



WIPO's order in favor of Tata Sons

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In a recent WIPO order the domain name <tatagroupecareers.info> has been transferred in favor of Tata Sons Mumbai, proprietor of the TATA trademark represented by Anand and Anand. Tata sons argued that the disputed domain name was registered and was being used in bad faith by the Respondent who had constructive notice of its well-known mark. **What's the matter?**

- The Respondent registered the disputed domain name <tatagroupecareers.info> on April 4, 2018. The disputed domain name resolves to a web page that prominently displays the TATA logo and the title of the page is: "Welcome to Interview Registration Panel - Tata Group". The webpage invites people to apply by paying an amount as security deposit through PAYTM (an Indian digital e-commerce payment platform). At the bottom of the webpage, the Complainant's office address has been displayed by the Respondent.
- Tata sons filed a complaint claiming that the respondent has misappropriated its well-known TATA trademark and has used it in the disputed domain name and on its website for duping unwary people.

The complainant requested for transfer of the disputed domain name based on the three elements:

- The disputed domain name is identical or confusing similar to a mark in which the Complainant has rights
- The Respondent has no rights or legitimate interests in the disputed domain name
- And the disputed domain name has been registered and is being used in bad faith

Timeline

- The Complaint was filed with the WIPO Arbitration and Mediation Center on June 11, 2018. The same day, the Center requested the Registrar for registrar verification in connection with the disputed domain name.
- On June 12, 2018, the Registrar through its verification response confirmed to the Center that the Respondent is listed as the registrant and providing the contact details.
- The Center verified that the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").
- The Center notified the respondent about the complaint and provided time till 15th July to submit the response. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 16, 2018.



- The Center appointed Harini Narayanswamy as a sole panelist in this matter on July 24, 2018.

Findings Based on the below findings the panel ordered the domain name to be transferred in Tata Sons favor: A complainant must establish three elements to obtain the transfer of the disputed domain name, these are: (i) The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and (ii) The Respondent lacks rights or legitimate interests in the disputed domain name; and (iii) The disputed domain name was registered and is being used in bad faith.

