

**INDRP ARBITRATION
UNDER THE NATIONAL INTERNET EXCHANGE OF INDIA [NIXI]
ADMINISTRATIVE PANEL PROCEEDING
SOLE ARBITRATOR: SANJEEV KUMAR CHASWAL**

In the matter of Arbitration Proceeding for the Domain name

<matrixproffesional.in>

and in the matter of INDRP case no : 1558

**L'Oréal
14 rue Royale
75008 Paris
France**

Email: contact@dreyfus.fr

.....

Complainant

Vs.

**Domain Administrator
4 Akanbi Danmole Street off Ribadu Road
Ikoyi, Lagos 101233
Nigeria NG**

Email: sugarcane@mm.st

.....

Respondent

ARBITRATION AWARD

Disputed Domain Name: <matrixproffesional.in>



The undersigned have been appointed by NIXI as sole arbitrator pursuant to the complaint filed by the complainant M/s. L'Oréal, 14 rue Royale, 75008 Paris, France. Email: contact@dreyfus.fr, represented through its representative Dreyfus & associés, 78, avenue Raymond Poincaré, 75116 Paris, France by invoking this administrative domain arbitration proceedings through its authorized signatory, in respect of domain name **<matrixproffesional.in>** against the Registrant / Respondent Domain Administrator, 4 Akanbi Danmole Street off Ribadu Road, Ikoyi, Lagos 101233, Nigeria NG, Email: ***sugarcane@mm.st***

AS the Registrant / Respondent, who has obtained registration of domain name **<matrixproffesional.in>** through the IN. registry registrar M/s. GoDaddy.com, LLC as initially the office address and other details of the Registrant / Respondent are withheld by registrar M/s. GoDaddy.com, LLC by invoking "REDACTED FOR PRIVACY" but after receipt of WHOIS record containing the address and the domain details to the complainant by the NIXI in relation to the Registrant / Respondent for registration of the disputed domain name.

The complainant after receipt of the said domain details the address etc., from the NIXI in relation to the Registrant / Respondent, the complainant has moved an amended complaint by incorporating all the details of the Registrant / Respondent, who has obtained the registration of the disputed domain name from the domain Registrar.

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Thereafter the Complainant has filed the above arbitral complaint against Registrant / Respondent of domain name domain name <**matrixproffesional.in**> and seeking a claim of relief for transferring the domain name to the Complainant herein.

As per INDRP Arbitration rules and Procedures the undersigned as Sole arbitrator had issued notice on 2nd of June 2022 to Registrant / Respondent M/s. Domain Administrator, 4 Akanbi Danmole Street off Ribadu Road, Ikoyi, Lagos 101233, Nigeria NG, Email: **sugarcane@mm**. as you have registered domain name <**matrixproffesional.in**> through registry registrar M/s. GoDaddy.com, LLC as such the Registrant / Respondent was directed to file your reply, detail statement, if any, to the above said arbitral complaint **within 15 (fifteen) days from issue the date of this Notice, the reply detail statement, if any should reach by 17th of June 2022** with the office of the sole arbitrator, failing which the Complaint of the complainant shall be decided on the basis of the merits without further notice to you.

But the Registrant / Respondent M/s. Domain Administrator, 4 Akanbi Danmole Street off Ribadu Road, Ikoyi, Lagos 101233, Nigeria NG, Email: **sugarcane@mm** have failed to submit reply, or any detail statement in the above arbitral reference even after receipt of notice of 17th of June 2022 to the arbitrator office, wherein the respondent was directed under rule 5(c) of INDRP Rules and procedure to submit reply, detail statement, if any, on or before 17th of June 2022.

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That despite of receipt of the notice by the respondent / registrant, the respondent / registrant had failed to submit its reply or Statement to the sole arbitrator office with before specified registrant/ Respondent has failed to submit its reply or statement by the date dare, thus it clearly proves that the respondent / registrant is not interested in pursuing the present arbitration proceedings,

As such the undersigned as being sole arbitrator foreclosed the opportunity of filing of reply or statement on 24th of June 2022 and reserved this domain dispute complaint <*matrixproffesional.in*> for final orders on its merits.

The domain dispute complaint filed by the complainant M/s. L'Oréal, 14 rue Royale, 75008 Paris, France. Email: contact@dreyfus.fr, represented through its representative Dreyfus & associés, 78, avenue Raymond Poincaré, 75116 Paris, France by invoking this administrative domain arbitration proceedings through its authorized signatory, in respect of domain name <*matrixproffesional.in*> against the Registrant / Respondent Domain Administrator, 4 Akanbi Danmole Street off Ribadu Road, Ikoyi, Lagos 101233, Nigeria NG, Email: sugarcane@mm.st

The Complainant Company, L'Oréal, is a French industrial group specialized in the field of cosmetics and beauty and is the first cosmetics group worldwide. The company was created in 1909 by a French chemist by the same name, L'Oréal is today one of the world's largest groups in the cosmetics business. It has a portfolio of 36 brands, employs 86,000 employees, and is present in 150 countries.

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The Complainant Company L'Oréal is richly endowed with a portfolio of international brands that is unique in the world and that covers all the lines of cosmetics: hair care, colouring, skin care, make-up and perfume. Complainant's brands, are managed within the group by divisions that each have expertise in their own distribution channel. This organization is one of L'Oréal's major strengths. It makes it possible to respond to every consumer's expectations according to their habits and lifestyle but also to adapt to local distribution conditions, anywhere in the world.

The Complainant subsidiary Company MATRIX, a leading professional haircare and hair color company in the United States, is part of L'Oreal USA's Professional Products Division. It is well known around the world, including India whose products are promoted on the official website <https://www.matrixprofessional.in>.

The Complainant subsidiary Company Matrix was founded in 1980 by the American husband and wife hairdressing team, Arnie and Sydell Miller. Before he founded Matrix, Mr. Miller was a hairdresser for over 20 years. He formed a firm, Ardell, to market the product to retailers and to beauty salons. Ardell eventually created and sold a hair color product.

In the late 1970s, Mr. Miller saw that the retail market was shrinking and decided to sell Ardell in 1980 in order to concentrate on building Matrix, which would market its products only to professional haircare buyers.

