

ADMINISTRATIVE PANEL DECISION

Tata Motors Limited v. Ratan Dhajal
Case No. D2025-2426

1. The Parties

The Complainant is Tata Motors Limited, India, represented by De Penning & De Penning, India.

The Respondent is Ratan Dhajal, India.

2. The Domain Name and Registrar

The disputed domain name <tatamotors.org> 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 19, 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 26, 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 26, 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 July 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 5, 2025. Upon request of the Respondent, the due date for Response was extended to August 9, 2025, pursuant to paragraph 5(b) of the Rules. The Response was filed with the Center on August 9, 2025.

The Center appointed Harini Narayanswamy as the sole panelist in this matter on August 21, 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 public listed company incorporated in September 1945. It is part of the Tata Group of companies and is a leading automobile manufacturer, marketing vehicles under the trademark TATA MOTORS. The Complainant owns a large portfolio of trademark registrations in numerous jurisdictions and some trademark registrations for the TATA MOTORS word mark include:

TATA MOTORS mark Indian trademark registration number 1241122, filed October 3, 2003 and registered December 15, 2005, in class 16;

TATA MOTORS mark Indian trademark registration number 1241123, filed October 3, 2003 and registered December 13, 2004, in class 12;

TATA MOTORS mark Indian trademark registration number 4159301, filed April 26, 2019 and registered July 1, 2019, in classes 7, 12, and 39.

The Respondent registered the disputed domain name on March 14, 2019. The Respondent has hosted a static website and uses the disputed domain name to promote himself and his services as a DevOps engineer. On the Registrar's page, the disputed domain name has been offered for sale by the Respondent and displays the message: "tatamotors.org is available", mentioning the price as INR 1,316,239 + INR 1599 / year.

5. Parties' Contentions

A. Complainant

The Complainant claims that it is currently among the top five commercial vehicle manufacturers globally and its trademark TATA MOTORS is well known in India and internationally. The Complainant contends that it started manufacturing commercial vehicles in 1954 with a fifteen-year collaboration agreement with Daimler Benz of Germany.

The Complainant states that it is also a leading car manufacturer and owns numerous car brands including luxury brands like JAGUAR and LAND ROVER, which it acquired from Ford Motors in 2008. The Complainant asserts that it has used the TATA MOTORS mark extensively for several decades and its mark has acquired the reputation of a well-known mark and its reputation has been recognized in previous UDRP cases.

The Complainant contends the disputed domain name is (i) identical to its TATA MOTORS mark and that "Tata Motors" is also a dominant part of its company name; (ii) the Respondent lacks rights or legitimate interest in the disputed domain name and is not connected with the Complainant or authorized to use its mark; (iii) the disputed domain name was registered and is being used in bad faith, as Internet users looking for the Complainant are being diverted to the Respondent's site based on its mark. The Complainant contends that it has satisfied each of the elements required under the Policy for the transfer of the disputed domain name.

B. Respondent

The Respondent filed a response on August 9, 2025 and contends that he registered the disputed domain name for personal noncommercial purposes. The Respondent claims that he discovered that the disputed domain name was available and registered it as a fan of "Tata", out of curiosity with no intent to infringe or misuse the mark.

The Respondent states that after he registered the disputed domain in 2019, and he attempted to contact the Complainant through emails and received no reply. On January 29, 2020, he states that a person from Tata contacted him to discuss transfer of the disputed domain name, which he says ended "unexpectedly from Tata's side and did not resume".

The Respondent states that he has not tried to sell or misuse the disputed domain name but hosts a static site for promoting himself and his profession and describes himself as a DevOps engineer. He argues that the website does not contain any content about Tata Motors, its vehicles or any suggestion of affiliation and would not be mistaken as the official site of the Complainant. He further argues that the disputed domain name was not used for advertising, commercial gain, phishing or to divert the Complainant's customers. He alleges that putting the disputed domain name for sale was in response to the Complainant reaching out to him and not for "wide marketing or profiteering".

He alleges that he did not intend to harm or damage the TATA MOTORS brand, financially or its reputation. The Respondent further states that he acknowledges that the domain name contains the words "Tata Motors", which is identical to the Complainant's mark, but argues that mere registration does not establish confusion in the absence of misleading use or intent to confuse users.

The Respondent alleges his use is for bona fide noncommercial purposes and the disputed domain name hosts a website that only describes him and his professional background. The Respondent argues that he has not offered to sell Tata products from the disputed domain name or show false association with the Complainant. He says that he has responded in good faith when he was contacted by the Complainant and did not use the disputed domain name to attract their customers or induce confusion. He states that he registered the disputed domain name based on "curiosity" and "public availability".

The Respondent argues that the website is a personal site, which is unrelated to the Complainant. He states that there were no attempts at phishing, impersonation, ad-serving, sale of competing goods or other bad faith activity and that he has offered to co-operate with the Complainant, when contacted by them and has acted transparently.

The Respondent argues that the Complainant has not met its burden under the three UDRP elements and therefore the remedy of transfer of the disputed domain name should be denied. He further requests that the Panel consider a finding of good faith in his favor based on his submissions and evidence of "personal non-exploitative usage" of the disputed domain name. The Respondent has also requested the Panel to consider whether Reverse Domain Name Hijacking (RDNH) has occurred based on the facts of the case.

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

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 Complainant has provided evidence of its registered trademark rights in the TATA MOTORS mark. The Complainant's trademark registration satisfies the threshold requirement of having rights in the mark. Accordingly, the Complainant has established its rights in respect of the trademark. [WIPO Overview 3.0](#) section 1.2.1.

