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IMPLEMENTATION OF THE UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY IN THE RESOLUTION OF DOMAIN NAME DISPUTES AS A FORM OF TRADEMARK PROTECTION

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Abstract

The growth of the digital economy has made domain names a valuable asset for brands, but it has also given rise to cybersquatting practices that cause disputes between brand owners and unauthorized domain registrants. This study analyzes the application of the Uniform Domain Name Dispute Resolution Policy (UDRP) in resolving domain name disputes as a form of trademark protection in Indonesia, with a case study of PPND Decision Number 054-0525 regarding the domain lippo.co.id. The research method uses a normative juridical approach using a statute approach, a conceptual approach, and a case approach. The results show that the UDRP, adopted through the PPND Policy by PANDI, applies three main elements of proof: similarity between the domain and the registered trademark, absence of legitimate rights of the registrant, and bad faith. In the case of lippo.co.id, the PPND Panel decided to transfer the domain to the legitimate trademark owner because it was proven to meet all three elements. The criteria for bad faith are assessed based on objective and subjective indicators, including public deception and financial gain motives. This study recommends harmonizing the PPND policy with the Trademark Law, increasing awareness of dispute resolution mechanisms, and strengthening the synergy between PANDI and DJKI.

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A. Introduction

PANDI's 2025 statistics show very positive and consistent growth for the .id domain, with total registrations continuing to increase from around 1.22 million in January to over 1.34 million domains in September. The net increase of more than 114,000 domains in the first nine months of 2025 underscores the widespread adoption and high interest among various groups in Indonesia, both individuals and organizations, in using national digital identities. The data shows that business entities and organizations in Indonesia realize that domain names have transformed from mere

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technical addresses into crucial brand identity assets for competing in the digital economy ecosystem.

The strategic value of domain names has triggered practices that are detrimental to legitimate brand owners, particularly the phenomenon of cybersquatting. Cybersquatting refers to the practice of registering domain names that are identical or similar to well-known brands by parties who have no legitimate rights or interests, with the main objective of obtaining financial gain from the brand owner or misleading consumers. This practice has led to numerous disputes between brand owners and unauthorized domain registrants, necessitating the establishment of effective legal protection mechanisms for brands in the digital realm (Salsabila et al., 2023).

The Internet Corporation for Assigned Names and Numbers (ICANN), as the organization that regulates the global domain name system, has developed the Uniform Domain Name Dispute Resolution Policy (UDRP) as an administrative, fast, and efficient dispute resolution mechanism. The UDRP provides a clear legal framework for assessing domain name disputes based on three main elements: similarity to a trademark, absence of legitimate rights, and bad faith in the registration or use of the domain name. Indonesia, through the Indonesian Internet Domain Name Administrator (PANDI), has adopted the principles of the UDRP into the Domain Name Dispute Resolution Policy (PPND) as a non-litigation administrative mechanism for resolving domain name disputes in Indonesia. This adoption demonstrates Indonesia's commitment to providing adequate legal protection for trademark owners in the digital age, while aligning the domestic dispute resolution system with international standards (Pambudi et al., 2023).

One case that demonstrates the practical application of the UDRP in Indonesia is the dispute between PT Inti Anugerah Pratama, owner of the “LIPPO” trademark, and Martin Larsson regarding the registration of the domain name lippo.co.id, as outlined in DDSR Decision No. 054-0525, which was issued on May 9, 2025. This case is a concrete representation of how the PPND mechanism works in protecting trademark rights from cybersquatting practices, as well as how the PPND Panel applies the criteria set out in the UDRP to assess bad faith in domain name registration. Although the PPND mechanism has been implemented in Indonesia, there are still challenges in its implementation, particularly regarding the application of the UDRP to local domains (.co.id) and its synchronization with Law No. 20 of 2016 concerning Trademarks and Geographical Indications. In addition, understanding the criteria for bad faith in the context of domain name registration still requires in-depth study, given that this concept involves an assessment of complex subjective and objective aspects (Pinaria et al., 2025).

