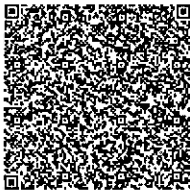


Government of National Capital Territory of Delhi

Certificate No.	: IN-DL93379526696469Y
Certificate Issued Date	: 07-Sep-2026 03:59 PM
Account Reference,	: IMPACC (IV)/ dl818003/ DELHI/ DL-STD
Unique Doc. Reference	: SUBIN-DL81800386713774414302Y
Purchased by	: PRASHANT KUMAR
Description of Document	: Article 12 Award
Property Description	: Not Applicable
Consideration Price (Rs.)	: 0 (Zero)
First Party	: PRASHANT KUMAR
Second Party	: Not Applicable
Stamp Duty Paid By	: PRASHANT KUMAR
Stamp Duty Amount(Rs.)	: 100 (One Hundred only)



FINAL AWARD

1. The authenticity of this Stamp certificate should be verified at 'www.shcilestamp.com' or using e-Stamp Mobile App of Stock Holding Company of India. Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
2. The onus of checking the legitimacy is on the users of the certificate.
3. In case of any discrepancy please inform the Competent Authority.

**BEFORE THE .IN REGISTRY OF INDIA
NATIONAL INTERNET EXCHANGE OF INDIA (NIXI)**

INDRP CASE NO. 2149

**IN THE MATTER OF AN ARBITRATION UNDER THE .IN DOMAIN NAME
DISPUTE RESOLUTION POLICY; THE INDRP RULES OF PROCEDURE AND
THE ARBITRATION AND CONCILIATION ACT, 1996**

IN THE MATTER OF:

ATOZ PHARMACEUTICALS AND LABORATORY PRIVATE LIMITED

Plot A-93, KH. 684/1, Gold Coast Colony,

Rohta Road, Meerut - 250001,

Uttar Pradesh, India

...Complainant

Versus

POOJA HADAWALE (A TO Z PHARMA)

Flat 1008, Destination Elprogreso, Borhadewadi,

Near Golds Gym, Pune - 412105,

Maharashtra, India

...Respondent

A DISPUTE RELATING TO THE DOMAIN NAME <ATOZPHARMA.CO.IN>

FINAL AWARD

Dated: September 07, 2026

Place: New Delhi



**PRASHANT KUMAR
SOLE ARBITRATOR**

TABLE OF CONTENTS

S.NO.	PARTICULARS	PAGE NO.
I.	PARTIES TO THE ARBITRATION	3
II.	APPLICABLE LAW AND JURISDICTION	3
III.	PROCEDURAL HISTORY	4
IV.	COMPLAINANT'S CONTENTIONS	6
V.	RESPONDENT'S CONTENTIONS	9
VI.	DISCUSSION AND FINDINGS	9
VII	DISPOSITIONS	13

I. PARTIES TO THE ARBITRATION

1. The Complainant is AtoZ Pharmaceuticals and Laboratory Private Limited, a private limited company incorporated under the Companies Act, 2013, bearing CIN No. U24290UP2022PTC173852, having its registered office at Plot A-93, KH. 684/1, Gold Coast Colony, Rohta Road, Meerut - 250001, Uttar Pradesh, India, represented by its authorised representative Mr. Haridutt Kr. Mishra, Partner, AARYAVARTT Advocates & IP Attorneys, 1019, Tower A, iTum, Sector 62, Noida-201301, Uttar Pradesh, India, pursuant to a notarised Power of Attorney executed in July 2026 and a Board Resolution dated June 25, 2026, authorising Mr. Gautam Kumar Biswas, Managing Director, to institute and prosecute the present proceedings on behalf of the Complainant.
2. The Respondent is Pooja Hadawale, trading as A to Z Pharma, based at Flat 1008, Destination Elprogreso, Borhadewadi, Near Golds Gym, Pune - 412105, Maharashtra, India, with the email address hadawalepooja36@gmail.com and telephone number +91-9511244342, as disclosed in the WHOIS record furnished by the .IN Registry. The Respondent is the registrant of the disputed domain name <atozpharma.co.in>.

II. APPLICABLE LAW AND JURISDICTION

The .IN Domain Name Dispute Resolution Policy

3. The present arbitration proceeding is under and in accordance with the .IN Domain Name Dispute Resolution Policy ("**the Policy**") which was adopted by the National Internet Exchange of India ("**NIXI**") and sets out the legal framework for resolution of disputes between a domain name registrant and a Complainant arising out of the registration and use of an .IN Domain Name. By registering the domain name <atozpharma.co.in> with the NIXI accredited Registrar, GoDaddy, the Respondent has agreed to the resolution of disputes under the .IN Dispute Resolution Policy and Rules framed thereunder. The Policy and the INDRP Rules of Procedure ("**the Rules**") were approved by NIXI in accordance with the Arbitration and Conciliation Act, 1996.

