



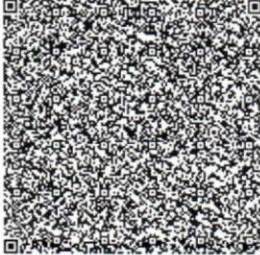
सत्यमेव जयते

INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

e-Stamp

Certificate No. : IN-DL15600687067887K
Certificate Issued Date : 25-Aug-2012 11:27 AM
Account Reference : SHCIL (FI)/ dl-shcil/ HIGH COURT/ DL-DLH
Unique Doc. Reference : SUBIN-DL DL-SHCIL31402453490574K
Purchased by : NIKILESH RAMA CHANDARAN
Description of Document : Article 12 Award
Property Description : NA
Consideration Price (Rs.) : 0
(Zero)
First Party : NIKILESH RAMA CHANDARAN
Second Party : NA
Stamp Duty Paid By : NIKILESH RAMA CHANDARAN
Stamp Duty Amount(Rs.) : 100
(One Hundred only)



ARBITRATION CASE NO 8 OF 2012

IN THE ARBITRATION MATTER OF:-

YVES SAINT LAURENT

COMPLAINANT

VERSUS

NARINDER DHIENSA

RESPONDENT

AWARD

Statutory Alert:

1. The authenticity of the Stamp Certificate can be verified at Authorised Collection Centers (ACCs), SHCIL Offices and Sub-registrar Offices (SROs).
2. The Contact Details of ACCs, SHCIL Offices and SROs are available on the Web site "www.shcilestamp.com"

The present dispute relates to the registration of the domain name www.yvessaintlaurent.in in favour of the Respondent.

The Complainant has filed the instant complaint challenging the registration of the domain name <www.yvessaintlaurent.in> in favour of the Respondent. The complainant has stated that it is a joint stock company and is one of the world's leading fashion house creating clothing and fashion accessories. It has stated that the complainant's trade mark name "YVES SAINT LAURENT/ YSL" have derived from the name of its founder and designer Mr. Yves Mathieu-Saint-Laurent. It is further stated that the aforesaid founder and designer started his own couture house under company name YVES SAINT LAURENT in the year 1962.

The complainant has stated that complainant has over the years received numerous awards and recognitions for its collection. The complainant has stated that a worldwide acclaim and success has been attained by the complainant in respect of its products and the good will and reputation garnered over the years. The complainant has given a list of awards/achievements received by it for its contribution.

In its complaint, the complainant has also stated that it has invested years of time, capital, effort and resources in advertising and promoting its company and its collection across the globe through both print as well digital media having circulation through out the world including in India. In support of its aforesaid averment the complainant has filed documents showing the work done by it globally.

Apart from the aforesaid works, the complaint stated that he a held series of fashion shows in India during the 'festival of France'. The complainant has filed the relevant news paper reports in support of the same. The complainant states that its products are available in India and the members



of trade and public are well aware of the Complainant and it's well known trade mark "YVES SAINT LAURENT" and products there under.

The complainant stated that "YVES SAINT LAURENT" is its most valued intellectual property. Further the complaint stated that complainant is the proprietor of the registered trade mark "YVES SAINT LAURENT" in several countries including India wherein the aforesaid trademark was registered in several classes with the earliest registration going back to the year 1991. The complainant has produced the list detailing the complainant's registrations along with relevant certificate of registration filed in India in regard to trademark "YVES SAINT LAURENT" in support of its aforesaid averment.

The complainant has further stated that it registered numerous top level domain names comprising of its trademark "YVES SAINT LAURENT" the complainant has filed the copies of the WHOIS details in respect of a few details of the certain domain names.

The complainant has contended that while seeking to register the domain name "yvessaintlaurent.in" it was shocked to learn that the said domain name was already registered in the name of the respondent. The complainant has averred that upon reviewing the impugned website www.yvessaintlaurent.in, it was noted that the said domain name was being offered for sale.

The complainant has further contended that the respondent has been using the disputed domain name for its own profit as the website having the disputed domain name has been tactically designed and linked to other sites selling clothing and other products so as to gain mileage from the complainant's well known trademark "YVES SAINT LAURENT" and the goodwill and reputation vesting therein.



I entered upon reference regarding the instant dispute on 03.08.2012. On 20.09.2012 I received the reply from the respondent, wherein he stated that he was ready and willing to let the complainant have the domain name.

In view of the fact that the Respondent is not contesting the matter and is willing to handover the domain name to the complainant, I allow prayer (b) of the complaint in favour of the complainant, who has as a proprietary right over the mark **YVES SAINT LAURENT** and direct the registry to transfer the said domain name i.e. <www.yvessaintlaurent.in> in favour of the complainant.

Parties to bear their costs.



(NIKILESH RAMACHANDRAN)

ARBITRATOR

Dated 27th September 2012.