



INDIA NON JUDICIAL



IN-UP62783776825562Y

Government of Uttar Pradesh

e-Stamp

Certificate No. : IN-UP62783776825562Y
 Certificate Issued Date : 14-May-2026 05:01 PM
 Account Reference : NEWIMPACC (SV)/ up16051704/ GAUTAMBUDDH NAGAR 1/ UP-GBN
 Unique Doc. Reference : SUBIN-UPUP1605170420287979533595Y
 Purchased by : RODNEY DAVID RYDER
 Description of Document : Article 19 Certificate or other Document
 Property Description : Not Applicable
 Consideration Price (Rs.) :
 First Party : RODNEY DAVID RYDER
 Second Party : Not Applicable
 Stamp Duty Paid By : RODNEY DAVID RYDER
 Stamp Duty Amount(Rs.) : 100
 (One Hundred only)



Signature.....
 Acc Name: Kapil Rajbhar
 Acc Code: UP16051704
 Acc. Add: Sub Registrar Office, Sector-33, Noida, (U.P.)
 Mob No.: 9818786334
 LIC No.: 217/

Please write or type below this line

INDRP ARBITRATION
THE NATIONAL INTERNET EXCHANGE OF INDIA [NIXI]

ADMINISTRATIVE PANEL DECISION
SOLE ARBITRATOR: RODNEY D. RYDER

Google LLC
v.
Nithin Babu

INDRP CASE NUMBER - 2119
ARBITRATION AWARD
Disputed Domain Name: www.pixelcarekerala.in

Statutory Alert:

1. The authenticity of this Stamp certificate should be verified at 'www.shetlesstamp.com' or using e-Stamp Mobile App of Stock Holding. 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.

The Parties

The Complainant in this arbitration proceeding is Google LLC, having its office at 1600 Amphitheatre Parkway, Mountain View, CA 94043, United States of America; represented by Fidus Law Chambers LLP.

The Respondent in this arbitration proceeding is Nithin Babu, as per the details given by the Whois database maintained by the National Internet Exchange of India [NIXI].

The Domain Name and Registrar

The disputed domain name is www.pixelcarekerala.in. The said domain name is registered with Tucows Domains Inc.

Details of the disputed domain name

The dispute concerns the domain name www.pixelcarekerala.in. The said domain name was registered on January 31, 2023. The particulars of the said domain name are as follows:

Registrant Organization: Nithin Babu, cloudmax

Registrant Address: Opposite Sematti, Above Kadhi Gramoday, Kacherippadi Kerala 682018, India.

Registrant Email: pixelcarekerala.in@wix-domains.com

Procedural History [Arbitration Proceedings]

This arbitration proceeding is in accordance with the .IN Domain Name Dispute Resolution Policy [INDRP] and the INDRP Rules of Procedure [the Rules], adopted by the National Internet Exchange of India. 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 a 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:

In accordance with Rule 2(a), NIXI formally notified the Respondent of the Complaint and appointed Rodney D. Ryder 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 submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by NIXI.

In this matter, the arbitration proceedings commenced on April 15, 2026. A copy of the complaint with the annexures was sent to the Respondent by NIXI through an e-mail dated April 15, 2026. Thereafter, the Panel sent an e-mail dated April 15, 2026, to the Respondent requesting the submission of a response to the complaint by May 06, 2026. In accordance



with applicable procedural requirements, the Complainant sent the Panel an e-mail dated April 16, 2026, with a valid proof of dispatch of the physical copy of the Complaint and annexures to the Respondent's postal address. No further communication was received by any of the Parties. Specifically, the Respondent did not submit any response or send a written communication during the entire duration of the proceedings.

Grounds for the administrative proceedings

1. The disputed domain name is identical or confusingly similar to a trademark in which the Complainant[s] has statutory/common law rights.
2. The Respondent has no rights or legitimate interests in respect of the disputed domain name.
3. The disputed domain name has been registered or is being used in bad faith.

Parties Contentions

Complainant

The Complainant, Google LLC [Hereinafter referred to as 'Complainant'] in their complaint, inter alia, contended as follows:

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

The Complainant, based on the business, common law rights and trademark registrations for the trademarks 'GOOGLE', 'PIXEL' and 'GOOGLE PIXEL' and related variations and associated logos, and based on the use of the said trademark and brand in India and other countries, submitted that they are the lawful owner of the trademarks 'GOOGLE', 'PIXEL' and 'GOOGLE PIXEL'.

