



தமிழ்நாடு தமிழ்நாடு TAMIL NADU 09/12/25
SOLE ARBITRATOR, AT CHENNAI

~~4~~ ES 723372

கிருமதி. N. புவனேஸ்வர்
முத்திரைத்தான் விற்பனையாளர்
/குடும்பத்திரி, பாலமுருகன் நகர்
கோவைம், திருவனந்தார்-600 067
MATTER OF AN திருமதி. N. -3/குடும்பத்திரி, 10-3-2007/2021

ARBITRATION FOR A DISPUTE

~~RELATING TO THE DOMAIN~~

NAME <logisticsamazon.in>

**UNDER THE .IN DOMAIN NAME
DISPUTE**

Amazon Technologies, Inc.

410 Terry Avenue North, Seattle

Washington 98109

United States of America

...Complainant

Versus

Iqbal Hussain

B61 Shakarpur Police Station

... Respondent

1



M.SHIRIJHA B.SC., M.L.
STS Law Associates
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AWARD PASSED UNDER THE INDRP RULES OF PROCEDURE
AND THE ARBITRATION AND CONCILIATION ACT, 1996

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I. PARTIES TO THE ARBITRATION

1. The Complainant is Amazon Technologies, Inc., a Nevada Corporation, having its address at 410 Terry Avenue North, Seattle, Washington 98109, United States of America represented by their Power of Attorneys Mr. Sanjay Chhabra of Archer & Angel, #5B, 5th Floor, Commercial Towers, Hotel J W Marriott, Aerocity, New Delhi – 110037, India Email: schhabra@archerangel.com

2. The Respondent is Iqbal Hussain, B61 Shakarpur Police Station, Delhi 110092 with Email iqbalhussain6374@gmail.com

II. APPLICABLE LAW AND JURISDICTION

The .IN Domain Name Dispute Resolution Policy

The present arbitration proceeding is under and in accordance with the .IN Domain Name Dispute Resolution Policy (the Policy) which was adopted by the

National Internet Exchange of India (NIXI) and sets out the legal framework for resolution of disputes between a domain name registrant and a Complainant arising out of the registration and use of an .IN Domain Name. By registering the domain name 'www.LOGISTTICSAMAZON.IN' with the NIXI accredited Registrar, the Respondent has agreed to the resolution of disputes under the .IN Dispute Resolution Policy and Rules framed thereunder. The Policy and the .IN Domain Name Dispute Resolution Rules of Procedure posted 2020 (the Rules) were approved by NIXI in accordance with the Arbitration and Conciliation Act, 1996.

III. Filing of the Complaint and Constitution of the Arbitral Tribunal

1. The Complainant filed the Complaint under the .IN Domain Name Dispute Resolution Policy against the Respondents, seeking transfer of the Domain Name www.<LOGISTTICSAMAZON.IN>coin into the Complainant, Following which, the .IN Registry sought the consent of **Tmt.M.SHIRIJHA** (the undersigned), who is a listed .IN Dispute Resolution Arbitrator under 5 (a) of the Rules, to act as Arbitrator in the said matter.

2. On 17th November 2025, the Arbitral Tribunal consisting of the said **Tmt.M.SHIRIJHA** as Sole Arbitrator was constituted under 5(b) of the Rules in respect of the Complaint filed by the Complainant herein.

3. On 19th November 2025, the learned Arbitrator issued the Notice of Arbitration under 5(c) of the Rules. to the parties for commencement of Arbitral Proceedings.

4. The Arbitral Tribunal has been constituted properly and in accordance with the Arbitration and Conciliation Act 1996, the INDRP Policy and the Rules as amended from time to time. No party has objected to the constitution and jurisdiction of the Arbitral Tribunal and to the arbitrability of the dispute.

IV. THE DOMAIN NAME, REGISTRAR & REGISTRANT

The particulars of the registration of the domain name 'www.<LOGISTICSAMAZON.IN>coin.in' as found in the .IN Registry database are set out below: HOSTINGER operations, UAB Registrar Address: Švitrigailos str. 34, Vilnius 03230 Lithuania Email Address: abuse@hostinger.com; domains@hostinger.com

V. PROCEDURAL HISTORY

1. The Sole Arbitrator, Tmt.M.SHIRIJHA was appointed On 17th November 2025, for the present INDRP case.

2. Immediately thereafter, on 19th November 2025, the Arbitral Tribunal issued the Notice of Arbitration under 5(c) of the Rules, to the parties for commencement of Arbitral Proceedings and directed the Complainant to serve the said Notice to the Respondent both Online and Offline to the address mentioned therein. The Respondent was given an opportunity to file a response in writing in opposition to the Complaint, if any along with evidence in support of its stand or contention on or before seven working days from the date of receipt of the said Notice.