This study is important to assess the effectiveness of the UDRP as a means of legal protection for trademarks in the digital age, especially in the face of increasingly sophisticated cybersquatting practices. An analysis of PPND Decision Number 054-0525 provides empirical insight into how the principles of the UDRP are applied by the Indonesian Panel, what criteria are used in assessing bad faith, and how the decision provides concrete protection for trademark rights.

Based on the above background description, this study will analyze two main issues, namely how the Uniform Domain Name Dispute Resolution Policy (UDRP) mechanism is applied in resolving domain name disputes that violate registered trademark rights in Indonesia and the criteria for bad faith in domain name registration according to the Uniform Domain Name Dispute Resolution Policy as a form of trademark protection against cybersquatting practices.

B. Method

This study uses the normative legal research method. Normative legal research is research conducted by examining reference materials or secondary data, which includes research on legal principles, legal systematics, legal synchronization, legal history, and comparative law. This study uses a statute approach, a conceptual approach, and a case approach. The primary legal materials used include Law Number 20 of 2016 concerning Trademarks and Geographical Indications, PPND Policy Version 7.1, UDRP, and PPND Decision Number 054-0525. Secondary legal materials include literature, journals, and WIPO Overview 3.0. The analysis was conducted qualitatively using descriptive-analytical techniques to understand the application of legal norms in concrete cases.

C. Result & Discussion

1. The Mechanism for Implementing the Uniform Domain Name Dispute Resolution Policy (UDRP) in Resolving Domain Name Disputes that Violate Registered Trademark Rights in Indonesia

The Uniform Domain Name Dispute Resolution Policy (UDRP) is a policy developed by the Internet Corporation for Assigned Names and Numbers (ICANN) in 1999 in response to the escalation of domain name disputes, particularly those related to trademark infringement. This policy was designed as an alternative administrative dispute resolution mechanism that aims to provide a fast, efficient, and economical procedure for resolving domain name disputes, especially cybersquatting practices, without replacing conventional litigation in court. The UDRP is built on three fundamental principles: efficiency that allows dispute resolution within 45-60 days; fairness that ensures equal opportunity for both parties through written and electronic adversarial processes; and protection of intellectual property rights in the digital realm that recognizes the economic value of domain names and their potential exploitation of the reputation of well-known brands (Cogburn et al., 2023).

The substantive provisions of the UDRP are set out in Paragraph 4, which establishes three cumulative elements that must be proven by the applicant: identity or confusing similarity between the domain name and the applicant's trademark or service mark; the absence of any legitimate rights or interests of the domain registrant in the domain name; and registration and use of the domain name in bad faith. Indonesia, through the Indonesian Internet Domain Name Manager (PANDI), has adopted the principles of the UDRP into its Domain Name Dispute Resolution Policy (PPND) to provide an effective dispute resolution mechanism for domains under the .id country

code Top-Level Domain (ccTLD). Based on Point 4 of the PPND Policy Version 7.1, this policy can be used while still referring to the ICANN Domain Name Dispute Resolution Policy and Rules without violating the provisions of the laws of the Republic of Indonesia, indicating that the PPND is an adaptation that takes into account the national legal context (Hakiki & Sanusi, 2023).

PPND is closely related to Law Number 20 of 2016 concerning Trademarks and Geographical Indications as the basis for trademark protection in Indonesia. Although the Trademark Law does not explicitly regulate domain names, its protection principles form the basis for trademark protection in the digital realm. Article 21 paragraph (1) letter b of the Trademark Law, which states that rejection of trademark registration applications with similarities in principle or in whole to well-known trademarks. Is in line with the first element of the UDRP, while Article 83 paragraph (1) of the Trademark Law, which regulates the right to sue registered trademark owners, provides a legal basis for trademark owners to demand protection through the PPND mechanism. Thus, PPND functions as a bridge between conventional trademark protection in the Trademark Law and the digital reality that requires a faster and more efficient dispute resolution mechanism, strengthening the trademark protection system in Indonesia by providing an alternative dispute resolution path that does not reduce the rights of trademark owners to file lawsuits through litigation (Al Fatih, 2021).

