

ADMINISTRATIVE PANEL DECISION

**SRISHA Educational and Charitable Trust v. Jaiganesh Sachitanantham,
Advanced Systems and Solutions
Case No. D2025-2801**

1. The Parties

The Complainant is SRISHA Educational and Charitable Trust, India, internally represented.

The Respondent is Jaiganesh Sachitanantham, Advanced Systems and Solutions, India, internally represented.

2. The Domain Name and Registrar

The disputed domain name <ssvmschoolkarur.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 16, 2025. On July 16, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 17, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. On the same day, the Center sent an email communication to the Complainant requesting clarification and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on July 17, 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 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 7, 2025. On August 7, 2025, the Respondent requested a four-day extension to file a Response under paragraph 5(b) of the Rules, which the Center granted on August 8, 2025, setting a new due date for Response as August 11, 2025. The Response was filed with the Center on August 10, 2025.

The Complainant filed a supplemental filing on August 11, 2025.

The Center appointed Harini Narayanswamy as the sole panelist in this matter on August 19, 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 a trust that runs educational institutions in Coimbatore in the state of Tamil Nadu, India. The Complainant uses the trademark SSVM, an acronym of its name "Shree Sarasswathi Vidhyaah Mandheer". The Complainant has been operating under the SSVM brand for about two decades and owns Indian trademark registration for the SSVM mark under class 41 for educational services with trademark registration No. 4100102, dated February 26, 2019, showing use since June 1, 2010.

The Respondent runs a school under the name "Sri Saraswathi Vidhya Mandhir Matric Hr. Sec School, Karur". The Respondent's school is located in Karur which is also in the state of Tamil Nadu and is about 150 kilometers from the Complainant's location. The Respondent was formerly known by the name "Vallar Matriculation School" and applied for change of name to the Directorate of Matriculation Schools, Chennai in the 2013. The Respondent received an order for the change of name to "Sri Saraswathi Vidhya Mandhir Matric Hr. Sec School Karur" in 2015. (Respondent's evidence Annex 3a "Reply to the notice", dated January 31, 2024)

The Respondent owns Indian trademark registration for device trademark SRI SARASWATHI VIDHYA MANDHIR MATRICULATION HIGHER SECONDARY SCHOOL No. 4792559, dated December 23, 2020, under class 41 for educational services, showing use since April 25, 2013. The Respondent's device mark displays the name of its school "Sri Saraswathi Vidhya Mandhir Matric Hr. Sec School, Karur" along with design elements and other words. The Respondent registered the disputed domain name on February 25, 2017.

The Complainant sent a cease and desist notice to the Respondent on September 2, 2023. The Respondent sent a reply to the notice on January 31, 2024.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is being used by the Respondent in the same area of business, namely educational services, and is located in close proximity to its institution, within the state of Tamil Nadu, India. The Complainant argues that use of the SSVM mark in the disputed domain name by the Respondent is likely to cause customer confusion and Internet users may assume the Respondent is somehow connected with the Complainant.

The Complainant contends that no authorization, license, or permission has been given to the Respondent to use the SSVM mark, and the Respondent does not have trademark or other rights for the said mark. The Complainant further argues that the Respondent is not using the disputed domain name for any legitimate noncommercial fair use, but imitates the Complainant's trademark which is not bona fide use and the Respondent lacks rights or legitimate interests in the disputed domain name.

The Complainant contends that the Respondent registered the disputed domain name in 2017, whereas the Complainant has been operating under the SSVM mark since 1998. The Complainant states that it is a prior adopter of the SSVM mark and had provided evidence of use of the mark. The evidence filed by the Complainant include articles published in the media, marketing and promotion under the mark that demonstrate the reputation and fame associated with its SSVM mark. The Complainant has also filed invoices showing advertising and promotion expenses for its mark.