3. As there was no response from the Complainant side regarding the compliance of the Order issued, The Learned Arbitrator on 7th December 2025, directed them to file a compliance report of the same for which they responded on 10th December 2025, submitting the proof of delivery made to the Respondent both offline and online. Accordingly, This Arbitral Tribunal holds that the service on the Respondent was done in accordance with Rule 2(a) of the Rules. Further as the respondent has received the notice via email, quite a long time ago, and has chosen not to either appear before this Tribunal nor file any objections if any, inspite of the sufficient time granted, he was set ex parte.

VI. COMPLAINANT'S CONTENTIONS

1. The Complainant is a leading retailer offering a wide variety of products and services. Due to extensive advertising, use, and commercial success, the AMAZON trademark has become famous and is consistently ranked as one of the most well-

known and recognizable brands globally. The Complainant adopted the trademark AMAZON and debuted it in international commerce in the U.S.A. in 1995. Since then, the Complainant's growth as a company has been mirrored by the exposure and familiarity of its corporate name, brand and house mark AMAZON. As a result, the Complainant's AMAZON brand has received widespread acclaim and recognition as one of the most recognized and highly valued brands in the world. In India, the Complainant's online retail website www.amazon.in became the most visited e-commerce site in India with more than 200 million visitors in 2015, was recognized as the "most trusted, preferred and loved online shopping brand in India". To safeguard its current and future interests, the Complainant has sought and secured statutory protection of its trademark AMAZON, including in word and device / logo form as well as in many other variations - hereinafter collectively referred to as the "AMAZON Marks", in numerous jurisdictions worldwide.

2. The Complainant owns the domain name <amazon.com> and operates its corresponding primary website at www.amazon.com, through which it conducts a significant portion of its business and where information about it and its business is easily accessible and available to millions of internet users, who may be current or potential consumers. As is evident, the Complainant's domain name completely incorporates its registered trademark AMAZON in its entirety. The aforementioned domain name was registered on and has been regularly renewed since November 01, 1994, becoming so synonymous with the Complainant that it also forms the operative part of the corporate name of the Complainant's parent company - Amazon.com, Inc. The Complainant is also the owner of India specific domain names <amazon.in> and <amazon.co.in> - which were registered and have been regularly renewed since February 11, 2005 and December 31, 2003 respectively. It further operates the website at www.amazon.in - which is dedicated to the Indian market and consumers. These domains and website have embodied the Complainant's business in India since it was first launched here in June 2013, and which has grown to become one of India's most trusted online retail platforms. In addition, the Complainant also makes available to

public its products and services via mobile applications on inter alia the two most prominent mobile platforms in the world, where the AMAZON Mark is prominently used, including in form of the app icon / thumbnail. Besides the Complainant's own efforts, its business and promotional events under the The Complainant empowers small and medium sized businesses to reach millions of customers though its various programmes that help boost their revenue, reach and productivity. Further, over the years, the Complainant's seller base has grown to over 12 lakhs in India itself. This clearly shows how committed the Complainant is in catering its ordering and delivery services to almost every part of India.

3. The Complainant's AMAZON Marks were adopted in an honest and bonafide manner, and by virtue of conspicuous commercial presence globally for several decades now, have amassed an unrivalled reputation, acquiring such a degree of distinctiveness in the market that members of the trade and public inextricably link the AMAZON Marks with the Complainant. The AMAZON Marks, therefore, have generated enormous goodwill worldwide, including in India, and have consequently become radically distinctive to the Complainant's products and services. By virtue of extensive and continuous use of the AMAZON Marks by the Complainant worldwide, including in India, they are liable to be recognized as "well-known" marks within the meaning of Section 2(1)(zg) and the provisions of Section 11(6) of The Trade Marks Act, 1999. In light of these filings and the Complainant's substantial and exclusive use of the AMAZON Marks, the Complainant owns protectable rights in the AMAZON Marks that predate the registration date of the Disputed Domain Name.

4. The Complainant recently learnt of the Respondent's registration of the Disputed Domain Name. The Disputed Domain Name is confusingly similar to the Complainant's AMAZON Marks. As The Respondent has no rights or legitimate interests in respect of the Disputed Domain and It also noted that no website is being hosted using the Disputed Domain Name, thus reflecting that the same is being held by the Respondent passively. hence this Complaint. Is filed.



