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INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

e-Stamp

Certificate No.	:	IN-DL19419444358022X
Certificate Issued Date	:	23-Dec-2025 03:45 PM
Account Reference	:	IMPACC (SH)/ dlshimp17/ HIGH COURT/ DL-NDD
Unique Doc. Reference	:	SUBIN-DLDLSHIMP1764122145675500X
Purchased by	:	BHARAT S KUMAR
Description of Document	:	Article 12 Award
Property Description	:	Not Applicable
Consideration Price (Rs.)	:	0 (Zero)
First Party	:	BHARAT S KUMAR
Second Party	:	Not Applicable
Stamp Duty Paid By	:	BHARAT S KUMAR
Stamp Duty Amount(Rs.)	:	100 (One Hundred only)



BEFORE BHARAT S KUMAR, SOLE ARBITRATOR

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INDRR ARBITRATION

INDRP Case No. 2040

DISPUTED DOMAIN NAME: <GOOGLEFRANK.CO.IN>

ARBITRATION AWARD DATED JANUARY 31, 2026



BEFORE BHARAT S KUMAR, SOLE ARBITRATOR
 .IN REGISTRY
 NATIONAL INTERNET EXCHANGE OF INDIA (NIXI)
 INDRP ARBITRATION
 INDRP Case No. 2040
 DISPUTED DOMAIN NAME: <GOOGLERANK.CO.IN>
 ARBITRATION AWARD DATED JANUARY 31, 2026

IN THE MATTER OF:

Google LLC,
 1600 Amphitheatre Parkway
 Mountain View,
 CA 94043

United States of America Complainant

VERSUS

Vikram K Narayan,
 G R Infocom Pvt Ltd
 428, 6th Main Road,
 Rajajinagar, Bangalore,
 Karnataka- 560055, IN

Respondent



1. **The Parties in the proceeding:**

The complainant in this administrative proceeding is Google LLC, a Delaware based limited liability company having its principal place of business at 1600 Amphitheatre Parkway, Mountain View, CA 94043, United States of America. The complainant has authorized Ms. Astha Negi, Ms. Shipra Shandilya, Ms. Isha Tiwari and Ms. Sankalpita Pal from Fidus Law Chambers LLP as its authorized representative in the present proceedings. Power of Attorney (POA) dated 11.04.2025 by the Senior Trademark Counsel of the complainant authorizing the aforementioned has been filed with the complaint.

The Respondent in the present proceedings is Vikram K Narayan, G R Infocom Pvt Ltd, having his address at 428, 6th Main Road, Rajajinagar, Bangalore, Karnataka- 560055, IN. The complainant has also filed the publicly-available WHOIS record, for the domain name <googlerank.co.in>.

2. **Domain Name and Registrar:-**

The disputed domain name is <googlerank.co.in>. The domain name was registered on July 6th, 2012. The registrar with which the domain name is registered is GoDaddy.com, LLC, 2155 E GoDaddy Way, Tempe, AZ 85284, USA. The email address of the registrar is not mentioned in the complaint or the WHOIS report shared by the complainant.

3. **Procedural History:**

3.1 This arbitration proceeding is in accordance with the .IN Domain Name Dispute Resolution Policy (the "Policy") adopted by the National Internet Exchange of India ("NIXI") and the INDRP Rules of Procedure (the "Rules"). The arbitration proceeding is approved in accordance with the Indian Arbitration and Conciliation Act, 1996. By registering the disputed domain name with a NIXI accredited Registrar, the respondent has agreed to the resolution of disputes pursuant to the said Policy and the Rules.



- 3.2 The complaint was filed by the complainant with NIXI against the respondent. On 10.10.2025, to ensure compliance, I had submitted statement of acceptance and declaration of impartiality and independence as required by the Arbitrator's Empanelment Rules (Rule 5). On 29.10.2025, I was appointed as the sole arbitrator to decide the disputes between the parties. NIXI notified both the parties of my appointment as arbitrator *via* email dated 29.10.2025. NIXI had also served by email an electronic copy of the complainant with annexures, on the respondent at the email address of the respondent, vikramknarayan@gmail.com, whilst appointing me as an arbitrator.
- 3.3 On 29.10.2025, I had issued notice to the respondent and directed the complainant to serve the complete paperbook on the respondent by both post and email, i.e. the complaint which was filed by the complainant and the complete annexures filed by it. It is pertinent to note that the respondent has been marked on all email correspondences. It is noteworthy that I had on 29.10.2025 also granted the respondent a time period of 15 days, to file a response to the complaint, from my email and the delivery of service of the complete paperbook. Pertinently, on the very same day, Mr. Vikram, the respondent herein responded on the email trail stating that he required clarity on what the proceedings were about. That, the service was done by the complainant's authorized representative, Ms. Isha Tiwari, on 30.10.2025, on the email address present through a WHOIS lookup, i.e vikramknarayan@gmail.com. Ms. Tiwari had also shared vide the same email, the proof of courier and the service through email.

- 3.4 That the respondent, Mr. Vikram had on 31.10.2025 also called me and sent me an email asking for a clarification. I had mentioned that a domain name complaint has been filed against "googlerank.co.in" by the complainant asserting rights over the trademark "GOOGLE". I had also vide email dated



31.10.2025 requested him to get in touch with NIXI officials (marked on the email trail), who I stated would clear all his doubts.

