

ADMINISTRATIVE PANEL DECISION

Reliance Industries Limited, Reliance Jio Infocomm Limited v. Srinivas K
Case No. D2024-4390

1. The Parties

The Complainants are Reliance Industries Limited (“the Complainant No. 1”) and Reliance Jio Infocomm Limited (“the Complainant No. 2”) (collectively referred to as “the Complainants”), India, represented by Arjun T. Bhagat & Co., India.

The Respondent is Srinivas K, India.

2. The Domain Name and Registrar

The disputed domain name <jioaicloud.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 October 25, 2024. On October 25, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 28, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name. The Center sent an email communication to the Complainant on December 30, 2024, 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 30, 2024.

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 November 5, 2024. In accordance with the Rules, paragraph 5, the due date for Response was November 25, 2024. The Respondent sent informal email communications to the Center on October 30, 2024, November 11, 2024, November 12, 2024, November 14, 2024, and November 28, 2024.

The Center appointed Maninder Singh as the sole panelist in this matter on December 4, 2024. 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 Complainants are Reliance Industries Limited and Reliance Jio Infocomm Limited. The Complainant No. 1 is one of the largest private sector companies in India. The Complainant No. 1 is engaged in various kinds of business which includes oil, gas, telecommunication, e-commerce, digital business etc. The Complainant No. 2 was incorporated in the year 2007. It is a group company of the Complainant No. 1. The Complainant No. 2 is a broadband service provider which has been granted a Unified License issued by the Department of Telecommunication, Government of India to provide telecommunication services throughout India.

The Complainant No. 1 adopted the trademark JIO in December 2011 in respect of its telecommunication services. The Complainant No. 1 is the registered proprietor of the trademark JIO and of marks in different classes including:

- Indian Trade Mark registration number 2423823 for JIOCLOUD, registered on November 6, 2012;
- Indian Trade Mark registration number 2391605 for JIO, registered on September 7, 2012; and
- Indian Trade Mark registration number 2423824 for JIOCLOUD SERVICES, registered on November 6, 2012.

The said trademark is used by the Complainant No. 2 and its subsidiary, in respect of its aforementioned services.

In September 2016, the launch of JIO was announced and bookings for JIO services were made open to the consumers. The trademark JIO is licensed to other group companies of the Complainant No. 1 for use in respect of telecommunication, e-commerce and digital business. The Complainant No. 1 has acquired the domain name <jio.com> in order to reach out to its customers and intending customers and for publicity of its goods and services. Subsequently the Complainant No. 1 has also registered various domain names comprising of the word JIO to protect its brand online.

The Complainants offer cloud storage services bearing the mark JIOCLOUD. The Complainant No. 1 adopted the trademark JIOCLOUD and its variants in November 2012. The said trademark is used by the Complainant No. 2 and its subsidiary, Jio Platforms Limited, in respect of its said services. The Complainant, in order to upgrade the said services, during the 47th Annual General Meeting (AGM) of Complainant No. 1 on August 29, 2024, announced the launch of a JIOAICLOUD welcome offer.

The Respondent has registered the disputed domain name <jioaicloud.com> on August 29, 2024. The disputed domain name takes the visitor to a webpage where the domain registrar has put the domain on sale.

5. Parties' Contentions

A. Complainant

The Complainants contend that the trademarks JIO and JIOCLOUD have become synonymous with the Complainants and their business and any use of the said trademark or of a mark deceptively similar thereto, without the authority and consent of the Complainants constitutes violation of their rights therein.

The Complainants contend that around the last week of October 2024, it has come to the notice of the Complainant No. 1 that the disputed domain name <jjoaicloud.com> was registered by Respondent. The Respondent has put the disputed domain name on sale.

The Complainants contend that the disputed domain name is sought to be used by the Respondent to lure the unwary people into believing that they can purchase the disputed domain name that bears a direct reference to the registered trademark of the Complainants. The Respondent has obtained registration of the disputed domain name to defraud innocent netizens in order to gain illegal profits from them by putting the disputed domain name up for auction through the Domain Registrar.

The disputed domain name is identical or confusingly similar to the Trademark or Service Mark of the Complainant

The Complainants contend that the Respondent has obtained registration of the disputed domain name <jjoaicloud.com> being deceptively similar to the Complainants' distinctive, prior used, registered, well known trademarks JIO and JIOCLOUD.

The Complainants contend that the disputed domain name is identical with and/or is in any case deceptively similar to the Complainant No. 1's trademarks JIO and JIOCLOUD. In fact, the whole of the Complainant No. 1's trademark is subsumed and is to be found in the disputed domain name.

The Respondent has no rights or legitimate interests in the disputed domain name

It is the Complainants' contention that the Respondent has no legitimate rights in respect of the disputed domain name as the disputed domain name is not functional and is up for auction/sale by the Domain Registrar.