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As the Millers wanted to provide hairdressers with a comprehensive range of products that would help them grow their businesses and provide the means to take full advantage of their talent and creativity.

That over two decades later, the Millers' original ideas still stand strong, and Matrix is committed to the development of the salon professional, offering a wide range of haircare, haircolor and texturizing products including: Biolage, Oil Wonders, Total Results, COLORINSIDER, SOCOLOR, Color Sync, Gloss Sync, Logics, LightMaster, V-Light, Vavoom, COLORGRAPHICS, Opti.Collection, Opti.Effects, Opti.Smooth and Style Wave.

Hence the Complainant herein has filed this arbitral complaint against the Registrant / Respondent for registering domain name illegally but as a matter of fact a identity theft and thereby claiming a relief of transferring the registered domain name *<matrixproffesional.in>* from the Respondent / Registrant to the Complainant herein.

1. The Parties:

1.1The Complainant in this arbitration proceeding is M/s. L'Oréal, 14 rue Royale, 75008 Paris, France.

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1.2 The complainant M/s. L'Oréal, 14 rue Royale, 75008 Paris, France. Email: contact@dreyfus.fr, represented through its representative Dreyfus & associés, 78, avenue Raymond Poincaré, 75116 Paris, France by invoking this administrative domain arbitration proceedings through its authorized signatory, in respect of domain name <matrixproffesional.in> against the Registrant / Respondent Domain Administrator, 4 Akanbi Danmole Street off Ribadu Road, Ikoyi, Lagos 101233, Nigeria NG, Email: sugarcane@mm.st in respect of domain name <*matrixproffesional.in*> against the Registrant / Respondent address details of which is provided to sole arbitrator by the WHOIS database maintained by the National Internet Exchange of India [NIXI].

2. The Domain Name and Registrar:

2.1 The disputed domain name <*matrixproffesional.in*> _ is registered by the IN. registry registrar M/s. M/s. GoDaddy.com, LLC, and on invoking privacy request of "REDACTED FOR PRIVACY" the registrar has withheld address and other details of the Registrant / Respondent, as such address details of the Registrant / Respondent were not available in public domain, as such the Complainant did not have address information in relation to the Registrant / Respondent, therefore the complainant has approached NIXI for availability of the address of the Registrant / respondent herein and further filed the complaint invoking domain arbitration proceedings against the Registrant / Respondent identified as M/s. Domain Administrator, 4 Akanbi Danmole Street off Ribadu Road, Ikoyi, Lagos 101233, Nigeria NG, Email: sugarcane@mm.st.

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3. Arbitration Proceedings Procedural History:

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

According to the information provided by the National Internet Exchange of India ["NIXI"], the history of this proceeding is as follows:

3.2 In accordance with the Rules, 2(a) and 4(a), NIXI formally notified the Respondent to the Complaint, and appointed the undersigned as the Sole Arbitrator for adjudicating upon the dispute in accordance with the Arbitration and Conciliation Act, 1996, and the Rules framed thereunder, .IN Domain Name Dispute Resolution Policy and the Rules framed thereunder.

The Arbitrator has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the NIXI.



As per the information received from NIXI, the history of the proceedings is as follows:

3.3 The present Arbitral Proceedings have commenced on 2nd June of 2022 by issuing of 1st notice under rule 5(c) of INDRP rules of procedure and the same was forwarded through email directly to the Respondent / Registrant as well as to complainant separately, directing the complainant to serve the copies of the domain complaint along with complete set of documents in soft copies as well as physically or via courier or post to the Respondent / Registrant at the address provided in the WHOIS details of the domain. The said notice was successfully served by the complainant to the Respondent / Registrant through email.

3.4 Further as per the issued Notice to the Respondent / Registrant was directed to file their reply, detail statement, if any, to the above said complaint within 15 (fifteen) days from the date of this Notice or by 17th of June 2022, failing which the Complaint shall be decided on the basis of the merits. The respondent / registrant namely having M/s. Domain Administrator, 4 Akanbi Danmole Street off Ribadu Road, Ikoyi, Lagos 101233, Nigeria NG, Email: sugarcane@mm.st. had failed to submit reply, or any detail statement in the above arbitral reference even after receipt of notice of 2nd of June 2022 through email address as sent under rule 5(c) of INDRP Rules and procedure for submission reply, detail statement, if any, on or before 17th of June 2022.

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3.5 As per available email record placed before the sole arbitrator, the sole arbitrator is of considered view that the respondent / registrant was duly served through listed email address and despite of receipt of this notice the Registrant / Respondent had failed to submit its reply to the sole arbitrator panel office by 17th June 2022.

3.6 It clearly proves that the respondent / registrant was not interested in pursuing the present arbitration proceedings, as such the sole arbitrator had on vide its order dated 24th of June 2022 foreclosed the right of the respondent / registrant of filing of reply and proceeded with deciding of this domain dispute complaint <*matrixproffesional.in*> solely on merits.

4. Factual Background:

4.1 The Complainant in these administrative proceedings is M/s. L'Oréal, 14 rue Royale, 75008 Paris, France. Email: contact@dreyfus.fr, represented through its representative Dreyfus & Associés, 78, avenue Raymond Poincaré, 75116 Paris, France by invoking this administrative domain arbitration proceeding through it authorized signatory, in respect of domain name <*matrixproffesional.in*> against the Registrant / Respondent.

5 .Parties Contentions:

5.1 The complainant has submitted many submissions under INDRP Rules of Procedure for seeking relief against the Registrant / respondent for registering domain name <*matrixproffesional.in*> illegally.

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5.2 The Registrant / Respondent had failed to submit its reply or detailed statement to the sole arbitrator panel within 15 days of the issued notice but the Registrant / Respondent had also had failed to comply directions of the said notice as well.

5.3 The complainant has raised three pertinent grounds under INDRP Rules of Procedure for seeking relief against the Registrant / respondent disputed domain name <*matrixproffesional.in*> is stated as under:

A. Complainant Grounds for proceedings

- I. The Complainant counsel states that the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has statutory/common law rights.*
- II. The Complainant counsel states that the Respondent has no rights or legitimate interests in respect of the disputed domain name.*
- III. The Complainant counsel states that the disputed domain name has been registered or is/are being used in bad faith.*

I) Background of the Complainant and its statutory and common law rights related prior Adoption and use:

5.4 The complainant is Complainant and its trademark MATRIX enjoys a worldwide reputation. Complainant owns numerous MATRIX trademark registrations around the world, as well as in India.