3.5 That, pursuant to no statement of defence (response) from the respondent for 15 days after service of the complaint and the documents (annexures), I had on 17.11.2025 sent an email to the respondent stating that in the interest of justice, I am granting it 5 more days to file a response. Mr. Vikram again sent an email stating that he is not able to understand the process. I had then on 18.11.2025, sent the following email to him:

Bharat llncharatnag@gmail.com
to Vikram, Ishi Team, Legal, Rajiv, Rishab -
Dear Mr. Vikram,
My last 2 emails to you were on 29.10.2025 and 31.10.2025 wherein I requested you to touch base with @Legal_NIXI. Further, for the past almost 3 weeks, I believe you could have touched base with any lawyer if you may not have got the opportunity to touch base with @Legal_NIXI. As mentioned in my email dated 29.10.2025, this is an arbitration proceeding pertaining to the domain name "gooderank.co.in". Since you have already been served, no further opportunity would be granted to you for filing a response beyond 23.11.2025.

3.6 That on 18.11.2025, Mr. Vikram sent an email to NIXI asking for clarity on the complaint and the proceedings. Pertinently, neither a response had been filed, nor, despite me requesting time and again to him to seek legal assistance by engaging a lawyer. That on 18.11.2025, the following response was sent by a NIXI official:

L Legal <legal@nixi.in>
to Vikram, Rishab, Rajiv, Ishi, Team, me -
Dear Mr. Vikram,

Kindly connect with the NIXI legal team at the below mentioned numbers

Ph. No.: 011- 48202038/ 2010

Regards,

Anandita Joshi
Legal Consultant
National Internet Exchange of India
Delhi, India,
Ph. No.: 011- 48202038/ 2010



3.7 That I had on 19.11.2025, sent an email to Mr. Vikram asking whether he got in touch with a NIXI official. Pertinently, I had also asked both the parties to confirm my appointment as an arbitrator. The snapshot is attached hereinunder:

Bharat <law.bharat@gmail.com>
to Legal, Vikram, Rishabh, Pali, Isha, Team <...>
Dear Mr. Vikram K Narayani
I hope you have got in touch with @Legal NIXI

I would also like to draw your attention to Section 12(5) of the Arbitration and Conciliation Act, 1996, as amended in 2015, which mandates that arbitrators submit a declaration to NIXI. This was sent to you in your very first email by NIXI. NIXI has mandated that all the arbitrators seek a written acceptance to the appointment of the arbitrator. Should you require any additional documents or details related to my appointment, I encourage you to contact NIXI directly.
This is merely to ensure that all parties involved are confident of the arbitration process and that there is no bias, either perceived or actual, at any stage.

3.8 That, on 19.11.2025, Ms. Isha, the complainant's representative had written to the respondent stating that should he wish to settle the dispute and transfer/cancel the domain name in question, the complainant is willing for the same. On 20.11.2025, the respondent replied stating his defences on the email as a 'preliminary written response'. No documents were filed in the email. On the same day, I asked the respondent if he wishes to file a proper statement of defence. There was no response to the same. That on 28.11.2025, I again gave the respondent 7 more days to file his statement of defence (response). The complainant had also confirmed my appointment as an arbitrator.

3.9 That on 30.11.2025, the respondent had stated that he had undergone an eye surgery and again requested for more time. The email is affixed hereinbelow.

Vikram K N <vikramkumar@indigo.in>
to me, Isha, Legal, Rishabh, Pali, Team <...>

Dear Mr. Bharat S. Kumar,

Thank you for your email and update regarding the status of the proceedings in INDRP Case No: 2040.

I would like to bring to your attention that I recently underwent eye surgery, and I have been under medical review during the past few weeks. Because of this medical condition, I have not been able to review documents, prepare submissions, or consult appropriate legal counsel in a timely manner.

I am currently in the process of identifying a lawyer experienced in INDRP matters to represent and guide me in this case. Since the matter involves legal and procedural requirements, I believe proper representation is essential before proceeding further.

Considering the above, I request an extension of 30 days to enable me to appoint legal counsel and complete the required formal response along with supporting documentation, affidavit, and submissions.

At this stage, I am also not in a position to opt for oral hearings or engage large corporate legal firms, and therefore I request reasonable time to secure suitable representation.

I remain available for communication via email and will proceed formally once counsel is appointed. Kindly confirm whether the requested extension can be granted.

Thank you for your consideration.

With regards



I had vide email dated 30.11.2025, in the interest of justice granted the respondent a period of 26 days more, i.e till 25.12.2025, to file his statement of defence. I had also requested the respondent to share his medical certificate since he had requested for time on medical grounds.

3.10 That on 26.12.2026, upon no statement of defence being filed, I had again in the interest of justice, granted the respondent 5 more days to file his defence. Finally, upon no response and no statement of defence being filed by the respondent, I had closed his right to file the same. I had further stated that his email dated 20.11.2025 would be considered as a response. I also asked both parties if they wish to seek a virtual hearing, to which the complainant denied the same. All the communications to the complainant, respondent and NIXI by this tribunal have been through email. None of the emails sent on vikramknarayan@gmail.com have bounced or returned. I therefore hold that the service is complete as per the INDRP rules as all correspondences effectively took place on vikramknarayan@gmail.com.

