ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
OSAW Industrial Products Private Limited v. Hasina almalky, JEDDAH
Case No. D2026-1855

1. The Parties

The Complainant is OSAW Industrial Products Private Limited, India, represented by RNA IP Attorneys, India.

The Respondent is Hasina almalky, JEDDAH, Saudi Arabia.

2. The Domain Name and Registrar

The disputed domain name <indosaw.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 April 30, 2026. On April 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 30, 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 4, 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 amendment to the Complaint and a further amended Complaint on May 8 and 18, 2026.

The Center verified that the Complaint together with the amendment to the Complaint and 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 May 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 15, 2026.

The Center appointed Kaya Köklü as the sole panelist in this matter on June 18, 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 a company incorporated under the laws of India and part of the OSAW group, which roots date back to 1919. The Complainant is active internationally in the fields of agricultural and educational equipment.

The Complainant owns the INDOSAW mark. Among others, the Complainant is the owner of the Indian Trademark Registration Nos. 630310, 630311, and 630312, each of them registered on June 7, 1994, for INDOSAW, and claiming protection for goods in classes 8, 9, and 10, respectively.

The Complainant further owns several domain names incorporating the INDOSAW mark, including <indosawagri.com>, <indosawedu.com>, <indosawengg.com>, <indosaw.in> and, until recently, also the disputed domain name.

The Respondent is reportedly located in Saudi Arabia.

The disputed domain name was originally registered by the Complainant on February 15, 1999. According to the evidence submitted by the Complainant, the disputed domain name was under the Complainant's ownership and control for more than 25 years and was used in connection with the Complainant's business activities.

In December 2025, the Complainant became aware that the recovery email address associated with the disputed domain name had been changed without its authorization. Around the same time, the Complainant's website service provider received communications from an unknown third party claiming to be the new owner of the disputed domain name and demanding a payment of USD 10,000 in exchange for the disputed domain name's return.

At the time of the Decision, the disputed domain name resolves to a landing page displaying a notice stating "UP FOR AUCTION. TO PURCHASE THIS DOMAIN NAME, PLEASE CONTACT US VIA WHATSAPP OR EMAIL. AUCTION MANAGEMENT", together with contact details that had previously also been used to demand payment from the Complainant.

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.

In particular, the Complainant contends that the disputed domain name was unlawfully hijacked by the Respondent through unauthorized account access, respectively hacking, and that the Respondent subsequently sought to obtain financial gain by demanding payment for its return and offering the disputed domain name for sale.

B. Respondent

The Respondent did not reply to the Complainant's contentions. However, the Center received an email communication on May 19, 2026, from the Respondent. In this email communication, this person mainly noted that it has "not filed any complaint regarding the domain". On May 19, 2026, and June 17, 2026, the

Center received email communications from a party asserting to be the domain name owner and mainly stating similarly that it had not filed any complaints.

6. Discussion and Findings

6.1. Preliminary Issue: Respondent's Identity

The Center received communications from two different email addresses, each purporting to be from the owner of the disputed domain name. One of these email addresses was confirmed by the Registrar as the registrant's email address. However, neither communication identified the sender, and the Panel has no basis to determine whether both emails originated from the same individual. In these circumstances, the Panel notes that paragraph 1 of the Rules defines the "Respondent" as "the holder of a domain-name registration against which a complaint is initiated" and that a panel retains discretion to determine the respondent against whom the proceeding should continue. Accordingly, the Panel will treat the Registrar-confirmed registrant, "Hasina almalky", as the Respondent in this proceeding.

6.2. Substantive Matters

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the following three elements is satisfied:

(i) the disputed domain name is identical or confusingly similar to a trademark 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.

As per paragraph 4(a) of the Policy, the complainant bears the burden of proving that all these requirements are fulfilled, even if a respondent has not substantively replied to the complainant's contentions. *Stanworth Development Limited v. E Net Marketing Ltd*., WIPO Case No. D2007-1228.

Concerning the uncontested information provided by a complainant, the Panel may, where relevant, accept the provided reasonable factual allegations in a complaint as accurate. Section 4.3 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1").

It is further noted that the Panel has taken note of the WIPO Overview 3.1 and, where appropriate, will decide consistently with the consensus views captured therein.

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 INDOSAW trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name with no further additions. Accordingly, the disputed domain name is identical to the INDOSAW mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

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 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 Complainant has credibly submitted that the Respondent is not affiliated with the Complainant and has not been authorized or licensed to use the Complainant's INDOSAW trademark. 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.

Even more, the Panel believes in light of the unrebutted evidence provided by the Complainant that the disputed domain name was transferred to the Respondent by way of unauthorized account access respectively hacking.

Panels have held that the use of a domain name for illegal activity, here, claimed unauthorized account access and hacking, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

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.

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 3.1, section 3.2.1.

According to the evidence submitted by the Complainant, which has not been rebutted by the Respondent, the disputed domain name was unlawfully hijacked by the Respondent through an unauthorized access respectively hacking in December 2025, more than 25 years after initial registration and use by the Complainant.

As recognized by prior UDRP panels, a transfer of a domain name registration to a respondent constitutes a new registration for purposes of the Policy. WIPO Overview 3.1, section 3.9. Consequently, the relevant date for assessing bad faith registration in the present case is the date on which the Respondent obtained control over the disputed domain name, namely, in December 2025.

The Panel finds that the Respondent has deliberately took unlawful control over the disputed domain name around December 16, 2025. The nature of the Respondent's conduct, namely the unauthorized hijacking of a domain name that had been registered and used by the Complainant for more than 25 years, demonstrates in view of the Panel that the Respondent specifically targeted the Complainant and its INDOSAW trademark rights.

Furthermore, the evidence submitted by the Complainant shows that after the unauthorized transfer of the disputed domain name to the Respondent, an unknown third party contacted the Complainant and demanded payment of USD 10,000 in exchange for the return of the disputed domain name.

The case record further demonstrates that, since the Complainant's refusal to pay for the return of the disputed domain name, the disputed domain name resolves to a website offering the disputed domain name for sale.

In the Panel's view, these circumstances constitute strong evidence that the Respondent acquired and used the disputed domain name primarily for the purpose of obtaining illegitimate financial gain by exploiting the Complainant's rights in the INDOSAW trademark and its longstanding ownership of the disputed domain name.

All in all, the Panel has no doubt that the Respondent's registration and use of the disputed domain name constitute 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 <indosaw.com> be transferred to the Complainant.

/Kaya Köklü/
Kaya Köklü
Sole Panelist
Date: July 2, 2026