The Respondent has not controverted the trademark rights of the Complainant and has acknowledged that the Complainant's trademark TATA MOTORS is reproduced in entirety within the disputed domain. There is therefore no dispute between the parties that the entire TATA MOTORS mark is reproduced within the disputed domain name. The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The first element of the Policy has been established by the Complainant.

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 in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name. The Respondent has submitted that the disputed domain name is used by him for noncommercial purposes as a personal website, essentially claiming the defense of noncommercial fair use of the disputed domain name under the provisions of paragraph 4 (c) (iii) of the Policy.

Although the Respondent states that he is a fan of the Complainant he has admittedly not used the disputed domain name to host a fan site. The Respondent has hosted a personal website about himself and claims that such use is noncommercial fair use of the disputed domain name. In order for a respondent's use to be found as fan site fair use under the ambit of paragraph 4(c)(iii), it is well established that the disputed domain name must actually be used as a fan site, it should be distinctive from any official site of the complainant, and it should be noncommercial in nature, [WIPO Overview 3.0](#) section 2.7.1. The use of the disputed domain name to host a website about himself, does not meet the criteria of fair use as understood under the Policy.

The right to host a personal site, furthermore, does not mean the Respondent is entitled to register a domain name containing a well-known mark that is owned by a complainant. Panels have typically found that a general right to host a fan site does not necessarily extend to registering or using a domain name that is identical to the complainant's trademark, particularly as the domain name may be misunderstood by Internet users as being somehow sponsored or endorsed by the trademark owner. [WIPO Overview 3.0](#), section 2.7;

see for instance *Bennett, Coleman and Company Limited, Worldwide Media Private Limited v. Mr. Hubert Louis*, WIPO Case No. [D2019-0221](#). The use of a disputed domain name that is identical with a complainant's mark, and is thus inherently associated with the complainant, has been found by panels to prevent the complainant from exercising rights to its trademark and managing its presence on the Internet. [WIPO Overview 3.0](#) section 2.7.2.

The use of the entire mark, and only the mark in the disputed domain name misleads Internet users. An Internet user looking for the Complainant online and reaches the Respondent's website is likely to be misled that it is hosted by the Complainant or is endorsed by the Complainant. Moreover, as discussed above, the disputed domain name does not resolve to a genuine, active fan site, but rather a site about the Respondent. In the light of the evidence, and the circumstances discussed, the Panel is not convinced that the Respondent has used the disputed domain in a manner that would entitle him to claim the defense under paragraph 4(c)(iii) of the Policy.

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 is not associated with the Complainant and is not authorized to use the mark. The Respondent is not commonly known by the disputed domain name and for the reasons discussed, the Respondent has not made legitimate noncommercial fair use of the disputed domain name.

The Respondent has not successfully rebutted the Complainant's prima facie showing or submitted relevant evidence that demonstrates rights or legitimate interests in the disputed domain name. The second element of the Policy has been established by the Complainant.

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, 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 also 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 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 Respondent's documented out-of-pocket costs directly related to the domain name; or
- (ii) the Respondent 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 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 Respondent has submitted that he registered the disputed domain name for three reasons: 1) the disputed domain name was available; 2) he is a fan of the Complainant; and, 3) he registered it out of curiosity. The Respondent has also admitted that the disputed domain name contains the words "Tata Motors", which is identical to the Complainant's mark, and has argued that mere registration does not establish confusion in the absence of misleading use.

The Panel has extensively discussed and addressed the reasons as to why the registration of a domain name that consists of another's trademark is not legitimate use of the domain name in the previous section. The Panel also recognizes that the Respondent's registration and use of the disputed domain name is several years after the Complainant's adoption and use of the TATA MOTORS mark. Evidence provided by the Complainant also shows extensive use of the TATA MOTORS mark for a number of years in India and internationally and its widely known reputation. The Respondent has acknowledged knowingly registering the disputed domain name but has tried to defend the registration by saying his use is not misleading use.

The Respondent has admitted that he was in talks with the Complainant for transfer of the disputed domain name during the year 2020 and the talks for any transaction between the parties ended or failed.

The disputed domain name is offered for sale by the Respondent with a price quoted as INR 1,316,239 +INR1599 /year, which in the Panels' view is in excess of Respondent's documented out-of-pocket costs directly related to the domain name. The entire set of circumstances described here clearly falls under bad faith registration and use of the disputed domain as described under paragraph 4(b)(i).

Paragraph 4(b)(i) of the Policy states that if circumstances indicate that the Respondent has registered or acquired the 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 Respondent's documented out-of-pocket costs directly related to the domain name it shall be evidence of the registration and use of a domain name in bad faith.

Having reviewed and discussed the material on record, the Panel finds the Respondent has admittedly registered of the disputed domain name knowing that it is a well-known mark belonging to the Complainant which is bad faith registration and has used of the disputed domain name in a manner that constitutes bad faith under the Policy.

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

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking (RDNH) or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding.

The Respondent has requested the Panel to consider whether RDNH has occurred based on the facts of the case. The Respondent has admitted to engaging in talks to sell the disputed domain name to the Complainant and has also put it up for sale. The Respondent's submission of the Complainant engaging in discussions to buy the disputed domain name is not a valid defense, as the underlying reason for the Complainant to contact the Respondent is to protect its mark from the infringing use of the disputed domain name. Furthermore, the Respondent has misused the Complainant's well-known mark to promote his services. Under these circumstances, it is an unusual request by the Respondent for a finding of RDNH even after having admitted to knowingly registering and using a domain name with a well-known mark in bad faith as understood under the Policy. Noting also the outcome of this Decision, the Panel declines to make a finding of RDNH.

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 <tatamotors.org> be transferred to the Complainant.

/Harini Narayanswamy/

Harini Narayanswamy

Sole Panelist

Date: September 4, 2025