VII. DISCUSSIONS AND FINDINGS:

The Hon'ble Apex Court of India has repeatedly held that even in an uncontested matter the Plaintiff's case must stand on its own legs and it cannot derive any advantage by the absence of the defendants. Accordingly, A Complainant who alleges that the disputed domain name conflicts with its legitimate rights or interests must establish the following three elements required by Paragraph 4 of the INDRP Policy namely:

- a) The Respondent's domain name is identical and confusingly similar to the trademark or service mark in which the Complainant has rights.
- b) The Respondent has no rights or legitimate interests in respect of the domain name
- c) The Respondent's domain name has been registered or is being used in bad faith.

Accordingly, the Arbitral Tribunal shall deal with each of the elements as under:

a) Whether the Respondent domain name is identical and/or deceptively similar to domain name and trademarks of the Complainant?

i) The copy of the trademark registration certificate of Trademark 'AMAZON' and WHOIS records shows Complainant is the owner of the same in India. Further The Extensive Annexures shows that The Complainant owns numerous trade mark registrations for 'AMAZON' in various jurisdictions and because of the extensive use and promotion of the 'AMAZON' trademark, the brand has gained recognition.

ii) The Complainant provided evidence with the Annexures, to establish that the Disputed Domain name www.<logisticsamazon.in>.in is identical or confusingly similar to the Complainant's registered and distinctive trademark. They plead that the Disputed Domain Name incorporates (a) the Complainant's registered trademark AMAZON in its entirety, (b) the descriptive or generic term "logistics" with a minor / cosmetic and inconsequential change, i.e. additional of an extra letter 't', and (c) the ccTLD ".in" which is shared with AMAZON.IN. The Complainant claim that these elements do not sufficiently distinguish the Disputed Domain Name from the Complainant's AMAZON

Marks for purposes of Policy 4(a). Moreover, since the Disputed Domain Name has only been registered since May 2025, it is vastly subsequent to the Complainant's usage of and rights in the AMAZON Marks both globally as well as in India. They would argue that the Complainant's rights in its AMAZON Marks and AMAZON-formative domain names have also been recognized and upheld in proceedings before NIXI under the INDRP as in *Amazon Technologies, Inc. v. Surya Pratap <amazonsales.co.in>* (Case No. INDRP/835) where the Learned Arbitrator, in its order directing transfer of the disputed domain to Amazon, observed that: "*The Arbitrator is convinced with the distinctive nature of and the Complainant's ownership in the mark AMAZON and its well-known status in India. The Disputed Domain Name incorporates the mark AMAZON in entirety and merely adds a descriptive word 'SALES' therewith, which is insufficient to differentiate the Disputed Domain Name with the mark AMAZON. The Disputed Domain Name is therefore held to be confusingly similar with the Complainant's mark AMAZON.*" Reliance is also made on the decisions in *Amazon Technologies, Inc. v. Amazon Fire <amazonfire.co.in>* (INDRP/1370); *Amazon Technologies, Inc. v. Lubomir Kosvanec <amazonprimevideo.in>* (INDRP/1222); *Amazon Technologies, Inc. v. Alex parker <amazonemi.in>* (INDRP/1166); *Amazon Technologies, Inc. v. Logistics <amazoncareer.in>* (INDRP/939) ; *Amazon Technologies, Inc. v. Amazon India <amazon-hr.in>* (INDRP/906); *Amazon Technologies, Inc. v. Logistics <amazonlogistic.in>* (INDRP/893); *Amazon Technologies, Inc. v. Ram Mohan Reddy Nallavelli <amazonregistry.in>* (INDRP/888); *Amazon Technologies, Inc. v. Amazon India <amazon-job.in>* (INDRP/873 ; *Amazon Technologies, Inc. v. Jack Worli <flashamazonsale.in>* (INDRP/868 ; *Amazon Technologies, Inc. v. Jack Worli <amazonsales.in>* (INDRP/861); *Amazon.com, Inc. and Amazon Technologies, Inc. v. Shilei<amazonfirephone.in>* (INDRP/622); *Amazon Technologies, Inc. v. Mr. Kislay Chaudhary <amazonstore.in>* (INDRP/361); *Amazon Technologies, Inc. v. Hari Kishore <amazonn.co.in>* INDRP/348). While claiming that the Complainant's rights to the AMAZON Marks have further been upheld in several Forum arbitration proceedings (formerly the National Arbitration Forum or NAF – an approved Dispute Resolution service provider under ICANN domain name disputes) as well as by WIPO (World

