



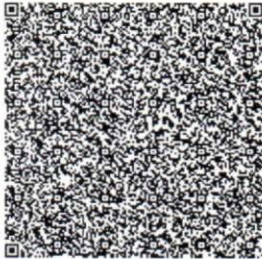
सत्यमेव जयते

INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

e-Stamp

Certificate No. : IN-DL07894613659644O
Certificate Issued Date : 25-Jan-2016 12:26 PM
Account Reference : IMPACC (IV)/ dl732903/ DELHI/ DL-DLH
Unique Doc. Reference : SUBIN-DL73290314320562051906O
Purchased by : JAMES M
Description of Document : Article 12 Award
Property Description : Not Applicable
Consideration Price (Rs.) : 0
(Zero)
First Party : JAMES M
Second Party : Not Applicable
Stamp Duty Paid By : JAMES M
Stamp Duty Amount(Rs.) : 150
(One Hundred And Fifty only)



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INDRP ARBITRATION
THE NATIONAL INTERNET EXCHANGE OF INDIA [NIXI]
ADMINISTRATIVE PANEL DECISION
SOLE ARBITRATOR: JAMES MUKKATTUKAVUNKAL

Dell, Inc.

v.

Nagendran Kathirvel

ARBITRATION AWARD

Disputed Domain Name: www.delllaptopadapter.in

Statutory Alert:

1. The authenticity of this Stamp Certificate should be verified at "www.shcilestamp.com". Any discrepancy in the details on this Certificate and as available on the website 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.

James

The Parties

The **Complainant** in this arbitration proceeding is *Dell Inc.*, is a Delaware corporation having its principal place of business One Dell Way, Round Rock, Texas 78682-2244, United States of America. The complainant is represented by the authorized representatives, Safir Anand and Madhu Rewari.

The **Respondent** in this arbitration proceeding is *Nagendran Kathirvel*, located at No. 1070-A, Shri Munuswamy Salai, K.K.Nagar, Chennai, Tamil Nadu, India, as per the details given by the Whois database maintained by the National Internet Exchange of India [NIXI].

The Domain Name and Registrar

The disputed Domain name is *www.delllaptopadapter.in*. The Registrar with which the disputed domain name is registered is *Good Domain Registry Private Limited (R141- AFIN)*

Procedural History [Arbitration Proceedings]

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 there under.

According to the information provided by the National Internet Exchange of India ["NIXI"], the history of this proceeding is as follows:

In accordance with the Rules, 2(a) and 4(a), NIXI formally notified the Respondent of the Complaint, and appointed James Mukkattukavunkal as the Sole Arbitrator for adjudicating upon the dispute in accordance with the Arbitration and Conciliation Act, 1996, and the Rules framed there under, .IN Domain Name Dispute Resolution Policy and the Rules framed there under. The Arbitrator submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by NIXI.

The Information as to the handover of the case to the panel was notified to all concerned parties on 21st January, 2016. However, even before any request of documents was sent to the Respondent, he has contacted NIXI and expressed his intention to surrender the domain name to the Complainant vide e-mail dated 22nd January, 2016.

Discussions and Findings

In line with previous decisions e.g., *Williams-Sonoma, Inc. v EZ-Port*, WIPO Case No. D2000-0207, *Amgen Inc. v. Texas International Property Associates*, WIPO Case No. D2007-0155, *Valero Energy Corporation, Valero Refining and Marketing Company v. RareNames, WebReg*, WIPO Case No. D2007-0857, *Instituto del Fondo Nacional de la Vivienda para los Trabajadores v. Whois Privacy Protection Service Inc, Demand Domains, Inc.* WIPO Case No. D2007-0917, since the Respondent has consented to the transfer of the disputed domain name to the Complainant, the panel finds that in this case there is no need to assess the facts supporting the claim.

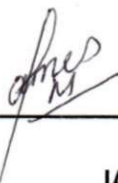


The Respondent in this proceeding has expressly agreed to transfer – without admitting to the elements of paragraph 4(a) of the policy – the disputed domain name to the Complainant upon order of the Panel. Therefore, as held in *Amgen Inc. v. Texas International Property Associates, supra*, “given Respondent’s consent to transfer, this Panel deems it appropriate to grant the request of transfer. No further consideration or discussion of the elements of the Policy is deemed necessary”.

Decision

For all the foregoing reasons, in accordance with Paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the domain name, < delllaptopadapter.in> be transferred to the Complainant.

The National Internet Exchange of India [NIXI] is directed to monitor the transfer of the domain name to the Complainant.



JAMES M.
Sole Arbitrator
Date: JANUARY 29, 2016