ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

PT Gajah Tunggal Tbk. v. Devesh Dabas, GT Tires Private Limited
Case No. D2025-5057

1. The Parties

The Complainant is PT Gajah Tunggal Tbk., Indonesia, represented by James Arya, Indonesia.

The Respondent is Devesh Dabas, GT Tires Private Limited, India.

2. The Domain Name and Registrar

The disputed domain name <gt.tires> 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 5, 2025. On December 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 8, 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 (Registration Private, Domains by Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 10, 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 12, 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 January 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was January 29, 2026. The Response was filed with the Center on January 29, 2026.

The Center appointed Warwick A. Rothnie as the sole panelist in this matter on February 6, 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 manufactures and distributes tyres under what it describes as the "GT Radial brand". Its address is in Indonesia but the Complaint indicates its headquarters are in Singapore. The Complainant claims its products are distributed in more than 130 countries worldwide, making it one of Asia's largest tyre manufacturers. The Complaint includes evidence that the Complainant has R&D centres in China, Germany, Indonesia and the United States of America ("United States"). It also has manufacturing plant in China (3), Indonesia, and the United States. In addition to its Singaporean headquarters, the Complainant has branch offices in Indonesia, Malaysia, China, France, Germany, the United Kingdom, Canada, and the United States.

The Complainant also promotes its products from a website at "www.gtradial.com".

The Complaint includes evidence that the Complainant, or another member of its corporate group, has a number of registrations based on "GT Radial" in a number of countries around the world. These include:

(1) Some registrations for GT RADIAL including:

(a) United Arab Emirates Registered Trademark No 108794, which has been registered for relevant goods in International Class 12 since March 10, 2008;

(b) The Sultanate of Oman Registered Trademark No 53029, which has been registered since August 25, 2008;

(2) Some registrations for a fancy mark:

(some are in black and white or grayscale, others in colour)

These registrations include:

(a) International Registration No. 955296 which has been registered in respect of tyres in International Class 12 since January 25, 2008 designating Albania, Armenia, Bahrain, Bhutan, Bulgaria, Croatia, Cuba, Georgia, Islamic Republic of Iran, Kenya, Kyrgyzstan, Madagascar, Montenegro, Morocco, Mozambique, Oman, Republic of Moldova, Romania, Serbia, Syrian Arab Republic, The Republic of Macedonia, Turkmenistan, Uzbekistan and Zambia based on Singapore Registered Trademark No. T951007G which was registered on October 19, 1995; and

(b) United Arab Emirates Registered Trademark No. 108793, which has been registered for goods in International Class 12 since March 10, 2008.

The Complaint includes a number of other example registrations.

According to the WhoIs report, the disputed domain name was registered on August 1, 2025.

The disputed domain name resolves to the website of “GT Tires” which “is a Global Tire Company offering a complete range of quality tires and services, and is ranked among the world’s leading tire brands/ companies”. The website also states that “GT Tires has been at the forefront of tire innovation for decades”. Before the Complaint was filed, the website stated that:

“GT Tires is a Global Tire Company offering a complete range of quality tires and services. *The company provides tires to more than 130 countries* and is ranked among the world’s leading tire brands/ companies.” (Emphasis supplied)

The website also identifies the Respondent’s products as being available under three brands: GT Tires, Gran Turismo, and Stonewave.

From documents included in the Complaint and the Response, it appears that the Respondent was incorporated on April 23, 2025 in Bangalore, India and changed its name to GT Tires Private Limited with effect from September 23, 2025.

Although the website stated (before the Complaint was filed) that the Respondents’ products are provided, like the Complainant’s website claims, to more than 130 countries, the Contact Us page identifies two offices: one in India and another in the United Arab Emirates.

5. Discussion and Findings

Paragraph 4(a) of the Policy provides that in order to divest the Respondent of a disputed domain name, the Complainant must demonstrate each of the following:

(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 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.

Paragraph 15(a) of the Rules directs the Panel to decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable.

A. Identical or Confusingly Similar

The first element that the Complainant must establish is that the disputed domain name is identical with, or confusingly similar to, the Complainant’s trademark rights.

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 3.1”), section 1.7.

The Complainant has proven ownership of registered trademarks for GT RADIAL as both a word mark and a fancy mark.

The comparison of the disputed domain name to the Complainant’s trademark simply requires a visual and aural comparison of the disputed domain name to the proven trademarks. This test is narrower than and thus different to the question of “likelihood of confusion” under trademark law. Therefore, questions such as the scope of the trademark rights, the geographical location of the respective parties, the date they were acquired and other considerations that may be relevant to an assessment of infringement under trademark law are not relevant at this stage. Such matters, if relevant, may fall for consideration under the other elements of the Policy. See e.g., WIPO Overview 3.1, section 1.7.

