

ADMINISTRATIVE PANEL DECISION

Grasim Industries Limited v. Dotpe, Dotpe pvt. Ltd.
Case No. D2025-4789

1. The Parties

The Complainant is Grasim Industries Limited, India, represented by Ajay Sahni & Associates, India.

The Respondent is Dotpe, Dotpe pvt. Ltd., India.

2. The Domain Name and Registrar

The disputed domain name <myultratechcement.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 November 19, 2025. On November 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 21, 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 (John Doe) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 21, 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 November 24, 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 November 26, 2025. In accordance with the Rules, paragraph 5, the due

date for Response was December 16, 2025. The Respondent sent email communications to the Center on December 2, 2025, and December 4, 2025.

The Center appointed Harini Narayanswamy as the sole panellist in this matter on December 30, 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 publicly listed Indian company and is one of the largest manufacturers of cement and ready to use concrete in India. It is the flagship company of the Aditya Birla Group, which is a USD 67 billion conglomerate owned by the Birla family. The Complainant uses the ULTRATECH trademark and maintains its website from the domain name <ultratechcement.com>.

The Complainant owns a large portfolio of ULTRATECH formative trademarks. The earliest registration of the Complainant's ULTRATECH trademark dates back to October 2003 in class 19 under Indian trademark number 1244745. The Indian trademark registration for the ULTRATECH (word) mark is also registered under registration number 4750794, registered on November 20, 2020, in class 2 and Indian trademark registration for the ULTRATECH (word) mark, registration number 5595637, registered on September 3, 2022, in class 8.

The ULTRATECH trademark has been declared a well-known mark under provisions of the Indian Trademark Act 1999 by an order of the Hon'ble Bombay High Court and is listed among the well-known trademarks maintained by the Registrar of Trademarks India at serial number 79 of the list.

The Respondent registered the disputed domain name on March 20, 2025. The disputed domain name is not being used by the Respondent. The Respondent sent an email communication addressed to the Complainant's counsel on December 2, 2025. In the email, the Respondent states that the services associated with the disputed domain name were suspended after the receiving communication from the Complainant dated July 4, 2025. The Respondent has also acknowledged receiving a written notice of the Complaint from the Center along with WIPO Standard Settlement Form.

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.

The Complainant contends that it is India's largest manufacturer of grey cement, white cement and ready-mix concrete. It has 24 integrated manufacturing units, 33 grinding units, one clinkerization unit and eight bulk packaging terminals and has 321 ready mix concrete plants in 134 cities across India with a network of one hundred thousand channel partners across India.

The Complainant maintains that ULTRATECH is a leading cement brand by one of the largest cement producers along with its subsidiaries and licensees. The Complainant states that it has operations in four countries, India, Bahrain, United Arab Emirates (the), and Sri Lanka. The Complainant further states that its other business areas include metals, fashion, and retail services, chemicals and real estate. The Complainant has been using the ULTRATECH trademark throughout India for its cement products, building and construction material. It has been

associated with some of India's large infrastructure projects such as Bandra Worli Sea Link in Mumbai, India's New Parliament building in New Delhi and has been used in the construction of many metro rail projects.

The Complainant contend that it has been the recipient of several awards and recognitions including "Brand of The Year" at ET Brand Equity Shark Awards 2022, a consumer validated Super Brand (2017) and Powerbrand (2017), "Asia's Most Admired Brand", in Infrastructure category by the World Consulting and Research Corporation (2014 and 2015), CAPELEX Top Export Award as India's largest cement and clinker exporter (2014-2015), Advertiser of the Year at the e4m Prime Time Awards 2025 and named the "Disruptive Brand of the Year" at ET Brand Disruption Awards 2025. The Complainant states that it has a strong social media presence which also promotes its ULTRATECH mark.

Notably, the Complainant argues that the disputed domain name is confusingly similar to the trademark. The Complainant further argues that the Respondent lacks rights or legitimate interest in the disputed domain name and has registered the disputed domain name in bad faith. The Complainant submits that the non-use of the disputed domain name indicates bad faith under the given circumstances.

B. Respondent

The Respondent claims to be a website developer and alleges to have registered the disputed domain name on behalf of a client. The Respondent further states that it is a service provider to merchants ("clients") for creating and developing their websites, which the clients use for their own purpose. The Respondent claims that it is merely a technology provider / web developer to its clients, while the client has control over the use of the disputed domain name including the content. The Respondent therefore contends that it is not responsible for the content, use, or legality of any domain name because it acts "purely as a facilitator" to its clients and in good faith "to assist customers". The Respondent has however not submitted any evidence to substantiate these statements.