Notably, the Complainant contends that the Respondent operates a similar business and has used the SSVM mark in the disputed domain name to intentionally mislead the public to promote its business and disrupt the Complainant's business. The Complainant argues that the Respondent is attempting to attract for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's SSVM mark and the disputed domain name has been registered in bad faith 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 argues that the Complainant's school is named "Shree Sarasswathi Vidhyaah Mandheer" located in Coimbatore while the Respondent is located in Karur therefore user confusion is not likely. The Respondent states it is popularly and commonly known as SSVM Karur.

The Respondent further argues that "Saraswathi" is the name of a Hindu goddess related to education and academics and the name "Saraswathi" is used by many educational institutions in India. The Respondent argues that no exclusive rights can be claimed over the name "Saraswathi" and further makes an argument that the Complainant could not register the words "Shree Sarasswathi Vidhyaah Mandheer", and has therefore registered its acronym SSVM instead.

The Respondent argues that SSVM, which is a registered mark of the Complainant, ought to function as a source identifier, but according to the Respondent, it does not meet this test as the mark is allegedly lacking in inherent distinctiveness. The Respondent also argues that the Complainant has somehow managed to get the SSVM mark registered by violating condition of registration and claims that it plans to take steps to rectify the register and cites WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.1.3, acknowledging that national validity challenges to trademarks are not determinative in UDRP proceedings.

The Respondent further argues that the Complainant has registered its mark in the year 2019, whereas the Respondent's school has been running under the name of "Sri Saraswathi Vidhya Mandhir" is since the year 2013. The Respondent therefore claims that it has prior rights as the trademark registration of the Complainant's SSVM mark was in 2019.

The Respondent states that it has a valid trademark registration for a label mark that displays the word element SRI SARASWATHI VIDHYA MANDHIR MATRICULATION HIGHER SECONDARY SCHOOL with trademark registration number 4792559, for educational services under class 41. The Respondent states that it registered the disputed domain name on February 25, 2017 for its web presence. The Respondent states that it has registered and used the disputed domain name legitimately and does not consent for the remedy of transfer or cancellation of the disputed domain name sought for by the Complainant.

Complainant's supplemental submissions

The Complainant in reply to the Respondent's submission, states that the dispute is only concerning the use of the acronym SSVM and not the full name "Sri Sarawathi Vidhya Mandir" or any other generic terms. The Complainant reiterates that its registered trademark SSVM (Indian trademark registration No. 4100102 under class 41) has been used since June 1, 2010.

The Complainant contends that it has filed an application before the Indian trademark registry on May 27 2025 for inclusion of the SSVM mark as a well-known mark across all classes due to the mark's wide recognition. The Complainant contends that it also owns copyright over SSVM logos, artistic designs and brand materials relating to its mark, adding that these works are original creations representing SSVM's unique identity.

The Complainant contends that its institution is reputed in Tamil Nadu and it operates international residential schools attracting admissions from United States of America, Canada, Germany, Singapore, and United Arab Emirates, and also from major Indian cities. The Complainant contends SSVM brand is known

far beyond Karur or Coimbatore and that parents from abroad often search for SSVM school before visiting India or relocating. The disputed domain name is likely to mislead both local and global audiences to believe that it is part of the Complainant's network and requests for the transfer of the disputed domain name or alternatively its cancellation.

6. Discussion and Findings

6.1. Procedural Issues

Supplemental Submissions, as per the Policy can be allowed at the discretion of the Panel. The Panel allows the supplemental submission filed by the Complainant which addresses some of the arguments and points raised by the Respondent in the Response.

6.2. Substantive Issues

Under paragraph 4 (a) of the Policy to obtain transfer of the disputed domain name, three elements need to be established by the Complainant, and these are:

- (i) The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (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 SSVM trademark. The Complainant's trademark registration satisfies the threshold requirement of having rights in the mark. [WIPO Overview 3.0](#) section 1.1. The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the Complainant has also established unregistered trademark or service mark rights for the SSVM mark, prior to its filing for trademark registration. The Panel finds that the Complainant has proven its common law rights prior to registration of the SSVM trademark in 2019 for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.3.