In undertaking that comparison, the Top Level Domain (TLD) component is usually disregarded as a functional aspect of the domain name system. However, that is not invariably the case where the second-level element and the TLD in combination contribute to confusing similarity with a trademark. See WIPO Overview 3.1, section 1.11.3 and by way of example *At World Properties, LLC v. Whois Agent, WHOIS PRIVACY PROTECTION SERVICES, INC. / Whois Agent, PROFILE GROUP*, WIPO Case No. D2016-0440, <at.properties> and *Compagnie Générale des Etablissements Michelin v. Pacharapatr W.*, WIPO Case No. D2016-2465, <tyre.plus>.

It is also usual to disregard the design elements of a trademark under the first element as such elements are generally incapable of representation in a domain name. Where the textual elements have been disclaimed in the registration or cannot fairly be described as an essential or important element of the trademark, however, different considerations may arise. See for example, WIPO Overview 3.1, section 1.10. The application of that principle in the present case is not as straightforward as in many other cases for reasons discussed further below. In any event, however, the Complainant does have some plain word mark registrations as well.

If one disregards the TLD in the present case, the disputed domain name consists of GT alone; that is, the Complainant's trademark without the word "Radial". The Respondent points out that GT alone is a common and widely used abbreviation. Thus, the Respondent points out that GT can be seen as an abbreviation for "Gran Turissmo" or "Grand Touring" and a number of other tyre manufactures have product names which include "GT".

These include "Apollo Tyres" "Terra GT", Yokohama's "BluEarth-GT" (for Grand Touring), Pirelli's motorcycle tyre Angel™ GT, General Tire's "Grabber GT", Eurogrip's "Jumbo GT" and Michelin's "Road 6 GT". Car manufacturers also use the abbreviation including Ford Mustang® GT 5.0, Mercedes-AMG GT Coupé, Maclaren GT (Grand Touring, Reinvented), Bentley's Continental GT range and, in India, Volkswagen's Virtus GT Sport and GT line.

The Panel accepts that "GT" alone does have the descriptive connotation contended for and is widely used, not least in the tyre and motor vehicle industries. Noticeably, in the examples above however, "GT" tends to be used as a suffix to another recognisable brand or trademark rather than as a standalone trademark in its own right.

Accepting that "GT" does have this descriptive meaning, the Panel nonetheless finds the disputed domain name is confusingly similar to the Complainant's trademark rights.

First, the disputed domain name as a whole (including the TLD) is very close to the Complainant's trademark. "Tires" as a word is obviously different to "radial". But in ordinary English, "radial" is often used as shorthand for tyre (strictly speaking being a tyre of a particular kind of construction – a radial tyre).

Secondly, while the content of a respondent's website is usually disregarded when assessing confusing similarity under this first element, panels have consistently recognised it is permissible to take note of the content of the website in cases of doubt to confirm whether or not it appears that the Respondent is targeting a trademark through the disputed domain name. WIPO Overview 3.1, section 1.15. Where that appears to be the case, panels have been prepared to find confusing similarity

In addition to the very close similarity of the disputed domain name to the Complainant's trademark (in exactly the same line of business), the Respondent's website presents "GT Tires" in a close, if not the same, colour scheme and a very similar configuration to that apparently used by the Complainant for many years. It also appears that, at least before the Complainant was filed, the Respondent was using the same strapline as the Complainant. For example, Annex 5 to the Complaint contains the following comparison:

The Complainant's Logo

Compared to:

The Respondant's Logo

The Respondent has not disputed this presentation (although the Respondent does dispute the overall conclusion of confusing similarity).

The Complainant also points to the claim on the Respondent's website (before the Complaint was filed) that the Respondent's products are available in more than 130 countries. The Complainant contends that this claim is false. The Response does not appear to dispute the Complainant's claim and the Panel notes the claim appears to have been removed from the Respondent's website.

For present purposes, it is sufficient to note the Respondent's claimed market penetration is the same as the Complainant's website which states that the Complainant distributes tyres … "in more than 130 countries around the world".

Having regard to these matters, the Panel finds that the first limb of the Policy is satisfied.

B. Rights or Legitimate Interests

The second requirement the Complainant must prove is that the Respondent has no rights or legitimate interests in the disputed domain name.

Paragraph 4(c) of the Policy provides that the following circumstances can be situations in which the Respondent has rights or legitimate interests in a disputed domain name:

(i) before any notice to [the Respondent] 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; or

(ii) [the Respondent] (as an individual, business, or other organization) has been commonly known by the [disputed] domain name, even if [the Respondent] has acquired no trademark or service mark rights; or

(iii) [the Respondent] is making a legitimate noncommercial 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.