Other communications of the Parties

The Complainant replied to the Respondent's communication on December 3, 2025, stating that the Respondent is the named registrant of the disputed domain name as per the Whois record, but requested the Respondent to disclose the name and contact details of the client. Replying to the Complainant's communication, the Respondent sent the name of the alleged end user of the disputed domain name is "Bipin Bhaiyya Parage" of Chandrapur Maharashtra, India on December 4, 2025. The Center replied to the Respondent on December 17, 2025, that it is not in a position to assess the statements made by the Respondent as it falls within the role of the Panel and informed that the Respondent may want to send the case documents to the party identified by the Respondent as the alleged end user of the disputed domain name.

On December 18, 2025, the Complainant's counsel sent a communication to the Center stating that the Respondent's assertions that the disputed domain name was registered on behalf of Mr. Bipin Bhaiyya Parage is unverified and unsubstantiated and is not supported by any evidence. The Complainant further asserted that the record still showed that the named Respondent continues to be registrant of the disputed domain name, The Complainant therefore requested for the proceedings to continue as per the Policy and the Rules. The Complainant did not consent for the amendment or substitution of the Respondent's name in the proceedings.

6. Discussion and Findings

Identity of the Respondent

The Panel notes the Respondent's submission that the registration of the disputed domain name is on behalf of its client. Although the Respondent has provided the name of the alleged client and has claimed the client is end user of the disputed domain name, the Respondent has not provided any document or evidence to show its relationship to the claimed client. Nevertheless, under the UDRP Policy, the Respondent is defined as the current registrant of the disputed domain name. Irrespective of the existence of a beneficial holder or final user of the disputed domain name, the registrant cannot turn a blind eye into the obligations and responsibilities arising from its registration (and the acceptance of the registration agreement). See *Bryan Cave Leighton Paisner LLP v. Job*, WIPO Case No. [D2020-0592](#).

For the reasons discussed, the current registrant of the disputed domain named in the Whois record, is Dotpe, Dotpe pvt. Ltd., India and is therefore the appropriate Respondent in the present case. However, the Panel further notes that references to the registration and use by the Respondent shall be construed to include the actual use of the disputed domain name (irrespective of whether it is the beneficial holder or the Respondent using the disputed domain name).

Three elements that need to be established by the Complainant, in order to obtain the remedy of transfer of the disputed domain name under paragraph 4 (a) of the Policy 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 of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has filed evidence of its ownership for the ULTRATECH trademark registrations. 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. 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 "my" and "cement" may bear on assessment of the second and third elements, the Panel finds the addition of such 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.

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.

Paragraph 4 (c) of the Policy sets forth the following circumstances where a respondent may have rights or legitimate interests in the disputed domain name.

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

Having reviewed the available record, the Panel finds there is no evidence that the Respondent is commonly known by the disputed domain name or a business name that corresponds to the disputed domain name. The disputed domain name has not been used in connection with a bona fide offering of goods and services or for any legitimate non-commercial fair use purposes.

Having reviewed the available record, the Panel finds the use of the Complainant’s well-known mark in the disputed domain name creates an implied affiliation with the mark which is likely to mislead Internet users as to source, origin or affiliation of the disputed domain name. It has been consistently found in previous cases that mislead Internet users in this manner does not represent a bona fide use of the mark in the disputed domain name.

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, 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 from the material on record that the Complainant has established that its ULTRATECH mark is a well-known mark that has been extensively used in commerce. The Respondent has not provided any material submissions or explanations for the passive holding of the disputed domain name except that that disputed domain name is registered on behalf of a client, which is also located in India (where the Complainant's mark is well-known). The Respondent has not provided any supporting evidence regarding these submissions or the intended use the disputed domain name in future but has merely made unsupported statements without any evidence.

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 (including a blank or "coming soon" page) 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, and the misleading composition of the disputed domain name, 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.

The disputed domain name would misrepresent to a typical Internet user that any website that is operated using the disputed domain name is either associated or endorsed by the trademark owner or its authorized licensees.

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 <myultratechcement.com> be transferred to the Complainant.

/Harini Narayanswamy/

Harini Narayanswamy

Sole Panelist

Date: January 13, 2026