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BEFORE THE SOLE ARBITRATOR UNDER THE .IN DOMAIN NAME DISPUTE RESOLUTION POLICY
(Appointed by the National Internet Exchange of India)

ARBITRATION AWARD

Disputed Domain Name <eureka.co.in>

IN THE MATTER OF**Eureka Forbes Limited**

B1/B2, 7th Floor, 701,

Marathon Innova, Ganpatrao Kadam Marg,

Lower Parel (W), Mumbai 400013, Maharashtra

.... Complainant

----versus----

Samvad Group

Uttar Pradesh, India

.... Respondent

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The Parties

The **Complainant** in this arbitration proceeding is **Eureka Forbes Limited**, of the address *B1/B2, 7th Floor, 701, Marathon Innova, Ganpatrao Kadam Marg, Lower Parel (W), Mumbai 400013, Maharashtra.*

The **Respondent** in this arbitration proceeding is **Samvad Group** of the address 73, NRI City, SEC-OMEGA-II, Greater Noida, Uttar Pradesh-201310 as per the WHOIS records.

1. The Domain Name, Registrar and Registrant

The present arbitration proceeding pertains to a dispute concerning the registration of the domain name <**eureka.co.in**> with the .IN Registry. The Registrant in the present matter is '**SAMVAD GROUP**' as per the WHOIS records provided by NIXI, and the Registrar is **GoDaddy**. In this regard, the Complainant has provided extracts of the Whois search, annexed hereto as **Annexure-4**.

2. Procedural History

The arbitration proceeding is in accordance with the .IN Domain Name Dispute Resolution Policy (INDRP), adopted by the National Internet Exchange of India (NIXI). The procedural history of the matter is tabulated below:

Date	Event
April 20, 2026	- NIXI sought the consent of Mr. Vikrant Rana, to act as the Sole Arbitrator in the matter. - The Arbitrator informed of his availability and provided the Statement of Acceptance and Declaration of Impartiality and Independence in compliance with the INDRP Rules of Procedure.
April 24, 2026	- NIXI handed over the Domain Complaint and Annexures thereto to the Arbitrator. - Complainant was asked to confirm the status of delivery of the domain complaint upon the Respondent and was directed to serve a full set of the domain complaint and annexures upon the Respondent (by email as well as physical mode) and provide proof of service within seven (7) days, if the same was not yet served upon the Respondent by them. - The Complainant informed that they have served the Domain Complaint and annexures upon the Respondent via email and are in the process of serving it via courier. - The Complainant provided proof of delivery showcasing that the domain complaint and annexures were successfully delivered to the Respondent via email.



April 27, 2026	- The Arbitrator accordingly commenced arbitration proceedings in respect of the matter. Respondent was granted time of fourteen (14) days , to submit a response.
May 12, 2026	- No response received from the Respondent. - The Respondent was granted <u>final and non-extendable</u> period of three (03) days to file their response.
May 18, 2026	- No response received from the Respondent. - The Arbitrator concluded the proceedings and reserved the present award.

3. Factual Background – Complainant

The Complainant in the present matter submits as follows:

- That it was originally incorporated as **Eureka Forbes Limited** in 1982 as a joint venture between **Forbes & Campbell** (a Tata Group company) and **Electrolux of Sweden**.
- That it is a multi-product, multi-channel organization offering a wide range of home appliances and consumer durables focused on health, hygiene, and safety, including, inter alia, water purifiers, vacuum cleaners, air purifiers, and water solutions.
- That the award-winning **AQUAGUARD** range is its flagship water purifier brand.
- That it recorded a revenue of **Rs. 2,436.1 Crore** during the financial year 2024–2025. In this regard, the Complainant has provided a truncated copy of its Annual Report for the financial year 2024–2025 as uploaded on its website, annexed to the complaint as **Annexure-1**.
- That it has a strong online presence through its website, <https://www.eurekaforbes.com/>, which is accessible worldwide, including in India. In addition to reviewing its products, customers may also purchase such products through the website. In this regard, the Complainant has provided extracts of the said website, as **Annexure-2**.
- That it is the registrant of several domain names incorporating the mark **EUREKA**, including but not limited to **eurekavacuum.info**, **eurekarobo.info**, **eurekarobo.in** and many others. The said domain names are used and/or reserved by it in connection with its business activities.
- That it is also the registered proprietor of the trademark  **Registration nos. 4809541, 4807960, 4807961 and 4807964**, in India, in **Classes 7, 11, 21, and 37**. In this regard, Complainant has annexed details of its trademark registrations as **Annexure-3**.

