



सत्यमेव जयते

INDIA NON JUDICIAL

Government of Tamil Nadu

e-Stamp

Certificate No. : IN-TN07820962375610X
Certificate Issued Date : 14-Oct-2025 02:53 PM
Account Reference : SHCIL (FI)/ tnshcil01/ Saidapet-SRO/ TN-CS
Unique Doc. Reference : SUBIN-TNTNSHCIL0172110280867641X
Purchased by : SASISUNDER V
Description of Document : Article 12 Award
Property Description : NA
Consideration Price (Rs.) : 0
(Zero)
First Party : SASISUNDER V
Second Party : SASISUNDER V
Stamp Duty Paid By : SASISUNDER V
Stamp Duty Amount(Rs.) : 200
(Two Hundred only)



Please write or type below this line

NV SAISUNDER
SOLE ARBITRATOR

.IN REGISTRY- INTERNET EXCHANGE OF INDIA
INDRP CASE NUMBER: 2034
DISPUTED DOMAIN NAME: <morganstanley.net.in>



N V SAISUNDER

GG 0026103581

IN THE MATTER OF ARBITRATION BETWEEN:

Morgan Stanley
1585 Broadway
New York, New York- 10036,
United States of America

..... Complainant

Versus

AkashDabhi
440-52, Choksi Ni Challi,
Rakhiyal Road
Ahmedabad, Gujarat - 380021
India

..... Respondent

**ARBITRATION AWARD
DATED: 14th October 2025**

1. PARTIES:

The Complainant in this proceeding is Morgan Stanley, a company having its registered office at 1585 Broadway, New York, 10036, USA. The Complainant is represented by Sujata Chaudhri IP Attorneys, Noida, Uttar Pradesh, 201301.

The Respondent in this proceeding is Akash Dabhi, 440-52, Choksi ni chali Rakhiyal road, Ahmedabad, Gujarat, 380021, India as per the WHOIS details disclosed by NIXI.

2. DOMAIN NAME AND REGISTRAR:

The disputed domain name <morganstanley.net.in> ("Disputed Domain Name") is registered with GoDaddy.com, LLC.



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3. PROCEDURAL HISTORY:

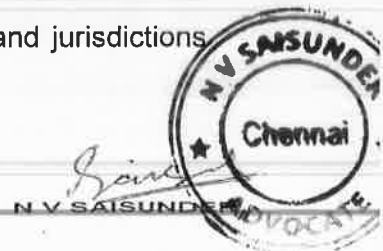
The Statement of Acceptance and Declaration of Impartiality was submitted by me on 04th September 2025 as required by NIXI. Further, in accordance with Rules 3 and 5(b), NIXI appointed me as the sole arbitrator for deciding on the complaint filed in respect of the disputed domain name on 04th September 2025 to arbitrate the dispute between the Parties in accordance with the Arbitration and Conciliation Act, 1996 and accordingly notified the Parties of the same on the same date. Thereafter, the Complainant was directed on 09th September 2025 to serve the hard and soft copy of the complaint on the Respondent and furnish proof of such despatch as required under the INDRP. The Complainant complied with the directions and also sent proof of service of hard copy to the Respondent on 11th September 2025. In accordance with Rule 5(c), a notice to the Respondent was issued on 16th September 2025 by the Arbitrator whereby the Respondent was called upon to submit his response, if any, within 10 (ten) days from the date of issuance of the notice. The Arbitrator did not receive any formal response from the Respondent till date. Therefore, the complaint is decided based on the submissions, materials and evidence placed before the Arbitrator.

4. FACTUAL BACKGROUND:

The Complainant Morgan Stanley claims to be a leading global financial services company, founded in the year 1935. The Complainant, through its subsidiaries and affiliates, claims to provides financial, investment and wealth management services. The Complainant conducts its business from its headquarters in New York City, United States of America, and also has regional offices and branches headquartered in important financial centers around the world, including Mumbai and Bengaluru in India.

The Complainant has been conducting its business in India containing the term "Morgan Stanley" predominantly in all of its business ventures including Morgan Stanley India Company Private Limited, Morgan Stanley India Financial Services Private Limited, Morgan Stanley Investment Management Private Limited and Morgan Stanley Solutions India Private Limited.

The Complainant has been using the mark and corporate name "Morgan Stanley" in relation to its financial services since 1935. The Complainant owns registrations for the Morgan Stanley Name and marks ("**Trademark**") in various countries and jurisdictions



around the world, including India evidenced through registration certificates and extracts of the International registrations through the relevant trademark website annexed with the complaint. Few of the trademarks are as below:

1. "Morgan Stanley" Word Mark bearing registration number 560097 under Class 36 dated 22nd July 1991
2. "MORGAN STANLEY" word mark bearing registration number 594285 under class 16, dated 8th April 1993; and
3. "MORGAN STANLEY" word mark bearing registration number 1242410 under class, 36 dated 10th October 2003.

