has no rights or legitimate interest in the Disputed Domain Name. It is submitted that the Complainant has necessarily built a prima facie case and has proved the illegitimate interest and unlawful rights of the

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Respondent over the Disputed Domain Name. The burden of proof to establish any legitimate interest over the Disputed Domain Name now falls upon the Respondent.

v. The Arbitral Tribunal also notes the decision of HSBC Holdings plc v. Hooman Esmail Zadeh, INDRP Case no 032, dated March 20, 2007; Visteon Corporation v. Prahlad S., INDRP Case No. 1535, dated May 6, 2022, Solidium Oy v. Privacy Service Provided by Withheld for Privacy ehf / Estormh Elornhosting, Estorm Programming, WIPO Case No. D2022-3139; LPL Financial LLC v. Privacy Service Provided by Withheld for Privacy ehf / Steffen Hain, WIPO Case No. D2022-0542, that the Respondent is attempting to interfere with the business operations of the Complainant. Past UDRP Panels have consistently found that the mere registration of an identical domain name by an unaffiliated entity can by itself create a presumption of bad faith.

The respondent has been using the domain name which is identical and similar to the trade mark which has been registered already in favour of the complainant. The complainant is very rightful for this domain name

vi. After taking into consideration the facts of the present case and the settled law on the issue, it can be said that the disputed domain name registered by the Respondent establishes a likelihood of confusion with the Complainant's trademark and this would mislead the internet users as it is confusingly

identical. Accordingly, the Arbitral Tribunal holds that the requirement of the first element in the INDRP

Policy Paragraph 4(a) is satisfied as the domain name is confusingly similar to Complainant's registered and distinctive 'CATESTSERIES' trademark.

b) Whether the Respondent has no rights or legitimate interests in respect of the domain name?

i) To pass muster under Paragraph 4(b) of the INDRP Policy, the Complainant has to show that the Respondent has no rights and legitimate interests in the disputed domain name under Paragraph 6 of the Policy.

ii) The Respondent is not affiliated with Complainant in any way and has never been authorized or licensed by Complainant to use or register its trademarks, or to seek registration of any domain name incorporating the trademark in question.

Furthermore, the Respondent is not commonly known by the Disputed Domain Name or the name 'CATESTSERIES' and nor does the Respondent operate a legitimate business or other organisation under the 'CATESTSERIES' trademark. Additionally, the 'CATESTSERIES' trademark was registered years before the disputed domain name was registered.

iii) Evidence was provided by the Complainant to show that the Respondent actions are most certainly not a bona fide offering of goods and services under Policy Paragraph 6 (a), and therefore domain name impersonates the Complainant's

trademark. A careful perusal of the above shows that the Respondent domain name impersonates the Complainant's and the same is not bona fide.

iv) Accordingly, the Arbitral Tribunal finds that the Complainant has made out a prima facie case that the Respondent has no rights and legitimate interests in respect of the disputed domain name WWW. CATESTSERIES.COM as Complainant has never assigned, granted, licensed, sold, transferred, or otherwise authorized Respondent to register or use the Disputed Domain Name or the CATESTSERIES trademark and the same is also not used for making legitimate non-commercial use. Thus, it satisfies the second element under Paragraph 4 (b) of the Policy. The respondent has no right regarding the domain name which has been registered to the complainant already. So the respondent has no legitimate interest or right in regard of the disputed domain name.

c) Whether the Respondent domain name was registered or is being used in absolute bad faith?

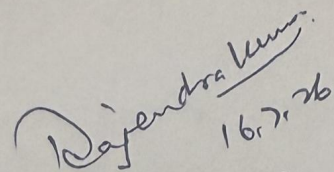
The respondent impersonated the domain name of the complainant of WWW. CATESTSERIES.IN which shows its purpose to deceive users for commercial benefit and to harm the business of complainant by redirecting people to infringing domain name and also making illegitimate commercial gains and hard earned good will and reputation of the complainant, which has been misused by ill intention and bad faith.

The Arbitral Tribunal holds that the respondent's domain name WWW.CATESTSERIES.IN has been registered with an opportunistic mindset and is being used in bad faith. Therefore the third element in the paragraph 4c of the policy has been satisfied.

The Arbitral Tribunal directs that The disputed domain name WWW. CATESTSERIES.IN be transferred forthwith to the Complainant and The parties shall bear their own costs.

Place- Ghaziabad

Dated- 16-07-2026


[Signature]

Rajendra Kumar

(Sole Arbitrator)

The Arbitral Tribunal