The Panel finds the mark is 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 other terms, here "school" and "karur", may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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.

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.

Under paragraph 4(c) of the Policy, a respondent can establish rights or legitimate interests in the disputed domain name if any of these circumstances are found:

- (i) Before notice of the dispute the Respondent's use of or demonstrable preparations to use the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services;
- (ii) The Respondent as an individual, business or other organization has been commonly known by the disputed domain name, even if no trademark rights have been acquired by the Respondent;
- (iii) The Respondent uses the disputed domain name for legitimate noncommercial or fair use purposes, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Complainant has submitted that the Respondent lacks rights in the disputed domain name as the Respondent's use of the SSVM mark in the disputed domain name is not bona fide or fair use but takes advantage of the reputation and goodwill associated with its mark. The Respondent has sought to rebut the Complainant's submissions alleging that it has rights or legitimate interests in the disputed domain name supporting it with a trademark registration for SRI SARASWATHI VIDHYA MANDHIR MATRICULATION HIGHER SECONDARY SCHOOL.

Having reviewed the available record, the Panel finds that the Complainant is a prior user of the SSVM trademark. The Panel also finds from the evidence on record that the Respondent's school was previously known as "Vallar Matriculation School" and has applied to change its name to the present name in 2013. The Panel thereby assesses based on all the material and evidence in these proceedings, whether on the balance of probabilities, the registration and use of the letters "ssvm" in the disputed domain name by the Respondent is fair and bona fide use.

The expression "bona fide" in paragraph 4(c)(i) of the Policy implies use by an honest adopter of the mark. See *FINAXA Societe Anonyme v. Vitalie Popa*, WIPO Case No. [D2004-0873](#). It is well established that the term bona fide in paragraph 4(c)(i) of the Policy has been consistently interpreted in UDRP cases as distinguishing a mere offering of goods or services from a "bona fide offering of goods or services". Use of the term bona fide prevents a respondent who knowingly adopts a known mark in a domain name from claiming benefits under paragraph 4(c)(i) of the Policy, because such an adoption would be dishonest. Just mere use of a domain name prior to the notice of dispute is insufficient for claiming rights or legitimate interests where circumstances indicate that the mark is used in the domain name to gain unfair benefit from a complainant's trademark. See *Madonna Ciccone, p/k/a Madonna v. Dan Parisi and "Madonna.com"*, WIPO Case No. [D2000-0847](#).

Some factors to consider whether the Respondent's use of the disputed domain name is fair and bona fide are: 1. The length of use of the Complainant's trademark; 2. The fame associated with the Complainant's trademark; 3. Likelihood of the Respondent's knowledge of the Complainant's trademark; and 4. If the circumstances show the Respondent knew or ought to have known of the Complainant's mark.

The Complainant has clearly established its rights in the SSVM mark and has provided evidence that it had common law rights in the SSVM mark prior to the registration of its trademark and prior to the registration of the disputed domain name. The Complainant has filed evidence that shows it has been using the mark prior to the Respondent's change of name in 2013 or registration of the disputed domain name in 2017, including a screenshot from 2006.

Based on the evidence, the Panel accepts that the Complainant has been known by its SSVM mark since at least 2010. Further, articles published in the media demonstrate the Complainant's common law rights in the mark even prior to 2010. Therefore, the Respondent's argument that the Complainant's trademark rights ought to be from 2019 is not a valid argument.

Given the area of the business which is common to both Parties and the geographic proximity of the Parties, it is unlikely that the Respondent was unaware of the Complainant's SSVM mark. There is therefore good reason to believe that the Respondent adopted the letters "ssvm" in the disputed domain name due to its association with the Complainant's well known SSVM trademark, which cannot be termed good faith, bona fide or fair use of the disputed domain name by the Respondent.