The Complainant submits that as the disputed domain name is 'www.pixelcarekerala.in', the disputed domain name is clearly identical/confusingly similar to the Complainant's 'PIXEL' and other associated marks in which the Complainant has exclusive rights and legitimate interest.

Background of the Complainant and its statutory and common law rights Adoption:

The Complainant, Google LLC is a company limited liability company duly registered under the laws of Delaware in the United States of America. The Complainant operates one of the most widely used and highly recognised search engines in the world under their trademark 'GOOGLE'. The Complainant's mark 'GOOGLE' was coined in 1997 by the Complainant's founders and has been in use since 1998 [in connection with providing a search engine service that was developed by the Complainant in 1998]. The Complainant's mark 'GOOGLE' was officially declared a well-known trademark by the Delhi High Court in [Relevant Decision: *Google Inc. v. M/S Jagnath Chem Food Pvt. Ltd.*, CS[OS] 317/2011].

Additionally, the Complainant has developed a wide range of consumer electronic devices under its mark and brand 'PIXEL'. Their mark 'PIXEL' and related marks were introduced in



February 2013, and have been in use ever since, with the launch of the first and second generation of laptops under the mark 'CHROMEBOOK PIXEL' in February 2013 and subsequently in March 2015. Under the 'PIXEL' mark, the Complainant has also expanded their business to include tablets, laptops, and smartwatches. Most notably, the Complainant launched its highly successful series of PIXEL smartphones in 2016. Progressing through annual releases up to the Pixel 10 series in 2025, these devices are celebrated for their advanced AI capabilities, top-tier cameras, and high performance.

The Complainant holds numerous global and Indian trademark registrations for PIXEL, with the earliest dating back to 2013 in India. Through extensive use, their 'PIXEL' and associated trademarks have acquired immense global goodwill and are exclusively associated with the Complainant.

Statutory rights:

The Complainant claims to have registrations for the different variations of the marks 'GOOGLE', 'PIXEL' and 'GOOGLE PIXEL' and the logos associated with them in India and other countries around the world across various classes. The 'PIXEL' mark, with its logo, is registered under classes 9, 35, 42 and 99 in India.

Respondent

The Respondent failed to reply to the notice regarding the complaint.

Discussion and Findings

The Respondent does not have any relationship with the business of the Complainant or any legitimate interest in the 'PIXEL' or associated marks. Moreover, the Complainant has neither given any license nor authorised the Respondent to use the Complainant's marks. The Respondent has never been commonly known by the domain name in question and registered the disputed domain name on January 31, 2023, which is subsequent to Complainant's usage of the 'PIXEL' and associated trademarks.

The Complainant's mark 'GOOGLE' was coined in 1997 by the Complainant's founders and has been in use since 1998, and the mark 'PIXEL' and related marks have been in use since February 2013, with the launch of the first generation of high-end laptops under the trademark 'CHROMEBOOK PIXEL'. Subsequently, the mark 'PIXEL' and related marks have been used in the context of mobile phones since the Complainant's launch of various models of the PIXEL smartphones [beginning in 2016]. The domain name <www.google.com> has been registered by the Complainant in title on September 15, 1997, and is used by the Complainant in connection with its well-known search engine accessible on a global scale. The same is extremely popular in India and around the world, and the Complainant has valid and subsisting trademark registrations for the mark 'GOOGLE', 'PIXEL' and 'GOOGLE PIXEL' in various countries, including India.



The disputed domain name contains the entirety of the Complainant's brand 'PIXEL'. Furthermore, the addition of the top-level domain ".in" is irrelevant in determining whether the disputed domain name is confusingly similar to the Complainant's mark. It is well established that the specific top-level domain, such as ".com", ".net", ".in", ".co.in", ".org.in", etc. does not affect the domain name for the purpose of determining whether it is identical or confusingly similar [Relevant Decisions: *Magnum Piering, Inc. v. The Mudjackers and Garwood S. Wilson, Sr.*, WIPO Case No. D2000-1525; *Rollerblade, Inc. v. Chris McCrady*, WIPO Case No. D2000-0429; *Aon PLC and Ors. v. Guanrui*, INDRP/63;; *Nike Inc. v. Nike Innovative CV Zhaxia*, INDRP/804].