Filing of the Complaint and the Constitution of the Arbitral Tribunal

4. The Complaint was filed by the Complainant under the .IN Domain Name Dispute Resolution Policy ("**INDRP**"), being INDRP Case No. 2149, against the Respondent, seeking the transfer of the disputed domain name <atozpharma.co.in> to the Complainant. Following which, the .IN Registry sought the consent of Mr. Prashant Kumar (the undersigned), a listed .IN Dispute Resolution Arbitrator, to act as Arbitrator in the present matter.
5. By his Statement of Acceptance and Declaration of Impartiality and Independence dated July 06, 2026, Mr. Prashant Kumar accepted appointment as Sole Arbitrator under Rule 5(b) of the Rules in respect of the Complaint filed by AtoZ Pharmaceuticals and Laboratory Private Limited against Pooja Hadawale (A to Z Pharma), the Respondent, regarding the disputed domain name <atozpharma.co.in>.
6. Thereafter, on July 20, 2026, the Arbitral Tribunal issued the Notice of Arbitration to the Respondent under Rule 5(c) of the Rules.
7. The Arbitral Tribunal has therefore been constituted properly and in accordance with the Arbitration and Conciliation Act, 1996, the INDRP Policy and the Rules as amended from time to time. No party has objected to the constitution and jurisdiction of the Arbitral Tribunal or to the arbitrability of the dispute.

III. PROCEDURAL HISTORY

8. The Sole Arbitrator, Mr. Prashant Kumar, was appointed by NIXI vide email dated July 06, 2026, in respect of the Complaint filed by AtoZ Pharmaceuticals and Laboratory Private Limited concerning the disputed domain name <atozpharma.co.in>.
9. By Notice dated July 20, 2026, issued under Rule 5(c) of the Rules, the Arbitral Tribunal directed the Respondent to file a reply within seven (7) days, i.e., on or before July 27, 2026, failing which the Complaint would be decided on merits. Pursuant to Rule 3(d) of the Rules, the Complainant was directed to serve copies of the Complaint

along with all supporting documents upon the Respondent, both electronically and physically, within seven (7) days and to furnish proof of such service and delivery.

10. The Complainant duly served the Complaint and annexures upon the Respondent by email on July 22, 2026, and thereafter by courier through Bluedart (Waybill No. 17636305643), which was delivered to the Respondent at Moshi, Pune on July 24, 2026, at 15:20 hours, as recorded in the tracking details of the courier and the Complainant's counsel's confirmation email dated July 25, 2026.
11. By Procedural Order No. 2 (Case Management Directions) dated August 08, 2026, the Arbitral Tribunal recorded that no reply or communication had been received from the Respondent, despite due service and despite the Respondent's receipt, through NIXI, of soft copies of the Complaint and the complete set of supporting documents on July 06, 2026. In view of the Respondent's failure to file any Statement of Defence despite due service, the Arbitral Tribunal, by the said Procedural Order No. 2, directed that the proceedings shall continue ex parte against the Respondent, based on the pleadings and evidence on record filed by the Complainant, and that the Tribunal would proceed to consider the Complaint for the purpose of passing a suitable Award. The parties were informed that the matter stood reserved for Award.
12. The WHOIS record for the disputed domain name furnished by NIXI disclosed the Respondent's full contact details, namely Pooja Hadawale, A to Z Pharma, Flat 1008, Destination Elprogreso, Borhadewadi, Near Golds Gym, Pune - 412105, Maharashtra, India, email address hadawalepooja36@gmail.com, and telephone number +91-9511244342. The disputed domain name was created on January 22, 2026, and is registered with GoDaddy.
13. No reply, Statement of Defence, or other communication has been received from the Respondent at any stage of these proceedings, notwithstanding due service of the Complaint and annexures and due notice of these proceedings. Accordingly, in accordance with Rule 17 of the Rules, the Arbitral Tribunal proceeds to decide the Complaint ex parte on the basis of the pleadings and evidence placed on record by the Complainant.