The dispute resolution mechanism through the PPND follows structured and systematic administrative stages, as reflected in PPND Decision Number 054-0525 in the lippo.co.id case. The process begins with the applicant submitting a pre-objection application to the PPND Secretariat, followed by the submission of a completed Objection Form after the documents are declared complete. Subsequent stages include payment of administrative fees, locking the domain name by the registrar to prevent transfer during the dispute process, and notification to the respondent, who is given a seven-day deadline to submit a mediation response and another seven days for a written Response Form. The mediation process is carried out as an attempt at amicable resolution, and if unsuccessful and the respondent does not submit a response, the process continues with the formation of an independent panel. The panel then conducts a written examination based on the submitted documents without an oral hearing, and renders a decision based on an analysis of the three elements of the UDRP (Riyanto et al., 2024).

The PPND mechanism has several distinguishing characteristics from the litigation process in court. First, it is fast, taking only about 4.5 months from application submission to decision, significantly faster than litigation, which can take years. Second, it is relatively affordable, consisting of administrative fees and panel costs, much lower than litigation costs, which include attorney fees and evidence. Third, it is a document-based process, conducted solely through written and electronic document examinations without oral hearings. Fourth, it does not require a physical presence, as all communication and document submissions are conducted electronically, allowing the

process to proceed without geographical constraints, even across countries (Astarini, 2021).

Based on Point 6.1 of the PPND Policy Version 7.1, the applicant must prove three elements cumulatively. The first element regarding identity or confusing similarity assesses whether the domain name has similarity with the applicant's mark, where the addition of the Top-Level Domain (TLD) is not considered a significant distinguishing factor. The second element regarding the absence of the respondent's legitimate rights or interests uses the prima facie approach based on WIPO Overview 3.0 Section 2.1, where the applicant only needs to make a prima facie case and the burden of proof then shifts to the respondent to show evidence of the existence of legitimate rights. The third element regarding bad faith is the core of protection against cybersquatting, which can be demonstrated through the four conditions in Point 6.1.3 of PPND: registration for sale at a price exceeding the registration fee; registration to prevent the brand owner from using the domain; registration to disrupt the business activities of competitors; and registration to attract users by creating confusion about the source or affiliation (G. A. Pratama et al., 2024).

The lippo.co.id domain name dispute case involves PT Inti Anugerah Pratama as the applicant, the legal owner of the "LIPPO" trademark registered with the DJKI since September 6, 2005, and Martin Larsson from the UK as the respondent who registered the lippo.co.id domain on August 31, 2016 without any legal relationship with the applicant. An interesting aspect of this case is that the respondent includes contact information on the lippo.co.id website that refers to the official email of PT Lippo Karawaci Tbk (corsec@lippokarawaci.co.id), an affiliated company of the applicant, and there is evidence that the respondent once offered to sell the domain for USD 30,000 through a broker. The dispute resolution process began in December 2024, but the respondent did not respond to the Mediation Form or submit a Response Form by the specified deadline. Given the lack of response from the respondent, the PPND Secretariat continued the process by forming a single panel that conducted a written examination and issued a decision on May 9, 2025, deciding to transfer the domain to the applicant.

The PPND Panel systematically and comprehensively applied the three elements of the UDRP. In the first element, the Panel acknowledged that the applicant had valid proof of trademark ownership and analyzed that the domain lippo.co.id used the word "LIPPO" in its entirety, which was identical to the applicant's registered trademark, while the suffix ".co.id" was merely a technical code indicating the domain category and geographic location. The Panel emphasized that the addition of company and country codes was essentially insufficient to distinguish legal interests in domain names from legal interests in service marks. In the second element, the Panel adopted a prima facie approach in which the applicant successfully demonstrated that the "LIPPO" trademark had been registered since 2005, long before the domain registration in 2016; no trademarks using the word "LIPPO" were registered by the respondent; there was no evidence of an affiliation or licensing relationship; and the name "Martin Larsson" had no

connection with the word "LIPPO". After the prima facie case was proven, the burden of proof shifted to the respondent, but the respondent did not submit any response or evidence.