It is a well-established principle that once the Complainant makes a prima facie case showing that a Respondent lacks the 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.

The Respondent's Default

The INDRP Rules of Procedure require under Rule 13(b) that the arbitrator must ensure that each party is given a fair opportunity to present its case. Rule 13(b) reads as follows

"The Arbitrator shall at all times treat the Parties with equality and provide each one of them with a fair opportunity to present their case."

Rule 17 empowers the Arbitrator to proceed with an ex parte decision in case any party does not comply with the time limits or fails to reply against the complaint. Rule 17 reads as follows:

"In 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 law."

The Respondent was given notice of this administrative proceeding in accordance with the Rules. The .IN Registry discharged its responsibility under Rule 2(a) to employ reasonably available means calculated to achieve actual notice to the Respondent of the Complaint.

As previously indicated, the Respondent failed to file any reply to the Complaint and has not sought to answer the Complainant's assertions, evidence or contentions in any manner. The Panel finds that the Respondent has been given a fair opportunity to present his case.

The 'Rules' under paragraph 13(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. In accordance with the Rules, paragraph 17, 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 / Panel's decision is based



upon the Complainant's assertions and evidence and inferences drawn from the Respondent's failure to reply.

The issues involved in the dispute

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/her legitimate rights or interests may file a Complaint to the .IN Registry on the following premises:

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

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

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

It has been proved by the Complainant that they have intellectual property, particularly trademark rights, and other rights in 'PIXEL' and associated marks by submitting substantial documents. The disputed domain name contains the Complainant's registered trademark 'PIXEL' in its entirety.

It has been previously decided under the INDRP that incorporating a trademark in its entirety is sufficient to establish the identical and confusingly similar nature of the disputed domain name. [Relevant Decisions: *ITC Limited v. Travel India*, INDRP/065; *Allied DOMECCQ Spirits and Wine Limited v. Roberto Ferrari*, INDRP/071; *International Business Machines Corporation v. Zhu Xumei*, INDRP/646; *Jaguar Land Rover v. Yitao*, INDRP/641; *Inter IKEA Systems B.V. v. Roman Zubrickiy*, WIPO Case No. D2015-0046].

According to paragraph 3 of the INDRP, 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 Registrant's Representations -

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



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

The Respondent has failed in its responsibility discussed above, and in the light of the pleadings and documents filed by the Complainant, the Panel has come to the conclusion that the disputed domain name is identical with or deceptively similar to the Complainant's trademark 'PIXEL' and associated marks. Accordingly, the Panel concludes that the Complainant has satisfied the first element required by Paragraph 4 of the INDRP. [Relevant Decisions: *Magnum Piering, Inc. v. The Mudjackers and Garwood S. Wilson, Sr.*, WIPO Case No. D2000-1525; *Aon PLC and Ors. v. Gangadhar Mahesh*, INDRP/632; *Wells Fargo & Co. and Anr. v. DeepDas Kumar*, INDRP/628; *Natures Basket Limited & Ors. v. Dipti Singla*, INDRP/683; *General Motors India Pvt. Ltd. & Anr. v. Anish Sharma*, INDRP/799; *Havells India Limited and Anr. v. Whois Foundation*, WIPO Case No. D2016-1775; *Santa Fe Transport International Limited and Santa Fe Moving Services Private Limited v. Santa fe Packers, Packers Movers WIPO Case No. D2017-0754*; *Santa Fe Transport International Limited and Santa Fe Moving Services Private Limited v. Achyut Khare*, INDRP/886; *TransferWise Ltd. vs. Normand Clavet*, INDRP/1150]

The Registrant has no rights or legitimate interests in respect of the domain name.

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 rights or legitimate interests in the disputed domain name.

The Complainant has never assigned, granted or in any way authorised the Respondent to register or use the 'PIXEL' or any other related mark. The Complainant has been using the 'PIXEL' and associated marks for a *bona fide* purpose in relation to their business for several years.