Respondent being treated fairly:

3.11 I wish to highlight Clause 13(b) of the INDRP Rules of procedure requires that the arbitrator shall at all times treat the parties with equality and provide each one of them with a fair opportunity to present their case.

3.12 The respondent has been given a fair opportunity to represent itself, respond to the complainant's assertions & contentions and counter the same, if it so wishes to. However, there has been no proper response by the respondent, despite effective service. It is noteworthy that Clause 18 of the INDRP Rules of procedure mandate that an arbitrator shall decide a complaint on the basis of the pleadings submitted and in accordance with the



Arbitration & Conciliation Act, 1996 amended as per the Arbitration and Conciliation (Amendment) Act, 2015 read with the Arbitration & Conciliation Rules, Dispute Resolution Policy, the Rules of Procedure and any by-laws, and guidelines and any law that the arbitrator deems to be applicable, as amended from time to time. In these circumstances this tribunal proceeds to decide the complaint on merits, in accordance with said act, policy and rules on respondent's failure to submit a proper response, despite having been given sufficient opportunity and time to do so and represent itself.

4. Legitimate rights under which a complainant can approach NIXI:

4.1 The complainant has invoked Clause 4 of the INDRP policy to initiate the arbitration proceeding. Clause 4 reads as under:

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

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

The complainant therefore has to satisfy this arbitral tribunal on all the three aforementioned clauses/conditions, i.e 4 (a), (b) and (c).

5. Case of the complainant

5.1 The complainant states that it is a limited liability company duly registered under the laws of the State of Delaware in the United States of America.



Ever since its formation in 1998, it has been carrying on business in internet related services and products, which include advertising technologies, internet search, web browser, cloud computing and software, and mobile and computer hardware. The complainant states that it is the operator of one of the most highly recognized, and widely used internet search engines in the world under the trademark **GOOGLE**. It avers that developers, website owners, and search engine optimization (SEO) professionals use its guiding resources and tools to improve the websites' visibility in organic search results which in turn affects their rankings on the Google search engine. The complainant also states that it offers course content and tools for developers for website and application development. The complainant avers that it owns a website www.google.com and the domain name google.com has been registered since 15th September 1997. The complainant avers that said website details all goods and services offered by the complainant and an extract from its website listing some of the products and services the complainant offers under the trademark **GOOGLE** and other trademarks. For the same, it relies on **Annexure A**.

5.2 The complainant avers that the trademark **GOOGLE** was coined in 1997 by its founders and has been in use in connection with providing a search engine service that was developed by the complainant in 1998. It states that the search engine service under the trademark **GOOGLE** is available in more than 150 languages and is globally accessible, including in India. Documents evidencing the same have been attached as **Annexure B**.

5.3 The complainant avers that it has a significant global presence with more than 150 offices worldwide in more than 60 countries and its products and services reach more than 200 countries worldwide. The complainant states that its trademark **GOOGLE** was found to be one of the most valuable global brands by several brand analytics and valuation consultancies. As per Brand Finance's 'Global 500' 2025 report, the complainant was ranked no.



3 and was valued at USD 412.9 billion. It states that as per Interbrand's 'Best Global Brands' 2024 report, the complainant was ranked no. 4 worldwide. As per Kantar BrandZ's 'Most Valuable Global Brands', Google was ranked at no. 2 in 2025. SimilarWeb, a web traffic ranking company, lists the search engine under the trademark **GOOGLE** as the top-most visited website for many countries, including India. It avers that back in 2020, Forbes ranked the trademark **GOOGLE** as the second most valuable trademarks and brands in the world, valued at USD 207.5 billion. The complainant has attached copies of the aforementioned reports and other rankings accorded to it as **Annexure C**.

5.4 The complainant states that the trademark **GOOGLE** is also a part of its company name, i.e., Google LLC, as well as various other trademarks of the complainant. Thus, the trademark **GOOGLE**, it avers is not only associated with search engine services but also with it and the various other goods and services that the complainant offers. The complainant avers that it has consistently used the trademark **GOOGLE** as a part of its products, services, and business since its formation. The complainant states that it owns and operates over 190 **GOOGLE** based domain names and corresponding websites where search and other products and services can be accessed. A non-exhaustive list of those domain names is filed as **Annexure D**.

The complainant's trademark rights:

5.5 The complainant states that the complaint is based on its trademark **GOOGLE**. The complainant avers that it owns various registrations for the trademark **GOOGLE** and the stylized logos **Google** and **Go gle** on a standalone basis as well as a part of various other trademarks ("the **GOOGLE Trademarks**") worldwide and in India in several classes with the earliest registration dating back to September 16, 1998, in the United States of America, and dating back to 1999 in India. It has also filed copies



of a few illustrative registration certificates for the **GOOGLE Trademarks** as **Annexure E**.

5.6 The complainant states that by virtue of their bonafide adoption and extensive use thereof, the **GOOGLE Trademarks** have become exclusively and globally associated with the complainant in the eyes of consumers. The **GOOGLE Trademarks** have come to acquire immense reputation and goodwill over the years and are among the most instantly recognizable trademarks and trade names in the world today.