Regarding the Respondent's submissions that it has used the letters "ssvm" because it corresponds to its own name and not to the Complainant's SSVM trademark, the Panel finds the record shows the Respondent was previously known by the name "Vallar Matriculation School", and in the year 2013 changed its name.

The Respondent has argued that the letters "ssvm" in the disputed domain name represent a shortened form of its own changed name and the generic term "school" and the geographic term "karur" would serve to distinguish it from the Complainant's institution. The Respondent has not provided evidence that it is commonly known as SSVM. In the Panel's view the term "school" or the geographic term "karur" do not serve to distinguish the disputed domain name, as the SSVM mark is dominant part of the disputed domain name.

The evidence and the chronology of events show that the Complainant is the prior adopter and user of the SSVM mark and there is evidence of extensive use of the SSVM mark by the Complainant, which establishes the Complainant's common law rights in the mark much before the Respondent decided to change its the name in 2013. These facts and circumstances collectively are not indicative of fair use of "ssvm" in the disputed domain name, and therefore does not indicate rights or legitimate interests. The Respondent has used the letters that correspond to the SSVM mark which is admittedly in an area of business that is in direct competition with the Complainant. The preponderance of evidence and facts and precludes a finding of the Respondent's honest use of "ssvm" in the disputed domain name.

Further, under the discussed circumstances, due to the risk of implied affiliation, the Respondent's use of the disputed domain name is likely to attract users looking for the Complainant, and therefore would not support a claim to rights or legitimate interests. [WIPO Overview 3.0](#) Section 2.5.3.

Based on the available record and the circumstances of the present case, 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 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, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

The Panel finds the Respondent's registration and use of the disputed domain name is after the Complainant's adoption and use of the SSVM mark. The Respondent's offering of products is in direct competition with the Complainant's educational services. Under these circumstances, the Panel finds that the disputed domain name was registered by the Respondent with an intention to derive commercial gain from the reputation of the Complainant's mark and to attract Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant's mark.

Regarding the Respondent's argument that the name "Saraswathi" is the name of the Hindu goddess of learning and education which is used by many educational institutions and therefore does not constitute infringing use, is a baseless argument for the reasons that, first, the present dispute concerns only the mark SSVM as clarified by the Complainant in the rejoinder, and second, that the Complainant has not claimed rights in the name "Saraswathi" in these proceedings.

The Panel finds the Respondent's arguments that the Complainant's SSVM mark does not act as an identifier of source is baseless in the light of the Complainant's evidence. The evidence filed by the Complainant which include invoices showing expenditure of promoting and advertising its mark and articles published in the media, establishes the reputation of the mark and its association with the Complainant. Further, it is well established that names and acronyms are protectable as trademarks, particularly when such marks have acquired distinctiveness due to wide and extensive use in commerce. The Panel finds that the evidence filed by the Complainant supports a finding that the Complainant's SSVM mark is widely known, reputed and associated with its institutions.

The Respondent's arguments claiming prior rights as the disputed domain name registration in 2017 predates the Complainant's trademark registration in 2019 is not maintainable. As discussed in the previous section, the evidence filed by the Complainant shows it has established rights in the SSVM mark prior to the Respondent's change of name in 2013, and the Complainant has clearly demonstrated its rights in the mark prior to the Respondent's registration of the disputed domain name.

In conclusion, the Panel finds based on all the material on record, that the Respondent's choice to register the disputed domain name is with an intention to target the Complainant's mark. The registration and use of the disputed domain name is therefore found to be in bad faith as understood under paragraph 4(b)(iv) of the Policy.

The Panel finds that the Respondent has registered the disputed domain name in bad faith and uses it in bad faith. 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 <ssvmschoolkarur.com> be transferred to the Complainant.

/Harini Narayanswamy/

Harini Narayanswamy

Sole Panelist

Date: September 2, 2025