IV. COMPLAINANT'S CONTENTIONS

14. The Complainant is a reputed pharmaceutical enterprise engaged in the manufacture, marketing and sale of pharmaceutical and allied products, and has continuously and extensively used the trade name and mark "A TO Z PHARMACEUTICALS" and its variants since the year 2016, thereby acquiring substantial goodwill, reputation and distinctiveness in the pharmaceutical trade and amongst consumers. The Complainant has been present online through its website <atozpharma.in> since November 02, 2021.
15. The Complainant is the applicant of, inter alia, the following trade mark applications: (a) "ATOZ PHARMACEUTICALS AND LABORATORY PRIVATE LIMITED", Application No. 7399463 in Class 5, filed December 15, 2025, claiming user since November 23, 2022; (b) "ATOZ DR. GAUTAM BISWAS" (device), Application No. 6663019 in Class 5; and (c) "A TO Z DR. GAUTAM BISWAS" (device), Application No. 6242348 in Class 35, claiming user since September 29, 2016. The Complainant has also placed on record sale invoices evidencing use of the mark "A TO Z PHARMACEUTICALS" since August 2016, and its Certificate of Incorporation dated November 23, 2022.
16. With respect to the disputed domain name <atozpharma.co.in>, the Complainant submits that the said domain name was registered on January 22, 2026, several years after the Complainant had established its business, trade name and online presence, and wholly incorporates the dominant and distinctive element "ATOZ PHARMA" of the Complainant's trade name, trade mark and domain name <atozpharma.in>, differing only by the domain extension "co.in".
17. The Complainant has advanced the following legal grounds to support its case:
 - A. Identical or Confusingly Similar Domain Name
 - i. the disputed domain name incorporates the dominant and distinctive element "ATOZ PHARMA" of the Complainant's trade name, trademark and domain name <atozpharma.in> in its entirety;

- ii. the disputed domain name differs from the Complainant's own domain name only by the addition of the extension "co.in" in place of "in", which does not prevent a finding of confusing similarity; and
- iii. an ordinary internet user encountering the disputed domain name is likely to assume that it is owned, operated, sponsored, affiliated with, or otherwise connected to the Complainant, creating a clear likelihood of confusion and deception.

Therefore, as per the Complainant, the disputed domain name is identical and/or confusingly similar to the trade name, trademark and domain name in which the Complainant has established proprietary, statutory and common law rights.

B. No Rights or Legitimate Interests of Respondent

- i. the Complainant has never licensed, authorised, permitted or otherwise consented to the Respondent's use of the mark "A TO Z PHARMACEUTICALS", "ATOZ PHARMA", or any deceptively similar variation thereof;
- ii. the Respondent is not affiliated with, connected to, or associated with the Complainant in any manner whatsoever, and possesses no trademark registration, proprietary right, or other legitimate entitlement in respect of the disputed domain name;
- iii. the Respondent's adoption of the disputed domain name cannot be regarded as bona fide, as it wholly incorporates the dominant and distinctive element of the Complainant's domain name, trade name and business identity, without any demonstrated legitimate interest or bona fide offering of goods or services thereunder; and
- iv. the Respondent is not making any legitimate non-commercial or fair use of the disputed domain name; on the contrary, its use is likely to mislead internet users

into believing that the disputed domain name is associated with, sponsored by, or affiliated with the Complainant.

Thus, as per the Complainant, the Respondent lacks any right or legitimate interest in the disputed domain name.

C. Bad Faith Registration and Use

- i. the Complainant has continuously used the mark "A TO Z PHARMACEUTICALS" and its variants since 2016 and has been the proprietor of the domain name <atozpharma.in> since November 02, 2021, several years prior to the registration of the disputed domain name on January 22, 2026;
 - ii. in view of the Complainant's prior use and operation of its website, the Respondent was aware of the Complainant's rights while adopting the disputed domain name, and such adoption was neither coincidental nor bona fide, but clearly intended to capitalise upon the Complainant's goodwill and reputation;
 - iii. the likelihood of confusion is particularly grave as the parties operate in the pharmaceutical sector, and consumers intending to purchase Ayurvedic or pharmaceutical products from the Complainant may be diverted to the Respondent's website and unknowingly purchase the Respondent's products under the mistaken belief that they originate from or are associated with the Complainant, with the potential to adversely affect consumer health and safety; and
 - iv. the Respondent has intentionally attempted to attract internet users for commercial gain by creating confusion with the Complainant's trade name, trademark and domain name.
18. Therefore, as per the Complainant, the Complaint rests on the three elements under Paragraph 4 of the INDRP Policy, namely that the disputed domain name is confusingly similar to a trademark or trade name in which the Complainant has rights, that the

Respondent has no rights or legitimate interests in the disputed domain name, and that the disputed domain name was registered and is being used in bad faith.