Regarding the third element of bad faith, the Panel analyzed that the respondent included the contact information of the applicant's affiliated company without permission to create the impression that the site was an official site related to the Lippo group, which could mislead the public. The Panel referred to the WIPO Overview 3.0 consensus Section 3.1.4 which states that the registration of a domain name identical or similar to a well-known trademark by an unaffiliated party can in itself create a presumption of bad faith. Although the evidence of the USD 30,000 sales offer does not clearly indicate that the offer was initiated by the respondent, the Panel emphasized that the inclusion of the identity of the applicant's affiliated company to convince the public has demonstrated the respondent's bad faith in registering and using the domain name. The absence of a response from the respondent strengthens the conclusion of bad faith, because if the respondent had a legitimate reason, he should have been able to easily explain and prove it. Based on these considerations, the Panel decided that the three elements of PPND had been cumulatively fulfilled and ordered the transfer of the lippo.co.id domain to the applicant.

The Panel's decision in the lippo.co.id case demonstrates strong alignment with globally applied UDRP principles through three key aspects. First, the use of the WIPO Overview as a reference demonstrates that the Indonesian Panel adopted best practices that have developed in international practice, which is a compilation of the consensus views of WIPO panelists in thousands of UDRP cases worldwide. Second, the application of the prima facie principle in proving the absence of a legitimate right is a well-established standard in global UDRP practice, which recognizes the inherent difficulty in proving absence. Third, the Panel's holistic assessment of bad faith, in which the Panel considered various factors cumulatively, is consistent with the practice of UDRP panelists in various jurisdictions. This decision contributes significantly to legal certainty by affirming that the addition of a TLD does not create a significant distinction; confirming that the unauthorized inclusion of a corporate identity is a strong indicator of bad faith; and applying a clear and structured evidentiary standard that provides a predictable framework for trademark owners.

2. Bad Faith Criteria in Domain Name Registration According to the Uniform Domain Name Resolution Policy as a Form of Trademark Rights Protection Against Cybersquatting Practices

The concept of bad faith in the context of domain name registration and use has specific characteristics that distinguish it from the concept of bad faith in civil law in general. In civil law, bad faith generally refers to the mental state of a person who knows or should know that his actions violate the rights of others (Musyarri, 2025). However, in the context of the UDRP, bad faith is not only assessed from the subjective aspect of the perpetrator's intention, but also from the objective aspect of the facts that can be

observed from the perpetrator's actions. In intellectual property law, especially trademark law, bad faith is closely related to the principle of protecting the reputation and goodwill that has been built by the trademark owner, where when someone registers a domain name that is identical to or similar to a well-known trademark without rights, he is essentially trying to free-ride the reputation of that trademark for illegitimate personal gain (Anugraha, 2020).

Paragraph 4(b) of the UDRP establishes four forms of bad faith indications that serve as the normative basis for assessing bad faith in domain name registrations. First, category 4(b)(i) covers registrations to sell, rent, or transfer a domain to a brand owner for a fee that exceeds the registration fee. In the case of lippo.co.id, there is evidence of a domain being offered at a price of USD 30,000, which clearly exceeds the domain registration fee, which generally ranges from tens to hundreds of thousands of rupiah per year. Second, category 4(b)(ii) covers registrations to prevent a brand owner from reflecting the brand in a suitable domain name, provided there is a systematic pattern of conduct. Third, category 4(b)(iii) covers registrations with the aim of disrupting a competitor's business activities, which is irrelevant in the case of lippo.co.id because the respondent is not a business competitor of the applicant. Fourth, category 4(b)(iv) covers the use of domains to attract internet users for commercial gain by creating confusion regarding the source, sponsor, affiliation, or endorsement, which is the most relevant category in the case of lippo.co.id where the respondent included the official email of PT Lippo Karawaci Tbk to create the impression of a non-existent affiliation (Rusmawati et al., 2022).