Moreover, the burden of proof on the Complainant regarding this element of the domain name dispute lies most directly within the Respondent's knowledge. Once the Complainant has made 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 or interests in the domain name. [Relevant Decisions: *Eurocopter, an EADS Company v. Bruno Kerrien*, INDRP/116; *Voltas Ltd. v. Sergi Avaliani*, INDRP/1257; *Hitachi Ltd v. Kuldeep Kumar*, INDRP/1092; *Do The Hustle, LLC*



v. Tropic Web, WIPO Case No. D2000-0624; Payoneer, Inc. / Payoneer Europe Limited v. Korchia Thibault, Quinv S.A., WIPO Case No. DEU2019-0013].

The Respondent has not rebutted the contentions of the Complainant and has not produced any documents or submissions to show his interest in protecting his own right and interest in the domain name.

Interestingly, the Panel notes that the Complainant possesses a documented history of similar disputes with the Respondent. Previously, the Complainant successfully secured the transfer of the domain name <googlerepairkerala.com> in 2024 [*Relevant Decision: WIPO Case No. D2024-0165*]. Prior to initiating that proceeding, the Complainant had attempted an amicable resolution by issuing a legal notice to the Respondent, requesting the takedown of the website built upon the said domain name, and which was unauthorisedly displaying the Complainant's trademarks and offering repair services for 'GOOGLE PIXEL' mobile phones. However, the Respondent's failure to respond to the notice ultimately compelled the Complainant to pursue formal enforcement action.

Despite this decision, the Complainant discovered in 2024 that the Respondent had begun using the disputed domain name to host a similar website.

The Respondent purportedly offers unauthorised repair services for the Complainant's 'GOOGLE PIXEL' mobile phones and allegedly sells original PIXEL accessories, including adapters and cables, accompanied by warranties. The Complainant contends that the Respondent hosts a website on the disputed domain name to offer, advertise and promote these services and goods, and features words, phrases and photos of the Complainant's 'GOOGLE' and 'PIXEL' marks, thereby infringing upon their statutory and common law rights. The Complainant alleges that the Respondent prominently displays the Complainant's trademarks on its website and actively promotes the website on the disputed domain name, as well as their services and offerings, on an associated Instagram account, '@pixel_service_kerala'.

Upon discovering this continued infringement and an associated Instagram account by the Respondent, the Complainant issued a cease-and-desist letter to them, requesting immediate takedown of the website, the cancellation of the domain registration, and the complete cessation of the misuse of the Complainant's trademarks [including, without limitation, 'PIXEL', 'GOOGLE' and other associated marks]. Although the legal notice was successfully delivered, the Respondent failed to respond or comply with its demands. All subsequent attempts by the Complainant to resolve the matter amicably via telephone also failed.

As per the Complainant, following the filing of the present Complaint in March 2026, the Complainant observed in April 2026 that the disputed domain had been configured to redirect traffic to <ipromax.co.in>, which hosts a mirrored version of the original infringing



website. It is pertinent to note, however, that as of the date of this Award, this redirection has ceased, and the offending website is once again directly accessible via the disputed domain name.

This persistent unresponsiveness, coupled with the evasive tactic of redirecting the disputed domain to a mirrored website, indicates, under the present circumstances, the lack of rights and legitimate interests of the Respondent in the disputed domain name.

In addition to this, the very fact that the disputed domain name was registered by the Respondent subsequent to the Complainant's use of the marks 'PIXEL' and associated marks clearly establishes that the Respondent must have registered the domain name to cash in on the popularity of the Complainant's brand, and its goodwill and reputation. Additionally, the fact that the Respondent has not submitted any response in its defence, as well as the fact that the WHOIS details provided by the Respondent are either incomplete or incorrect, indicates, under the present circumstances, the lack of rights and legitimate interests of the Respondent in the disputed domain name.

For these reasons, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name. [Relevant Decisions: *Aon PLC and Ors. v. Guanrui*, INDRP/633; *Wells Fargo & Co. and Anr. v. SreeDas Kumar*, INDRP/666; *QRG Enterprises Limited & Anr. v. Zhang Mi*, INDRP/852; *Santa Fe Transport International Limited and Santa Fe Moving Services Private Limited v. Santa fe Packers, Packers Movers WIPO Case No. D2017-0754*; *Havells India Limited and Anr. v. Whois Foundation*, WIPO Case No. D2016-1775; *Mahendra Singh Dhoni and Anr. v. David Hanley*, WIPO Case No. D2016-1692]

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

It has been contended by the Complainant that the Respondent has registered and has used the disputed domain name in bad faith. The language of the INDRP paragraph 4(c) is clear enough and requires that either bad faith registration or bad faith use be proved.

