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INDRP ARBITRATION CASE No.1817
THE NATIONAL INTERNET EXCHANGE OF INDIA (NIXI)

ADMINISTRATIVE PANEL DECISION
SOLE ARBITRATOR: AJAY GUPTA

Britannia Industries Limited

Vs.

Ramaswamy Nathan

DISPUTED DOMAIN NAME: "britannia.in"

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SOLE ARBITRATOR: AJAY GUPTA

BRITANNIA INDUSTRIES LIMITED
Prestige Shantiniketan, Tower C
The Business Precinct
16th & 17th Floor, Whitefield Main Road
Bangalore-560048 [KARNATAKA]. ... Complainant

VERSUS

RAMASWAMY NATHAN
No 43, First Main road, Raja Annamalaipuram,
Chennai-600028 [TAMIL NADU] - India ... Respondent

Disputed Domain Name: "britannia.in"

1. The Parties

- 1.1 The Complainant Britannia Industries Limited in this arbitration proceedings is a food manufacturing company in India, and its contact address is : Prestige Shanti Niketan, Tower C, The Business Precinct, 16th & 17th Floor, Whitefield Main Road, Bangalore-560 048 (KARNAKA).
- 1.2 The Complainant's authorized representative in this administrative proceeding is Omar Waziri Address: Prestige Shanti Niketan, Tower C, The Business Precinct, 16th & 17th Floor, Whitefield Main, Road, Bangalore-560 048 (KARNATAKA).
- 1.3 The Respondent in this arbitration proceedings is Ramaswamy Nathan Address : No 43,First Main Road, Raja Annamalaipuram, Chennai-600028 (TAMIL NADU) - India. As per the details given by the WHOIS database maintained by the National Internet Exchange of India (NIXI).

2. The domain name & Registrar

- 2.1 The disputed domain name is "britannia.in" and the Registrar with which the disputed domain name is registered is 101domain, Inc.

3. Procedural History [Arbitration Proceedings]

- 3.1 This arbitration proceeding is 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] were approved by NIXI on 28th June 2005 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 under the .IN Dispute Resolution Policy and Rules framed thereunder.

3.2 The history of this proceeding is as follows :

3.2.1 In accordance with Rules 2(a) and 4(a), NIXI on 01.02.2024 formally notified the Respondent of the complaint along with a copy of the complaint & annexures, and appointed me 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 Resolution Policy and the Rules framed thereunder. That I submitted the Statement of Acceptance and Declaration of Impartiality and Independence Dated 01.02.2024 to NIXI.

3.2.2 That commencing the arbitration proceedings an Arbitration Notice Dated 01.02.2024 was emailed to the Respondent on 01.02.2024 by this panel under Rule 5(c) of INDRP Rules of Procedure with direction to file a reply of the complaint, if any, within 10 days i.e. by 10.02.2024. The Complainant complying with the directions of this tribunal dated 01.02.2024, sent the copy of complaint to the respondent via email on 02.02.2024 and hard copy of the complaint was also dispatched by complainant through courier at Respondent's postal address on 02.02.2024.

3.2.3 This panel vide its Arbitration Notice dated 01.02.2024 directed the Respondent to file the reply of complaint if any, within 10 days of the notice i.e. by 10.02.2024 but the Respondent failed to file the reply of the complaint, however this panel again in the interest of justice gave one more opportunity to the Respondent via its email dated 12.02.2024 to file the reply of the complaint by 15.02.2024.

3.2.4 The counsel of the complainant via mail dated 12.02.2024 submitted to this panel proof of delivery of the soft copy of complaint to the respondent, and

also the courier receipt and courier tracking report, and further submitted that hard copy of the complaint sent to the respondent has returned undelivered with remarks "**Consignee's Address Incomplete /Incorrect**". However, the Respondent, despite the receipt of Notice Dated 01.02.2024 , copy of the complaint and reminder dated 12.02.2024 sent via email ,neither replied to the Arbitration notice nor filed a reply of complaint; hence, on 16.02.2024 the respondent was proceeded ex parte.