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4. Disputed Domain Name- <EUREKA.CO.IN >

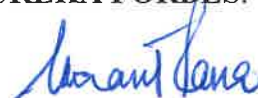
- That the disputed domain name hosts a website displaying miscellaneous advertisements each time the website is accessed.
- That the Respondent is also using the Complainant's **EUREKA** mark on the website. In this regard, the Complainant has annexed screenshots of the website hosted through the disputed domain name as **Annexure 5**.
- That the Respondent has no legitimate reason or justification for adopting the mark **EUREKA** in the disputed domain name.
- That the mark **EUREKA** exclusively connotes and denotes the goods and services of the Complainant, and the Respondent's adoption thereof in the disputed domain name is dishonest and mala fide.
- That the use of the mark **EUREKA** in the disputed domain name and on the website creates a false impression of association, affiliation, or endorsement with the Complainant, whereas no such association exists.
- That the Respondent is creating confusion amongst consumers and members of the public by using the mark **EUREKA** in the disputed domain name.
- That the use of the disputed domain name enables the Respondent to derive unfair advantage from the goodwill and reputation painstakingly built by the Complainant over the years.
- That the Respondent cannot be permitted to usurp the Complainant's rights in its well-known mark and reap the benefits of the goodwill and reputation attached thereto.

5. Contentions And Legal Grounds Submitted By The Complainant

In support of the requirements under the captioned provisions of the INDRP (combined with the relevant Rules of Procedure) the Complainant has submitted that:

A. The Domain Name is identical and/or confusingly similar to a name, trademark, or service mark in which the Complainant has rights

- That the Respondent has adopted the Complainant's identical trademark and is using the same as part of the disputed domain name, thereby causing a likelihood of confusion amongst members of the public, who may be led to believe that the Respondent is associated with, affiliated to, or endorsed by the Complainant.
- That the Respondent's adoption and use of the Complainant's well-known trademark **EUREKA** as part of the disputed domain name constitutes a clear violation of the Complainant's rights in and to the trademarks **EUREKA** and **EUREKA FORBES**.



B. The Respondent has no rights or legitimate interests in respect of the Domain Name.

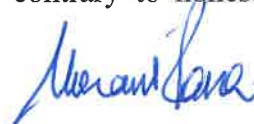
The Complainant contends that the Respondent has no rights or legitimate interests in respect of the Domain Name. Further:

- That the Respondent has no right, title, or interest to use or register the mark **EUREKA** in any manner whatsoever, the same being the exclusive property of the Complainant.
- That the Complainant is the proprietor of valuable statutory as well as common law rights in and to the trademarks **EUREKA** and **EUREKA FORBES**.
- That the Respondent has neither been licensed nor authorized by the Complainant to adopt or use the mark **EUREKA**. Accordingly, the Respondent's adoption and use of the mark **EUREKA** as part of the disputed domain name, or in any other manner whatsoever, amounts to infringement and passing off of the Complainant's rights in the trademarks **EUREKA** and **EUREKA FORBES**.
- That the Respondent has adopted the disputed domain name incorporating the well-known trademark **EUREKA** of the Complainant with the sole intent of unlawfully deriving benefit from the immense goodwill and reputation associated with the trademarks **EUREKA** and **EUREKA FORBES**, which have been built by the Complainant over the years.