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

"For the purposes of Clause 4(c), the following circumstances, in particular but without limitation, if found by the Arbitrator to be present, shall be evidence of the Registration and use of a domain name in bad faith:

- (a) *Circumstances indicating that the Registrant has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant, who bears the name or is the owner of the trademark or service mark, or to a competitor of that Complainant, for valuable consideration in excess of the Registrant's documented out-of-pocket costs directly related to the domain name; or*



- (b) *the Registrant has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the Registrant has engaged in a pattern of such conduct; or*
- (c) *by using the domain name, the Registrant has intentionally attempted to attract Internet users to the Registrant's website or other on-line location, by creating a likelihood of confusion with the Complainant's name or mark as to the source, sponsorship, affiliation, or endorsement of the Registrant's website or location or of a product or service on the Registrant's website or location; or*
- (d) *The Registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor."*

From the circumstances of the case and from the evidences put before the Panel by the Complainant, the Panel is of the opinion that the Respondent had no previous connection with the disputed domain name or 'PIXEL' and associated marks and any use of the disputed domain name by the Respondent, 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 Respondent or product/service on the Respondent's website and otherwise, due to the use by Respondent of the Complainant's 'PIXEL' and associated marks and brands in the disputed domain name, and the website on it, which mark and brand has been widely used by the Complainant and which mark and brand is associated exclusively with the Complainant.

Considering the Respondent's history of acquiring domains confusingly similar to the Complainant's registered marks and their failure to respond to the Complainant's numerous attempts at resolution, coupled with their deliberate unauthorised use of the Complainant's marks, thereby infringing upon their common law and statutory rights, irrefutably establishes the Respondent's bad faith and illegitimate, mala fide intentions of deliberately misleading the public by projecting an association with the Complainant and their marks, ultimately intended to unfairly capitalise upon their established goodwill and reputation.

The Panel is prepared to accept the Complainant's contention that its mark, logos and corresponding businesses are famous. With regard to famous names, successive UDRP panels have found bad faith registration because the Complainant's name was famous at the time of registration: *WIPO/D2000-0310 [choyongpil.net]*.

Based on the submissions and evidence put forth before the Panel, the Panel is of the belief that the Respondent would definitely have known about the Complainant's 'PIXEL' and associated marks, and their reputation at the time of registering the disputed domain name.

The disputed domain name is deceptively similar to the mark and brand of the Complainant and will lead to confusion with the Complainant's 'PIXEL' and associated marks as to the source, sponsorship, affiliation or endorsement of the Respondent's business by the Complainant. Moreover, the portrayal of an association with the Complainant's brand is, in



view of the Panel, a constituent of bad faith on the part of the Respondent. It has been held by INDRP panels that intentionally attempting to attract or gain Internet users to the Respondent's website or other online location by creating a likelihood of confusion with Complainant's trademark constitutes bad faith: [Relevant Decisions: *Bharti Airtel Limited vs. Rajeev Garg*, INDRP/285; *Merck KGaA v. Zeng Wei*, INDRP/323; *General Motors India Pvt. Ltd. & Anr. v. Anish Sharma*, INDRP/799; *Sensient Technologies Corporation v. Katrina Kaif, Corporate Domain*, INDRP/207]

The fact that the disputed domain name was registered by the Respondent subsequent to the Complainant's use of the 'PIXEL' and associated marks makes it apparent that the Respondent must have registered the domain name to cash in on the popularity of the Complainant's 'PIXEL' and associated marks, brands and websites. Additionally, the fact that the Respondent has not submitted any response in its defence, as well as the fact that the WHOIS details provided by the Respondent are either incomplete or incorrect, are both indicators of bad faith under the present circumstances.

On bad faith registration and use [generally], panels have noted: "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": *NAF/FA95314 [thecaravanclub.com]*, *WIPO/D2000-0808* [very use of domain name by Respondent who had no connection whatsoever with Complainant's mark and product suggests opportunistic bad faith - *4icq.com*]; "Registration of a domain name that is confusingly similar or identical to a famous trademark....is itself sufficient evidence of bad faith registration and use" [*Wells Fargo & Co. and Anr. v. Krishna Reddy*, INDRP/581; *QRG Enterprises Limited & Anr. v. Zhang Mi*, INDRP/852].