The Complainant also owns and operates various domains containing the Trademark including "morganstanley.com", "morgan-stanley.com" and "morganstanley.net". The Complainant also owns "morganstanley.in"

The Disputed Domain Name was registered on 21st May 2025. The Complainant's Trademark registrations predate the registration of the Disputed Domain Name.

The Disputed Domain Name does not resolve to an active website.

5. PARTIES CONTENTIONS:

A. Complainant:

The Complainant has contended that all three elements of the INDRP are applicable to the present case.

The Complainant submits that the Disputed Domain Name incorporates the Trademark and Corporate Name of the Complainant in entirety, and the Complainant has proprietary rights over the Trademark and hence the first element of the Policy is established.

The Complainant's Trademark which predates the registration of the Disputed Domain Name, does not resolve to an active site and that the Complainant has not licensed or authorised the Respondent to use its well-known Trademark, thereby evidencing lack of rights or legitimate interests in respect of the Disputed Domain Name.



[Signature]
N V SAISUNDER

Owing to the goodwill and reputation of the Complainant's Trademark globally, the Respondent is bound to have knowledge of the Complainant's Trademark and registration of the Disputed Domain Name which is identical to the registered Trademark of the Complainant is with the intention to capitalise on the confusion that is likely to be caused to the public, evidencing bad faith on the part of the Respondent.

B. Respondent:

The Respondent did not file any response to the submissions of the Complainant.

6. DISCUSSION AND FINDINGS:

Under the INDRP, the following three elements are required to be established by the complainant in order to obtain the remedy of transfer of the disputed domain name to the complainant:

- (i) The disputed domain name is identical or confusingly similar to a name, trademark or service mark in which the Complainant has rights; and,
- (ii) The Respondent lacks rights or legitimate interests in respect of the disputed domain name; and
- (iii) The disputed domain name has been registered or is being used in bad faith.

A. Identical or confusingly similar:

It is a well-accepted principle that the first element functions primarily as a standing requirement. The threshold test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name.

The Complainant has submitted evidence of its trademark registrations that establish that the Complainant has statutory rights in the mark for the purpose of policy and specifically also holds registration for the mark "MORGAN STANLEY". The Trademark of the Complainant has been reproduced within the Disputed Domain Name in entirety. Accordingly, the disputed domain name is identical to the mark for the purposes of INDRP.

The Panel finds the first element of INDRP has been established.



B. Rights or Legitimate interest

Paragraph 6 of the Policy provides a list of circumstances in which the registrant of a domain name may demonstrate rights or legitimate interests in a disputed domain name. While the overall burden of proof in the proceedings is on the Complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often-impossible task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.

In addition to the fact that the Complainant holds proprietary rights over the Trademark, substantiated through its evidences annexed, the Panel finds the following from the records placed before it:

- a. The Respondent does not appear to engage in any legitimate non-commercial or fair use of the Disputed Domain Name, nor any use in connection with a *bona fide* offering of goods or services;
- b. the Respondent has not been commonly known by the Disputed Domain Name; and
- c. the record contains no other factors demonstrating rights or legitimate interests of the Respondent in the Disputed Domain name.

Having reviewed the record, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name.

In the light of the facts and circumstances discussed, it is accordingly found that the Complainant has made out a prima facie case that the Respondent lacks rights and legitimate interests in the Disputed Domain Name. The second element under paragraph 4(b) of the Policy has been met by the Complainant.

C. Registered and/or used in bad faith:



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The Panel notes that, for the purposes of paragraph 4(c) of the Policy, paragraph 7 of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and/or use of a domain name in bad faith.

In consideration of the Trademark portfolio submitted by the Complainant along with the evidences of popularity of the Complainant, and the fact that the Trademark registrations of the Complainant predates the registration of the Disputed Domain Name, the Panel is of the opinion that the Respondent ought to have been aware of the Complainant's trademark registrations and rights to the "MORGAN STANLEY" mark when it registered the Disputed Domain Name. The Panel concurs with the Complainant's claim that the Disputed Domain Name has been registered and used to confuse the general public, which constitutes bad faith under 4 (c) of the INDRP.

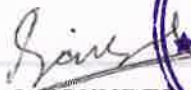
The Disputed Domain Name directs to an inactive site containing "Launching Soon" indication on the page, evidencing the opportunistic bad faith of the Respondent to unjustly enrich from the popularity of the Trademark of the Complainant.

For reasons stated above, it is established that the Disputed Domain Name was registered and used in bad faith and the third element under paragraph 4(c) of the Policy has been met by the Complainant

7. DECISION:

In view of the above findings, it is ordered that:

- a. The disputed domain name <morganstanley.net.in> be transferred to the Complainant.
- b. The Respondent pay the Complainant a sum of INR 1,50,000/- (Indian Rupees One Lakh and Fifty Thousand only) towards costs of these proceedings.


N V SAISUNDER


Arbitrator

Date: 14th October 2025