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The Complainant is in particular the owner of the following trademark registrations in India.. The trademark MATRIX in India; another trademark MATRIX WAVE SENSATION n° 2232311 dated November 11, 2011, duly renewed and covering goods in class 3;

Besides above the complainant has also International trademark MATRIX no. 776942 dated February 20, 2002, duly renewed, designating *inter alia* Australia, China, Singapore, Tajikistan, covering goods in class 3.

In addition, Complainant operates (directly or through its US subsidiary), among others, the following domain names reflecting its trademark in order to promote its services <matrix.com> registered on April 13, 1990; <matrixprofessional.in> registered on March 24, 2016; matrixprofessional.com> registered on June 29, 2012.

The disputed domain name <***matrixproffesional.in***> is virtually identical or at least confusingly similar to Complainant's prior trademarks **MATRIX** and the official domain name <***matrixprofessional.in***>.

5.5 Complainant's attention was drawn by the registration of the domain name <***matrixproffesional.in***> which entirely reproduces its trademark **MATRIX** and associates it with the misspelled generic term "professional", which does not prevent any likelihood of confusion. On the contrary, this term along with the extension ".in" increases the likelihood of confusion since it targets directly Complainant's field of activity.

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Therefore, Internet users may be led into believing that the domain name is endorsed by Complainant or that it will direct them to an official website displaying Complainant's products intended for the Indian market.

5.6 The domain name <**matrixproffesional.in**> reproduces Complainant's trademark MATRIX in its entirety. In many decisions, Panels considered that the incorporation of a trademark in its entirety may be sufficient to establish that a domain name is identical or confusingly similar to Complainant's registered trademark (WIPO Case No. D2013-0150 *Swarovski Aktiengesellschaft v. mei xudong*; INDRP Case No. INDRP/887 <*colgate.in*> decided on May 26, 2017, INDRP Case No. INDRP/741 <*goodyear.in*> decide on February 8, 2016).

5.7 The counsel states that in many decisions, it is well established that "Where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark" (WIPO Case No. D2011-1627, *L'Oréal, Lancôme Parfums et Beauté & Cie v. Jack Yang*, WIPO Case No. D2010-1059, *Rapidshare AG, Christian Schmid v. InvisibleRegistration.com, Domain Admin* and WIPO Case No. D2000-0113, *The Stanley Works and Stanley Logistics, Inc. v. Camp Creek Co., Inc.*). See section 1.7 of the WIPO Jurisprudential Overview 3.0.

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The disputed domain name <**matrixproffesional.in**> is almost identical to Complainant's domain name <matrixprofessional.in> differing only in two letters, which makes potential typing error by Internet users more likely to happen, and as result diverting the traffic from Complainant's site to the Respondent's. The omission of the letter "s" and the double letter "f" does not significantly affect the appearance or pronunciation of the domain name. This practice is commonly referred to as "typosquatting" and creates virtually identical and/or confusingly similar marks to the Complainant's trademark (WIPO Case No. D2011-0692, Mapfre S.A. y Fundación Mapfre v. Josep Sitjar; WIPO Case No. D2009-1050, Compagnie Gervais Danone of Paris v. Jose Gregorio Hernandez Quintero).

As per section 1.9 of the WIPO Jurisprudential Overview 3.0: "A domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark. This stems from the fact that the domain name contains sufficiently recognizable aspects of the relevant mark. (WIPO Case No. D2008-1302, *Express Scripts, Inc. v. Whois Privacy Protection Service, Inc. / Domaindeals, Domain Administrator*, WIPO Case No. D2013-0368, *Sanofi v. Domains By Proxy, LLC / domain admin*, WIPO Case No. D2015-2333, *Schneider Electric S.A. v. Domain Whois Protect Service / Cyber Domain Services Pvt. Ltd.*)

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The disputed domain name <*matrixproffesional.in*> has been registered in the TLD “.in”. The presence of the suffix “.in” is not to be taken into account when assessing the likelihood of confusion between Complainant’s trademark and the disputed domain name. (*INDRP Dispute Decision n°L-2/1/R1 <Pepsico.in> decided on April 24, 2006; INDRP Dispute Decision n°L-2/1/R4 <Mothercare.in> decided on April 27, 2008; INDRP Dispute Decision n°L-2/9/R4 <sensex.in> decided on August 17, 2008*).

II) Complainant's Claim of Statutory Rights:

5.8 The Complainant Company, L’Oréal, is a French industrial group specialized in the field of cosmetics and beauty and is the first cosmetics group worldwide. The company was created in 1909 by a French chemist by the same name, L’Oréal is today one of the world’s largest groups in the cosmetics business. It has a portfolio of 36 brands, employs 86,000 employees, and is present in 150 countries.

5.9 The Complainant considers their trademark ‘**MATRIX**’ is a basis for its use, registration, and ownership of the ‘**MATRIX**’ mark, as well as the domain names and its corresponding websites and services. The mark ‘**MATRIX**’ is protected by means of registrations: as important and extremely valuable asset and thus in order to protect the same, have secured trade mark registration for the mark “MATRIX” & other formative marks in India as well as globally. The trade mark registrations obtained in India and other jurisdictions are duly valid and subsisting as of this date.



5.10 The Complainant Company L'Oréal is richly endowed with a portfolio of international brands that is unique in the world and that covers all the lines of cosmetics: hair care, colouring, skin care, make-up and perfume. Complainant's brands, are managed within the group by divisions that each have expertise in their own distribution channel. This organization is one of L'Oréal's major strengths. It makes it possible to respond to every consumer's expectations according to their habits and lifestyle but also to adapt to local distribution conditions, anywhere in the world.