The Complainants contend that the trademarks JIO and JIOCLOUD are registered by the Complainant No. 1 and their use is undertaken through the Complainant No. 2. The Respondent appears to have adopted the same with no legitimate interest and has an ulterior motive of usurping upon the registered trademarks of the Complainants in which the Complainants have acquired immense and unparalleled goodwill and reputation.

The Complainants further contend that the disputed domain name has been knowingly and fraudulently obtained by the Respondent to piggy-back on the Complainants' goodwill and reputation in order to encash the same to his benefit, which is evident from the timing and the speed with which the Respondent got the said disputed domain registered soon after the Complainant No. 2's public notification of a welcome offer under the name JIOAICLOUD .

The Respondent has put up the disputed domain name for sale with the motive of defrauding the Complainants and consumers. The Respondent has no legitimate right or interest in the disputed domain name <jjoaicloud.com>. The Respondent is seeking to unjustly benefit from the Complainants' goodwill and reputation. Such fraud is likely to result in personal gains and enrichment to the Respondent whilst tarnishing and demeaning the Complainants' trademarks, their goodwill, and their reputation.

Bad faith registration and use of the disputed domain name by the Respondent

The Complainants contend that the Respondent was and is well aware of the reputation, goodwill, name and fame associated with the Complainants' trademarks and has surreptitiously adopted the disputed domain name with a dishonest intention and a mala fide motive of making illicit gains and in order to usurp the distinctive trademark of the Complainants.

The Complainants further contend that is a reasonable presumption that the Respondent ought to have been aware about the Complainants' trademarks and of the goodwill and reputation associated with them.

The Complainants contend that the Respondent has not been associated with the Complainants nor with their business, nor has the Respondent been legally authorized, permitted and/or licensed by the Complainants to use and/or register the disputed domain name <jioaicloud.com>.

The Complainants also contend that the Respondent has registered the disputed domain name with the sole motive of disrupting and usurping the Complainants' business and with a mala fide motive of attracting, for commercial gains and for making illegal profits. Such registration will cause the Internet users to wonder and believe that the Respondent is associated with, has some means, sponsorship and/or affiliation with the Complainants when no such thing exists. The Complainant apprehends that the Respondent has knowingly used the disputed name in an attempt to derive illegal gains and benefits to which it is not entitled and/or with the motive of selling, renting and transferring the disputed domain name to him for a valuable consideration.

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

B. Respondent

The Respondent had not submitted its proper and formal response to the Complaint. However, through an email dated November 11, 2024, the Respondent offered to negotiate. Through another email dated November 14, 2024, the Respondent offered to transfer the disputed domain name along with another domain name for USD 200.

6. Discussion and Findings

For this Complaint to succeed in relation to the disputed domain name, the Complainant is required to prove that:

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

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 of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant No. 1 has trademark registrations for the word JIO and JIOCLOUD. The Complainants have placed on record the list of trademark registrations for JIO and various combinations thereof. The Panel has seen copies of registration certificates filed by the Complainants, showing status of various registrations of the JIO and JIOCLOUD marks in different classes. The Complainants have established their rights in the above trademarks, both by virtue of their many trademark registrations and as a result of the goodwill and reputation acquired through their use of the trademarks over many years.

The Complainants have 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 that the Complainants' registered trademarks JIO and JIOCLOUD have been incorporated entirely in the disputed domain name <jioaicloud.com> by placing "ai" in between "JIO" and "CLOUD".

The Panel finds that the entirety of the mark is reproduced 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 “ai”, 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.D.

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.

The Panel observes that the Respondent is in no way related to the Complainants or their business activities. The Respondent is neither an agent of the Complainants, nor does he carry out activities for the Complainants. There is also no evidence that the Respondent is commonly known by the disputed domain name. The marks JIO and JIOCLOUD indisputably vest in the Complainants as evidenced by various registrations secured by the Complainants.

Having reviewed the available record, the Panel finds the Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainants’ 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 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.

The Panel observes that there is virtually no possibility that the Respondent was unaware of the Complainants’ trademark and the Complainants’ presence in the market. In the present case, the Panel notes that the Respondent has registered and used the disputed domain name to deceive Internet users into believing that the disputed domain name is operated or authorized by the Complainants, and to attract Internet users by creating a likelihood of confusion with the JIO and JIOCLOUD trademarks for commercial gain.

In the facts of this case, it is apparent that there has not been any bona fide use on the part of the Respondent in registering the disputed domain name. The Respondent is apparently aware and conscious of the reputation of the registered trademarks of the Complainants and the name and reputation enjoyed by the Complainants.

The Panel observes that the Respondent is squatting on the disputed domain name and not making any legitimate commercial use of the same and at the same time putting the disputed domain name on sale so that the Complainants may be forced to purchase it from the Respondent, as is evident from the Respondent's emails dated November 11, 2024, and November 14, 2024.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under 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 <jioaicloud.com> be transferred to the Complainant.

/Maninder Singh/

Maninder Singh

Sole Panelist

Date: December 17, 2024