Popularity of the GOOGLE Trademarks

5.7 The complainant also avers the popularity and fame of its goods and services under the GOOGLE trademarks can be gauged from its social media presence, which has followers and subscribers running into millions. The complainant maintains an X account for the same (<https://twitter.com/google>) which it avers currently has 32.7 million followers, a Facebook page (<https://www.facebook.com/Google/>) which has 34 million followers, an Instagram page (<https://www.instagram.com/google/?hl=en>) which has 15.5 million followers, a LinkedIn page (<https://in.linkedin.com/company/google>) which has 38 million followers, and a YouTube page (<https://www.youtube.com/user/google/videos>) which has 13.3 million subscribers. The complainant avers that its social media pages help consumers and the public associate the goods and services under the GOOGLE trademarks with the complainant itself. It has filed documents in support of the above as **Annexure F**.

GOOGLE – ‘Well-known trademark’

5.8 The complainant avers that the trademark GOOGLE has also been declared well-known and/or a famous mark in several jurisdictions such as Brazil, China, Denmark, Mexico, Ukraine, Thailand, Turkey and India to list a few.



The trademark GOOGLE was declared as a 'well known' trademark by the Hon'ble Delhi High Court in 2011. By virtue of the said order, the trademark GOOGLE has been included in the well-known trademarks list maintained by the Indian Trade Marks Registry. Documents in support of the above have been filed by it as **Annexure G.**

Multiple domain names with 'Google' being owned by the complainant:

5.9 The complainant states that it has successfully pursued domain name complaints before NIXI, WIPO, and the National Arbitration Forum and obtained favourable decisions in respect of numerous infringing domain names targeting the Complainant and its trademarks, such as *googleseoservices.in*, *googlemedia.in*, *googleclassroom.in*, *googleexperts.in*, *googlepixel.co.in*, *googleplace.in*, *googlepays.in*, *googlemeet.co.in*, *googlerepairkerala.com*, *googleblog.com*, *google-0.com*, *chotagoole.com*, *googlemontenegro.me*, *google-sina.com*, *google-vietnam.com*, *google-plaiys.net*, *iran-google.ir*, *googled.co*, *googleklantenservicenederland.nl*, *googlersoftwaresolutions.com* etc. In support of the same, it has filed copies of a representative sample of these decisions as **Annexure H.**

CASE OF THE RESPONDENT - RESPONDENT'S DEFENSE – EMAIL DATED 20.11.2025.

5.10 The respondent, though has not filed a proper statement of defence, but has stated in its email dated 20.11.2025 that the email itself be considered as a 'preliminary written response. It is pertinent to mention that no documents were filed by the respondent in support of its assertions, neither was a statement of defence filed later despite multiple opportunities. The snapshots of the respondent's email have been affixed hereinunder:



Dear Ms. Isha,
 Dear Ms. Joshi,
 Dear Mr. Bharat S. Kumar (Ld. Arbitrator),

I acknowledge receipt of your communications regarding INDRP Case No: 2040 concerning the domain name googlerank.co.in and thank you for conveying the Complainant's position and the procedural details of the matter.

I confirm that I am the registered owner of the said domain and would like to formally contest the complaint filed against it. Please consider this email as my preliminary written response under the INDRP Rules of Procedure.

1. Legitimate Interest

The registration and use of the domain googlerank.co.in are entirely legitimate and descriptive in nature. The term "rank" is a generic SEO term meaning "search position". The domain name was registered by myself, a legitimate digital marketing and IT solutions company with the genuine intention of supporting our business in digital marketing and SEO ranking services focused on improving visibility across major search engines.

The phrase "Google Rank" is a commonly used descriptive expression in the digital marketing industry to refer to website ranking positions on Google search results. It is not a misuse of the "Google" trademark, but a factual, descriptive usage consistent with industry terminology.

Importantly, the domain has never been used for hosting any independent website. It is only redirected to our parent business domain - www.glist.in, which represents our legally registered and operational corporate entity. At no point has the domain been used for any misleading, commercial or profit-seeking purpose connected to Google LLC or its trademarks.

2. No Bad Faith

The domain was not registered in bad faith, nor was it acquired for resale, misrepresentation, or to gain unfair advantage.

- I have never approached Google or any third party to sell, transfer, or license the domain.
- The domain has never hosted any advertisements, Google-related content, or misleading materials.
- It has not been used to impersonate Google or cause confusion among users.
- The sole technical action taken was a redirect to our parent company's website (www.glist.in), which provides legitimate digital marketing services.

The registration was executed purely in good faith, aligned with our brand's SEO and digital service strategy, and not intended to exploit or infringe upon Google's trademark in any manner.

3. Distinct Use and Branding

Our corporate branding, logos, and content are entirely distinct from Google's trademarks and visual identity.

- We have never used Google's logo, typeface, or color palette.
- The term "Google Rank" has been used descriptively — to denote ranking on Google search results, which is a standard, non-exclusive industry phrase.
- The domain and its redirect are clearly separate from Google's services, and there has never been any confusion, customer misdirection, or false representation of affiliation.

4. Request for Guidance

I am currently in the process of submitting my formal detailed Response to the learned Arbitrator, including all supporting documents such as:

- WHOIS proof of domain ownership.
- Screenshot showing the domain redirect to www.glist.in.
- Company registration and GST certificate of G List Add INC.
- Declaration of non-use and no intent to infringe.

Kindly confirm the submission deadline for the complete Response under the INDRP procedure and whether physical copies are also required along with this email submission.