The Respondent's Default

3.3 The Respondent failed to reply to the notice regarding the complaint. It is a well-established principle that 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 proof that it has some legitimate interest in the domain name to rebut this presumption. The disputed domain name in question is "britannia.in".

3.4 The INDRP Rules of Procedure require under Rule 8(b) that the arbitrator must ensure that each party is given a fair opportunity to present its case. Rule 8(b) reads 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."

3.5 The Respondent was notified of this administrative proceeding per the Rules. The .IN discharged its responsibility under Rules paragraph 2(a) to employ reasonably available means calculated to achieve actual notice to the Respondent of the complaint.

3.6 The panel finds that the Respondent has been given a fair opportunity to present his case. The Respondent was given

direction to file a reply of the Complaint if any, but the Respondent neither gave any reply to notice nor to the complaint. The INDRP 'Rules' paragraph 12 states, "In the event, any party breaches the provisions of INDRP rules and /or directions of the Arbitrator, the matter can be decided ex parte by the Arbitrator and such arbitral award shall be binding in accordance to the law." In the circumstances, the panel's decision is based upon the Complainant's assertions, evidence, inferences, and merits only as the Respondent has not replied despite sufficient time and repeated opportunities given in this regard and was proceeded ex parte.

4. Background of the Complainant & its Submissions about the trademark "britannia" and "brita", its statutory and common law rights Adoption, Domain Names and website :

- 4.1 The Complainant submits that the Complainant '**BRITANNIA INDUSTRIES LIMITED**' is a leading food company in India with a 100 year legacy and with presence in more than 60 countries across the globe. The Complainant has been serving food and beverage products since 1918 and its products are available across the country and the world in close to 5 million retail outlets and reach over to more than half the Indian population. The Complainant's name, earlier known as Britannia Biscuit Company, was changed to the current 'Britannia Industries Limited' in 1979. The Complainant further submits that by virtue of such long, continuous and uninterrupted use for several decades, excellent quality, voluminous sales, extensive promotion and distinctive packaging, the products being manufactured under the House Mark '**BRITANNIA**' have acquired distinctiveness and are associated solely with the Complainant.

Trademarks of the Complainant

- 4.2 The Complainant has submitted the list of trademarks registered by it, and has also filed the Copies of the

relevant registration certificates & E-register details of the Complainant's Trademark Rights. The complainant, based on the trademark registrations in India and various countries abroad of the said trademark and based on the use of the said trademarks in India and various abroad countries for many years, submitted that it is the sole proprietor of and has sole and exclusive rights to use, the said trademarks, which includes the trademark 'Britannia' and 'Brita'.

5. The Complainant's domain name & website

5.1 The Complainant submits that the Complainant and its subsidiaries worldwide have registered and operate globally a number of websites using its trademark 'Britannia' including the domain names 'www.britannia.co.in', 'www.britindia.com', 'www.britindia.in' 'www.britannia-world.com' and www.britanniamystartup.com etc. It is further submitted by the Complainant that it has been using the domain name 'www.britannia.co.in' at least since 28.04.2003 and is also the official email server suffix of the Complainant.

6. Well-known adjudication of Complainant's Britannia and Brita marks.

6.1 The Complainant submits that it has also been granted a favourable award in INDRP Case No.1731 - Domain Dispute Complaint relating to the domain name - "Britannia.ind.in" passed on 19.08.2023 by the Learned Sole Arbitrator, wherein the Learned Sole Arbitrator found the Complainant Britannia Industries Limited successful and directed the transfer of the disputed domain to Britannia Industries Limited.