5.11 The Complainant subsidiary Company MATRIX, a leading professional haircare and hair color company in the United States, is part of L'Oreal USA's Professional Products Division. It is well known around the world, including India whose products are promoted on the official website <https://www.matrixprofessional.in>. The Complainant subsidiary Company Matrix was founded in 1980 by the American husband and wife hairdressing team, Arnie and Sydell Miller. Before he founded Matrix, Mr. Miller was a hairdresser for over 20 years. He formed a firm, Ardell, to market the product to retailers and to beauty salons. Ardell eventually created and sold a hair color product.

5.12 In the late 1970s, Mr. Miller saw that the retail market was shrinking and decided to sell Ardell in 1980 in order to concentrate on building Matrix, which would market its products only to professional haircare buyers.

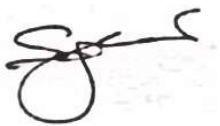
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As the Millers wanted to provide hairdressers with a comprehensive range of products that would help them grow their businesses and provide the means to take full advantage of their talent and creativity.

5.13 That over two decades later, the Millers' original ideas still stand strong, and Matrix is committed to the development of the salon professional, offering a wide range of haircare, haircolor and texturizing products including: Biolage, Oil Wonders, Total Results, COLORINSIDER, SOCOLOR, Color Sync, Gloss Sync, Logics, LightMaster, V-Light, Vavoom, COLORGRAPHICS, Opti.Collection, Opti.Effects, Opti.Smooth and Style Wave.

5.14 The disputed domain name <**matrixproffesional.in**> is virtually identical or at least confusingly similar to Complainant's prior trademarks MATRIX and the official domain name <*matrixprofessional.in*>.

5.15 The domain name <*matrixproffesional.in*> reproduces Complainant's trademark **MATRIX** in its entirety. In many decisions, Panels considered that the incorporation of a trademark in its entirety may be sufficient to establish that a domain name is identical or confusingly similar to Complainant's registered trademark (WIPO Case No. D2013-0150 *Swarovski Aktiengesellschaft v. mei xudong*; INDRP Case No. INDRP/887 <*colgate.in*> decided on May 26, 2017, INDRP Case No. INDRP/741 <*goodyear.in*> decide on February 8, 2016).

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5.16 In many of decisions, it is well established that “Where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark” (*WIPO Case No. D2011-1627, L’Oréal, Lancôme Parfums et Beauté & Cie v. Jack Yang, WIPO Case No. D2010-1059, Rapidshare AG, Christian Schmid v. InvisibleRegistration.com, Domain Admin and WIPO Case No. D2000-0113, The Stanley Works and Stanley Logistics, Inc. v. Camp Creek Co., Inc.*). See section 1.7 of the *WIPO Jurisprudential Overview 3.0*.

I. *The Respondent's domain name is identical and confusingly similar to a name, trademark or service in which the Complainant has rights.*

5.17 The Complainant is a prior adopter, of its trade name / mark and is identified by the purchasing public exclusively with the Complainant as such it has acquired an enormous goodwill in several countries across the globe including India. On account of the high degree of inherent and acquired distinctiveness, which the mark ‘**MATRIX**’ is possessed of, the use of this mark or any other identical or deceptively similar mark, by any person other than the Complainant, would result in immense confusion and deception in the trade leading to infringement, passing off.

5.18 The complainant mark is phonetically identical and/or confusingly similar to the Complainant's trademark ‘**MATRIX**’ in which the complainant has

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statutory as well as common law rights. The Respondent has registered the domain name *<matrixproffesional.in>* that solely incorporates in its entirety the Complainant's reputed trademark '**MATRIX**' to just to cause confusion and deception in the minds of the public.

- 5.19** In addition to the common law rights that have accrued to the Complainant in the trademark '**MATRIX**' by virtue of the aforesaid laws, The Complainant is in particular the owner of the following trademark registrations in India.. The trademark **MATRIX** in India; another trademark **MATRIX WAVE SENSATION** n° 2232311 dated November 11, 2011, duly renewed and covering goods in class 3; Besides above the complainant has also International trademark **MATRIX** no. 776942 dated February 20, 2002, duly renewed, designating *inter alia* Australia, China, Singapore, Tajikistan, covering goods in class 3.

In addition, Complainant operates (directly or through its US subsidiary), among others, the following domain names reflecting its trademark in order to promote its services *<matrix.com>* registered on April 13, 1990; *<matrixprofessional.in>* registered on March 24, 2016; *<matrixprofessional.com>* registered on June 29, 2012.. The Complainant also wins trademark registrations for the mark '**MATRIX**' as well as various '**MATRIX**' marks in around many countries besides India. The said trademark registrations as solely exist in favour of the Complainant around the world. relief in respect of the infringement of its registered trademarks.



5.20 The Complainant is the registered proprietor of the many marks world over having word per se ‘**MATRIX**’. The Complainant submits that as the domain name is *<matrixproffesional.in>* is clearly identical / confusingly similar to the Complainant's trademark in which the Complainant has exclusive rights and legitimate interest.

5.21 The numerous panels have held in so many decisions - *CEC Entertainment Concepts, L.P. v. Samir Vasaya [Domain: chuckecheese.in; INDRP/1154]; Havells India Limited v. Whois Foundation WIPO D2016-1775]* that a domain name which wholly incorporates a Complainant's registered mark may be sufficient to establish identicalness or confusing similarity, despite the addition of other words to such marks.

5.22 The Complainant uses the trademark **MATRIX** in connection with a wide variety of products and services around the world (**ANNEXES 3 and 4**). Consequently, the public has learnt to perceive the goods and services offered under these trademarks as being those of Complainant. Therefore, the public would reasonably assume that the disputed domain name belongs to Complainant or is at least, related to Complainant.

5.23 The complainant with the registration of the disputed domain name, Respondent created a likelihood of confusion with Complainant's trademarks. It is likely that this domain name could mislead Internet users into thinking that this is, in some ways, associated with Complainant and thus may heighten the risk of confusion.



5.24 For all of the above-mentioned reasons, it clearly appears that the disputed domain name is identical to the trademark MATRIX in which the Complainant has rights, and therefore the condition of Paragraph 4(i) of the .IN Policy is fulfilled.

II) The Respondent has no rights or legitimate interests in respect of the disputed domain name

5.25 Respondent is neither affiliated with Complainant in any way nor has he been authorised or licensed by Complainant to use and register its trademarks, or to seek registration of any domain name incorporating the previously mentioned trademark. In addition, Respondent is not known by the name of MATRIX.