Intellectual Property Organization), Reliance is placed in *Six Continent Hotels, Inc. v. The Omnicorp, WIPO Case No. D2005-1249* wherein it was held that "the fact that a domain name wholly incorporates a complainant's registered mark is sufficient to establish identity or confusing similarity for purposes of the Policy"; *Britannia Building Society v. Britannia Fraud Prevention, WIPO Case No. D2001-0505*; *PepsiCo, Inc. v. PEPSI, SRL (a/k/a P.E.P.S.I.) and EMS Computer Industry (a/k/a EMS) - WIPO Case No. D2003-0696*; *Hoffmann-La Roche AG v. Andrei Kosko, WIPO Case No. D2010-0762*; *Farouk Systems, Inc. v. QYM, WIPO Case No. D2009-1572*; *Orange Personal Communications Services Ltd. v. Luttringer Alexander, WIPO Case No. D2008-1979*.

iii) The contentions of the Complainant seems to be convincing and acceptable. Moreover, it is needless to say that the addition of the misspelt word 'logisttics' as a prefix to the Complainant's registered trademark AMAZON is incapable of lending the Disputed Domain Name any distinctiveness or reduce its similarity with the AMAZON Marks. In fact, as argued by the Complainant, this word indicates provision of logistic services - which the Complainant has already been providing for a few decades now. Hence, any use of the Disputed Domain Name will, in all likelihood, make Internet users believe that the Respondent's purported services belong to the Complainant and/or originate from the Complainant - which is not the case. In this regard, it is relevant to mention that a mere search for the words contained in the Disputed Domain Name, i.e. 'LOGISTTICS AMAZON', on the popular search engine Google.com leads to the Complainant's websites only, which establishes beyond doubt that the two concerned words will always be associated with the Complainant alone and therefore, the term 'logisttics' as prefix to the prior and registered trademark AMAZON is not sufficient to avoid confusion between the consumers.

iv) The Arbitral Tribunal took notice of the decision in *Fendi Sr.I. v. Ndiaye Therese, WIPO Case No. D2018-0179*; *Birdies, Inc. v. Registration Private, Domains By Proxy, LLC/Fu Li, WIPO Case No. D2019- 2134*, which through a catena of Orders passed by this Panel and WIPO (under the UDRP), states that domain extensions such

as ".com" and ".in" are to be ignored while assessing whether a domain name is identical or confusingly similar to a trade mark, the disputed domain name is regarded confusingly similar to that mark for the purposes of UDRP standing. The Arbitral Tribunal also took note of the decisions of "*It is well established under the .IN Policy that the ccTLD ".IN" may be disregarded when assessing whether a domain name is identical or confusingly similar to a complainant's trade mark (AB Electrolux v. GaoGou of YERECT, INDRP/630 (<zanussi.in>)* and hence holds that the Domain Name is confusingly similar to the Complainant's trade mark. *Nike Inc. v. Nike Innovative CV Zhaxia, INDRP Case No. 804; Metropolitain Trading Company v. Chandan Chandan, INDRP Case No. 811; Lego Juris A/s v. Robert Martin, INDRP Case No. 125*, wherein it was held that if a disputed domain name completely incorporates the trademark of the Complainant, then the mere addition of domain codes such as ".in" and/or ".co.in" will not distinguish the Respondent's disputed domain name.

v) Following the said dicta referred above, and upon the facts and circumstances of the present case and the evidence placed before it, The Tribunal finds that The subject domain name <www.<logisticsamazon.in>.in>.in. is not only identical but deceptively similar to the trademark 'AMAZON' of the Complainant. Accordingly, the Arbitral Tribunal holds that the requirement of the first element in the INDRP Policy Paragraph 4(a) is satisfied.

b) Whether the Respondent has no rights or legitimate interests in respect of the domain name?

i) To pass muster under Paragraph 4(b) of the INDRP Policy, the Complainant has to show that the Respondent has no rights and legitimate interests in the disputed domain name under Paragraph 6 of the Policy. The Rights or legitimate interest in a domain name (in accordance with Policy 6 (a-c)) may be found where the registrant uses the domain name registration with a bonafide offering of goods or services; if the registrant has been commonly known by the domain name registration; or if the registrant is using the domain name registration in a legitimate, non-commercial

manner, without intent for commercial gain to misleadingly divert consumers or tarnish the trademark at issue.