The assessment of bad faith in the context of the UDRP requires a careful and comprehensive approach, where the Panel must not only look at the subjective intent of the registrant, which is often difficult to prove, but must also consider observable objective facts. WIPO Overview 3.0 provides guidance that the assessment of bad faith must be made by considering the "totality of circumstances" or the entirety of the relevant circumstances and facts. Factors that may be considered include: the nature of the domain name that is identical or very similar to a well-known mark; the actual use of the domain and the content on the website; the time of the domain registration compared to the fame of the mark; the identity of the registrant and the association of its name with the words used in the domain; and the registrant's response to objections where the lack of a response could strengthen the allegation of bad faith. The concept of bad faith in the UDRP is related to the principles in Law Number 20 of 2016 concerning Trademarks and Geographical Indications, especially Article 21 paragraph (3) which states that an application will be rejected if it is submitted by an applicant who has bad faith, where this principle is in line with the concept of bad faith in the UDRP which refers to actions carried out with knowledge of the rights of another party and still registering for an illegitimate purpose (Indarta, 2025).

In the case of lippo.co.id, the PPND Panel explicitly referred to WIPO Overview 3.0 Section 3.1.4, which affirms the important principle regarding the presumption of bad

faith, namely that the registration of a domain name that is identical or confusingly similar to a well-known trademark by an unaffiliated party can in itself create a presumption of bad faith. This principle has significant implications in the practice of resolving domain name disputes, where the key word is "famous or widely-known trademark." The "LIPPO" trademark in Indonesia clearly meets this criterion, given that PT Lippo Karawaci Tbk is the largest property company in Indonesia listed on the Indonesia Stock Exchange with businesses ranging from property, retail, hospitals, to financial services. When the respondent, Martin Larsson, who is based in the UK and has no connection to Lippo's business, registered the domain lippo.co.id, the presumption of bad faith immediately arose. It is important to note that this presumption is rebuttable, where the respondent has the opportunity to provide an explanation and evidence that he has a valid reason, but in this case the respondent did not provide any response at all so that the presumption of bad faith becomes an irrefutable conclusion.

The assessment of bad faith depends not only on the subjective intent of the registrant, but primarily on verifiable objective facts. The Panel identified several objective elements that indicate bad faith in the case of lippo.co.id. First, the identity of the domain name with a well-known trademark where the domain lippo.co.id is identical to the registered trademark "LIPPO" and the registration of a domain identical to a well-known trademark by an unaffiliated party already creates a strong presumption of bad faith. Second, the absence of rights or legal relationship with the trademark owner where the respondent does not have a registered trademark using the word "LIPPO" based on a search in the DJKI database, there is no evidence of a legal relationship such as a license agreement or cooperation, and the Panel noted no evidence whatsoever indicating that the respondent is affiliated with the applicant. Third, the unauthorized inclusion of the applicant's affiliated email which is the most significant fact, where the respondent included the email corsec@lippokarawaci.co.id which is the official email of the Corporate Secretary of PT Lippo Karawaci Tbk, which shows that the respondent deliberately tried to create the impression that the website is an official site related to the company, can mislead the public, investors, business partners, and consumers, and has the potential to harm the applicant if the site is used to spread inaccurate information or commit fraud.

Although the assessment of bad faith is primarily based on objective facts, the subjective element of the registrant's intent is also relevant in the analysis. The Panel identified several indicators of bad faith, first is the intent to obtain financial gain where there is evidence of the domain being offered at a price of USD 30,000 which clearly far exceeds the domain registration fee, indicating an intent to obtain unfair financial gain from the reputation and goodwill of the "LIPPO" brand. This pattern of behavior is known as "domain name ransom" or "domain parking for sale" which is explicitly recognized as an indication of bad faith in Paragraph 4(b)(i) of the UDRP (Ahmad & Kumar, 2024). Second is the intent to mislead the public or imitate the reputation of a well-known brand, where the inclusion of the official email of PT Lippo Karawaci Tbk indicates an intent to

imitate or piggyback on the reputation of a well-known brand, and this action shows that the respondent is aware of the value and reputation of the "LIPPO" brand and is deliberately trying to exploit it for personal gain in a classic form of cybersquatting. The Panel conducted a comprehensive analysis of the bad faith criteria as set out in Paragraph 4(b) of the UDRP, with a primary focus on Paragraph 4(b)(iv) regarding the use of domains to mislead internet users, where by listing the email corsec@lippokarawaci.co.id, the respondent intentionally tried to attract internet users by creating a likelihood of confusion regarding the source, sponsorship, or affiliation of the website.