5.26 The Complainant further submits that any person or entity using the mark ‘**MATRIX**’ as a domain name that too with related keyword referring to its corporate name ‘**MATRIX**’ is bound to lead customers and users to infer that its product or service has an association or nexus with the Complainant and lead to confusion and deception. It is indeed extremely difficult to foresee any justifiable use that the Respondent may have with the disputed domain name. On the contrary, registering this domain name gives rise to the impression of an association with the Complainant, which is not based in fact. [*Daniel C. Marino, Jr. v. Video Images Productions, WIPO-D2000-0598*].

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5.26 Respondent is neither affiliated with Complainant in any way nor has he been authorised or licensed by Complainant to use and register its trademarks, or to seek registration of any domain name incorporating the previously mentioned trademark. In addition, Respondent is not known by the name of MATRIX.

5.27 In previous WIPO decisions, Panels found that in absence of any license or permission from the Complainant to use such widely known trademarks, no actual or contemplated bona fide or legitimate use of the domain name could reasonably be claimed (WIPO Case No. D2013-0188, Groupe Auchan v. Gan Yu; WIPO Case No. D2010-0138, LEGO Juris A/S v. DomainPark Ltd, David Smith, Above.com Domain Privacy, Transure Enterprise Ltd, Host master).

5.28 The Respondent has no prior rights or legitimate interests in the disputed domain name. The registration of the MATRIX trademarks preceded the registration of the disputed domain name for years. The Domain Name registered by the Respondent / registrant is clearly intended to “pass off” and have a free ride on its reputation and goodwill. Undoubtedly, the Respondent is deliberately trying to portray a connection between the disputed domain name and the Complainant, through the domain name.

5.29 The Complainant is required to make a prima facie case that the Respondent lacks rights or legitimate interest in the domain name at issue.

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Once the complainant establishes a prima facie case that the Respondent lacks rights or legitimate interest in a domain name, the burden shifts to Respondent to rebut Complainant's contentions.

If Respondent fails to do so, Complainant is deemed to have satisfied the second element. In the present case, the Respondent cannot demonstrate or establish any rights or legitimate interest in the infringing domain name.

- 5.30** The Respondent seems to have intentionally registered the disputed domain name, which reproduces Complainant's well-known trademark **VELCRO**, in order to capitalize / profit from the goodwill associated with the famous mark. *Similarly in the INDRP matter of Velcro Industries B.V. v. Velcro Technologies [INDRP/858; Velcro Technologies.in]: "There is no showing that before any notice to the Registrant of the dispute, the Registrant's use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services. Rather, the website associated with the disputed domain name is not being used for any bonafide / legitimate purposes, but has been parked with the Domain Registrar, Go Daddy LLC only. It has been held that merely registering the domain name is not sufficient to establish rights or legitimate interests. [Vestel Elecktronik Sanayi ve Ticaret AS v. Mehmet Kahveci, WIPO-D2000-1244].*



5.31 The Respondent using illegally the long and widespread reputation of the Complainant's trademarks, the compelling conclusion is that the Respondent, by choosing to register and use a domain name which is not only fully similar to the Complainant's widely known and distinctive trade mark but identical, intended to ride on the goodwill of the Complainant's trademark in an attempt to exploit, for commercial gain, Internet traffic destined for the Complainant. Potential partners and end users are led to believe that the website is either the Complainant's site, especially made up for the bearings, or the site of official authorized partners of the Complainant, while in fact it is neither of these [*Viacom International Inc., and MTV Networks Europe v. Web Master, WIPO- D2005-0321 – mtvbase.com*].||||

Additionally, Respondent never answered to Complainant's letter despite Complainant's reminders and best efforts. Panels have repeatedly stated that when Respondents do not avail themselves of their rights to respond to Complainant, it can be assumed that Respondents have no rights or legitimate interest in the disputed domain name (WIPO Case No. D2010-1017, AREVA v. St James Robyn; WIPO Case No. D2003-0269, Nordstrom, Inc. and NIHC, Inc. v. Inkyu Kim).

Furthermore, and email server has been configured on the disputed domain name <matrixproffesional.in> and thus, there might be a risk that Respondent is engaged in a phishing scheme (Annex 1). So, the disputed domain name is not used in any type of legitimate business or services.

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Finally, given Complainant's goodwill and renown worldwide, and the nature of the disputed domain name, which is confusingly similar to Complainant's trademark and virtually identical to the official domain name, it is not possible to conceive a plausible circumstance in which Respondent could legitimately use the disputed domain name, as it would invariably result in misleading diversion and taking unfair advantage of Complainant's rights. For all of the above-cited reasons, it is undoubtedly established that Respondent has no rights or legitimate interests in respect to the domain name in dispute under Paragraph 4(a)(ii) of the Policy.

III) The Respondent's disputed domain name has been registered or is being used in bad faith.

5.32 The Registrant/Respondent's former use of the infringing domain name as a parking page links for financial gain, does not constitute a bona fide offering of goods or services or a legitimate non-commercial fair use. The use is neither legitimate nor fair. Panels have found that the use of a domain name to host a parked page comprising PPC links does not represent a bona fide offering where such links compete with or capitalize on the reputation and goodwill of the complainant's mark or otherwise mislead Internet users.

5.33 The Complainant states in his complaint that the Respondent's act of registering the impugned domain name <**matrixproffesional.in**> incorporating: the trademark of the Complainant 'MATRIX' is a mala-fide attempt on the Respondent's part to squat over the impugned domain name

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and make illegal economic gains and profits by misusing and free-riding on the unprecedented goodwill and reputation associated with the registered and well- known trademark 'MATRIX' of the Complainant.

5.34 It was further submitted that the Respondent has not given complete and authentic contact details and has not been replying to the communications sent by the Complainant. It is therefore clear that the Respondent has no legitimate rights in the domain name and is acting in bad faith. It is further submitted that the WHOIS information further indicates the knowledge on the part of the Respondent.

