

ADMINISTRATIVE PANEL DECISION

Mahindra and Mahindra Limited v. anto anto
Case No. D2025-4996

1. The Parties

The Complainant is Mahindra and Mahindra Limited, India, represented by Saikrishna & Associates, India.

The Respondent is anto anto, Indonesia.

2. The Domain Name and Registrar

The disputed domain name <mahindraengineering.com> 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 December 2, 2025. On December 2, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 2, 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 (Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 4, 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 December 9, 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 December 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 31, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 9, 2026.

The Center appointed María Alejandra López García as the sole panelist in this matter on January 15, 2026. 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 vehicle manufacturing corporation and part of the Mahindra Group, a multinational conglomerate incorporated in 1945. The Mahindra Group is a multi billion global federation of companies that has a presence in more than 100 countries and employs over 2,50,000 people in over 150 companies.

The Mahindra Group operates in 22 key industries, including but not limited to, automotive, aerospace, aftermarket, agri industry, boats, clean energy, construction equipment, consulting, defense, farm equipment, financial services, hospitality, industrial equipment, information technology, insurance broking, logistics, power back up, real estate and infrastructure, retail, rural housing finance, steel, trucks and buses, among other sectors.

The Complainant owns, among many others, the following trademarks:

-Indian Trademark for MAHINDRA (and design), Registration No. 338997, granted on July 27, 1978, and in force until July 27, 2026, in International Class ("IC") 12.

-European Union Trademark for MAHINDRA (and design), Registration No. 011768141, granted on September 4, 2013, and in force until April 25, 2033, in IC 6, 7, 12, and 42.

-Singapore Trademark for MAHINDRA (and design), Registration No. T1308068A, granted on January 3, 2014, and in force until May 21, 2033, in IC 7, 12, and 42.

The Complainant also owns a large domain name portfolio, which includes the trademark MAHINDRA, i.e., <mahindra.com> registered on November 27, 1999; <mahindraauto.com> registered on May 28, 2004; <mahindralogistics.com> registered on March 12, 2007; and <mahindraagri.com> registered on November 29, 2012, among many others.

According to the evidence provided, the Complainant's trademark MAHINDRA has been recognized as a well-known trademark in India¹; in addition, the Complainant has an active presence on social media platforms as well.

The disputed domain name was registered on November 6, 2019. By the time of filing the Complaint, the disputed domain name resolved to a website which displayed the letters and numbers "Depo288" and hosted ads for various games unrelated to the Complainant. Currently, the disputed domain name resolves to an inactive website.

The disclosed Respondent seems to be an unrelated individual located in Indonesia.

¹ *Mahendra & Mahendra Paper Mills Ltd. vs. Mahindra & Mahindra Ltd.*, Supreme Court of India, 2002 (24) PTC 121; CS (OS), 921/2013; Suit No. 2061 of 2012.

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.

Regarding the first element of the Policy, the Complainant contends that it previously owned and actively used the disputed domain name until 2019 through its former subsidiary, Mahindra Engineering Services Ltd.; that in and around 2013, Mahindra Engineering Services Ltd. merged into the Complainant's group company "Tech Mahindra"; that the Complainant's registration of the disputed domain name inadvertently lapsed in August, 2019, and on November 6, 2019, the Respondent registered the disputed domain name.

The Complainant contends that, by the time of the registration of the disputed domain name, it had established its rights in the trademarks MAHINDRA and MAHINDRA ENGINEERING, based on its extensive use and trademark registrations globally, and that, therefore, the disputed domain name is identical to the Complainant's trademarks.

Regarding the second element of the Policy, in summary, the Complainant contends that no authorization has been granted to the Respondent for the use of its well-known trademark MAHINDRA, including as a domain name; that the Respondent is not commonly known by the disputed domain name, nor does the Respondent engage in any business or commerce under the trademark and/or trade name MAHINDRA; that the disputed domain name incorporating "Mahindra Engineering", prominently features the mark "Depo288" which is entirely unrelated to the disputed domain name, which does not constitute a legitimate or noncommercial or fair use either a bona fide offering of goods and/or services evidence in connection to the disputed domain name; that to the contrary the Respondent is making passive use of the disputed domain name.

