Decision for dispute CAC-UDRP-108857

Case number	CAC-UDRP-108857
Time of filing	2026-08-03 13:38:05
Domain names	shridharmasthala.org

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	Shri Dharmasthala Manjunatheshwara Educational Society

Complainant representative

Organization	UDRPKing.com

Respondent

Name	Chen Jia

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant claims common law trademark rights on DHARMASTHALA and SHRI DHARMASTHALA.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

1. The Complainant is the administrative and educational body of Shri Dharmasthala, one of South India's most celebrated and revered religious landmarks with an history spanning over 800 years, having online presence under the disputed domain name <shridharmasthala.org> since 2003.

The Complainant, a commercial organization, was formally registered on 4 May 1985 under the Karnataka Societies Registration Act, 1960 and operates under the institutional umbrella of Shri Dharmasthala alongside the earlier established Shri Dharmasthala Manjunatheshwara Educational Trust both being registered entities under the same leadership of a chief administrator.

The Complainant claims that the name 'Dharmasthala' is not a pre-existing geographical designation that the institution borrowed or adopted.

The Complainant is inter alia active in providing free food for pilgrims, free medical care, free education and serves millions of people annually. His rural Development Project has reached 12 lakh (1.2 million) rural self-help group members across Karnataka, India.

2. a) The Complainant claims the composite mark SHRI DHARMASTHALA in use as a formal institutional and commercial identifier since the Complainant's registration in 1966, reinforced by the disputed domain name's continuous use since 2003-04, as a source identifier on the Complainant's registration certificates, renewal invoices, official e-mail IDs, the live website, all institutional communications, and in the title of Karnataka Act No. 19 of 2018.

b) The disputed domain name <shridharmasthala.org> has served since its launch as the primary commercial platform for the Complainant's paid services, inter alia temple accommodation bookings, Seva reservations, online donations, and Razorpay-integrated payment gateway services.

c) The claimed mark has been the subject of extensive and prominent media coverage over decades, inter alia when Prime Minister Narendra Modi's visits to Shri Dharmasthala.

d) The Complainant maintains active media and news coverage archives, social media presence (Facebook: 580k followers; Instagram: 225k followers), and promotional materials across all its institutions. The Shri Dharmasthala's Annadana dining hall has been featured on the National Geographic channel confirming that the mark SHRIDHARMASTHALA has achieved public recognition extending well beyond India.

e) The mark SHRI DHARMASTHALA enjoys a large degree of public recognition. The institution attracts 5.5 million devotees annually, independently corroborated by third-party reporting of 30,000-70,000 daily Annadanam meals served, and by a 4.8/5 TripAdvisor rating across 65 independent visitor reviews.

3. The disputed domain name was for many years, since October 26, 2001, in the possession and under control of the Complainant and was renewed during this time. On June 10, 2026 the disputed domain name had been fraudulently transferred without the Complainant's knowledge, authorization, or consent. The registrar informed Complainant that from March 11, 2026 account logins were registered from Ip addresses in Sweden, Switzerland, and after the transfer from Japan. It was further confirmed that the two-Factor Authentication was not activated on the account at the time of the incident and that the e-mail address ho@sdmesociety.in associated with the account appeared in publicly reported data breaches, indicating that credentials had been exposed prior to the incident and that a form of Authorization notification e-mail was sent to the registered e-mail address, a Gmail account that the Complainant submits was itself compromised as part of the same coordinated attack.

4. The website under the disputed domain name still shows the initial content, no change seems to have occurred.

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.

The Complainant contends that he has common law rights for SHRI DHARMASTHALA which is confusingly similar to the disputed domain name. The Respondent has no legitimate interest in the domain name in question, since he is not known under the name or was ever authorized to use the domain name. The domain name in question has been both acquired and is being used in bad faith as the disputed domain name was fraudulently obtained and now being hold in bad faith as the owner remains control about the redirection of the disputed domain name.

B. Respondent

The Respondent did not reply to the Complainant’s contentions.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

In order to succeed in its claim, the Complainant must demonstrate that all of the elements enumerated in paragraph 4(a) of the Policy have been satisfied:

(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 with respect to 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

The Complainant has established the fact that it has common law rights in SHRI DHARMASTHALA.

Section 1.3 of the WIPO Overview 3.1 requires the Complainant to show that its mark has become a distinctive identifier which consumers associate with the complainant's goods and/or services.

The Complainant has, specifically, shown such relevant factors such as (i) the duration and nature of the use of the mark (see above FACTS ASSERTED under 2a), (ii) sales under the mark (see above FACTS ASSERTED under 2b), the nature and extent of advertising using the mark – including evidence of expenditures over a relevant time period (see above FACTS ASSERTED under 2c), the degree of actual public (e.g., consumer, industry such as trade and professional associations, media) recognition (see above FACTS ASSERTED under 2d).

The Complainant has also shown that the claimed mark is used as a source identifier of goods or services e.g., on a website or on products or packaging used in commerce, provided that the mark, as used, is linked to the goods or services that are being branded with the mark.

Even if the acquired distinctiveness as shown above should be limited to the region in India , this would not prevent the existence of common law rights in view of the UDRP, since as noted in section 1.1.2 of the WIPO Overview, for a number of reasons, including the global nature of the Internet and Domain Name System, the fact that secondary meaning may only exist in a particular geographical area or market niche does not preclude the complainant from establishing common law rights.

The disputed domain name is identical and herewith confusingly similar to the common law rights SHRI DHARMASTHALA marks of the Complainant.

The Panel therefore considers the domain name to be confusingly similar to the common law rights „SHRI DHARMASTHALA", in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

The Respondent has no rights in the disputed domain name since the Complainant has not authorized the Respondent to use its trademarks. Furthermore, the Respondent has no legitimate interest in the domain name since there is no indication that the Respondent is commonly known by the name "SHRI DHARMASTHALA" nor that the Respondent is using the domain name in connection with a bona fide offering of related goods or services. The keeping up of a domain name fraudulently acquired and letting the legitimate owner announce Complainant´s goods and services cannot be considered as a bona fide offering of related goods or services by the Respondent.

The Panel therefore finds that the respondent does not have rights or legitimate interests in the domain name.

C. Registered and Used in Bad Faith

In view of the intense use of the name and the disputed domain name by the Complainant, the Respondent must have been aware of the Complainant and its trademarks when obtaining the disputed domain name. The (fraudulent) acquisition of the domain name is here considered as equivalent to an initial registration of a domain name (with the same result also Worldcom Exchange, Inc v. Wei.com, Inc., WIPO Case No. D2004-0955).

The further use of the disputed domain name is considered as use in bad faith since it is also established that the redirecting of the disputed domain name to Complainant´s website can establish bad faith insofar as the respondent retains control over the redirection thus creating a real or implied ongoing threat to the complainant (section 3.1.4 of WIPO Overview 3.1). Such ongoing threat is also given in the present case (see also CAC-UDRP-107301 Indira IVF Hospital Pvt Ltd vs. Saurav Shinde).

The circumstances of this case indicate that the Respondent obtained and uses the disputed domain name primarily with the intention of attempting to attract, for commercial gain, Internet users to its potential website or other online locations, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of such website or location, or of a product or service on such website or location.

The Panel therefore considers the disputed domain name to have been registered and used in bad faith in accordance with paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **shridharmasthala.org**: Transferred

PANELLISTS

Name	**Dietrich Beier**

DATE OF PANEL DECISION 2026-09-14

Publish the Decision