5.35 The Respondent knowingly chose to register and use the disputed domain name <*matrixproffesional.in*> to divert customers from the Complainants' official website and drawing damaging conclusions as to the Complainant's operations in India, thus adversely affecting the Complainant's goodwill and reputation and its right to use said India specific domain name. Doing so, it also violated Rule 3 clause (b) of INDRP, whereby a domain registrant declared that he would not infringe the intellectual property rights of others but, given the above facts, Respondent is thus guilty of wilful suppression, concealment and misrepresentation by providing inaccurate / incorrect information to the Registry as well.

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5.36 The Complainant submits that the impugned domain name bearing the well-known trademark of the Complainant has also been registered by the Respondent with the ulterior motive of preventing the Complainant from making legitimate use of the same. It is further stated that the said act of the Respondent appears to be motivated by its nefarious intention of coercing the Complainant to purchase the impugned domain from the Respondent at an exorbitant price. In other words, this is also a clear case of domain name squatting by the Respondent.

5.37 The impugned domain name <matrixproffesional.in> was .registered by the Respondent very recently, whereas the domain .name www.MATRIX.com was registered by the Complainant on 4* September 1997. The factum of argument of the complainant is that the Respondent has deliberately acquired a confusingly similar name and domain name in which the .Complainant has substantial interest being its registered trade/service .mark. The Respondent was very well aware of the commercial value and its significance of the various domains owned by the complainant of which the word 'MATRIX' forms a conspicuous part of its mark.

B. Contention of the Complainant:

5.38 Firstly the Complainant submits that the Respondent has used the Complainant's registered well-known trademark 'MATRIX' as part of the impugned domain name<matrixproffesional.in> in which the Complainant has legitimate right under common law as well as under statutory rights.

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The said acts of the Respondent, therefore, amounting to a infringement of the complainant's rights as are vested in the trade/service: mark 'MATRIX'

5.39 Secondly, the Respondent is well aware of the insurmountable reputation and goodwill associated with the Complainant's trade and service mark 'MATRIX', which insures and continue to insure its legitimate right to Complainant only.

5.40 The Complainant has a long and well-established reputation in the Complainant's mark. By registering the disputed domain name with actual knowledge of the Complainant's trademark, the Respondent has acted in bad faith by breaching its service agreement with the Registrar because the Respondent registered a domain name that infringes upon the Intellectual Property rights of another entity, which in the present scenario is the Complainant. [*Relevant Decisions: Ray Marks Co. LLC v. Rachel Ray Techniques Pvt. Ltd., INDRP/215 (July 9th 2011); Kenneth Cole Production Inc. v. Viswas Infomedia, INDRP/93 (April 10, 2009)*].

5.41 The present respondent appears to be a regular offender it is not to be the first time that the Respondent has been trafficking in registration of other reputed trademarks. The Respondent has been regularly registering other known mark as its own registered domain name that contained a registered trademark of a well-known brand. It is for the, same reason why the Respondent registered the impugned name <*matrixproffesional.in*>.



The registration of the disputed domain name bearing the registered as a trade/service mark of the complainant is nothing but an opportunistic bad faith registration on the part of the Respondent.

5.42 The respondent email server has been configured on the disputed domain name and thus, there might be a risk that Respondent is engaged in a phishing scheme (Annex 1). Therefore, the use of an email address with the disputed domain name presents a significant risk where Respondent could aim at stealing valuable information such as credit cards from Complainant's clients or employees. Such risk has been recognised by prior Panel (*WIPO Case No. D2017-1225, Accor SA v. Domain Admin, C/O ID#10760, Privacy Protection Service INC d/b/a PrivacyProtect.org / Yogesh Bhardwaj*).

5.43 It is a settled law that registration of identical or confusingly similar domain name that is patently connected with a particular trademark owned by an entity with no connection with the trademark owner is indicative of bad faith as understood in the Policy. With regard to famous brands, successive UDRP panels have found Bad faith registration where: a) *Complainant's name was famous at the time of registration: Cho Yong Pil v. Sinwoo Yoon, WIPO-D2000-0310.*

b) *Registration of a well-known trademark by a party with no connection to the owner of the trademark and no authorization and no legitimate purpose to utilize the mark reveals bad faith: America Online Inc. v. Chinese ICQ Network, WIPO-D2000-0808.*

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c) The very use of domain name by Respondent who had no connection whatsoever with Complainant's mark and product suggests opportunistic bad faith: America Online Inc. v. Chinese ICQ Network, WIPO-D2000-0808.

d) Thus, the Respondent is guilty of registering and using the disputed domain name <matrixproffesional.in> in bad faith in terms of Para 7 of the INDRP.

C. Contention of the Respondent:

5.44 The Respondent had not filed any response to the Complaint though they were given an opportunity to do so. Thus the Complaint had to be decided based on submissions on record and analyzing whether the Complainant has satisfied the conditions laid down in paragraph 4 of the policy.

6. Discussion and Findings:

6.1 It is evident that the Respondent knowingly chose to register and use the disputed domain name <**matrixproffesional.in**> to divert customers from the Complainants' official website and drawing damaging conclusions as to the Complainant's operations in India, thus adversely affecting the Complainant's goodwill and reputation and its right to use said India specific domain name. Doing so, it also violated Rule 3 clause (b) of INDRP, whereby a domain registrant declared that he would not infringe the intellectual property rights of others.



6.2 It is further clear the Respondent / registrant redacted private policy to conceal their identity. Hence, the Respondent is not commonly known by the disputed domain name in terms of the Policy. Rather, the Respondent is trying to take advantage of the Complainant's reputation, giving a false impression that the Respondent has some authorisation or connection with the Complainant in terms of a direct nexus or affiliation but the same is not true.

6.3 Once a complainant makes a prima facie case showing that a respondent lacks rights to the domain name at issue, the respondent must come forward with the proof that it has some legitimate interest in the domain name to rebut this presumption.

[a] The Respondent's Default:

6.4 As per INDRP Rules of Procedure, it require as defined under Rule 8(b) that the arbitrator must ensure that each party is given a fair opportunity to present its case. The above Rule 8(b) be read as follows:

"In all cases, the Arbitrator shall ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case."

6.5 Further the Rule 11(a) of INDRP Rules of Procedure, as it empowers the arbitrator to move on with an ex parte decision in case any party, that does not comply with the time limits or fails to reply against the complaint.