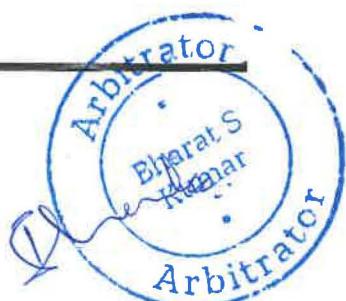
I will ensure full compliance with all procedural requirements and cooperate throughout the arbitration process.

5. Regarding Settlement

I acknowledge the communication from Ms. Isha regarding the Complainant's willingness to explore a settlement. However, at this stage, I would prefer to proceed with the arbitration process and submit my full written defense for due consideration by the learned Arbitrator.

Should there be any further communication required through official channels, please continue to copy the Ld. Arbitrator and NIXI Legal Team as per the standard INDRP process.

Thank you for your time, understanding, and guidance. I look forward to your confirmation on the next procedural steps.



6. The dispute raised before this tribunal – case of the complainant:

The Domain Name and associated website

6.1 The complainant states that it recently came across the respondent's domain name <googlerank.co.in> ('*disputed domain name*') which was registered on 06.07.2012. The complainant avers that the name of the respondent is Vikram K Narayan.

6.2 The complainant further states while conducting due diligence it came across the respondent's website, which purports to be for a digital marketing company under the name 'GList Add Pvt. Ltd'. It avers that on a perusal of the website's landing page, the respondent purports to offer web designing, mobile app development as well as search engine optimization (SEO) services that allegedly boost positions on search engines such as Google and Bing with the so-called 'Google Rank'. The complainant states that as elaborated hereinbefore, it offers guiding resources and tools for developers, website owners, and SEO professionals to improve the websites' visibility on its search engine as well as course content and tools for developers for website and application development. As a part of the respondent's alleged offerings, the complainant's logos Google and Google are heavily featured on the respondent's website which gives rise to the reasonable presumption that the respondent is well aware of the complainant and its GOOGLE Trademarks. In addition to the website, it states that the Disputed Domain is featured on their LinkedIn page (<https://www.linkedin.com/company/glist-add-pvt-ltd/about/>) and a third-party listing (<https://www.clickindia.com/business/glist-add-pvt-ltd-478837/>). All of the foregoing creates the false impression that the Respondent and the website hosted at the Disputed Domain are somehow affiliated with, sponsored or endorsed by the Complainant. Extracts from the



Whois record for the Disputed Domain, the hosted website, social media page and third-party listing are enclosed as Annexure I.

PRIOR CORRESPONDENCE- LEGAL NOTICE SENT BY COMPLAINANT:

6.3 The complainant avers that it sent a legal notice dated 27th March 2024 at the email address mentioned on the respondent's website calling upon the Respondent to take down the website content at the Disputed Domain, cancel the domain registration, and cease all use of the trademarks **GOOGLE** and among other demands. The complainant states that it even followed up with the respondent and via email dated 4th December, 2024, the respondent acknowledged receipt of the complainant's emails however no attempt was made from the Respondent's end to amicably settle the matter. Documents showcasing the legal notice 'as sent' to the respondent along with the email correspondences have been filed as **Annexure J**. At present, the complainant avers that its trademark **GOOGLE** is still being used in the Disputed Domain and the trademarks **GOOGLE**, **Google** and **Google** are still being featured on the website hosted at the Disputed Domain.

7. Analysis

7.1 It is pertinent to note that Paragraph 4 of the INDRP Domain Name Dispute Resolution Policy, mentions about class of disputes, which grants any person who considers that a registered domain name conflicts with his/her legitimate rights or interests, the right to file a complaint with the .IN Registry. There are 3 conditions which an aggrieved right holder may file the complaint under. The complainant has in the present complaint mentioned that its rights under all the three conditions have been violated:

- i. Condition 4(a) - The Registrant's domain name is identical and/or confusingly similar to a name, trademark or service mark in which the complainant has rights;



The complainant states in the complaint that it has statutory and common law rights in the trademark **GOOGLE** and such rights predate the registration of the disputed domain name. It further states that the Disputed Domain <GoogleRank.co.in> entirely subsumes its prior registered and well-known trademark GOOGLE. The inclusion of the term “Rank” and the country-code top-level domain (ccTLD) ‘.co.in’ in the Disputed Domain does not affect the overall impression, as the dominant part of the Disputed Domain remains the trademark **GOOGLE** and the term “Rank” describes the nature of offerings. The complainant avers that the Disputed Domain gives a wrongful impression that the respondent’s search engine optimization services that boost website rankings on the Google search engine have been authorized/sponsored by the complainant. The complainant states that consumers are well aware of its trademarks such that any unauthorized use of its trademarks, as in the present case, is likely to create an impression in the minds of consumers that the Disputed Domain is associated with, or is sponsored by the complainant, which is not the case. The complainant further relies upon *Inter Ikea Systems B.V. v. Polanski, WIPO Case No. D2000-1614* (transferring <ikeausa.com>); *General Electric Company v. Recruiters, WIPO Case No. D2007-0584* (transferring <ge-recruiting.com>); *Microsoft Corporation v. Step-Web, WIPO Case No. D2000-1500* (transferring <microsofthome.com>); *CBS Broadcasting, Inc. v. Y2K Concepts Corp., WIPO Case No. D2000-1065* (transferring <cbsonet.com>).

