

ADMINISTRATIVE PANEL DECISION

JSW IP Holdings Private Limited v. PADMAHSHALI KUTUMB
Case No. D2025-5199

1. The Parties

The Complainant is JSW IP Holdings Private Limited, India, represented by Saikrishna & Associates, India.

The Respondent is PADMAHSHALI KUTUMB, India, represented by LMJ Law Practice, India.

2. The Domain Name and Registrar

The disputed domain name <jswdulux.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 12, 2025. On December 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 13, 2026, 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 (GoDaddy.com, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 15, 2026, 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 16, 2026.

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 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 7, 2026. The Respondent did not submit any response. The Respondent sent an email communication to the Center on January 6, 2026.

On January 6, 2026, the Respondent requested the appointment of a three-member Panel and an extension of the due date for Response. On January 8, 2026, the Center extended the due date for Response to January 15, 2026. On January 15, 2026, the Respondent submitted a list of three candidates to serve as one of the Panelists, but did not submit a Response. On January 16, 2026, the Center invited the Complainant to submit a list of three candidates to serve as one of the Panelists. On January 21, 2026, the Complainant submitted such list.

The Center appointed Assen Alexiev, Meera Chature Sankhari and Yuzo Wada as panelists in this matter on February 18, 2026. The Panel finds that it was properly constituted. Each member of 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.

On February 23, 2026, the Complainant submitted a supplemental filing. On March 4, 2026, the Respondent submitted a late-filed Response. On March 5, 2026, the Complainant submitted an objection against the admission of the late-filed Response.

4. Factual Background

The Complainant is the brand management and promotion division of the JSW Group, an Indian conglomerate that is active in various industrial sectors such as steel, infrastructure, cement, paints, defence and automobiles, and that has a workforce of more than 42,000 employees. One of the JSW Group companies is JSW Paints Limited, which manufactures paints, coatings, and related products, and which has production facilities and distribution channels in India. The Complainant operates its official website at the domain name <jsw.in>, registered since 2005.

The Complainant is the owner of various trademark registrations for JSW (the “JSW trademark”) in different jurisdictions, including the following representative registrations in India, where both Parties are located:

- the Indian trademark  (combined) with registration No. 3329146, registered on August 4, 2016 for goods in International Class 2; and
- the Indian trademark JSW (word) with registration No. 4116566, registered on March 13, 2019 for goods in International Class 2.

In 2024, the JSW trademark was included in the List of Well-Known Trade Marks maintained by the Indian Trade Mark Registry.

The disputed domain name was registered on April 15, 2025. At the time of the filing of the Complaint, it resolved to a parking webpage containing pay-per-click (“PPC”) links related to paints. It currently redirects to the website at www.dot-shopping.org, which includes an article dated January 28, 2026 with the title “Finding Car Breakers and Used Parts in Maryhill”, and displays PPC links related to auto parts.

5. Parties’ Contentions

A. Complainant

The Complainant states that the JSW trademark was adopted in 2005 and has been continuously and extensively used since then, as a result of which it has gained reputation in India and on the international markets, where the products of the JSW Group are widely exported. The Complainant points out that the JSW trademark has attained the status of a well-known trademark in India, which was officially acknowledged in 2024.

The Complainant states that the disputed domain name is confusingly similar to its JSW trademark, because it wholly incorporates the trademark, and Internet users may be misled to associate the disputed domain name with the JSW Group and the JSW trademark.

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain name, because it has no rights in the JSW trademark and has registered the disputed domain name without the consent or authorisation of the Complainant. The Complainant adds that the Respondent is not commonly known by the disputed domain name. The Complainant points out that the Respondent has not only copied the Complainant's JSW trademark but also the third party trademark DULUX. The Complainant submits that the Respondent has not used the disputed domain name in connection with a bona fide offering of goods or services.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. According to it, the JSW trademark is well-known and it is impossible that the Respondent was unaware of it when registering the disputed domain name. The Complainant notes that the disputed domain name resolves to a parking webpage with PPC links related to paints and other chemical products, which is the business of the Complainant's group company JSW Paints carried out under the JSW trademark. In the Complainant's submission, this shows that the Respondent has registered the disputed domain name with an intent to unlawfully monetise the Complainant's goodwill and reputation.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions, although it requested an extension of the time limit for the filing of a Response, and the Center extended the due date until January 15, 2026.

The only statement made by the Respondent on the substance of the Complaint was included in its informal communication to the Center of January 6, 2026, whereby the Respondent stated (in relevant part):

"[...] In the interim, we state that we deny all that the complainant has stated in their complaint. We hope you consider our request. [...]"

Over 40 days after the expiration of the extended due date for the Response of January 15, 2026, the Respondent submitted a Response. This Response was not admitted by the Panel (see section 6.2 below), so it is not summarised here.

6. Discussion and Findings

6.1. Procedural issue - Complainant's Supplemental filing

The Complainant filed an unsolicited supplemental filing following the appointment of the Panel.

Paragraph 10(d) of the Rules vests the Panel with the authority to determine the admissibility, relevance, materiality and weight of the evidence, and also to conduct the proceedings with due expedition, and paragraph 12 of the Rules expressly provides that it is for the Panel to request, in its sole discretion, any further statements or documents from the Parties it may deem necessary to decide the case.

As noted in section of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), unsolicited supplemental filings are generally discouraged, unless specifically requested by the Panel.