The Rule 11(a) of INDRP Rules of Procedure as defined as under:

" In the event that a Party, in the absence of exceptional circumstances as determined by the Arbitrator in its sole discretion, does not comply with any of the time periods established by these Rules of Procedure or the Arbitrator, the Arbitrator shall proceed to decide the Complaint in accordance with law."

- 6.6** The Respondent was given notice of this administrative proceeding in accordance to above the Rules. The .IN Registry discharged its responsibility under Rules paragraph 2(a) to employ reasonably available means calculated to achieve actual notice to the Respondent of the Complaint.
- 6.7** As previously indicated; the Respondent had failed to file any reply to the Complaint and has not sought to answer nor presented its assertions, evidence or contentions in any manner against complainant. The undersigned as being arbitrator opined that the Respondent has been given a fair opportunity to present his case, thus non submission of the reply by the Respondent to the Arbitrator, entail the sole arbitrator to proceed on the Complaint in accordance to its merit.
- 6.8** The Rules paragraph 12(a) provides that the Arbitrator shall decide the Complaint on the basis of the statements and documents submitted in accordance with the INDRP and any law that the Arbitrator deems fit to be applicable.

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In accordance with the Rules paragraph as per 12, the Arbitrator may draw such inferences as are appropriate from the Respondent's failure to reply to the Complainant's assertions and evidence or to otherwise contest the Complaint. In the circumstances, the Arbitrator's decision is based upon the Complainant's assertions and evidence and inferences drawn from the Respondent's failure to reply.

[b] The issues involved in the dispute:

As per the complaint herein, the Complainant in its complaint has invoked paragraph 4 of the INDRP which read as under:

"Brief of Disputes:

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

- (i) the Respondent's domain name is identical or confusingly similar to a name, trademark or service mark in which the Complainant has rights;**
- (ii) the Respondent has no rights or legitimate interests in respect of the domain name; and**
- (iii) the Respondent's domain name has been registered or is being used in bad faith.**

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6.9 The Respondent / registrant was required to submit to a mandatory Arbitration proceeding in the event of a Complainant filed by a complaint to the .IN Registry, in compliance with this Policy and Rules thereunder."

6.10 According to paragraph 4 of the INDRP, there are 3 essential elements of a domain name dispute which are being discussed hereunder in the light of the facts and circumstances of this case.

I. The Respondent's domain name is identical and confusingly similar to a name, trademark or service in which the Complainant has rights.

6.11 The mark 'MATRIX' has been highly known in both the electronic and print media; both in India and globally. According to the INDRP paragraph 3, it is the responsibility of the Respondent to find out before registration that the domain name he is going to register does not violate the rights of any proprietor/brand owner.

Paragraph 3 of the INDRP is reproduced below:

"The Respondent's Representations: By applying to register a domain name, or by asking a Registrar to maintain or renew a domain name registration, the Respondent represents and warrants that: the statements that the Respondent made in the Respondent's Application Form for Registration of Domain Name are complete and accurate;

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to the Respondent's knowledge, the registration of the domain name will not infringe upon or otherwise violate the rights of any third party; the Respondent is not registering the domain name for an unlawful purpose; and the Respondent will not knowingly use the domain name in violation of any applicable laws or regulations. It is the Respondent's responsibility to determine whether the Respondent's domain name registration infringes or violates someone else's rights."

- 6.12 The Respondent / Registrant has failed in his responsibility discussed above and in the light of the pleadings and documents filed by the Complainant, the undersigned has come to the conclusion that the domain name **<matrixproffesional.in>** is identity theft, identical with or deceptively similar to the Complainants' **< MATRIX >** mark. Accordingly, the undersigned conclude that the Complainant has satisfied the first element required by Paragraph 4 of the INDRP.

II The Respondent has no rights or legitimate interests in respect of the disputed domain name:

- 6.13 The second element that the Complainant needs to prove and as is required by paragraph 4(ii) of the INDRP is that the Respondent has no legitimate right or interests in the disputed domain name.



6.14 Moreover, the burden of proof is on a Complainant regarding this element in the domain name lies most directly within the Respondent's knowledge and once the Complainant makes a prima facie case showing that the Respondent does not have any rights or legitimate interest in the domain name, the evidentiary burden shifts to the Respondent to rebut the contention by providing evidence of its rights in the domain name.

6.15 The Respondent has failed to submit reply thus not rebutted the contentions of the Complainant and has not produced any documents or submissions to establish his interest in protecting his own right and interest in the domain name. Further, the Respondent is not commonly known by the disputed domain name and has not made any legitimate non-commercial or fair use of the disputed domain name. Thus, it is very much clear that the Respondent has no legitimate right or interest in respect of the disputed domain name *<matrixproffesional.in>*

For these reasons, the Arbitrator opines that the Respondent / Registrant have no rights or legitimate interests in the disputed domain name.

III The disputed domain name has been registered or is being used in bad faith.

6.16 It has been contended by the Complainant that the Respondent / Registrant has registered and has used the disputed domain name in bad faith and rather done a identity theft on their back.

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The language of the INDRP paragraph 4(iii) is clear enough, and requires that either bad faith registration or bad faith use be proved.

6.17 The paragraph 6 of the INDRP Rules provides that the following circumstances are deemed to be evidence that a Respondent / Registrant has registered and used a domain name in bad faith:

"Circumstances indicating that the Respondent has registered or has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of the complainant, for valuable consideration in excess of its documented out-of-pocket costs directly related to the domain name; or the Respondent 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 Respondent has engaged in a pattern of such conduct; or by using the domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its Website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation or endorsement of its Website or location or of a product or service on its Website or location."

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6.18 From the circumstances of the case and the evidences placed before me by the Complainant herein, I am of the opinion that the Respondent / Registrant had no previous connection with the disputed domain name and has clearly registered the disputed domain name in order to prevent the Complainant, who is the owner of the said trademark from reflecting the said trademark in a corresponding domain name, It is clear case identity theft.