7. The issues involved in the dispute

7.1 The Complainant in its complaint has invoked paragraph 4 of the INDRP, which reads :

“Types 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 :-”

- 7.2 The disputed domain name is identical or confusing similar to a trademark in which the Complainant has statutory/ common law rights.
- 7.3 Respondent has no rights or legitimate interests in respect of the disputed domain name.
- 7.4 The disputed domain name has been registered or is/is being used in bad faith.
- 7.5 The above-mentioned 3 essential elements of a domain name dispute are being discussed hereunder in light of the facts and circumstances of this complaint.

8. Parties Contentions

- 8.1 The Disputed Domain Name is identical or confusingly similar to a name, trademark or service mark in which the Complainant has rights.**

Complainant

- 8.2 The Complainant submits that the disputed domain britannia.in registered by the Respondent, is identical to the Complainant’s registered domain names ‘www.britannia.co.in’. The Complainant further submits that the Complainant and its subsidiaries worldwide have registered and operate globally a number of websites using its trademark ‘Britannia’ with top level and second level domain names such as :

- www.britindia.in
- www.britannia.co.in
- www.britanniamystartup.com
- www.britindia.com

- 8.3 The Complainant submits that irrespective of the inclusion of the country code top-level domain (ccTLD), the fact that the disputed domain comprises the Complainant's trademark 'Britannia' and 'Brita' in their entirety, has the potential to cause consumer confusion. The Complainant is a well-known entity and consumers are aware and well versed with its trademarks. The Complainant further submits that Consumer recall behind the Complainant's trademarks is such that if any person comes across the disputed domain, they will automatically associate the same with the Complainant only and none other.
- 8.4 The Complainant in its submission has relied upon the case of *Nike Inc. v. Nike Innovative CV Zhaxia* (Case No. INDRP/804); *Metropolitan Trading Company v. Chandan Chandan* (Case No. INDRP/811); *Lego Juris A/s v. Robert Martin* (Case No. INDRP/125), where it was held that if a disputed domain name completely incorporates the trade mark/service mark of the Complainant, then the mere addition of domain codes such as ".in" and/or ".co.in" will not distinguish the Respondent's disputed domain name.
- 8.5 The Complainant submits that in several UDRP decisions as well, various panels have found that the fact that a domain name wholly incorporates a Complainant's registered trademark is sufficient to establish identity or confusing similarity for the purpose of the Policy. The Complainant has relied upon *Oki Data Americas, Inc. v. the ASD, Inc.* (WIPO Case No. D2001-0903), *Go Daddy.com, Inc. v. Shoneye's Enterprise* (WIPO Case No. D2007-1090), *Qalo, LLC v. Chen Jinjun and Magnum* (WIPO Case No. D2018-2215) *Piering Inc v. The Mudjackers* (WIPO Case No. D2000-1525).
- 8.6 The Complainant submits that the Sole Arbitrator appointed in the matter of , in relation to the domain *googlee.in*, held that the act of registering a domain name similar to or

identical with or famous trade mark is an act of unfair competition whereby the domain name registrant takes unfair advantage of the fame of the trademark to either increase traffic to the domain, or to seize a potential asset of the trademark owner in the hope that the trademark owner will pay the requirement to relinquish the domain name. The Complainant submits that as such, the same principle is applicable here as well, since the disputed domain incorporates the trademark 'Brita' and is identical to the trademark 'Britannia' of the Complainant.

RESPONDENT

8.7 The Respondent has not replied to Complainant's contentions.

PANEL OBSERVATIONS

8.8 This panel observes that the Complainant has common law as well as statutory rights in its trade marks "**britannia**" and "**brita**". It is also observed by this panel, that the Complainant has successfully secured registrations for its britannia and brita marks in India. The Complainant has proved that it has trademark rights and other rights in the mark "**britannia**" by submitting substantial documents in support of it.

8.9 It is further observed by this panel that the trademark "**britannia**" in the Disputed Domain Name "**britannia.in**" comprises the Complainant's trademarks in its entirety has the potential to cause consumer confusion and will cause the user to mistakenly believe that it originates from, is associated with or is sponsored by the Complainant. It is further observed by this panel that suffix "**in**" is not sufficient to escape the finding that the domain is confusingly similar to Complainant's trademark.

