

ADMINISTRATIVE PANEL DECISION

Tata Passenger Electric Mobility Limited v. Kunal Singh
Case No. D2025-2412

1. The Parties

The Complainant is Tata Passenger Electric Mobility Limited, India, represented by De Penning & De Penning, India.

The Respondent is Kunal Singh, India.

2. The Domain Name and Registrar

The disputed domain name <tataevdealership.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 18, 2025. On June 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 20, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 23, 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 23, 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 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 14, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 15, 2025.

The Center appointed Harini Narayanswamy 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 Indian company incorporated in the year 2013 and is a subsidiary of Tata Motors Limited. The Complainant and Tata Motors Limited are part of the Tata Group of companies involved in manufacturing vehicles.

The Tata Group of companies has business interests across various sectors and owns a portfolio of registered trademarks for the TATA marks in many jurisdictions. Some of the Indian trademark registrations include: TATA device mark bearing trademark number 299110, under international class 12, with date of registration September 10, 1974, and date of use in commerce since December 1, 1948, TATA device mark bearing trademark number 362741 under international class 6, date of registration June 11, 1980, with use in commerce from January 12, 1976 and TATA.EV device mark, with trademark number 6004008 under international class 12, date of registration is July 3, 2023.

The disputed domain name was registered by the Respondent on February 18, 2025. The disputed domain name resolves to a website where the home page displays: "Welcome to the World of TATA EV", along with pictures of passenger cars. The website also displays the TATA.EV stylized mark, with the ".ev" in a circle, a mark that is owned by the Complainant under trademark registration number 6004008 in class 12. The drop-down menus on the Respondent's website are: "About Tata EV", "OUR BLOG", "FAQ", "DEALERSHIP" and "CHECK STATUS". There are a pop-up buttons stating "Apply for Dealership" on the home page and on other pages.

The Respondent's website also displayed other content such as a write up about the advantages of electric vehicles and about the Tata Group's well-known reputation. There are reviews given by alleged dealers displayed along with their photographs. The website shows statistics of the number of dealerships, forms to be submitted to apply for dealership and the details of requirements and amounts that need to be invested to apply for dealership.

The Complainant sent a cease and desist notices to the Respondent on April 23, 2025 and on April 24, 2025, with follow up notices, stating that the Respondent is misleading people based on the goodwill associated with its mark. The Respondent did not reply to the notices and the Complainant filed the present Complaint. The Panel notes that the Center sent notice of the Complaint to the Respondent's physical address as given in the registration records. The address was reported as "bad address" by the courier service.

5. Parties' Contentions

A. Complainant

The Complainant contends that it is a leading electric vehicle manufacturer in India and its current portfolio of electric vehicles include the brand names Tigor EV, Tiago EV, Punch EV, Nexon EV, and Curvv EV. The Complainant states that it is looking to achieve various sustainability goals that include: net zero by 2040, water neutrality, RE100 and zero waste to landfills by 2030.

Notably, the Complainant contends that given its position of being a market leader, its mark is reputed and widely known. It further contends that the well-known nature of its mark has been recognized by several courts and UDRP administrative proceedings. The Complainant asserts that the disputed domain name has been registered and used by the Respondent to misappropriate the reputation associated with its mark.

The Complainant further states that the Respondent operates another domain name and also uses the email [...]@tataevdealership.com. The Complainant states that a cease and desist email was sent to this email address on April 24, 2025 and was followed up with a reminder email on June 11, 2025. The Complainant states that the notice was also sent by WhatsApp to the mobile phone number given on the Respondent's website.

The Complainant submits that the disputed domain name is confusingly similar to its mark, the Respondent lacks rights or legitimate interests in the disputed domain name, and the disputed domain name is registered and is being used in bad faith. The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

Three elements need to be established by the Complainant under paragraph 4 (a) of the Policy to obtain 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 by the Respondent.

A. Identical or Confusingly Similar

The first element under paragraph 4(a) of the Policy requires the Complainant to establish the disputed domain name is confusingly similar to a trademark or a service mark in which it has rights.

The Complainant has provided evidence of its registered trademarks for the TATA mark and the TATA.EV mark. The Complainant's trademark registration satisfies the threshold requirement of having rights in the mark. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.1. Accordingly, the Complainant is found to have established its rights in respect of the trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

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 trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the TATA and the TATA.EV marks are recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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

B. Rights or Legitimate Interests

The second element under paragraph 4(a) of the Policy requires the Complainant to make a prima facie case that the Respondent lacks rights and legitimate interests in the 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.