C. The Domain Name was registered or is being used in bad faith

The Complainant contends that the Respondent has registered the disputed domain name and is using it in bad faith.

- That the registration and operation of the disputed domain name has been carried out in bad faith and with dishonest intention to mislead the public into believing that the Respondent is associated with the Complainant in some manner.
- That the Respondent's adoption of the Complainant's trademark is solely with the intent to confuse and deceive the public.
- That the mark **EUREKA/EUREKA FORBES** is a well-known and distinctive mark, not a commonly used term, and is exclusively associated with the Complainant; therefore, the Respondent's adoption of the said mark is dishonest and in bad faith.
- That the use of the mark **EUREKA** in the disputed domain name is without due cause and is intended to unlawfully derive benefit from the goodwill and reputation built by the Complainant.
- That the registration of the disputed domain name has been made in bad faith with the intent to mislead innocent members of the public and is contrary to honest commercial practices.



- That the Respondent's adoption of the Complainant's trademark **EUREKA/EUREKA FORBES** without any license or authorization is, in itself, evidence of bad faith, and the Respondent has no legitimate reason to adopt the Complainant's trademark.

6. Reliefs claimed by the Complainant

The Complainant has requested that the domain name <**EUREKA.CO.IN**> be transferred to them.

7. Respondent's Contentions

As already mentioned in the procedural history of the matter, despite having been duly served with a copy of the Domain complaint as filed, and thereafter granted adequate time and opportunities to respond to the same, the Respondent had not submitted any response thereto, or in fact any communication of any kind to the Arbitrator during the pendency of the arbitral proceedings in the captioned matter.

8. Discussion and Findings

As mentioned in Paragraph 4 of the .IN Domain Name Dispute Resolution Policy, a Complainant is required to satisfy the below three conditions in a domain complaint:

- i. The Registrant's domain name is identical and confusingly similar to a name, trade mark or service mark in which the Complainant has rights; and
 - ii. The Registrant has no rights and legitimate interest in respect of the domain name; and
 - iii. The Registrant's domain name has been registered or is being used either in bad faith or for illegal/ unlawful purpose.
- i. **The Registrant's domain name is identical or confusingly similar to a name, trade mark or service mark in which the Complainant has rights.**
(Paragraph 4(a) of the INDRP)

The Complainant has made submissions and provided documents showing their rights in the trademarks **EUREKA/ EUREKA FORBES**. The record reflects that the Complainant is the proprietor of several trademark registrations for the mark **EUREKA FORBES/**



in India across multiple classes. The Complainant has also demonstrated noteworthy use of the said marks in connection with its business activities and products, further showcasing goodwill and reputation in the said marks.

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The Complainant has further adduced evidence vis-à-vis extracts of webpages from its official websites evidencing its online presence and use of the said marks as **Annexure-2**. The Complainant has also relied upon **Annexure-1**, being a truncated copy of its Annual Report, which reflects the growth, scale of operations, and commercial success of the Complainant's business under the said marks.

A comparison of the Complainant's trademark with the disputed domain name <eureka.co.in> reveals that the dominant and distinctive element of the Complainant's trade marks is identical to the disputed domain name. The addition of the country-code domain suffix ".co.in" is merely a technical requirement of domain name registration and does not serve to distinguish the disputed domain name from the Complainant's mark for the purposes of assessing identity or confusing similarity.

