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Ranjn Narula Associates



RATAN SINGH
STAMP VENDOR
Teh. GURGAON

RANJAN NARULA

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ARBITRATOR

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

In the matter of:

eBay India Pvt. Ltd.

101, "B" Wing,
Akruti Corporate Park,
LBS Marg,
Kanjurmarg (W)

Mumbai - 400 078. Complainant
Maharashtra, India

Mr. Amit

A 301, 2nd Floor,
KSSIDC Complex,
Bangalore - 560 001
Karnataka

Phone: +91-9945754090. Respondent

Email: - nascentsoft@yahoo.com

AWARD

1. The Parties:

The Complainant is eBay India Pvt. Ltd., 101, "B" Wing, Akruti Corporate Park, LBS Marg, Kanjurmarg (W), Mumbai - 400 078, Maharashtra, India. The Complainant is signed by its authorized representative Mr. Lokesh Rajpal. The complaint has been filed through Mr. Pushpam Jha of Saikrishna & Associates, D-5, Second Floor, Sector-10, Noida - 20130, Uttar Pradesh who have submitted complaint against the domain. The Respondent is Mr. Amit (Respondent), A 301, 2nd Floor, KSSIDC Complex, Bangalore - 560 001 Karnataka.

2. The domain name, Registrar & Registrant;

The disputed domain name is www.paisapay.in. The Registrar is Directi Web Services Pvt. Ltd. The Registrant is Mr. Amit (Respondent), A 301, 2nd Floor, KSSIDC Complex, Bangalore - 560 001 Karnataka.

3. Procedural History:

The Complainant filed this complaint with the .IN Registry and the .IN Registry appointed "Ranjan Narula" ("The Arbitrator") as the Sole Arbitrator under clause 5 of its policy on 13th January 2011, the Arbitrator filed its declaration of impartiality and independence on the same date. The Complaint and annexures were received by Arbitrator from NIXI on 17th January 2011. The notice was issued to the Respondent on January 18, 2011 at his email address with a deadline of 10 days to submit his reply. The Respondent filed his response vide email dated January 20, 2011 essentially agreeing to transfer the domain name. On January 20, 2011 the Arbitrator provided opportunity to Complainant to comment on the Respondent's proposal. The Complainant by his response of same date agreed to Respondent's offer and prayed for transfer to domain name <www.paisapay.in>. The Complainant also requested for costs of the proceedings. On January 24, 2011, the Arbitrator notified the parties that he shall now pass an award based on submission of the parties.

4. Discussions & Findings

As both parties have agreed to resolve the matter amicably with Respondent agreeing to transfer the domain name and the complainant agreeing to the proposal, thus the primary purpose of filing this complaint has been achieved. In the circumstances the Arbitrator sees no real need to go into the merits of the contentions raised by the Complainant and documents filed in support. The only point to be considered is the prayer of the complainant in relation to costs of the proceedings. The Arbitrator finds that the Respondent on being served with notice agreed to transfer of the domain. The Respondent also pointed out that he had made similar offer to transfer the domain name to the complainant's authorized representative vide his email dated 4th January in response to their communication of 3rd January. In view of the fact that the Respondent agreed to transfer the domain name immediately on being served there shall be no order as to costs.

5. Decision

For the reasons discussed above, the Arbitrator orders that the domain name <www.paisapay.in> be transferred to complainant. Parties to bear their own cost.



RANJAN NARUTA
SOLE JARIJITRATOR
NIXI
INDIA

31 January 2011