Paragraph 4(c) of the Policy provides a list of circumstances through which the Respondent may demonstrate rights or legitimate interests in a disputed domain name. The Respondent has not responded, communicated or submitted any material or evidence that demonstrates his intention of using the disputed domain name under the provisions of paragraph 4(c)(iii) of the Policy.

The Panel finds from the evidence on record that the Respondent’s website attempts to mimic the Complainant. From the content posted on the Respondent’s website, it is clear that the entire look of the Respondent’s website, including use of the TATA.EV trademark is deliberate, deceptive and misleading. The disputed domain name is inherently misleading and the entire look of the website constitutes impersonation of the Complainant and suggests to Internet users that it is owned and operated by the Complainant.

To an unwary user, the contents of the Respondent’s website is likely to be mistaken for a website being hosted by the Complainant, who is the owner of the trademark and the manufacturer of the vehicles. Persons looking for dealership with the Complainant’s company may be misled that the disputed domain name and the website belong to the Complainant.

The Respondent is not connected or authorized by the Complainant to use the TATA mark or the TATA.EV mark, or to mislead the public by fraudulent use of the mark. Panels have held that the use of a domain name for illegitimate activity of impersonation/passing off, or other types of fraud can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 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, 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.

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

- (ii) The Respondent has registered the disputed 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 Respondent has engaged in a pattern of such conduct; or
- (iii) the Respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) By using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent's 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 the Respondent's website or location or of a product or service on the respondent's website or location.

The material on record shows that the disputed domain name resolves to a website that is being used by the Respondent to imitate the Complainant. The use of a confusingly similar domain name along with a misleading website which does not disclose the Respondent is unconnected with the Complainant and is unauthorized to use the mark, is not good faith use of the disputed domain name.

It has been consistently found by UDRP panels that the registration of a confusingly similar domain name to a widely known trademark by someone who is not affiliated with the owner of the trademark and has not shown good reason for registration of the disputed domain name or its legitimate use, can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4. The Respondent, as previously mentioned, has not participated in these proceedings or shown any legitimate reasons for registration and use of the disputed domain name.

The Complainant has argued that the registration and use of the disputed domain name indicates the Respondent's intent to benefit from the reputation associated with its mark. Having reviewed the available record, the Panel finds that the Complainant's mark is reputed and distinctive, and the Respondent has not provided any reasons for the registration of the disputed domain name, and from the evidence on record, the use of the disputed domain name is potentially not good faith use.

The use of the word "dealership" in the disputed domain name and on the website by the Respondent raises a significant question regarding its intentional use by the Respondent. The Complainant has submitted that the disputed domain name is likely to be used for illegal activity of defrauding people, collecting amounts from unsuspecting users looking for legitimate distributorship with the Complainant. When a disputed domain name uses a well-known mark that resolves to a website that imitates the trademark owner's business, and intentionally uses the word "dealership" and the website has forms and pop up buttons with "Apply for Dealership", it clearly indicates that the Respondent's is attempting to offer false distributorships by impersonating the Complainant.

The entire set of circumstances described here indicates that the disputed domain name has been registered and used to intentionally mislead Internet users by creating a false association as to the source, endorsement or affiliation of the mark, which constitutes bad faith registration and use as envisaged under paragraph 4(b)(iv) of the Policy. Notably, panels have found that a disputed domain name which is likely to capitalize on the goodwill or reputation related to a complainant's mark with an intention to mislead Internet users, constitutes bad faith under the Policy.

Panels have held that the use of a domain name for illegitimate activity such as impersonating and/or attempting to offer false distributorships constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith as described under the Policy.

The Panel notes that there are other factors which also point to the Respondent's bad faith, such as providing an incorrect contact address in the disputed domain name registration record. Under the circumstances of the case, it is not unreasonable to infer that the Respondent has deliberately given false or fabricated addresses to evade service. Furthermore, the Respondent has failed to reply to communications sent by the Complainant, which under the circumstances discussed indicates bad faith.

The Panel finds for the reasons discussed that the Complainant has established the third element of the Policy that the disputed domain name has been registered in bad faith and is being used in bad faith.

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 <tataevdealership.com> be transferred to the Complainant.

/Harini Narayanswamy/

Harini Narayanswamy

Sole Panelist

Date: July 31, 2025