19. The Complainant has accordingly prayed that a suitable award be passed directing transfer of the disputed domain name <atozpharma.co.in> to the Complainant.

V. RESPONDENT'S CONTENTIONS

20. Despite due service of the Complaint and annexures, and due notice of these proceedings, the Respondent has not filed any Statement of Defence or made any communication with the Arbitral Tribunal at any stage. Accordingly, by Procedural Order No. 2 dated August 08, 2026, the Arbitral Tribunal directed that the proceedings shall continue ex parte against the Respondent, based on the pleadings and evidence of the Complainant.
21. The Hon'ble Supreme Court of India in *Sudha Agrawal vs. Xth Additional District Judge and Others, (1996) 6 SCC 332*, held that even in an uncontested matter the petitioner's case must stand on its own legs and cannot derive any advantage from the absence of the defendant. Accordingly, notwithstanding the Respondent's default, the Complainant must still establish each of the three essential elements contained in Paragraph 4 of the Policy.

VI. DISCUSSION AND FINDINGS

22. A Complainant who alleges that a disputed domain name conflicts with its legitimate rights or interests must establish the following three elements required by Paragraph 4 of the INDRP Policy, namely:
 - a. the Respondent's domain name is identical and/or confusingly similar to the trademark or service mark in which the Complainant has rights;
 - b. the Respondent has no rights or legitimate interests in respect of the domain name; and
 - c. the Respondent's domain name has been registered or is being used in bad faith.

23. Accordingly, the Arbitral Tribunal shall deal with each of the three elements as under:
- A. Whether the disputed domain name <atozpharma.co.in> is identical and/or confusingly similar to the trade mark or trade name of the Complainant?
24. The Complainant has placed on record evidence of continuous use of the trade name and mark "A TO Z PHARMACEUTICALS" since 2016, including sale invoices dating from August 2016, and of its trademark applications, namely Application No. 7399463 (word mark, filed December 15, 2025), Application No. 6663019 (device mark) and Application No. 6242348 (device mark, claiming user since September 29, 2016). The Tribunal notes that these are pending trademark applications rather than registered trademarks; the Complainant's rights for the purposes of Paragraph 4(a) of the Policy accordingly rest on common law rights arising from its continuous and extensive prior use and its ownership of the domain name <atozpharma.in>, which it has held and operated since November 02, 2021, rather than on a registered trade mark.
25. The disputed domain name <atozpharma.co.in> wholly incorporates the dominant and distinctive element "ATOZ PHARMA" of the Complainant's trade name and its own domain name <atozpharma.in>, differing only by the substitution of the extension "co.in" for "in". It is a well-established principle that the addition or substitution of a generic or country-code extension does not prevent a finding of confusing similarity where the dominant textual element of a prior mark or domain name remains recognisable and is reproduced in its entirety.
26. In view of the above, the Arbitral Tribunal finds that the disputed domain name <atozpharma.co.in> is confusingly similar to the Complainant's prior adopted, used and domain name <atozpharma.in> and to the trade name "A TO Z PHARMACEUTICALS"/"ATOZ PHARMA" in which the Complainant has established common law rights through continuous prior use. Accordingly, the requirement of the first element under Paragraph 4(a) of the INDRP Policy is satisfied.
- B. Whether the Respondent has no rights or legitimate interests in respect of the disputed domain name?

