



उत्तर प्रदेश UTTAR PRADESH

BODHISATVA ACHARAYA

LL.M

ARBITRATOR

H 570248

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

26 APR 2007

In the matter of: -

**Kingston Technology Company Inc.**

17600, New hope St.  
Fountain Valley, C.A.92708  
USA.

E-mail Petar\_rios. @Kingston.com.

Through  
it's authorized representative  
Ms. Indu Raman  
1009; Awing. Mittal Towers  
M.G. Road, Bangalore.  
Email - Indu @explpr.com.

Complainant

Versus

**Mark Seagal,**

17 Black Friars Lane,  
London.

Great Britain

E-mail- info @ namegiant.com

Respondent

### AWARD

- 1- This complaint has produced before me on 16<sup>th</sup> April 2007, to decide the dispute concern the domain **KINGSTON.IN** (The Domain) which was registered with **ENOM INC. (R46- AFIN)** in addition to this it was prayed therein that the Domain Name be transferred to the complainant.

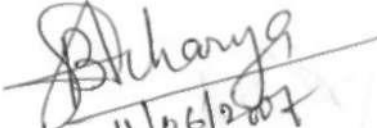
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2- A notice was issued to the respondent through his e-mail on 7\* May 2007 to submit his written statement within 7 days but he was failed to submit it then the 2nd notice was sent to respondent vide which he was again ordered to submit his written statement within 7 days then he sent an e-mail on 24/05/2007 answering that "**We have decided that it is not worth our time or investment to contest this case.**" After that there was no use to take more time in decision."

3- After having gone through all the records produced before me by the complainant and on a consideration of all aspects I have no hesitation to order that the respondent would not be entitled to use the **Domain Name KCVGSTON.IN** worldwide and will stop to use the said Domain Name in bad faith. I order to transfer the **Domain Name KINGTONE .IN** favour of complainant.

The Complaint is, thus, allowed and I make no order as to any compensation as well as to any costs.

Complaint allowed.

  
(BODHISATVA ACHARYA)  
ARBITRATOR  
NIXI

**DATE: - 11/06/2007**  
**PLACE: - NEW DELHI**