

ADMINISTRATIVE PANEL DECISION

Cyient Limited v. Nikhil Bobade
Case No. D2025-2326

1. The Parties

The Complainant is Cyient Limited, India, represented by Saikrishna & Associates, India.

The Respondent is Nikhil Bobade, United States of America ("US").

2. The Domain Name and Registrar

The disputed domain name <cyientservice.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 13, 2025. On June 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 13, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Registration Private, Domains By Proxy, LLC / GoDaddy.com, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 15, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on June 16, 2025.

The Center verified that the Complaint together with the amended 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").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on June 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 10, 2025.

The Center appointed Rebecca Slater as the sole panelist in this matter on July 17, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is an engineering and technology solutions company headquartered in India. The Complainant was established in 1991 and began using the CYIENT mark in 2014. The Complainant provided evidence of the substantial sales figures it has generated from sale of its services since 2014.

The Complainant has a portfolio of registrations for the CYIENT trade mark in India, including the following registrations:

- Registration No. 2776066 for CYIENT word mark (registered July 17, 2014),
- Registration No. 5152065 for CYIENT word mark (registered September 28, 2021),
- Registration No. 2824337 for CYIENT logo mark (registered October 9, 2014), and
- Registration No. 5152066 for CYIENT logo mark (registered September 28, 2021), and (the "Trade Mark").

The Complainant also has applications and registrations for the CYIENT Trade Mark (as a word mark or logo mark) in other jurisdictions including, United Kingdom, US, Taiwan Province of China, Australia, Canada, European Union, Singapore, Japan, Switzerland, and Tonga.

The Complainant is the registrant of the <cyient.com> and <cyient.in> domain names.

The Respondent is an individual apparently located in the US. The Respondent did not submit a response, and consequently little information is known about the Respondent.

The disputed domain name was registered on April 23, 2024. The disputed domain name resolves to a website that offers engineering and IT consulting services and features the term CYIENT (in text and as a logo).

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that:

- The disputed domain name is confusingly similar to the Trade Mark. The disputed domain name incorporates the Trade Mark in its entirety. The additional word "service" does not suffice to differentiate the disputed domain name from the Trade Mark.
- The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has failed to demonstrate any bona fide use of the disputed domain name. This is substantiated through the Respondent's misrepresentation of its business address, historical use of the website at the disputed domain name as a placeholder website and the risk of impersonation or passing off. The Complainant submits that engagement in illegal activities can never confer rights or legitimate interests on a respondent.
- The disputed domain name was registered and is being used in bad faith by the Respondent. The Complainant has established significant goodwill and reputation in the Trade Mark across various jurisdictions, notably in India. Given this widespread recognition, it is inconceivable that the Respondent was not aware of the Trade Mark. The Respondent intends to trade off the reputation and goodwill associated

with the Complainant. The content of the website at the disputed domain name features the term CYIENT (in text and as a logo). This misrepresents a nexus between the Complainant and the Respondent.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

- the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- the disputed domain name has been registered and is being used in bad faith.

The onus of proving these elements is on the Complainant.

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's Trade Mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the Trade Mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Trade Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of another term (here, the term "service") may bear on assessment of the second and third elements, the Panel finds the addition of this term does not prevent a finding of confusing similarity between the disputed domain name and the Trade Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Complainant has not authorized the Respondent to use the Trade Mark and there is no evidence that the Respondent has ever been known by the disputed domain name.

The evidence provided by the Complainant (i.e., screenshots of the website to which the disputed domain name reverts) indicates that the disputed domain name has been used to impersonate the Complainant and its business. Panels have held that the use of a domain name for illegal activity (here, claimed as impersonation/passing off) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

Under paragraph 4(b)(iv) of the Policy, there is evidence of registration and use of the disputed domain name in bad faith where a Respondent has used the disputed domain name to intentionally attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's Trade Mark as to the source, sponsorship, affiliation or endorsement of the website.

The Panel finds it unlikely that the disputed domain name was registered without knowledge of the Complainant and the Trade Mark, given the worldwide reputation of the Complainant and the composition of the disputed domain name, which includes the Trade Mark and the term "service" which is descriptive of the Complainant's business. The Respondent's goal in registering and using the disputed domain name appears to be to attract Internet users for potential gain. This finding is reinforced by: (a) the Respondent's use of the website at the disputed domain name to offer services which compete with the Complainant's offering; and (b) the extensive use of the term "cyient" (in text and as a logo) on that website. This amounts to "opportunistic bad faith" under the Policy.

Additionally, panels have held that the use of a domain name for illegal activity (here, claimed as impersonation/passing off) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <cyientservice.com> be transferred to the Complainant.

/Rebecca Slater/

Rebecca Slater

Sole Panelist

Date: July 21, 2025