Accordingly, this Arbitrator finds that the disputed domain name is identical and/or confusingly similar to a trademark in which the Complainant has established rights. Therefore, the first requirement under Paragraph 4 of the INDRP Policy stands satisfied.

ii. **The Registrant has no rights and legitimate interest in respect of the domain name (Paragraph 4(b) and Paragraph 6 of the INDRP)**

As per paragraph 6 of the Policy, a Registrant may show legitimate rights and interests in a domain name by demonstrating any of the following circumstances:

(a) before any notice to the Registrant of the dispute, the Registrant's use of, or demonstrable preparations to use the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services;

(b) the Registrant (as an individual, business, or other organization) has been commonly known by the domain name, even if the Registrant has acquired no Trademark or Service Mark rights; or

(c) the Registrant is making a legitimate non-commercial or fair use of the domain name, without the intention of commercial gain by misleadingly or diverting consumers or to tarnish the Trademark or Service Mark at issue.

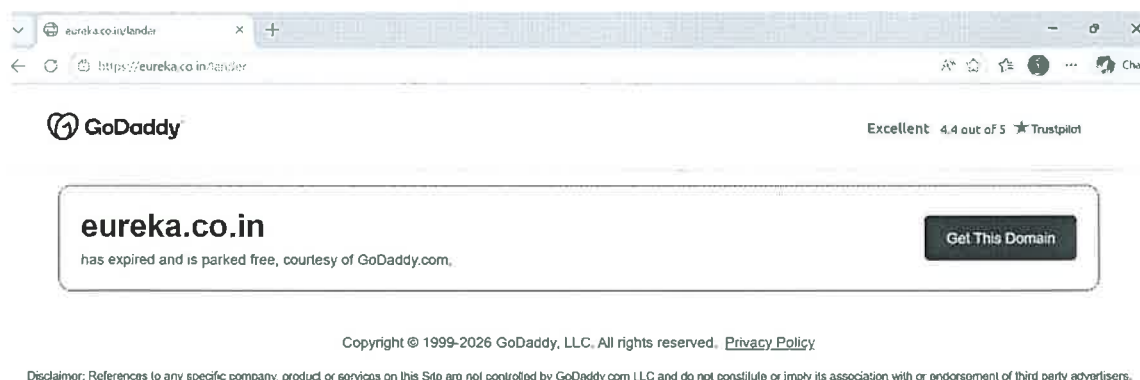
In the present case, the Respondent has failed to submit any reply to the Complaint filed by the Complainant. However, it is well settled law that even in a case where the Respondent chooses not to contest, even then the Complainant is required to prove its case with cogent and reliable evidence. Reliance is placed on **Tata Sons Private Limited v. Tata Developers, INDRP Case No. 1791 of 2023**.



It is only when the Complainant has been able to establish a *prima facie* case showing that the Respondent lacks rights or legitimate interests in the domain name, the burden of proof shifts to the Respondent.

In the present matter the Complainant has specifically asserted that it has neither licensed, authorized, nor otherwise permitted the Respondent to use their trademarks in any manner. There is no evidence on record to suggest that the Respondent is commonly known by the name **EUREKA** or that it possesses any independent trademark or proprietary rights in the said mark.

Further, the evidence produced by the Complainant indicates that the disputed domain name merely has a parked being used to host a website displaying advertisements and making use of the Complainant's mark. Further, as on date of this award, it is noted that the disputed domain name merely reflects a default landing page of the Domain Name Registrar:



Such use does not constitute a bona fide offering of goods or services nor a legitimate non-commercial or fair use of the domain name.

The Respondent, despite being granted adequate opportunities, has failed to rebut the Complainant's contentions or demonstrate any rights or legitimate interests in the disputed domain name.

In these circumstances, this Arbitrator finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The second requirement under Paragraph 4 of the INDRP is therefore satisfied.

iii. **The Registrant's domain name has been registered or is being used in bad faith Paragraph 4(c) and Paragraph 7 of the INDRP)**

The Complainant has submitted that:

- The disputed domain name **eureka.co.in** was registered and is being used in bad faith to create a false impression of association with the Complainant.
- **EUREKA/EUREKA FORBES** is a well-known and distinctive mark exclusively associated with the Complainant.
- The Respondent has used the mark **EUREKA** without any legitimate reason or authorization.
- Such use is intended to unfairly benefit from the goodwill and reputation built by the Complainant.