8.10 This panel, therefore, is of opinion that the disputed domain name "**britannia.in**" being identical/confusingly

similar to the trademark of Complainant will mislead the public and will cause an unfair advantage to the Respondent. The Panel is of the view that there is a likelihood of confusion between the disputed domain name and the Complainant, its trademark, and the domain names associated. The disputed domain name registered by the Respondent is identical and confusingly similar to the trademark "britannia" of the Complainant.

9. The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

Complainant

9.1 The Complainant submits that under Paragraph 7 of the .IN Domain Dispute Resolution Policy (INDRP), any of the following circumstances, if found by the Panel, may demonstrate a Respondent's rights or legitimate interests in a disputed domain name :

- Before any notice to it of the dispute, the Respondent'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; or
- The Respondent has been commonly known by the domain name, even if it has acquired no trademark or service mark rights; or
- The Respondent is making a legitimate non-commercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue."

9.2 The Complainant submits that it has never assigned, granted, licensed, sold, transferred or in any way authorized the respondent to use as a part of their trade

name, as a part of an email server or register domain names comprising its trademarks. The Complainant further submits that as already held by 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 submits that in the present case, the Respondent is not commonly known by the disputed domain.

9.3 The Complainant submits that it has not authorized or licensed the Respondent to use any of its trademarks in any way, and such unlicensed, unauthorized use of the disputed domain incorporating the Complainant's trademarks is strong evidence that Respondent has no rights or legitimate interest in the disputed domain name.

9.4 The Complainant submits that in the words of the Sole Arbitrator in Kraft Foods Global Brands, LLC v. Jet Stream Enterprises Limited, Jet Stream (Case No. D2009-0547) held that "...while the overall burden of proof rests with Complainant, 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. If the Respondent fails to do so, a Complainant is deemed to have satisfied paragraph 4(a)(ii) of the UDRP. The Complainant in this regard has also relied upon the case of Croatia Airlines d.d. v. Modern Empire Internet Ltd., WIPO Case No. D2003-0455; Belupo d.d. v. WACHEM d.o.o., WIPO Case No. D2004-0110." It is submitted by the complainant that the said threshold has been satisfied in the present instance.

9.5 The Complainant submits that the Respondent is not using the disputed domain for bonafide offering of services and not making legitimate, non-commercial and fair use of the Complainant's trademark as per the policy.

10. Respondent

10.1 The Respondent has not replied to Complainant's contentions.

11. Panel Observations

11.1 This Panel holds that the second element that the Complainant needs to prove and as is required by paragraph 4(b) of the INDRP is that the Respondent has no legitimate right or interests in the disputed domain name.

11.2 This panel observes that the Complainant by placing documents/records and evidence in the form of annexures along with the complaint has been able to prove that the Complainant is doing its business under the marks 'britannia' and "brita". The Complainant by virtue of its priority in adoption, goodwill, and long, continuous and extensive use of the mark, the Complainant has acquired the exclusive right to the use of the 'britannia' and "brita" marks in respect of its business, products and services.

11.3 It is observed by this panel that respondent has failed to rebut the allegations of the complainant that that it has never assigned, granted, licensed, sold, transferred or in any way authorized the respondent to use as a part of their trade name, as a part of an email server or register domain names comprising its trademarks, and the Respondent is not commonly known by the disputed domain.

11.4 It is observed by this panel that Respondent has failed to rebut the allegations of the complainant that ,it has not authorized or licensed the Respondent to use any of its trademarks in any way, and such unlicensed, unauthorized

use of the disputed domain incorporating the Complainant's trademarks is strong evidence that Respondent has no rights or legitimate interest in the disputed domain name.

