

भारतीय गैर न्यायिक

एक सौ रुपये

Rs. 100

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सत्यमेव जयते

ONE
HUNDRED RUPEES

भारत INDIA

INDIA NON JUDICIAL

हरियाणा HARYANA

L 865330

BEFORE THE NATIONAL INTERNET EXCHANGE OF INDIA
ARBITRATION AWARD

In The Matter Between

EMIRATES

Emirates Group Headquarters
P.O Box 686, Dubai
United Arab Emirates

Complainant

Versus.

DOMAIN ADMINISTRATOR

Brand Certified
1285 Baring Road Blvd
Suite #165, Sparks
NV 89434
U.S.A

Respondent

Harish Narayanan

The present Arbitration proceedings pertain to a dispute regarding the domain name <emirates.co.in>. The registrar for the disputed domain name is Key – Systems GmbH, St. Ingerbert, Germany.

The sole arbitrator appointed in the case is Mrs. Harini Narayanswamy. The Arbitrator has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, in compliance with the Rules.

The Arbitrator received the Complaint from the .IN registry on February 21, 2013 and sent a notification to the Respondent regarding the commencement of the Arbitration proceedings on February 21, 2013.

The Complainant is a leading international airline based in the Middle East, operating flights across the world. The Complainant uses the trademark EMIRATES in connection with its services. The Complainant owns numerous registered marks for the EMIRATES mark and has provided evidence of its worldwide registered marks. The Respondent registered the disputed domain name <emirates.co.in> on April 13, 2005.

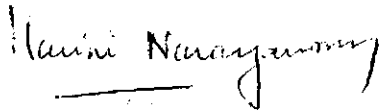
The Complainant states it operates flights to 120 destinations under the EMIRATES mark and has a fleet of 190 aircrafts with more than 42,000 employees across the globe. Due to extensive use of its mark, the Complainant contends that its mark is very well known internationally. In order to protect its rights under the EMIRATES trademark, the Complainant had filed the present dispute.

Harini Narayanswamy

By an email communication dated February 26, 2013, the Complainant through its authorized representative, Mr. Anshuman Sharma of M/s “Kochhar & Co.” has stated that the Complainant does not wish to pursue the case further and wants to withdraw the Complaint. Accordingly, the Arbitrator dismisses the case as withdrawn without prejudice to the Complainant’s legal rights and remedies.

It is ordered that the present dispute pertaining to the domain name <emirates.co.in> is dismissed as withdrawn.

No order as to costs and the parties shall bear their own costs.



Harini Narayanswamy

Sole Arbitrator

Date: March 13, 2013