Cybersquatting in its simplest context refers to the practice of registering, trading, or using internet domain names in bad faith to profit from another person's trademark, where the term is derived from the word "squat" which means to illegally occupy another person's property (Sangalang & Farina, 2023). The main characteristics of cybersquatting include: registration of a domain that is identical or similar to a well-known brand because the domain that uses the brand has commercial value; lack of legitimate rights or interests where the cybersquatter does not own the brand rights, has no business related to the domain name, and has no legitimate reason; bad faith where the registration is done for an illegitimate purpose such as to sell to the brand owner, to mislead consumers, or to disrupt the business activities of competitors; and harm to the brand owner because it prevents them from using a domain that matches their brand, has the potential to mislead consumers, and can damage the brand's reputation (Suhaemin, 2021).

The lippo.co.id case fulfills all the characteristics of cybersquatting. First, the domain registration is identical to a well-known brand where Martin Larsson registered the domain on August 31, 2016, almost 11 years after the "LIPPO" brand was first registered with the DJKI on September 6, 2005, and by 2016 the "LIPPO" brand was already very well known in Indonesia with PT Lippo Karawaci Tbk having become one of the largest property developers. Second, the absence of any legitimate rights or interests where the respondent does not have a registered brand using the word "LIPPO", does not have a business or business activity related to the word, the respondent's name has no connection with the word "LIPPO", has never received permission or license from the applicant, and has no legal relationship whatsoever with the applicant or its affiliated companies. Third, bad faith manifested in concrete actions such as including the official email of PT Lippo Karawaci Tbk without permission which is clearly intended to mislead visitors, offering the domain at a price of USD 30,000 which is far in excess of the registration fee, and not using the domain for legitimate business activities. Fourth, potential and actual losses to the brand owner include consumer confusion that leads to the site being considered an official site, reputational risks if the site is used to spread inaccurate information or commit fraud, obstruction of the use of a domain that matches the brand for legitimate online business activities, and financial losses if the applicant has to pay an unreasonable price to acquire the domain.

The PPND Panel conducted a comprehensive and structured analysis to conclude that the respondent's actions constituted cybersquatting practices that must be stopped by transferring the domain to the legitimate trademark owner. The applicant presented strong arguments with sufficient evidence regarding the identity of the domain with the registered trademark, the absence of the respondent's legitimate rights or interests, and the registration in bad faith as evidenced by the unauthorized inclusion of the official email of an affiliated company, the offer of sale for USD 30,000, and the intention to mislead the public. The Panel provided very careful consideration by referring to the WIPO consensus which confirms that the registration of a domain identical to a well-known trademark by an unaffiliated party can create a presumption of bad faith, and emphasized that the unauthorized inclusion of the identity of the applicant's affiliated company to convince the public that the website originated or belonged to the applicant has demonstrated bad faith by the respondent (Dzikir, 2024). Of particular interest is the Panel's approach to the evidence of the domain sale offer, where the Panel conducted a nuanced and careful analysis, finding that the evidence presented in the form of emails between the broker and the applicant's affiliate did not clearly indicate that the offer was initiated by the respondent, but the Panel asserted that other factors were sufficient to prove bad faith regardless of who initiated the sale negotiations. The absence of a response from the respondent has significant legal consequences, where if the respondent had a legitimate reason for registering the domain, he should have been able to easily explain and prove it, and the absence of a response strengthens the conclusion that the respondent did not have a legitimate reason.