Pertinently, the complainant relies upon the panels in INDRP decisions against the domains googletranslateservice.in INDRP/1704, googlemaps.in INDRP/1469, googlepays.in INDRP/1184, and googlemeet.co.in INDRP/1236 held that inclusion of the complainant’s well-known trademark GOOGLE along with an additional term was still held to be confusingly similar and in googledrivelink.in INDRP/1941 the Panel confirmed that inclusion of specific top level domains is



irrelevant for determining whether the disputed domain is identical/similar to a registered trademark.

The complainant further states that Panels have routinely found confusing similarity concerning domain names that infringe Google's trademarks. *See, e.g., Google Inc. v. Jan Jeltes, DAU2008-0012* (Forum October 20, 2008) (finding the term "googler" in <googler.com.au> is confusingly similar to "Google"); *Google Inc. v. Chris Gillespie, FA1434643* (Forum May 10, 2012) (finding <googletodayssales.com> confusingly similar to Google's GOOGLE mark); *Google Inc. v. Google Inc, FA1492304* (Forum May 2, 2013) (finding <googleglass-presale.com> confusingly similar to Google's GOOGLE mark); *Google Inc. v. Domain Admin / WhoisPrivacy Corp., FA1726692* (Forum May 16, 2017) (finding <gmailsupport.org> confusingly similar to Google's GMAIL mark); *Google LLC vs. Ibón Del Olmo DES2020-0041* (Forum January 21, 2021) (finding <google-photos.es> confusingly similar to the trademark GOOGLE).

The complainant states that the Panel in the INDRP decision of *googledrivelink.in INDRP/1941* held that "the Respondent has merely mentioned the suffix 'link' to the widely used trade mark GOOGLE DRIVE and a TDL 'in' in the disputed domain and the same cannot distinguish the disputed domain name from the trademarks of the Complainant."

I have gone through the pleadings and documents filed by the complainant. With regard to the fulfilment of paragraph 4(a) of the INDRP policy, it is evident that the complainant has been continuously and extensively using the mark GOOGLE in the course of trade and commerce since the year 1997 internationally. There is no quarrel in stating that the complainant's trademark has been known since then across the world. The complainant has also registered its trademark GOOGLE, in India and across myriad countries. Its statutory rights thus, in the trademark GOOGLE is well established. It is pertinent to note that the disputed domain name



googlerank.co.in was registered in 06.07.2012, almost 13 years after the registration of the trademark, GOOGLE in India. The complainant's earliest registration dates back to 16.09.1998, in the United States of America, and dates back to 1999 in India.

It is noteworthy that a perusal of the disputed domain name 'googlerank.co.in' of the registrant/respondent shows that the respondent has used the complainant's trademark GOOGLE in its entirety. The disputed domain name 'googlerank.co.in' is deceptively similar, or some may say near identical to the 'GOOGLE' trademark of the complainant, with just a suffix 'rank' added to it. It is well established that the mere addition of a TLD such as "co.in" to a registered trademark(s), is not significant in distinguishing a domain name. It has been held by prior panels deciding under the INDRP, such as in *Kenneth Cole Productions v. Viswas Infomedia INDRP/093*, that there is confusing/deceptive similarity where the disputed domain name wholly incorporates a complainant's trade mark. It is further noteworthy that, a TLD/ccTLD such as ".in" or ".co.in" is an essential part of domain name. Therefore, it cannot be said to distinguish the respondent's domain name 'googlerank.co.in' from the complainant's trademark GOOGLE. In **Satyam Infoway Ltd vs Siffynet Solutions Pvt. Ltd AIR 2004 SC 3540**, the Hon'ble Supreme Court of India stated that the law pertaining to the Trademark Act, 1999 shall be applicable to domain names in India. The Hon'ble Supreme Court of India also observed that domain names have the same characteristics of a trademark and thus act as a source and business identifier. In *M/s Retail Royalty Company v. Mr. Folk Brook INDRP/705*, wherein on the basis of the complainant's registered trademark and domain names for "AMERICAN EAGLE", having been created by the complainant much before the date of creation of the disputed domain name <americaneagle.co.in> by the respondent, it was held that:



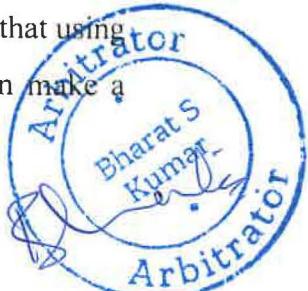
"The disputed domain name is very much similar to the name - and trademark of the complainant. The Hon'ble Supreme Court of India has recently held that the domain name has become a business identifier. A domain name helps identify the subject of trade or service that an entity seeks to provide to its potential customers. Further that there is a strong likelihood that a web browser looking for AMERICAN EAGLE products in India or elsewhere would mistake the disputed domain name as of the complainant."

A precedent, pertinent to the present case at hand, it being *WhatsApp, Inc. v. Nasser Bahaj*, WIPO Case No. D2016-058. The relevant excerpts are highlighted as hereinunder:

"The disputed domain name <ogwhatsapp.org> comprises the Complainant's trademark WHATSAPP combined with the letters "og" which are the initials of the developer Osama Ghoraiib as indicated on the website of the Respondent. Adding these two letters does not in any way eliminate the confusing similarity with the Complainant's trademark. As for the gTLD ".org", it is established that a gTLD does not typically eliminate confusion.

The disputed domain name <whatsapp-plus.org> comprises the Complainant's trademark WHATSAPP in its entirety. Adding the term "plus" not only does not eliminate confusion but on the contrary gives the impression that new and enhanced versions of the Complainant's application are available through the website the disputed domain name resolves to."