Thus, all three conditions given in paragraph 4 of the INDRP are proved in the circumstances of this case and thus the registration of the impugned domain name by the Respondent/Registrant is a registration in bad faith.

Decision

The Respondent has 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 Complainant has given sufficient evidence to prove extensive trademark rights over the disputed domain name. Further, the Respondent's adoption and registration of the disputed domain name is dishonest and malafide.

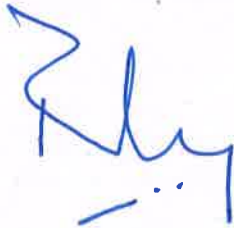
While the overall burden of proof rests with the Complainant, panels have recognised that this could result in the often-impossible task of proving a negative, requiring information that is often primarily within the knowledge of the Respondent. Therefore, the Complainant

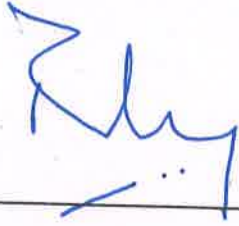


is required to make out a *prima facie* case that the Respondent lacks rights or legitimate interests. Once such a *prima facie* case is made, the Respondent carries the burden of demonstrating rights or legitimate interests in the domain name. In this case, the Respondent did not file any response in its defense. Based on the facts of the case, it is apparent that the Respondent is using the disputed domain name in bad faith and has registered the domain name to cash in on the reputation of the Complainant's mark and to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name.

[Relevant Decisions: *Lego Juris AS v. Robert Martin* INDRP/125; *Societe Air France v. DNS Admin* INDRP/075; *Kelemata SPA v. Mr Bassarab Dungaciu* WIPO D2003-0849; *Croatia Airlines d.d. v. Modern Empire Internet Ltd.* WIPO D2003-0455; *Uniroyal Engineered Products, Inc. v. Nauga Network Services* WIPO D2000-0503; *Microsoft Corporation v. Chun Man Kam* INDRP/119; *AB Electrolux v. Liheng*, INDRP/700; *Equitas Holding Limited v. Sivadas K P*, INDRP/724; *BearingPoint IP Holdings B.V. v. Deborah R. Heacock*, INDRP/822; *Dell Inc. v. Jack Sun*, INDRP/312; *HID Global Corporation v. Zhaxia*, INDRP/652; *McDonald's Corporation v. Ravinder*, INDRP/746; *MontBlanc-Simplo G.M.B.H. v. M S Mohamed Salihu*, INDRP/678; *Orica Australia Proprietary Limited v. Bev Gran, D N Solutions*, INDRP/237; *Sopra Steria Group v. Xu Xiantao*, INDRP/796; *Panasonic Corporation v. Sun Wei*, INDRP/527; *Wal-Mart Stores, Inc. v. Machang*, INDRP/539; *PJS International S.A. v. Xiangwang*, INDRP/616; *Aon PLC and Ors. v. Gangadhar Mahesh*, INDRP/632 ; *Aon PLC and Ors. v. Guanrui*, INDRP/633; *Wells Fargo & Co. and Anr. v. Krishna Reddy*, INDRP/581; *Wells Fargo & Co. and Anr. v. SreeDas Kumar*, INDRP/666; *Wells Fargo & Co. and Anr. v. DeepDas Kumar*, INDRP/628; *Natures Basket Limited & Ors. v. Dipti Singla*, INDRP/683; *General Motors India Pvt. Ltd. & Anr. v. Anish Sharma*, INDRP/799; *QRG Enterprises Limited & Anr. v. Zhang Mi*, INDRP/852; *Santa Fe Transport International Limited and Santa Fe Moving Services Private Limited v. Santa fe Packers, Packers Movers* WIPO Case No. D2017-0754; *Santa Fe Transport International Limited and Santa Fe Moving Services Private Limited v. Achyut Khare*, INDRP/886]

The Respondent's registration and use of the domain name [www.pixelcarekerala.in] is abusive and in bad faith. The Respondent has no rights or legitimate interests in respect of the domain name. In accordance with Policy and Rules, the Panel directs that the disputed domain name [www.pixelcarekerala.in] be transferred from the Respondent to the Complainant; with a request to NIXI to monitor the transfer.





Rodney D. Ryder
Sole Arbitrator

Date: May 14, 2026