



हरियाणा HARYANA

R 955373

RANJAN NARULA

ARBITRATOR

Appointed by the .In Registry – National Internet Exchange of India

In the matter of:

Dell Inc.

One Dell Way
Round Rock, Texas 78682-2244
USA

....Complainant

Nagendran Kathirvel

GBS Systems & Services Pvt. Ltd.
No. 1070-A, Munuswamy Salai
K.K Nagar, Chennai
Tamil Nadu 600078

..... Respondent

Disputed Domain Name: www.delllaptopadapterprice.in

AWARD

1) The Parties:

The Complainant in this arbitration proceeding is Dell Inc. of One Dell Way, Round Rock, Texas 78682-2244, United States of America. The Complainant is represented by its authorized representatives Safir Anand, Madhu Rewari of Anand and Anand, First Channel, Plot no. 17-A, Sector 16-A. Film City, Noida.

The Respondent in this arbitration proceeding is Nagendran Kathirvel, GBS Systems & Services Pvt. Ltd. of No. 1070-A, Munuswamy Salai, K.K Nagar, Chennai, Tamil Nadu 600078 as per the details available in the whois database maintained by National Internet Exchange of India (NIXI).

2) The Domain Name, Registrar & Registrant:

The disputed domain name is www.delllaptopadapterprice.in. The Registrar is Good Domain Registry Private Limited of 34-A, Main Road, Kennedy Square, Perambur, Chennai, Tamil Nadu 600 011, India.

The Registrant is Nagendran Kathirvel, GBS Systems & Services Pvt. Ltd. of No. 1070-A, Munuswamy Salai, K.K Nagar, Chennai, Tamil Nadu 600078

3) Procedural History:

This arbitration proceeding is in accordance with the .IN Domain Name Dispute Resolution Policy (INDRP), adopted by the National Internet Exchange of India (NIXI). The INDRP Rules of Procedure (the Rules) were approved by NIXI on 28th June, 2005 in accordance with the Indian Arbitration and Conciliation Act, 1996. By registering the disputed domain name with the NIXI accredited Registrar, the Respondent agreed to the resolution of the disputes pursuant to the .IN Dispute Resolution Policy and Rules framed thereunder.

As per the information received from NIXI, the history of the proceedings is as follows:

In accordance with the Rules 2(a) and 4(a), NIXI formally notified the Respondent of the Complaint and appointed Ranjan Narula as the Sole Arbitrator for adjudicating upon the dispute in accordance with the Arbitration and Conciliation Act, 1996, and the Rules framed thereunder and .IN Domain Dispute Resolution Policy and the Rules framed thereunder. The Arbitrator submitted the Statement of Acceptance and Declaration of impartiality and independence, as required by NIXI.



1. On 21st Jan, 2016, NIXI notified to the parties that complaint has been numbered 769 and Mr Ranjan Narula has been appointed as an Arbitrator.
2. The complaint was produced before the Arbitrator on January 22, 2016.
3. Vide email dated January 22, 2016 Respondent informed that they are ready to surrender the domain, and further requested to let him know the procedure to surrender the domain.
4. The respondent reiterated its request for transfer of the domain name alongwith many other domain names containing the mark DELL vide his email dated January 25, 2016.
5. On January 25, 2016 the Arbitrator wrote to both the parties and mentioned that as the Respondent is willing to surrender the domain name without contesting the matter on merits an order to this effect will be passed transferring the domain <DELLLAPTOPADAPTERPRICE.IN> to the complainant with the consent of the parties. Any comments or objections may be conveyed within seven days of this email.

Discussing and Finding

No response was received from the parties to the above said email. However, as the Respondent categorically stated vide email dated January 25th 2016 that he want to surrender www.delllaptopadapterprice.in to the Complainant without contesting the matter, therefore the complainant is being decided on the basis of the statement and having provided an opportunity to parties to provide any objections/comments.

Decision

In view of the above, I have carefully considered the matter and come to the conclusion that the Respondent having voluntarily given up his claim and rights into the domain name and also agreed to surrender his domain name, therefore, no useful purpose would be served in delving into the merits of this case. Thus, it is hereby directed that the disputed domain name www.delllaptopadapterprice.in be transferred to the Complainant.



RANJAN NARULA
SOLE ARBITRATOR
NIXI
INDIA

February 2, 2016