27. To satisfy Paragraph 4(b) of the INDRP Policy, the Complainant must show that the Respondent has no rights or legitimate interests in the disputed domain name under Paragraph 6 of the Policy. The Complainant has made out a prima facie case of lack of rights or legitimate interests, the burden of rebuttal of which falls upon the Respondent.
28. The Respondent is not affiliated with the Complainant in any manner and has never been authorised, licensed or otherwise permitted by the Complainant to use its trade name or trademark "A TO Z PHARMACEUTICALS"/"ATOZ PHARMA", or to register any domain name incorporating the same. There is no evidence that the Respondent has been commonly known by the disputed domain name other than through its adoption of a trading style, "A to Z Pharma", that mirrors the Complainant's own trade name; the Respondent's registrant identity, Pooja Hadawale, bears no resemblance to the disputed domain name.
29. There is no evidence on record that the Respondent is using, or has made demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, nor that the Respondent is commonly known by the disputed domain name, nor that the Respondent is making a legitimate non-commercial or fair use of the disputed domain name. On the contrary, given that the disputed domain name wholly incorporates the dominant and distinctive element of the Complainant's trade name and domain name, its adoption in the pharmaceutical trade is inherently likely to mislead internet users, including consumers seeking pharmaceutical and Ayurvedic products, into believing that the disputed domain name is associated with, sponsored by, or affiliated with the Complainant.
30. The Complainant's trade name "A TO Z PHARMACEUTICALS" predates the registration of the disputed domain name <atozpharma.co.in> by nearly a decade. Given the Complainant's established presence in the pharmaceutical trade under this trade name, and its own domain name <atozpharma.in> in continuous operation since 2021, the Respondent cannot conceivably have any legitimate reason to adopt an almost identical domain name without authorisation from the Complainant.
31. Accordingly, this Arbitral Tribunal finds that the Complainant has established a prima facie case, which stands unrebutted in the absence of any response from the

Respondent, that the Respondent has no rights or legitimate interests in respect of the disputed domain name <atozpharma.co.in>. The requirement of the second element under Paragraph 4(b) of the INDRP Policy is satisfied.

C. Whether the disputed domain name was registered or is being used in bad faith?

32. The Complainant's trade name "A TO Z PHARMACEUTICALS" has been in continuous and extensive use in the pharmaceutical trade since 2016, and the Complainant has operated its own domain name <atozpharma.in> since November 02, 2021. Given the Complainant's established presence in the same trade and region, and the near-identical reproduction of the Complainant's domain name in the disputed domain name, it is inconceivable that the Respondent was unaware of the Complainant's rights when registering the disputed domain name on January 22, 2026.
33. In addition, the following circumstances establish bad faith on the part of the Respondent:
 - i. the Respondent registered the disputed domain name without any authorisation, licence or other right from the Complainant, incorporating the dominant and distinctive element of the Complainant's trade name and domain name in its entirety;
 - ii. the disputed domain name differs from the Complainant's own domain name <atozpharma.in> only by the extension "co.in", a distinction that is neither coincidental nor bona fide, and is indicative of an intention to capitalise upon and trade off the Complainant's goodwill and reputation;
 - iii. the likelihood of confusion arising from the Respondent's registration is particularly acute given that both parties operate in the pharmaceutical trade, exposing consumers to the risk of purchasing the Respondent's products under the mistaken belief that they originate from or are associated with the Complainant, with attendant risks to consumer health and safety; and
 - iv. the Respondent has, despite due service of the Complaint and due notice of these proceedings, failed to respond or participate in these proceedings in any manner, which is further evidence of bad faith.

34. It is apparent that the Respondent's actions are intended to: (a) unlawfully capitalise on and ride upon the goodwill of the Complainant's trade name and domain name; (b) deceive and mislead unwary internet users, including consumers of pharmaceutical products, into believing that the disputed domain name and any associated website are connected to, sponsored by, or affiliated with the Complainant; and (c) make unlawful gains by misappropriating the Complainant's trade name and reputation. Such conduct is mala fide and constitutes bad faith under Paragraph 4(c) of the INDRP Policy.
35. On a careful consideration of the above findings, the Arbitral Tribunal holds that the disputed domain name <atozpharma.co.in> has been registered with an opportunistic and mala fide intention and is being used in bad faith. Accordingly, the third element under Paragraph 4(c) of the INDRP Policy is satisfied.

VII. DISPOSITIONS

The Arbitral Tribunal holds that the disputed domain name <atozpharma.co.in> is identical and/or confusingly similar to the trade name and domain name "ATOZ PHARMA"/<atozpharma.in> in which the Complainant, AtoZ Pharmaceuticals and Laboratory Private Limited, has established common law rights through continuous prior use. The Respondent has no rights or legitimate interests in the disputed domain name <atozpharma.co.in>, and the same has been registered and is being used in bad faith. All three elements set out in Paragraph 4 of the INDRP Policy have been established by the Complainant.

The Arbitral Tribunal accordingly directs that:

The disputed domain name <atozpharma.co.in> be transferred to the Complainant, AtoZ Pharmaceuticals and Laboratory Private Limited, having its registered office at Plot A-93, KH. 684/1, Gold Coast Colony, Rohta Road, Meerut - 250001, Uttar Pradesh, India.

There shall be no order as to costs.

Place: New Delhi

Date: September 07, 2026



Prashant Kumar

Sole Arbitrator

The Arbitral Tribunal