

## **ADMINISTRATIVE PANEL DECISION**

Tata Motors Limited v. MD ABDUL RAHMAN  
Case No. D2025-3642

### **1. The Parties**

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

The Respondent is MD ABDUL RAHMAN, Bangladesh.

### **2. The Domain Name and Registrar**

The disputed domain name <tatamotorsbangladeshh.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 September 9, 2025. On September 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 10, 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.

The Center verified that the 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 6, 2025.

The Center appointed Clive Duncan Thorne as the sole panelist in this matter on October 8, 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, formerly known as Tata Engineering and Locomotive Company, began manufacturing commercial vehicles in 1954. It has, since, developed Tata Ace, India's first indigenous light commercial vehicle, the Prima range of trucks; the Ultra range of international standard light commercial vehicles; Safari, India's first sports utility vehicle, Indica, India's first indigenously manufactured passenger car, and the Nano the world's most affordable car.

The Complainant has expanded its business internationally since 1961. It now has operations in the United Kingdom ("UK"), Republic of Korea, Thailand, Spain and South Africa. In particular, the Complainant draws attention to the fact that in 2008 it acquired from Ford Motors, Jaguar Land Rover, a UK automobile brand which it describes as a significant milestone, turning the Complainant's focus to luxury brands and global automotive markets. It is now actively investing in electrification and new technologies, including electric vehicles (EVs). It claims to be the largest player in India's growing EV market.

The Complainant's commercial and passenger vehicles are now being marketed in several countries in Europe, Africa, the Middle East, South Asia, South East Asia and South America. It also has franchisee / joint venture assembly operations in Bangladesh, Ukraine and Senegal.

On July 29, 2003, the Complainant changed its name from Tata Engineering and Locomotive Company Ltd to Tata Motors Ltd. The Complainant explains that the term "Tata" is an important element of the corporate name of several companies belonging to the TATA Group of Companies so that the businesses carried on by the Complainant and associated companies within the Group have come to be associated by consumers and the public exclusively with the TATA Group of Companies.

On account of extensive use of the corporate name Tata Motors Ltd which encompasses the mark TATA the corporate name TATA Motors has evolved as a brand which is identified solely and exclusively with the Complainant.

The Complainant owns numerous trade mark registrations throughout the world containing TATA and TATA MOTORS. In this Complaint it relies upon a registration for the mark TATA in Bangladesh and TATA MOTORS in India, Algeria, Australia and the Philippines. These include;

Bangladesh – registration 15303 in class 12 dated November 16, 2016, TATA

India – registration 1241123 in class 12 dated October 3, 2003, TATA MOTORS

India – registration 4159301 in class 12 dated April 26, 2019, TATA MOTORS

Copies of certificates of registration are exhibited as Annexure 5 to the Complaint.

The Complainant also submits that it has acquired unregistered rights in the marks TATA and TATA MOTORS as a result of their widespread use throughout the world.

The Complainant also promotes and advertises in print and online media. It sets out in the Complaint evidence of domain names it has registered consisting of "tatamotors" and a Top Level Domain which it uses throughout the world including <tatamotors.com> for use in India, <tatamotors.com.bd> for use in Bangladesh, <tatamotorsbangladesh.com> and <newtatamotorsbangladesh.com> for global use.

Nothing is known about the Respondent save that he has an address in Bangladesh and that the disputed domain name was registered on January 23, 2025, which is after the dates of registration of the Complainant's trade marks relied upon. The disputed domain name resolved to a website that offered Complainant's products along with competing products, but currently it resolves to an inactive website.

In the absence of a Response the Panel finds the evidence adduced by the Complainant to be true.

## **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;

- i. It has provided evidence of trade mark registrations for the marks TATA and TATA MOTORS and that the disputed domain name is confusingly similar to those marks in which it has both registered and unregistered rights;
- ii. There is no evidence that the Respondent has rights or legitimate interests in the disputed domain name;
- iii. Given its trade mark rights and its worldwide trading, including in Bangladesh, the Respondent will have had constructive knowledge of the Complainant and its rights when it registered the disputed domain name and could only have done so in bad faith. The passive holding of a domain name has been held to use in bad faith.

### **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 the trade marks TATA and TATA MOTORS for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

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

For the purpose of assessing confusing similarity under paragraph 4(a)(i) of the Policy, the Panel may ignore the generic Top-Level Domain ("gTLD"); in this case ".com", see [WIPO Overview 3.0](#), section 1.11.1.

For the above reasons 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.

There is no evidence of the Respondent's use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services. Instead, the Respondent's use of the disputed domain name for a website offering the Complainant's products along with competing products without a disclaimer cannot be considered as fair use and cannot confer rights or legitimate interests upon the Respondent within [WIPO Overview 3.0](#), sections 2.1 and 2.8.

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 takes into account that the Respondent registered the disputed domain name after the date of registration of the Complainant's trade marks. Given the substantial use world wide of the trade marks by the Complainant in respect of its products the Respondent will likely have been aware of the Complainant and its trading activities at the date of registration of the domain name. Having that knowledge of the Complainant's trade marks is evidence of registration in bad faith.

Further, the Panel notes that the disputed domain name previously resolved to a website where the Respondent offered the Complainant's products for sale along with competing products. Notably, the Respondent failed to include any disclaimer or explanation clarifying the absence of any relationship with the Complainant. Previous panels in similar cases have declared the registration and use in bad faith in these cases, as the Respondent aimed to attract Internet users to its website by creating a likelihood of confusion with the Complainant. [WIPO Overview 3.0](#), section 3.2.1.

The current non-use of the disputed domain name does not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

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 <tatamotorsbangladeshh.com> be transferred to the Complainant.

*/Clive Duncan Thorne/*

**Clive Duncan Thorne**

Sole Panelist

Date: October 15, 2025