The complainant has rights in the trademark GOOGLE by way of trademark registrations in India. Pertinently, the use is much prior to the date on which the respondent created the impugned domain <googlerank.co.in> incorporating the complainant's trademark and trade name GOOGLE in totality and as a whole and merely added 'rank' as a suffix. I agree that using the word "GOOGLE" not only creates confusion, but may even make a



potential web user believe that this may well be associated with the complainant. Furthermore, the trademark “GOOGLE” of the complainant has also been declared a well-known mark by the Hon’ble Delhi High Court in Google LLC vs Mr. P. Rajesh Ram & Ors CS(COMM) 209/2024¹.

The respondent has filed a limited response through email, with no documents being shared pertaining to its prior use, sales figures, its goodwill and popularity, to address the assertions put forth by the complainant. There is in justification provided by it to use the complainant’s celebrated trademark. The averments of the complainant thus remain nearly unrebuted.

In view of the above facts and submissions of the complainant, on perusal of the documents filed and annexed with the complaint, I therefore hold that the disputed domain name <googlerank.co.in> of the registrant (respondent) is identical and/or confusingly/deceptively similar to the trademark GOOGLE of the complainant.

ii. Condition no.4 (b) the Respondent (Registrant) has no rights or legitimate interest in respect of the domain name:

The complainant states that the respondent is not a part of nor is it related to the complainant. The complainant avers that it has never assigned, granted, licensed, sold, transferred or in any way authorized the respondent to use the complainant’s trademark **GOOGLE** as a part of the disputed domain name. It states that as already held in previous panel decisions, a registrant may be found to lack any right or legitimate interest in a domain name where there is no indication that it is known by that name. The complainant avers that in the present case, the respondent is not commonly known by the Disputed

¹ <https://indiankanoon.org/doc/151851142/>.



Domain. It states that moreover, unlicensed and unauthorized use of a domain that incorporates a complainant's trademark is strong evidence that a respondent has no rights or legitimate interest in the domain name. Such findings were also made by the Panel in INDRP decisions against the domains *googledriveline.in*, *googletranlateservice.in*, *googleclassroom.in*, *googlemeet.co.in*, and *googlepays.in*.

Pertinently, the complainant states that it is the prior legitimate proprietor of the trademark **GOOGLE** and the respondent's act of including the same in the Disputed Domain Name to allegedly offer SEO services related to the Google search engine and mobile app development services, for which the complainant offers course content and tools for developers, while featuring the complainant's trademarks **GOOGLE**, and on the hosted website is *prima facie* misleading. Further, the adoption and use by the respondent of the Disputed Domain Name significantly postdates the complainant's rights in the trademark **GOOGLE**. Thus, it avers the question of the respondent being known by the Disputed Domain does not arise in the first place.

The complainant claims that it has therefore established a *prima facie* case that the respondent has no rights and legitimate interests in the disputed domain name.

I agree with the assertions put forth by the complainant. I believe that the complainant has established its rights in the trade mark GOOGLE. It is significant to note that the use of GOOGLE in the respondent's domain name is definitely likely to give a false impression to internet users that the disputed website is either owned by the complainant or is affiliated to the complainant in some manner. The respondent



cannot conceivably claim that its use of the complainant trademark is *bona fide* as per paragraph 6(a) of the .IN Policy or is commonly known by the domain name in accordance with paragraph 6(b) of the .IN Policy.

The mere fact that the disputed domain name is registered does not imply that the respondent has any rights or legitimate interests in them. In *Deutsche Telekom AG v. Phonotic Ltd.* (WIPO Case No. D2005-1 000), it has been held that "*Registration of a domain name in itself does not establish rights or legitimate interests for purposes of paragraph 4(a)(ii) of the Policy*". Therefore, any use of the disputed domain name by the respondent is not a legitimate, non-commercial or fair use. The respondent thus has no rights or legitimate interests in, the disputed domain name.

The adoption of word/mark "GOOGLE", therefore in the disputed domain name affirms the malafide intention of the respondent to make use of and ride on the coat tails of the complainant for earning commercial benefits. Such a conduct demonstrates anything, but a legitimate interest in the domain name. In the *Sports Authority Michigan, Inc. v. Internet Hosting*, NAF Case No. 124516, it was held *'It is neither a bona fide offerings of goods or services, nor an example of a legitimate non-commercial or fair use under Policy 4(c)(i) and (iii), when the holder of a domain name that is confusingly similar to an established mark uses the domain name to earn a profit without approval of the holder of the mark'*.

It is pertinent to note that the complainant has also not licensed the use of the mark, GOOGLE, to the respondent. In such as situation, there is no reason for the respondent to use the same as its domain name. **The use is therefore unauthorized.** A decision of a previous



panel, *Wacom Co. Ltd. v. Liheng*, INDRP/634, is relevant in this case. It was stated that:

"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"

It is reiterated that the respondent (registrant) has filed a limited response in the form of an email to counter the complainant's assertions, despite service and giving umpteen opportunities. The respondent has thus failed to satisfy the conditions contained in clauses 6(a), (b) and (c) of INDRP Policy. Significantly, the respondent has never been identified with the disputed domain name or any variation thereof. The respondent's (Registrant) use of the disputed domain name will inevitably create a false association and/or affiliation with complainant and its trademark/label marks, GOOGLE.

