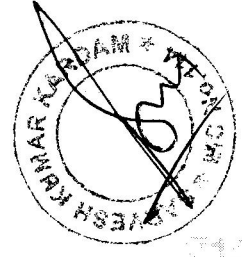




सत्यमेव जयते

INDIA NON JUDICIAL

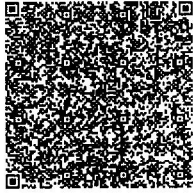
Government of Uttar Pradesh



e-Stamp

Certificate No. : IN-UP65236455635872U
Certificate Issued Date : 10-Aug-2022 02:02 PM
Account Reference : NEWIMPACC (SV)/ up14008104/ NOIDA/ UP-GBN
Unique Doc. Reference : SUBIN-UPUP1400810422648510559473U
Purchased by : PUNITA BHARGAVA
Description of Document : Article 12 Award
Property Description : Not Applicable
Consideration Price (Rs.) :
First Party : PUNITA BHARGAVA
Second Party : Not Applicable
Stamp Duty Paid By : PUNITA BHARGAVA
Stamp Duty Amount(Rs.) : 100
 (One Hundred only)

सत्यमेव जयते



Please write or type below this line

BEFORE THE NATIONAL INTERNET EXCHANGE OF INDIA
 .IN REGISTRY

Arbitral Award in Case No. 1597
 Ms. Punita Bhargava, Sole Arbitrator
 Disputed domain name: <westside.in>

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Statutory Alert:

1. The authenticity of this Stamp certificate should be verified at 'www.shcilestamp.com' or using e-Stamp Mobile App of Stock Holding. Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
2. The onus of checking the legitimacy is on the users of the certificate.
3. In case of any discrepancy please inform the Competent Authority.

In the matter of

Trent Limited
Bombay House
24, Homi Mody Street
Fort, Mumbai – 400 001

... Complainant

v.

Westt Side
Mumbai 400 006

... Respondent

1. The Complainant in this proceeding is Trent Limited of Bombay House 24, Homi Mody Street Fort, Mumbai – 400 001. It is represented in this proceeding by Ms. Swati Sharma of Anand and Anand of First Channel, Plot No. 17A, Sector 16A, Film City, Noida. The Respondent in this proceeding is Westt Side of Mumbai with email westtside1@gmail.com and number +91 8140950335.
2. This dispute concerns the domain name <westtside.in> (the 'disputed domain name') registered on September 16, 2021. The Registrar with which the disputed domain name is registered is GoDaddy.com LLC.
3. The arbitration proceeding is in accordance with the .IN Domain Name Dispute Resolution Policy (Policy), adopted by the National Internet Exchange of India (NIXI). NIXI requested availability of Ms. Punita Bhargava to act as the Sole Arbitrator in the matter. The Arbitrator indicated her availability and submitted the Statement of Acceptance and Declaration of Impartiality and Independence in compliance with the .INDRP Rules of Procedure (Rules).

In accordance with Rules, NIXI vide its email of August 5, 2022 appointed the Arbitrator and shared the Complaint and documents. Upon review of the same, the Arbitrator asked the Complainant's counsel to confirm that her authorization/POA accompanies the Complaint and to refile annexures in compliance of the Rules by August 11, 2022.

On August 9, 2022, the Complainant's counsel filed amended annexures and a POA, though under the Trade Marks Act, 1999 but, mentioning domain disputes.

The Arbitrator took both documents on record and sent an email informing all concerned of the commencement of the arbitration proceeding, asking the Complainant to comply with the service formalities and asking the Respondent to file its Reply by August 27, 2022.

No communication was received from the Complainant regarding compliance of service formalities.

On August 26, 2022, the Respondent addressed a communication to the Arbitrator, inter alia, asking for time to seek legal advice. By email of August 29, 2022, the Arbitrator granted the Respondent time till September 3, 2022.

Since no reply was received, the Arbitrator sent an email on September 5, 2022 that she will proceed to pass the award in the matter based on the material before her.

On September 6, 2022, the Respondent sent a communication to the Arbitrator that the website corresponding to the dispute domain name has been deactivated. In response, the Arbitrator informed the Respondent that the matter pertained to the disputed domain name and if it wished to transfer the same, a clear communication in this regard may be sent. The Respondent then confirmed that it was ready to transfer the disputed domain.

4. In light of the reply of the Respondent, the Arbitrator is not passing an Award on the merits of the Complaint.
5. The disputed domain name is directed to be transferred to the Complainant. There is no order as to costs.
6. This Award has been passed within the statutory deadline of 60 days from the date of commencement of arbitration proceeding.



Punita Bhargava (Ms.)
Sole Arbitrator
Date: September 6, 2022