Concerning the third element of the Policy, in summary, the Complainant contends that the disputed domain name was registered and is being used in bad faith, given that the Complainant's trademark MAHINDRA was well-known by the time of the disputed domain name's registration, and that there is no possibility that the Respondent was unaware of its existence or presence in the market; that the disputed domain name was previously owned and used by the Complainant until its registration expired in 2019, that immediately thereafter, on November 6, 2019, the Respondent registered it; that the Respondent's use of the disputed domain name constitutes passive holding, as the website under the disputed domain name merely displays the mark "Depo288" without any bona fide connection to the Complainant's trademark.

B. Respondent

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

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, the Complainant must satisfy each of the three following elements:

- (i) the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

No Response or any kind of communication has been submitted by the Respondent, despite the fair opportunity given by the Center to present its case in accordance with paragraph 2(a) of the Rules. Therefore, this Panel shall analyze the evidence submitted by the Complainant and decide this dispute based on the “balance of probabilities” or “preponderance of the evidence” standard. See paragraphs 14 and 15(a) of the Rules, and WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)), section 4.2.

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 Panel notes that the Complainant provided a list of trademarks based on the MAHINDRA trademark.

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 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, “engineering”, 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.

In relation to the generic Top-Level Domain “.com”, it is well established that such element may typically be disregarded when it is used as a technical requirement of a domain name registration. [WIPO Overview 3.0](#), section 1.11.1.

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.

According to the evidence provided by the Complainant, the fact that the disputed domain name resolved to a website for online games, understanding that the term “Depo288” may be related to online casino and gambling activities, which may result in scams. Therefore, such use is deemed active and does not constitute a bona fide offering nor a legitimate noncommercial or fair use of the disputed domain name in accordance with paragraph 4(c)(i) and (iii) of the Policy.

The Panel notes that by the time of this Decision, the content of the disputed domain name has been removed in its entirety, resulting in an inactive website, which, to this Panel, presumes the Respondent’s knowledge of the present dispute.

Moreover, the Panel finds that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant and its trademarks. [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 complainant must show that the respondent registered and is using the disputed domain name in bad faith (Policy, paragraph 4(a)(iii)). Paragraph 4(b) of the Policy provides circumstances that may evidence bad faith under paragraph 4(a)(iii) of the Policy.

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.

The Panel notes that the Complainant’s trademark MAHINDRA is widely-known, which it has been used to land an online gambling website to the detriment of the Complainant (see *Toyota Motor Sales, U.S.A., Inc. v. Privacy Service Provided by Withheld for Privacy ehf / lexus mpo168*, WIPO Case No. [D2022-2413](#)); that, as shown by the evidence submitted, the disputed domain name was previously owned and used by the Complainant. Therefore, it is clear to the Panel that by the time of the disputed domain name’s registration, i.e., November 6, 2019, the Respondent should have been aware of the Complainant and the value of the well-known trademark MAHINDRA, which constitutes evidence of bad faith registration under the Policy. Through a simple Internet and/or social media search, the Respondent could have avoided the present dispute. See [WIPO Overview 3.0](#), section 3.2.2.

In this case, the Respondent has failed to submit a Response. The Panel finds the disputed domain name was registered to attract, for commercial gain, Internet users to the Respondent’s website by creating a likelihood of confusion with the Complainant and its trademarks. The current non-use of the disputed domain name does not prevent a finding of bad faith under the doctrine of passive holding. Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes 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 <mahindraengineering.com> be transferred to the Complainant.

/María Alejandra López García/

María Alejandra López García

Sole Panelist

Date: January 29, 2026