Therefore, in view of the submissions made in the complaint and on perusal of the accompanying documents, I am of the opinion that the respondent has no rights or legitimate interests in respect of the disputed domain name. Accordingly, condition 4(b) of the INDRP policy is decided in the favour of the complainant.

iii. Condition 4(c): The Registrant's domain name has been registered or is being used in bad faith:

To look into condition 4 (c) of the INDRP policy, clause 7 is to be looked into. Clause 7 of the INDRP policy states as under:

For the purposes of Clause 4(c), the following circumstances, in particular but without limitation, if found by the Arbitrator to



present, shall be evidence of the Registration and use of a domain name in bad faith:

- (a) circumstances indicating that the Registrant has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant, who bears the name or is the owner of the Trademark or Service Mark, or to a competitor of that Complainant, for valuable consideration in excess of the Registrant's documented out-of-pocket costs directly related to the domain name; or*
- (b) the Registrant has registered the domain name in order to prevent the owner of the Trademark or Service Mark from reflecting the mark in a corresponding domain name, provided that the Registrant has engaged in a pattern of such conduct; or*
- (c) by using the domain name, the Registrant has intentionally attempted to attract Internet users to the Registrant's website or other on-line location, by creating a likelihood of confusion with the Complainant's name or mark as to the source, sponsorship, affiliation, or endorsement of the Registrant's website or location or of a product or service on the Registrant's website or location; or*
- (d) The Registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor.*

The complainant states that the issue at hand falls 7 (c) of the INDRP policy as the Registrant(respondent) is intentionally using the complainant's distinctive trademark GOOGLE in the Disputed Domain in which the complainant has prior well-established rights. Further, the complainant alleges that the respondent purports to offer SEO services as 'Google Rank' that are related to the Google search engine as well as mobile app development services for which the complainant offers course content and tools for developers. This, the



complainant states clearly demonstrates that the respondent has blatantly copied the complainant's trademark **GOOGLE**.

It is pertinent to reiterate that the complainant is vested with statutory rights in its GOOGLE trademark, dating back to the year 1999, in India. The use of the trademark GOOGLE has been from the year 1997, internationally. Furthermore, the complainant owns a website www.google.com and the domain name google.com has been registered since 15th September 1997. The respondent's registration of a disputed domain name wholly incorporating the complainant's trademark and merely adding 'rank' to it as a suffix is most certainly to ride on the coat tails of the complainant's commercial success. Furthermore, the respondent purports to offer SEO services as 'Google Rank' that are related to the Google search engine as well as mobile app development services for which the complainant offers course content and tools for developers. It is also noteworthy that the actions of the respondent seem to fall squarely within subclause (c) hereinabove.

Given the enormous success of the complainant's business, its known trademark GOOGLE, there seems to be no reason for the respondent to adopt an identical name/ mark with respect to the impugned domain name. This adoption by the respondent, of course seems to create a deliberate and false impression in the minds of users that the respondent is somehow associated with or endorsed by the complainant. A case by a previous panel, *M/s Merck KGaA v Zeng Wei JNDRP/323*, can be referred wherein it was stated that:

"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."



It is noteworthy that Rule 3 of .IN Domain Name Dispute Resolution Policy (INDRP), casts obligations on a registrant, such as the respondent here. The same provides as under:

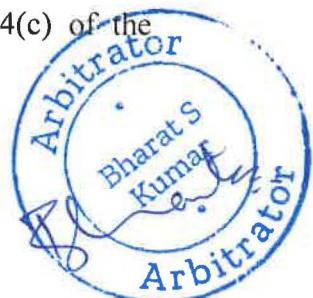
3. Registrant's Representations

By applying to register a domain name, or by asking a Registrar to maintain or renew a domain name registration, the Registrant hereby represents and warrants that:

- (a) the credentials furnished by the Registrant for registration of domain name are complete and accurate;
- (b) *to the knowledge of Registrant, the registration of the domain name will not infringe upon or otherwise violate the rights of any third party;*
- (c) the Registrant is not registering the domain name for an unlawful and malafide purpose; and
- (d) *the Registrant will not knowingly use the domain name in violation or abuse of any applicable laws or regulations. It is the sole responsibility of the Registrant to determine whether their domain name registration infringes or violates someone else's rights.*

It is evident from above rule that rule 3 (b) and (d) puts an obligation on the Registrant, the respondent herein, before registering a domain name. The registrant is to verify that the registration of the domain name will not infringe upon or otherwise violate the rights of any third party.

From a perusal of the averments and documents filed herewith, there is therefore no doubt that the respondent has got the disputed domain name registered in bad faith and to ride on the complainant's GOOGLE trademark's goodwill and reputation. The actions of the respondent are thus in contravention with paragraph 4(c) of the



INDRP policy. I therefore hold that the respondent's domain name has been registered in bad faith.

Decision

In view of the foregoing, I hold that the disputed domain name, <googlerank.co.in> is identical and/or confusingly similar to the complainant's 'GOOGLE' trademark. I further hold that the respondent has no rights or legitimate interests in respect of the disputed domain name and that the same was registered in bad faith by the respondent.

In accordance with the INDRP Policy and Rules, I direct that the disputed domain name registration be transferred to the complainant. No order as to costs.

Date: 31.01.2026

Place: New Delhi

