

Bond



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Haryana Government**



Date :12/01/2018

Certificate No. G0L2018A1941



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Penalty : ₹ 0
(Rs. Zero Only)

Deponent

Name: Rachna Bakhru

H.No/Floor : Na

Sector/Ward : Na

Landmark : Na

City/Village : Gurugram

District : Gurugram

State : Haryana

Phone : 0



Purpose : ALL PURPOSE to be submitted at Other

RACHNA BAKHRU

ARBITRATOR

Appointed by the .IN Registry - National Internet Exchange of India

In the matter of:

Orange Brand Services Limited
3 More London Riverside, London
SE1 2AQ, United Kingdom

....Complainant

Jagadeeswaran
Dreamdots
1D, Sri Ram Apartment,
P.N. Palayam, Coimbatore,
Tamil Nadu-641037, India
Phone: +91-4224200665
Email: manage@dreamdots.in

.....Respondent

Disputed Domain Name: <WWW.ORANGENETWORKS.IN>

AWARD

1) **The Parties:**

The Complainant in this arbitration proceeding is Orange Brand Services Limited, of the address 3 More London Riverside, London SE1 2AQ, United Kingdom. The Complainant is represented by its authorized representative, Archer & Angel.

The Respondent in this arbitration proceeding is Mr. Jagadeeswaran of the organization Dreamdots of the address 1D, Sri Ram Apartment, P.N. Palayam, Coimbatore, Tamil Nadu-641037, India as per the details available in the whois database maintained by National Internet Exchange of India (NIXI).

2) **The Domain Name, Registrar & Registrant:**

The disputed domain name is <www.orangenetworks.in>.

The Registrar is Endurance Domains Technology LLP (R173-AFIN).

The Registrant is Mr. Jagadeeswaran of the organization Dreamdots of the address 1D, Sri Ram Apartment, P.N. Palayam, Coimbatore, Tamil Nadu-641037, India.

3) **Procedural History:**

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 thereunder.

As per the information received from NIXI, the history of the proceedings is as follows:

In accordance with the Rules 2(a) and 4(a), NIXI formally notified the Respondent of the Complaint and appointed Ms. Rachna Bakhru as the Sole Arbitrator for adjudicating upon the dispute in accordance with the Arbitration and Conciliation Act, 1996, and the Rules framed thereunder, .IN Domain Dispute Resolution Policy and the Rules framed thereunder. The Arbitrator submitted the Statement of Acceptance and Declaration of impartiality and independence, as required by NIXI.

- The complaint was produced before the Arbitrator on July 30, 2018 and the hard copy of the complaint sent by NIXI was received in the Arbitrator's office on August 04, 2018.
- The notice was issued to the Respondent on August 06, 2018 at his email address web@dreamdots.in outlining that the Complainant had prayed for transfer of the disputed domain name "www.orangenetworks.in" in its favour. The Respondent was called upon to submit their response within ten (10) days of receipt of the Arbitrator's email i.e. until August 16, 2018.
- Since, there is was response from the Respondent's side, Arbitrator issued a reminder notice to the Respondent on August 17, 2018 at his email address



granting a last and final opportunity until August 24, 2018 to submit their response.

- Since no response was received from the Respondent to the Arbitrator's reminder as well, the Arbitrator sent out an email on August 27, 2018 to parties apprising that no communication has been received and that the Arbitrator will now proceed to prepare an award based on the submissions of the Complainant.
- In response to aforementioned email, the Respondent sent an email on August 27, 2018 to Arbitrator via email address web@dreamdots.in apologizing for the delay and requesting the Arbitrator to advise on further steps.
- The Arbitrator thereafter granted final opportunity to the Respondent to file its reply until August 30, 2018.
- On August 28, 2018, the Arbitrator received a response email from the Respondent asking the procedure to transfer the domain name. In response, the Arbitrator replied stating that the Respondent's reply is deemed as his consent to transfer of the domain to the Complainant and that the Respondent does not wish to contest the proceedings which was not disputed or denied by the Respondent.
- I note that the present mode of communication i.e. emails were copied to all the concerned parties i.e. Complainant and Respondent as well as NIXI. I have returned all the pleadings/documents received in the present Arbitration case to NIXI via courier. I further confirm that I did not receive any pleadings/documents from the parties (Complainant and/or Respondent) in relation to present Arbitration case.

4) **Decision:**

On the basis of express consent from the Respondent to transfer the disputed domain name to the Complainant, I hereby direct that the disputed domain name www.orangenetworks.in be transferred to the Complainant.

The Respondent is ordered to cooperate in every capacity for completing the transfer the disputed domain name in favour of the Complainant.



RACHNA BAKHRU
SOLE ARBITRATOR
NIXI
INDIA
September 19, 2018