

ADMINISTRATIVE PANEL DECISION

Netway India Pvt. Ltd v. Tyke Agency, ST
Case No. D2025-3580

1. The Parties

The Complainant is Netway India Pvt. Ltd, India, represented by Deepankar Mishra, India.

The Respondent is Tyke Agency, ST, India.

2. The Domain Name and Registrar

The disputed domain name <astroyogi.store> 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 September 4, 2025. On September 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 4, 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 (“REDACTED FOR PRIVACY”) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 5, 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 September 11, 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 September 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 9, 2025.

The Center appointed Shwetasree Majumder as the sole panelist in this matter on October 15, 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 2000 and registered under the Indian Companies Act, 1956. It provides a digital spiritual platform under the mark ASTROYOGI. It owns the Astroyogi app with over 10 million downloads and has a huge following across social media platforms like Facebook, Instagram, Youtube and X.com. The Complainant has several registrations for its mark ASTROYOGI, dating back to 2009. The details of some of these registrations are below:



— Indian Registration No. 1826890, registered on June 9, 2009, in international class 42.

ASTROYOGI – Indian Registration No. 4013440, registered on November 30, 2018, in international class 35.



— Indian Registration No. 4013441, registered on November 30, 2018, in international class 35.

The Complainant's main business website is at the domain name <astroyogi.com>, which has been registered since the year 2001. The Complainant also owns other domain names with the Astroyogi mark, like <theastroyogi.shop>, <astroyogi.in> and <theastroyogi.store>.

The disputed domain name <astroyogi.store> was registered on December 20, 2024. The disputed domain name resolves to an inactive Shopify website that lacks any content.

5. Parties' Contentions

A. Complainant

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

Notably, the Complainant contends that the disputed domain name is identical to the trademark of the Complainant. The Complainant states the disputed domain name fully incorporates the mark ASTROYOGI and gives an unmistakable impression that the disputed domain name has a connection with the Complainant.

The Complainant argues that it has adopted and started using the mark ASTROYOGI since the year 2001. The Complainant asserts that it launched the Astroyogi app in 2013, which has since garnered over 10 million downloads, reflecting its widespread global recognition. It further highlights the consistent year-on-year growth of its subscriber base across Astroyogi platforms, surpassing 4 million users in the year 2024 to 2025. Additionally, the Complainant emphasises its strong online presence, citing substantial followings across various social media platforms, with all platforms having more than one million followers in total. This, they argue, underscores the Astroyogi's established reputation and widespread reach. The Complainant also relies on its registered trademarks for ASTROYOGI and logo marks containing the word ASTROYOGI. The Complainant contends that the Respondent has registered the disputed domain name in bad faith, and the Respondent has registered the disputed domain name primarily with the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant or to a competitor of the Complainant. The Complainant further argues that the ASTROYOGI marks are well-known and have been used in connection to astrology related services since 2000 and the Respondent should have known of the ASTROYOGI marks at the time of registration of the disputed domain name.

The Complainant further argues that the Respondent has no connection with the Complainant and has neither been authorised nor permitted to use or register the disputed domain name. The Complainant further contends that the disputed domain name, being identical to its trademark ASTROYOGI, is likely to mislead Internet users into believing that there is an association or affiliation between the Complainant and the Respondent.

B. Respondent

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

6. Discussion and Findings

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 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 trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. The Panel finds that the disputed domain name is identical to the trademark ASTROYOGI, disregarding the generic Top-Level Domain "store". It is standard practice to disregard the Top-Level suffix under the confusing similarity test, except where the applicable Top-Level suffix may itself form part of the relevant trademark, which is not the case here. [WIPO Overview 3.0](#), section 1.11.1.

The first element of the UDRP requires the trademark to be identical or confusingly similar to the disputed domain name, irrespective of where the Complainant's trademark may be registered. [WIPO Overview 3.0](#), sections 1.1.2 and 1.7.

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 with the second element. [WIPO Overview 3.0](#), section 2.1.

The Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name. The Panel observes that the Respondent is not related to the Complainant or its business activities. The Respondent is neither an agent of the Complainant nor does he carry out activities for the Complainant. There is also no evidence that the Respondent is commonly known by the disputed domain name. The ASTROYOGI marks indisputably vest in the Complainant as evidenced by various registrations secured by the Complainant.

Moreover, the Panel notes the Respondent has hosted third-party Shopify links. The Respondent has failed to come forward with any evidence of prior use, or demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services.

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.

Furthermore, the Panel finds that the nature of the disputed domain name carries a high risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.

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.

In the present case, the Panel notes that the Respondent intentionally attempted to attract Internet users by creating a likelihood of confusion with the Complainant's mark. The Respondent has failed to give any explanation for registering the disputed domain name which is identical to the Complainant's mark ASTROYOGI.

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.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, the composition of the disputed domain name, and the implausibility of any good faith use to which the disputed domain name may be put, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

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 <astroyogi.store> be transferred to the Complainant.

/Shwetasree Majumder/

Shwetasree Majumder

Sole Panelist

Date: October 29, 2025