



महाराष्ट्र MAHARASHTRA

2015

NN 715066

BEFORE THE SOLE ARBITRATOR DIPAK G. PARMAR
.IN REGISTRY
(C/o NATIONAL INTERNET EXCHANGE OF INDIA)

Dell Inc.

...Complainant

v/s

Nagendran Kathirvel

...Respondent

In the matter of Disputed Domain Name <DELLLAPTOPSERVICE.IN>

1 The Parties

The Complainant is Dell Inc., One Dell Way, Round Rock, Texas 78682-2244, USA, represented by Safir Anand and Madhu Rewari of Anand and Anand, India.

The Respondent is Nagendran Kathirvel, GBS System & Service Pvt. Ltd., No. 1070-A, Munuswamy Salai, K. K. Nagar, Chennai, Tamil Nadu, 600078.

2 Procedural History

- 2.1 A Complaint dated December 19, 2015 has been filed with the National Internet Exchange of India (hereinafter referred to as the 'Exchange'). The Complainant has made the registrar verification in connection with the domain name at issue. It is confirmed that presently the Respondent is listed as the registrant and provided the contact details for the administrative, billing and technical contact. The Exchange verified that the Complaint satisfied the formal requirements of the Indian Domain Name Dispute Resolution Policy (hereinafter referred to as the 'INDRP') and the Rules framed thereunder.
- 2.2 The Exchange appointed Dipak G. Parmar, Advocate as the sole arbitrator in this matter. The Arbitrator finds that he was properly appointed. The Arbitrator has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Exchange.
- 2.3 On February 1, 2016, the Arbitrator had emailed to the Respondent setting forth the relief claimed in the Complaint and directing him to file his reply to the Complaint on or before February 10, 2016. On February 1, 2016, the Respondent emailed to the Arbitrator that he has no intention to retain the Disputed Domain Name with him. He is ready and willing to transfer the Disputed Domain Name to the Complainant. On February 2, 2016, the Complainant had requested the Arbitrator to pass an award in favour of the Complainant and also transfer the Disputed Domain Name to the Complainant as the Respondent has already agreed for transfer of the Disputed Domain Name. The Respondent confirms the same again by his email dated February 2, 2016.
- 2.4 Email is the mode of communication of this arbitration and each email is copied to the Complainant, the Respondent and the Exchange.

3 Discussion and Findings

In line with previous decisions¹, since the Respondent has expressly agreed to transfer the Disputed Domain Name to the Complainant, the Arbitrator finds that there is no need to assess the facts supporting the claim.

1 Amgen Inc. v/s Texas International Property Associates, WIPO Case No. D2007-0155 and Valero Energy Corporation, Valero Refining and Marketing Company v/s RareNames, WebReg, WIPO Case No. D2006-1336

4. Decision

In light of the foregoing reasons, the Arbitrator orders that the Disputed Domain Name <DELLAPTOPSERVICE.IN> be transferred to the Complainant.



Dipak G. Parmar
Sole Arbitrator

Date: February 11, 2016