

தமிழ்நாடு தமில்நாடு TAMILNADU

BL 959552

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'20 MAY 2017

D. SARAVANAN
Advocate & Arbitrator
"Orient Chambers", 4th & 5th Floor:
No. 90/73, Armenian Street,
Chennai 600 001.

P.S. SHANKRUSA SUNDARAM
STAMP VENDOR
L. No. 04 / 109 / 88
HIGH COURT CAMPUS
CHENNAI-600104. (TAMILNADU)

BEFORE THE SOLE ARBITRATOR MR.D.SARAVANAN
.IN Registry
C/o. NIXI National Internet Exchange of India

Disputed Domain Name: <www.TATATIGOR.CO.IN>

Tata Motors Limited,
24 Homi Mody Street,
Fort, Mumbai – 400 001,
State of Maharashtra,
INDIA.

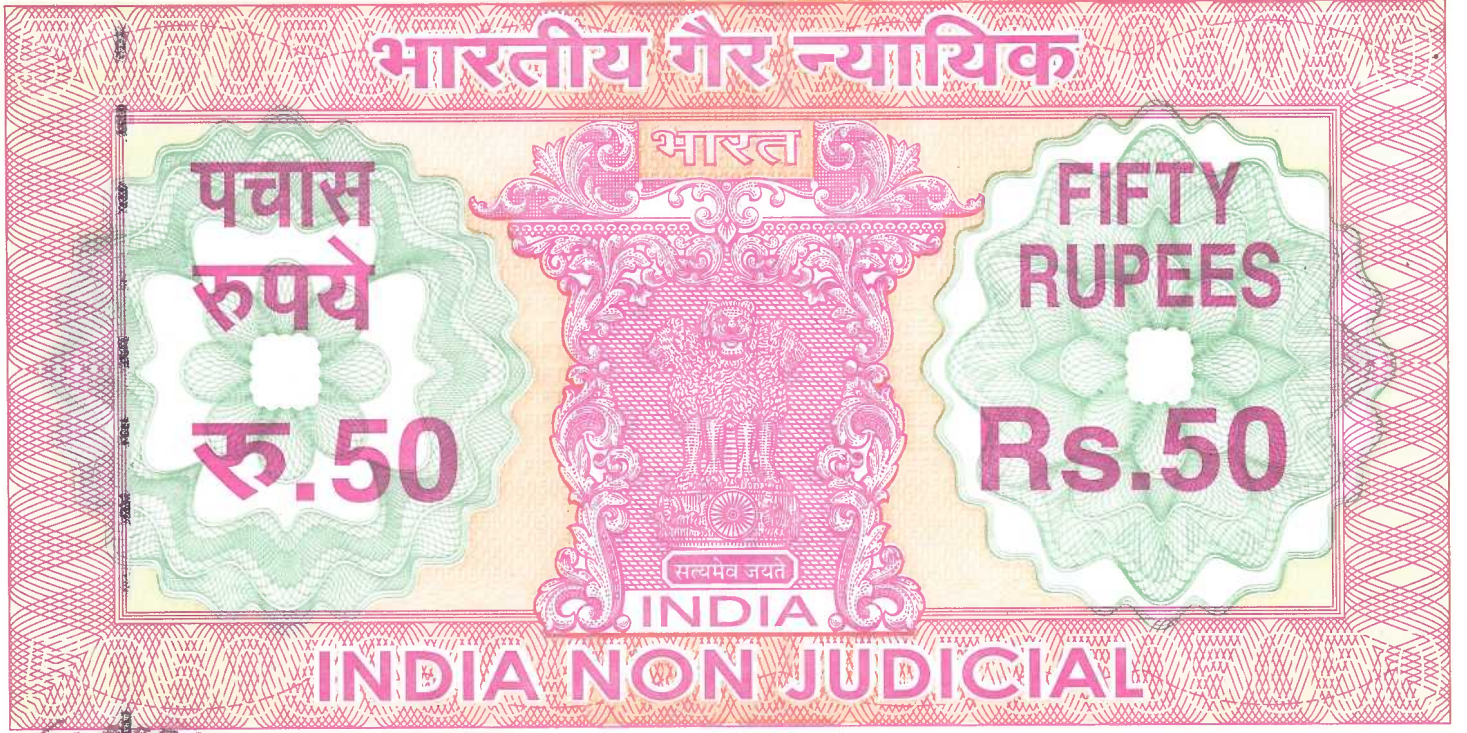
.. Complainant

Vs.

My names,
Tithidomaintrade,
99 Name Trade Colony,
Ankewalia, Gujarat 363421,
INDIA.

.. Respondent





தமிழ்நாடு TAMILNADU
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12/52
15 MAY 2017

AV 588348

P.S. ANNAMALAI
STAMP VENDOR
S. No. 18374/B/86
SASTRI NAGAR, ADYAR
CHENNAI - 600 020

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1. The Parties:

The Complainant is Tata Motors Limited, 24 Homi Mody Street, Fort, Mumbai – 400 001, State of Maharashtra, India, represented by its Authorised Representative Ms.Malavika T.Vikram of M/s DePenning & DePenning, No.120, Velachery Main Road, Guindy, Chennai 600 032, India.

The Respondent is My names, Tithidomaintrade, 99 Name Trade Colony, Ankewalia, Gujarat 363421, India.

2. The Domain Name and Registrar:

The disputed domain name is <www.TATATIGOR.co.in>. The domain name has been registered with .IN REGISTRY.



3. DISPUTE AND RELIEF SOUGHT FOR:

The complaint has been filed seeking a remedy to issue a decision that the ownership in www.tatatigor.co.in be transferred to the complainant on the grounds *inter-alia* that the registration of the disputed domain name by the respondent is identically or confusingly similar in which the complainant has rights; the respondent has no rights or legitimate interest in respect of the disputed domain name; and the said domain name was registered and is being used in bad faith.

4. PROCEDURAL HISTORY:

- May 17, 2017 : Date of Complaint.
- June 05, 2017 : The .IN REGISTRY appointed D.SARAVANAN as Sole Arbitrator from its panel as per paragraph 5(b) of INDRP Rules of Procedure.
- June 05, 2017 : Consent of the Arbitrator was given to the .IN REGISTRY according to the INDRP Rules of Procedure along with the Statement of Declaration of impartiality and independence.
- June 05, 2017 : .IN REGISTRY sent an email to all the concerned intimating the appointment of arbitrator.
- June 05, 2017 : NIXI sent the soft copy of the complaint and annexure to the respondent marking a copy of the same to all the concerned. The same was also sent by Speed Post to the respondent vide receipt No.RD730743023IN.
- June 07, 2017 : Email was sent by the respondent stating that they would be happy to transfer the domain name to the complainant.
- June 07, 2017 : Email was sent by the Arbitral Tribunal seeking assertion of the respondent regarding their "No Objection".




- June 07, 2017 : Email was sent by the Respondent confirming their "No Objection".
- June 07, 2017 : Email was sent by the Arbitral Tribunal to all the concerned stating that the Award will be passed based on the consent of the Respondent.

5. NO OBJECTION OF THE RESPONDENT:

The respondent had sent an email on 06.06.2017 stating that they would be happy to transfer the domain name to the Complainant and had also sent another email on 07.06.2017 asserting their 'No Objection'.

6. DECISION:

In the light of the 'No Objection' from the respondent and in accordance with Paragraph 10 of the Policy, the Arbitral Tribunal orders that the disputed domain name **<www.TATATIGOR.co.in>** be transferred to the Complainant.



D.SARAVANAN
Sole Arbitrator
June 09, 2017
Chennai, INDIA.