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BEFORE THE .IN REGISTRY OF INDIA

INDRP CASE NO. 1512

**IN THE MATTER OF AN ARBITRATION UNDER THE .IN DOMAIN NAME
DISPUTE RESOLUTION POLICY; THE INDRP RULES OF PROCEDURE
AND THE ARBITRATION AND CONCILIATION ACT, 1996
FINAL AWARD**

Robi

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BEFORE THE .IN REGISTRY OF INDIA

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**IN THE MATTER OF AN ARBITRATION UNDER THE .IN DOMAIN
NAME DISPUTE RESOLUTION POLICY
THE INDRP RULES OF PROCEDURE
AND THE ARBITRATION AND CONCILIATION ACT, 1996**

IN THE MATTER OF

ARCELORMITTAL (SA)
24-26, boulevard d'Avranches
1160 Luxembourg
LUXEMBOURG

...Complainant

Versus

Mayank Mittal
Mittal Steel Industries
14, Anaj Mandi, Ajnoda Kalan
Punjab 147201 INDIA

...Respondent

AND

IN THE MATTER OF

A DISPUTE RELATING TO THE DOMAIN NAME mittalsteels.co.in

FINAL AWARD

Dated: 03 June 2022

Venue: New Delhi, India



ROBIN RATNAKAR DAVID
SOLE ARBITRATOR

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For files

I. PARTIES TO THE ARBITRATION

1. The Complainant

The Complainant is ARCELORMITTAL (SA), having its registered business address at 24-26, boulevard d'Avranches 1160 Luxembourg

2. The Respondent

The Respondent is Mayank Mittal, having its registered business in 14, Anaj Mandi, Ajnoda Kalan, Punjab 147201 India.

II. APPLICABLE LAW AND JURISDICTION

The .IN Domain Name Dispute Resolution Policy

1. The present arbitration proceeding is under and in accordance with the .IN Domain Name Dispute Resolution Policy (the Policy) which was adopted by the National Internet Exchange of India (NIXI) and sets out the legal framework for resolution of disputes between a domain name registrant and a complainant arising out of the registration and use of an .IN Domain Name. By registering the domain name mittalsteels.co.in with the NIXI accredited Registrar, the Respondent has agreed to the resolution of disputes under the .IN Dispute Resolution Policy and Rules framed thereunder. The Policy and the .IN Domain Name Dispute Resolution Rules of Procedure posted on 16 September 2020 (the Rules) were approved by NIXI in accordance with the Arbitration and Conciliation Act, 1996.

Filing of the Complaint and Constitution of the Arbitral Tribunal

2. The Complainant filed the Complaint under the .IN Domain Name Dispute Resolution Policy against the Respondent, seeking the transfer of Domain Name mittalsteels.co.in to the Complainant. On 4 March 2022, the .IN Registry sought the consent of Mr. Robin Ratnakar David (the undersigned), who is a listed .IN Dispute Resolution Arbitrator under Rule 5 (a) of the Rules, to act as Arbitrator in the said matter. On 7 March 2022, Mr. David gave his consent along with the signed Statement of Acceptance and



Declaration of Impartiality and Independence to act in the matter as Arbitrator in compliance with the Arbitration and Conciliation Act, 1996.

3. On 4 March 2022, the Arbitral Tribunal comprising of the said Mr. Robin Ratnakar David, Sole Arbitrator was constituted under Rule 5(b) of the Rules in respect of the Complaint filed by Subway IP Inc. against Shanti Lal Mali, the Respondent.
4. On 8 March 2022, the Arbitral Tribunal issued the Notice of Arbitration under Rule 5 (c) of the Rules.
5. The Arbitral Tribunal has been constituted properly and in accordance with the Arbitration and Conciliation Act, 1996, the INDRP Policy and the Rules as amended from time to time. No party has objected to the constitution and jurisdiction of the Arbitral Tribunal and to the arbitrability of the dispute.

III. PROCEDURAL HISTORY

1. On 8 March 2022, the Arbitral Tribunal issued the Notice of Arbitration to the Respondent by email with the Complaint and Annexures enclosed. The Respondent was given an opportunity to file a Response in writing in opposition to the Complaint, if any, along with evidence in support of its stand or contention on or before 15 March 2022. The Complaint (including annexures) was sent to the email address of the Respondent shown in the WHOIS details, accordingly, the service on the Respondent was done in accordance with Rule 2 of the Rules.
2. On 9 March 2022 the Complainant withdrew the Complaint by email.
3. Rule 5 (c) of the Rules stipulates that the Arbitrator shall pass the award within 60 days of the commencement of the arbitration, the arbitrator is also empowered to extend the time by an additional period of 30 days in exceptional circumstances. In the present case the Notice of Arbitration was issued on 8 March 2022 and the 60 days period expired on 7 May 2022. However, the Award could not be passed by 7 May 2022 due to ill health of the Arbitrator. Accordingly, under rule 5(c) of the Rules, the arbitrator extends the time by twenty seven days. Accordingly, the award is being passed on 3 June 2022.



4. All emails from the Arbitral Tribunal were copied to the Complainant and Respondent as well as NIXI.

IV. DISPOSITIONS

The Arbitral Tribunal holds that the matter stands disposed of as withdrawn.

Place of Arbitration: New Delhi, India
Date: 03 June 2022



Robin Ratnakar David
Sole Arbitrator
The Arbitral Tribunal