- 11.5 It is observed by this panel that Respondent has failed to rebut the allegations of the complainant that Respondent is not using the disputed domain for bonafide offering of services and not making legitimate, non-commercial and fair use of the Complainant's trademark as per the policy.
- 11.6 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 burden to give evidence shifts to the Respondent to rebut the contention by providing evidence of its rights or interests in the domain name. The Respondent has failed to place any evidence to rebut the allegations of the Complainant.
- 11.7 It is further observed by this panel that Para 6 of the IN Domain Name Dispute Resolution Policy (INDRP) states :

"Any of the following circumstances, in particular but without limitation, if found by the Arbitrator to be proved based on its evaluation of all evidence presented, shall demonstrate the Registrant's rights to or legitimate interests in the domain name for Clause 4 (b) :

- (a) *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; (b) the Registrant (as an individual, business, or other organization) has been commonly known by the domain name, even if the Registrant has acquired no trademark or service mark rights; or (c) the Registrant is making a legitimate non-commercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue."*

11.8 This panel observe that the respondent also failed to full fill any of the requirements as mentioned in para 6 of INDRP Policy which demonstrates the Registrant's rights to or legitimate interests in the domain name for Clause 4 (b):

"This Panel holds that the Complainant has proved that the Respondent does not have any rights or legitimate interests in the disputed domain name "britannia.in".

12. The Registrant's domain name has been registered or is being used in bad faith

Complainant

12.1 The Complainant submits that the Respondent's bad faith is established by the fact that the Respondent has misused the disputed domain name since registering it on '101domain, Inc.'. Thereafter, once the complainant gave notice of the fact that the use by the Respondent is infringing, the Respondent removed all content from their website, however, continued to passively hold the disputed domain. The Complainant further submits that given the distinctiveness and reputation of Complainant's rademarks 'Britannia' and 'Brita', the only conclusion that can be drawn is that the Respondent registered the domain name in bad faith and held it for profit until the Complainant brought to their notice that they are aware of the misuse and that such act is in Bad Faith. That Complainant submits that despite taking initial steps, the Respondent proceeded to renew the domain which further establishes their continuing bad faith to profit from the domain in the near future. The Complainant has placed reliance on HSBC Holdings PLC Vs. Hooman Esmail Zadeh [INDRP Case No. 032] where it was held that non-use and passive holding of a domain are also evidence of bad faith registration.

12.2 The Complainant submits that several UDRP panels have consistently found that it ought to be presumed that the

Respondent had constructive notice of the Complainant's trademark and its goods and services if it is shown by the complainant to be well known or in wide use on the Internet or otherwise. Such knowledge of the Respondent is an indicator of bad faith on its part in having registered the disputed domain name. The Complainant has relied on Research In Motion Limited v. Privacy Locked LLC/Nat Collicot, WIPO Case No. D2009-0320 and The Gap, Inc. v. Deng Youqian, WIPO Case No. D2009-0113.

- 12.3 The Complainant on the basis of the above submissions submits that the Respondent has registered and is using the disputed domain name in bad faith.

Respondent

- 12.4 The Respondent has not replied to Complainant's contentions.

Panel Observation

- 12.5 This panel while going through the complaint and documents which are placed in the form of annexures has observed that the Complainant has statutory and common law rights in the marks 'britannia' and 'brita' and is also using the marks "britannia" on the internet, in other domain names, and as a trading name prior to registration of disputed domain name.
- 12.6 This panel observe that given the distinctiveness and reputation of Complainant's trademarks '**Britannia**' and '**Brita**', the Respondent had constructive notice of the Complainant's business, products and services, its wide use on the Internet or otherwise. The Respondent's knowledge in this regard is an indicator of bad faith on its part in having registered the disputed domain name "britannia.in". It is further observed by this panel that it is impossible to conceive that the Respondent could have registered the disputed domain name in good faith or without knowledge of the Complainant's rights in the mark 'britannia'.