6.19 Moreover, use of similar disputed domain name by the Respondent / Registrant would result in confusion and deception of the trade, consumers and public, who would assume a connection or association between the Complainant and the Respondent's website or other online locations of the Respondents or product / services on the Respondent's website, as disputed domain name <*matrixproffesional.in*>, is associated exclusively with the complainant, by the trade and public in India and all over the world.

6.20 Further the Respondent / Registrant has prevented the Complainant, who is the owner of the service mark '**MATRIX**' from reflecting in the domain name and also that the domain name is deceptively similar to the trademark of the Complainant and will lead to confusion with the Complainant's mark '**MATRIX**' as to the source, sponsorship, affiliation or endorsement of the Respondent's website or service. Moreover, the Respondent / Registrant has redacted private policy to conceal its actual identity details and has not been replying to the communications sent by the complainant.

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Thus, all the three conditions given in paragraph 6 of the Rules are proved in the circumstances of this case and thus the registration of the impugned domain name of the Respondent is a registered in bad faith.

7. DECISION:

- 7.1** The Respondent / Registrant has failed to comply with Para 3 of the INDRP which requires that it is the responsibility of the Respondent / Registrant to ensure before the registration of the impugned domain name by the Respondent that the domain name registration does not infringe or violate someone else's rights other than the complainant herein.
- 7.2** The Complainant has given sufficient evidence to prove trademark rights on the disputed domain name. Further; the Respondent's registration of the domain name is dishonest and malafide. The Respondent / Registrant had no previous connection with the disputed domain name and has clearly registered the disputed domain name in order to prevent the Complainant who is the owner of the said trademark from reflecting the said trademark in a corresponding domain name.
- 7.3** The Respondent / Registrant have not given any reason to register the domain name rightfully owned by the Complainant and therefore it can be presumed that the Respondent / Registrant had registered the domain name only to make monetary benefit by selling the domain name to the rightful owner or his competitor.

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[Relevant WIPO decisions:

Uniroyal Engineered Products, Inc. v. Nauga Network Services D2000-0503; Thaigem Global Marketing Limited v. Sanchai Aree D2002-0358; Consorzio del Formaggio Parmigiano Reggiano v. La casa del Latte di Bibulic Adriano D2003-06611

7.4 It is a settled proposition that the registration of a domain name incorporating a well-known trademark has been upheld to be in bad faith and this contention upheld by numerous INDRP as well as UDRP decision. Some notable cases reaffirming this proposition are INDRP decisions as in the matters of *Trivago N.V. is. Shiv Singh (INDRP/1 171)* and *WIPO decisions in Marie Claire Album v. Mari Claire Apparel, Inc., Case No D 2003 0767* another case *Verve Clicquot Ponsardin, Maison Fortdée en 1772 v. The Polygenix group Co case Adidas D 2000 0163 and Adidas-Solomon AG v. Domain Locations Case No D 2003 0489*

7.5 While the overall burden of proof rests with the Complainant, The panels have recognized that this could result in the often impossible task of proving a negative, requiring information that is often primarily within the knowledge of the Respondent. Therefore a complainant is required to make out a *prima facie* case that the Respondent lacks rights or legitimate interests. Once such *prima facie* case is made, Respondent carries the burden of demonstrating rights or legitimate interests in the domain name.

Thus it is very much clear that the Respondent / Registrant is using the

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disputed domain name in bad faith and 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.

[Relevant WIPO decisions: Croatia Airlines d.d. v. Modern Empire Internet Ltd. D2003-0455; Belupo d.d. v. WACHEM d.o.o. D2004-01101

7.6 The Respondent's registration and use of the Domain Name is abusive and in bad faith. The Respondent / Registrant has no rights or legitimate interests in respect of the domain name. In my view, the Complainant has satisfied all the three requisite conditions laid down in paragraph 4 of the INDRP policy.

7.7 It has also well-settled and has been held by various Panels deciding under UDRP and INDRP that where the disputed domain name wholly incorporates the Complainant's registered trademark, the same is sufficient to establish the first element.

MATRIX Sons Ltd v. mmt admin / Ok MATRIX byebye.com (WIPO Decision Case No. D2009-0646), F. Hoffmann-La Roche AG v. Jason Barnes, ecnopt, WIPO Case No. D2015-1305, Swarovski Aktiengesellschaft v. mei xudong, WIPO Case No. D2013-0150, Wal-Mart Stores, Inc. v. Domains by Proxy, LLC / UFCW International Union, WIPO Case No. D2013-1304

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7.8 The prior decision of a Panel 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 prior to 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 the business identifier. A domain name helps identify the subject of trade or service that entity seeks to provide to its potential customers. Further that there is strong likelihood confusion that a web browser looking for AMERICAN EAGLE products in India or elsewhere would mistake the disputed domain name as of the Complainant."

7.9 It was observed that *"it is the Registrant's responsibility to determine whether the Registrant's domain name registration infringes or violates someone else's rights"* and since the Respondent failed to discharge such responsibility, it was held that the Complainant has satisfied the first element required by Paragraph 4 of the INDRP. In the present dispute as well, the Respondent, in registering the disputed domain name, has done so in clear violation of the exclusive rights of the Complainant in the MATRIX name and mark. *In Lockheed Martin Corporation v. Aslam Nadia (INDRP/947)*



The WIPO Administrative Panel in *Veuve Clicquot Ponsardin, Maison Fondée en 1772 vs. The Polygenix Group Co., WIPO Case No.D2000-0163* has been held that registration of a domain name so obviously connected with a well-known product that its very use by someone with no connection with the product suggests opportunistic bad faith. The Respondent is also guilty of the same.

- 7.10** The Registrant / Respondent's registration and use of the Domain Name is abusive and in bad faith. The Registrant / Respondent have no rights or legitimate interests in respect of the domain name. In my view, the Complainant has satisfied all the three requisite conditions laid down in paragraph 4 of the INDRP policy.

In accordance to the INDRP defined Policy and Rules, the sole arbitrator directs that the disputed domain name *<matrixproffesional.in>* be transferred from the Registrant / Respondent to the Complainant herein with a request to NIXI to monitor the transfer of domain name in time bound manner.



SANJEEV KUMAR CHASWAL

**SOLE ARBITRATOR
INDRP ARBITRATION NIXI**

NEW DELHI DATE 6-07-2022