These are illustrative only and are not an exhaustive listing of the situations in which a respondent can show rights or legitimate interests in a domain name.

While 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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. WIPO Overview 3.1, section 2.1.

There is no dispute between the Parties that:

(1) The Respondent registered the disputed domain name after the Complainant began using its trademark and also after the Complainant had registered its trademark;

(2) The Respondent is not affiliated with the Complainant;

(3) The Complainant has not otherwise authorised the Respondent to use the disputed domain names.

In addition to pointing out that "GT" is a commonly used acronym, the Respondent points out that its corporate name, duly registered with the Indian regulatory authorities, is "GT Tires" – the words "Private Limited" being a regulatory requirement denoting a particular type of corporate entity under Indian law.

As the Respondent contends, derivation from a corporate or business name can be a "classic" example of a legitimate interest under the Policy. That is true so far as it goes but it is not a complete answer; it depends how the corporate name has been derived and used.

First, the Panel notes that the disputed domain name was in fact registered before the Respondent changed its name to its current name. In such circumstances, it is difficult (to say the least) to say that the disputed domain name is derived from the company name. Nonetheless, the Panel accepts that it may not be unreasonable to secure a particular domain name in advance of engaging in the potentially more complicated (and possibly expensive) steps of incorporating a company or, as here, going through whatever steps are required to effect and register a change of name.

Secondly, however, paragraph 4(c)(ii) is premised on the recognition that a name, such as a birth name is unlikely to have been adopted (or conferred) with an intention to trade on someone's trademark. Likewise, where a person can show that they have been commonly known by some name, particularly for an extended period . A company, business or trading name is a different case, however. The name in such a case has typically been chosen by the promoters or operators for some commercial purpose. How it has been derived, therefore, calls for examination.

In the present case, the Respondent says its name was adopted because "GT" is an acronym for "Gran Turismo", a term in wide use. The Response does not explain why the company was originally incorporated under the name "Stonewave" and changed some five or six months later to its current name. The Respondent's website does identify the Respondent as carrying three brands – "GT", "Gran Turismo", and "Stonewave". Annex 2 to the Response is put forward as evidence of the different brands used by the Respondent for its products. The products included in Annex 2 are all identified under the "house" mark, STONEWAVE and none of them feature "GT". Also, they direct the reader to a website at "www.stonwaverubber.com" (which does not exist at the time this decision is being prepared). The Respondent has not identified when the "GT" or "Gran Turismo" lines were introduced.

In these circumstances and given the matters referred to in Section 5A above leading to the Panel's finding that the disputed domain name is confusingly similar to the Complainant's trademark, the Panel is not prepared to find that the Respondent has made out the circumstances identified in paragraph 4(c)(ii) of the Policy. The Respondent has not demonstrated that its company name was adopted in good faith. Rather, from the evidence referred to in Section 5A above, it appears that the Respondent adopted the disputed domain name and its company name to target the Complainant's trademark.

In those circumstances, the Complainant has demonstrated a prima facie case that the Respondent does not have rights or legitimate interests in the disputed domain name and the Respondent has not succeeded in rebutting that prima facie case.

Accordingly, the Panel finds the Complainant has established the second requirement under the Policy also.

C. Registered and Used in Bad Faith

Under the third requirement of the Policy, the Complainant must establish that the disputed domain name has been both registered and used in bad faith by the Respondent. These are conjunctive requirements; both must be satisfied for a successful complaint: see e.g., *Group One Holdings Pte Ltd v. Steven Hafto* WIPO Case No. D2017-0183.

Generally speaking, a finding that a domain name has been registered and is being used in bad faith requires an inference to be drawn that the respondent in question has registered and is using the disputed domain name to take advantage of its significance as a trademark owned by (usually) the complainant.

As the Respondent contends, there is no evidence before the Panel that the Respondent has offered the disputed domain name for sale either to the Complainant or anyone else. There is no evidence before the Panel that the Respondent has engaged in a pattern of cybersquatting or bulk trademark-based registrations.

Contrary to the Respondent's contentions, however, the Panel concludes on the evidence in this proceeding that it is likely the Respondent was well-aware of the Complainant and its trademark and, for the reasons already outlined, set out to target the Complainant's trademark.

As explained, the Panel infers these conclusions from in particular the close resemblance of the Respondent's name and trademark to the Complainant's trademark, the adoption and use of a closely similar colour scheme and configuration of the Respondent's logo-form, the use of the same strapline and the claim (disputed by the Complainant) that the Respondent supplies its products into "more than 130 countries", exactly the same as the Complainant.

Accordingly, the Complainant has established all three requirements under the Policy.

6. 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 <gt.tires> be transferred to the Complainant.

/Warwick A. Rothnie/
Warwick A. Rothnie
Sole Panelist
Date: February 20, 2026