The application of the bad faith criterion in the lippo.co.id case reinforces the principle that legal protection of trademarks is not limited to the physical world but extends to the digital realm, where in the digital economy, domain names have strategic value equal to or even exceeding the value of physical stores or offices. This decision affirms several important principles: registered trademarks provide priority rights in the use of domain names; brand fame creates a stronger presumption of protection, where well-known brands receive broader protection; good faith is a prerequisite for domain name registration as it is for trademark registration; and trademark protection is proactive rather than merely reactive, where the trademark owner does not need to wait for actual harm to occur before filing an objection. The lippo.co.id case demonstrates that the UDRP and PPND are effective administrative instruments in combating cybersquatting practices, with advantages such as a fast process of around 4.5 months, relatively affordable costs, simple and document-based procedures, the expertise of a panel that understands trademark law and information technology, and decisions that can be enforced through the registrar's obligation to transfer the domain (Dzikir, 2024).

The lippo.co.id case demonstrates the good integration between Indonesian national trademark law and global policies adopted by ICANN through the UDRP, where this integration creates cross-jurisdictional legal certainty that is crucial in the context of a borderless internet. The PPND Panel refers to the Trademark Law as the basis for the

applicant's trademark ownership but uses the UDRP and WIPO consensus as an analytical framework, demonstrating that nationally recognized trademark rights can be enforced in a global context, international standards can be adopted without overriding national law, and Indonesia becomes part of the global trademark protection system. However, implementation challenges remain, such as the lack of socialization regarding the PPND mechanism, especially to MSMEs, limited coordination between the DJKI and PANDI in the trademark ownership verification process, suboptimal digital literacy of business actors regarding the importance of registering domain names from the start, limited precedents and publications of PPND decisions that are accessible to the public, and limited resources and capacity of panelists (B. Pratama & D Rafii, 2021).

D. Conclusion

Domain name dispute resolution mechanism in Indonesia through Domain Name Dispute Resolution Policy (DNDP) is considered to have achieved effectiveness and consistency in line with international standards, in particular UDRP (Uniform Domain Name Dispute Resolution Policy). This process offers a fast and structured non-litigation administrative path, strictly adopting three main evidentiary criteria: (1) similarity of the domain identity to a registered mark, (2) absence of any legitimate rights or interests of the domain holder, and (3) registration and use of the domain with bad faith (*bad faith*). Adoption of the principle *prima facie* for the absence of legal rights and references to WIPO global guidelines indicate successful integration *best practices* international into the national legal framework, strengthening the PPND as an instrument that *reliable* compared to traditional litigation processes.

Criteria bad faith (*bad faith*) in PPND is assessed based on a comprehensive analysis of objective and subjective elements. Objective elements are characterized by domain identity with well-known brands without affiliation, while subjective elements are focused on intention to obtain unfair financial gain (*trafficking*) or the goal of piggybacking on brand reputation (*passing off*). Case lippo.co.id become a case study that confirms the function of PPND as an enforcer of brand protection against *cybersquatting*; The Panel applied Paragraph 4(b) of the UDRP by basing its decision on the presumption of bad faith arising from the registration of identical domains by non-affiliated parties, reinforced by an attempt to mislead the public through the inclusion of internal brand contact details. The advantage of PPND lies in the efficiency of its process, which provides concrete protection in the form of domain transfer to the rightful brand owner, while simultaneously creating a deterrent effect and legal certainty integrated between national brand regulations and the global ICANN policy framework.

E. Recomendation

Some suggestions that can be implemented include: (1) Harmonize the PPND policy with the Trademark Law through amendments to the law that include explicit provisions on trademark protection in the form of domain names, formal recognition of PPND decisions in the Indonesian legal system, and clarification regarding the

relationship between PPND and litigation channels in the courts; (2) Massive and continuous dissemination and education on the PPND mechanism needs to be increased, not only for large companies but also for MSMEs through seminars, webinars, publications, and direct consultations with PANDI; (3) Strengthening the synergy between PANDI and DJKI through database integration to accelerate brand validation in the domain objection process, development of an automatic warning system when registering domains that have the potential to infringe registered brands.

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