As per Rule 7 of the INDR Policy, for the purposes of Clause 4(c), the following circumstances, in particular but without limitation, if found by the Arbitrator to be present, shall be evidence of the Registration and use of a domain name in bad faith:

(a) circumstances indicating that the Registrant has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant, who bears the name or is the owner of the Trademark or Service Mark, or to a competitor of that Complainant, for valuable consideration in excess of the Registrant's documented out-of-pocket costs directly related to the domain name; or

(b) the Registrant has registered the domain name in order to prevent the owner of the Trademark or Service Mark from reflecting the mark in a corresponding domain name, provided that the Registrant has engaged in a pattern of such conduct; or

(c) by using the domain name, the Registrant has intentionally attempted to attract Internet users to the Registrant's website or other on-line location, by creating a likelihood of confusion with the Complainant's name or mark as to the source, sponsorship, affiliation, or endorsement of the Registrant's website or location or of a product or service on the Registrant's website or location; or

(d) The Registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor.

In the present case, the Respondent has not filed any response to rebut the allegations made by the Complainant or to provide any explanation regarding the adoption and use of the disputed domain name **<eureka.co.in>**.

The Complainant has asserted rights in the trademark **EUREKA/EUREKA FORBES**. Further, Complainant has alleged that the Respondent has no authorization to use the term/mark '**EUREKA**' or any of its formative elements.

It is further noted that the material on record indicates that the disputed domain name resolves to a webpage displaying miscellaneous advertisements (and as on date of this award, merely a default website landing page of the Domain Name Registrar is visible).

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Such use may, in appropriate circumstances, be indicative of an intent to derive commercial benefit from Internet traffic generated by association with a known trademark.

It is further noted that the disputed domain name wholly incorporates the essential and dominant feature of the Complainant's marks. The Respondent has neither demonstrated any independent entitlement to use the said mark nor furnished any evidence suggesting a bona fide reason for selecting the disputed domain name.

Thus, in the absence of any explanation from the Respondent, it is noted that the domain name is capable of generating commercial benefit through Internet traffic attracted to the disputed domain name. Where a domain name incorporates a term closely associated with the Complainant and can be used to divert Internet users to a webpage containing advertisements, an inference may reasonably be drawn that the Respondent is seeking to capitalize upon user confusion and the goodwill associated with the Complainant's mark.

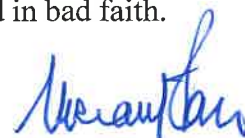
Having regard to the totality of circumstances, including (i) the incorporation of the term "EUREKA" in the disputed domain name, over which Complainant has claimed trade mark rights and which forms a dominant and distinctive part of the Complainant's trade marks (ii) the absence of any rights or legitimate interests demonstrated by the Respondent, (iii) the use of the disputed domain name for an advertisement links (as per the annexure submitted by the Complainant); and (iv) the Respondent's failure to contest the proceedings or provide any explanation for its conduct, this Arbitrator is satisfied that the disputed domain name is being used in a manner falling within the scope of Rule 7(c) of the INDRP.

Accordingly, this Arbitrator holds that the disputed domain name <eureka.co.in> has been registered and/or is being used in bad faith. The third requirement under Paragraph 4 of the INDRP is therefore established in favour of the Complainant.

9. Decision

Based upon the facts and circumstances and further relying on the materials as available on the record, the Arbitrator finds that:

- i. The Registrant's domain name <EUREKA.CO.IN> is confusingly similar to a name, trade mark or service mark in which the Complainant has rights;
- ii. The Registrant has no rights and legitimate interest in respect of the domain name; and
- iii. The Registrant's domain name has been registered or is being used in bad faith.



The Award is accordingly passed and the parties are directed to bear their own costs.



Vikrant Rana, Sole Arbitrator

Date: June 24, 2026.

Place: New Delhi, India.