The Panel considers that the content of the Complainant's supplemental filing does not affect the findings of the Panel on the substance of the dispute, and its acceptance would not contribute to the efficiency of the proceeding.

Therefore, the Panel finds that there is no justification for the acceptance of the Complainant's supplemental filing and decides not to accept it in the proceeding.

6.2. Procedural issue - Late-filed Response

The Respondent submitted a Response on March 4, 2026, which is more than 40 days after the expiration of the extended due date for its submission, which was January 15, 2026. This delay raises the issue of whether the Response should be admitted and taken into account in this proceeding.

Paragraph 10(c) of the Rules requires the Panel to ensure that the administrative proceeding takes place with due expedition, and allows it to extend, in exceptional cases, a period of time fixed by the Rules or by the Panel.

Paragraphs 10(a) and (b) of the Rules also provide the Panel with the power to conduct the administrative proceeding in such manner as it considers appropriate in accordance with the Policy and these Rules, and require the Panel to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case.

The Respondent submitted its Response without any prior intimation or request for leave to submit a late Response. The Response does not explain the reasons for the delay of its filing, and does not refer to any unforeseen or exceptional circumstances that may have prevented the Respondent from submitting the Response on time. If any such circumstance existed, a reasonable and prudent person would have informed the Panel about it.

This supports a conclusion that the delay in the submission of the Response was not caused by any objective unforeseen or exceptional circumstances beyond the control of the Respondent and was caused by reasons attributable to the Respondent itself.

Therefore, the Panel finds that there is no justification to accept the late-filed Response, and decides not to accept and not to take it into account.

6.3. Procedural issue - Potential transfer of a domain name containing a third-party trademark

The Panel notes that the disputed domain name contains, in addition to the Complainant's JSW trademark, the DULUX trademark owned by a third party. See section 6.4.A below.

As discussed in section 4.13 of the [WIPO Overview 3.1](#), while the presence of a third party mark in a domain name would not prevent a panel from rendering a decision on the merits, a number of panels have found it appropriate to issue any transfer order without prejudice to the concerned third party's rights. See also *Decathlon SAS v. Nadia Michalski*, WIPO Case No. [D2014-1996](#).

This Panel believes that it is appropriate to adopt the same approach in the present proceeding, and will do so since it finds that the Complaint should be granted. See the following sections of this decision.

6.4. Substantive issues

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 3.1](#), section 1.7.

The Complainant has shown rights in respect of the JSW trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1. The Complainant has also submitted evidence that the JSW trademark has been recognised as well-known in India.

The Panel finds that the distinctive JSW trademark is recognisable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the JSW trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The Panel finds the addition of the third party trademark DULUX does not prevent a finding of confusing similarity between the disputed domain name and the JSW trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.12.

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 recognised that proving that 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 3.1](#), 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.

The disputed domain name is a combination of the two distinctive trademarks JSW and DULUX, which makes it highly unlikely that it was chosen by coincidence. The Complainant’s trademark was declared as well-known in India, and the DULUX trademark is popular in relation to paints. The Complainant has registered the JSW for various goods and services, including paints, and claims that one of its affiliates is active in this business. At the time of filing of the Complaint, the webpage at the disputed domain name displayed PPC links related to paints.

In view of the above, it appears to the Panel that the Respondent must have known of the Complainant’s JSW trademark and of the DULUX trademark when registering the disputed domain name and must have registered it with an intention to exploit the goodwill of these trademarks, which is not a legitimate activity that may give rise to rights or legitimate interests in the disputed domain name. Section 2.9 of the [WIPO Overview 3.1](#).

The Panel therefore 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.

The JSW trademark has been declared as well known in India, where both Parties are located. This trademark can be regarded as a fanciful or coined mark, as it has no inherent meaning and appears to have

been especially created to be a trademark. Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a well-known trademark, and particularly in the case of coined or fanciful marks, can by itself create a presumption of bad faith. Section 3.1.4 of the [WIPO Overview 3.1](#). The Panel further notes that the disputed domain name combines the JSW trademark with the third party's DULUX trademark (which is popular in relation to paints, where the JSW trademark is also protected). The Panel considers that such combination cannot be coincidental and affirms the Respondent's knowledge of the Complainant and its JSW trademark.

At the time of filing of the Complaint, the disputed domain name resolved to a website that displayed PPC links related to paints. Since the Complainant is involved in the business with paints and paint products through its affiliate JSW Paints, visitors to the Respondent's website may be confused that there is some kind of relationship or endorsement by the Complainant of the PPC links displayed there.

This leads the Panel to the conclusion that by registering and using the disputed domain name, the Respondent has attempted to attract, for commercial gain, Internet users to the associated website by creating a likelihood of confusion as to the endorsement by the Complainant of the Respondent's website and of the PPC links displayed on it. This supports a finding of bad faith registration and use of the disputed domain name under paragraph 4(b)(iv) of 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 <jswdulux.com> be transferred to the Complainant.

The transfer of the disputed domain name is without prejudice to any rights of the third party owner of the DULUX trademark in respect of the disputed domain name.

/Assen Alexiev/
Assen Alexiev
Presiding Panelist

/Meera Chature Sankhari/
Meera Chature Sankhari
Panelist

/Yuzo Wada/
Yuzo Wada
Panelist
Date: March 11, 2026