12.7 According to Paragraph 7 of the INDRP the following circumstances are deemed to be evidence that Respondent has registered and used a domain name in bad faith :

- “(a) *Circumstances indicating that the Respondent has registered or has acquired the domain name primarily for 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 over the Registrar’s documented out of pocket costs directly related to the domain name; or*
- (b) *the Respondent has registered the domain name 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*
- (c) *by using the domain name, the Respondent has intentionally attempted to attract internet users to its website or other online 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 a product or services on its website or location.”*

12.8 The Complainant has rightly established that the Respondent has registered the disputed domain name in bad faith, and there is evidence that points to the existence of circumstances as mentioned in clause 7(c) of the INDRP Policy. The Respondent’s domain name registration meets the bad faith elements outlined in para 4 (c) of the INDRP Policy. Therefore, the Panel concludes that the registration by Respondent is in bad faith and has been done with intention to attract internet users to earn monetary benefit. Consequently, it is established that the disputed domain name was registered in bad faith or used in bad faith and the Respondent has wrongfully acquired/ registered the domain name “britannia.in” its favor in bad faith.

13. Remedies Requested

13.1 The Complainant has prayed to this Administrative Panel for transferring the domain name 'britannia.in' to the Complainant; and imposition of cost on the Respondent.

14. Decision

14.1 The following circumstances are material to the issue in the present case :

14.1.1 Through its contentions based on documents/ records and evidence, the Complainant has been able to establish that the mark "britannia" is a well-established name in India and other countries. The Complainant has established that the trademarks britannia and brita, are popularly known exclusively concerning the Complainant. The Complainant has also established that the "britannia" and "brita" are inherently distinctive of the products and business of the Complainant and has secured trademark protection by registering trademarks.

14.1.2 The Respondent despite giving the sufficient opportunity, however, has failed to provide any evidence that it has any rights or legitimate interests in respect of the domain name, and the Respondent is related in any way to the Complainant. The Respondent has provided no evidence whatsoever of any actual or contemplated good faith use of the Disputed Domain Name.

14.1.3 The Complainant has rather has been able to establish by its contentions and records in the form of annexures, that the Respondent has attempted to attract Internet users for profit which is evidence of bad faith. It is therefore established by the Complainant that the domain name by itself is being used for

attracting internet users for monetary benefits rather than any bona fide offering of goods/services thereunder. The evidence of bad faith is also established by the fact that despite the notice by the Complainant, the Respondent not only continued to hold the disputed domain name but also renewed it, which is proof of passive holding. This panel while considering the complaint and records in the form of Annexures submitted by the complainant, has concluded that there exist circumstances as stated in para 7(C) of INDRP Policy.

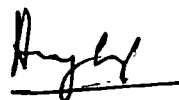
- 14.1.4 Taking into account the nature of the disputed domain name and in particular, use of Complainant's mark "britannia" in its entirety, which is confusingly similar, would inevitably associate the disputed domain name closely with the Complainant's group of domains in the minds of consumers, all plausible actual or contemplated active use of disputed Domain Name by the Respondent is and would be illegitimate.
- 14.2 The Respondent also failed to comply with Para 3 of the INDRP, which requires that it is the responsibility of the Respondent to ensure before the registration of the impugned domain name by him that the domain name registration does not infringe or violate someone else's rights. The Respondent should have exercised reasonable efforts to ensure there was no encroachment on any third-party rights.
- 14.3 This panel is of the view that it is for the Complainant to make out a prima facie case that the Respondent lacks rights or legitimate interests. Once such a prima facie case is made, the Respondent carries the burden of demonstrating rights or legitimate interests in the domain name but the Respondent has miserably failed to do that. The Respondent's registration and use of the domain name

[britannia.in] are in bad faith. The Respondent has no rights or legitimate interests in respect of the domain name and also the domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

RELIEF

Following INDRP Policy and Rules, this Panel directs that the disputed domain name [britannia.in] be transferred from the Respondent to the Complainant; with a request to NIXI to monitor the transfer.

New Delhi, India
Dated: February 17, 2024


AJAY GUPTA
Sole Arbitrator