ii) The Complainant asserts that the Respondent has not fulfilled any of the aforementioned conditions for it to have demonstrable rights or legitimate interests in the Disputed Domain Name and there is every likelihood that potential or unwary persons in the future could be misled into using the services of the Respondent under the impression that the same are being offered by the Complainant; The Complainant has not approved, assigned, granted, licensed, sold, transferred or in any way authorized the Respondent the right to use its AMAZON Marks in connection with any domain name; Moreover, The Respondent is not commonly known by the Disputed Domain Name or by AMAZON, AMAZON.COM, or any variations thereof; The Respondent is not affiliated with the Complainant in any way or licensed by the Complainant to use the AMAZON Marks; The Respondent is not an authorized partner of the Complainant's services; Hence, the Respondent is not making a legitimate / fair use of the Disputed Domain Name; Accordingly, the Respondent has no rights or legitimate interests in the Disputed Domain Name.

iii) A careful perusal of the above shows that the Respondent is not commonly known by the Disputed Domain Name 'www.<logisttcsamazon.in>.in' and nor does the Respondent operate a legitimate business or other organisation under the '<LOGISTTCSAMAZON.IN>' Domain name. It is evident that a mere search for the words contained in the Disputed Domain Name, i.e. 'LOGISTTCS AMAZON', on the popular search engine Google.com leads to the Complainant's websites only. Additionally, the said '<LOGISTTCSAMAZON.IN>' trademark was registered years before the disputed domain name was registered and due to the wide publicity of the said TradeMark, it cannot be accepted that the Respondent was not aware of the said Domain name linked with the complainant.

iv) When a Complainant makes out a *prima facie* case that a respondent lacks

rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name and If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have proved their case. In the case in hand, the Complainant has made out a *prima facie* case that the Respondent has no rights and legitimate interests in respect of the disputed domain name www.<logisticsamazon.in>.in as Complainant has never assigned, granted, licensed, sold, transferred, or otherwise authorised Respondent to register or use the Disputed Domain Name or the 'AMAZON' Trademark and the same is also not used for making legitimate non-commercial use. But the Respondent has failed to appear before this Tribunal and prove if he has any right or interest over the said Trade Mark of the Complainant to use it in the Disputed Domain name. Hence it is held that the Complainant has satisfied the second element under Paragraph 4 (b) of the Policy.

c) Whether the Respondent domain name was registered or is being used in absolute bad faith?

i) The Complainant's case is that the Respondent registered the Disputed Domain Name in bad faith, with knowledge of the Complainant's rights and the intention to create confusion in the minds of public at large and pleads that it is highly probable that consumers looking for the Complainant's AMAZON branded services perceive the Disputed Domain Name to be another domain name of the Complainant. This misconception is highly likely to be amplified when such unwary consumers mistakenly search and land up at the Respondent's impugned website finding the same to be in-operational and thus assuming that the Complainant has ceased providing its services in India - which consequently will not only tarnish the Complainant's hard-earned goodwill and reputation but also cause damages to its business. The Complainant submits that it is exactly this sort of scenario that the Respondent is seeking to create and is in itself evidence of its bad faith and malafide intentions. They argue that the Respondent is not making a bonafide offering of services under Policy

6(a) or a legitimate non-commercial or fair use of the domain name registration under Policy 6(c). It is submitted that the Respondent is passively holding on to the Disputed Domain Name most likely for fraudulent purposes, namely, either to imitate as a legitimate, well-reputed and trustworthy entity, i.e. the Complainant, so as to deceive consumers into purchasing services that may be false / inaccurate or never provided, or to strategize its sale to a competitor for a price who may then publish material prejudicial to the Complainant's goodwill and reputation. They argue that the Disputed Domain Name was registered on May 02, 2025, i.e. post 25 years of registration of its mark AMAZON and over 20 years of the Complainant using its AMAZON Marks in commerce which clearly suggests actual knowledge and use of the Complainant and its AMAZON Marks by the Respondent at the time of registering the Disputed Domain Name. They plead that even if the Respondent were offering actual services relating to 'logistics' through the Disputed Domain Name, such use would still support a finding of bad faith use and registration, as these are the same services offered by the Complainant under its well-known and registered AMAZON Marks and hence the bad-faith registration of the Disputed Domain Name, is in-line with Policy 4(c) and 7 (a)-(c), is irrefutable and must follow.

ii) From the evidence placed before this Tribunal it is evident that

Firstly, the Respondent used the '<LOGISTICSAMAZON.IN>' trademark without consent from the Complainant.

Secondly, Respondent was aware of Complainant's rights in its well-known trademark as a consequence of Complainant's substantial use of the trademark which predates before the Respondent acquired the domain name.

Thirdly, The domain name is only registered with no apparent legitimate purpose and holding on to the same with absolute no justification except to make wrongful profit therefrom. Non-use, registration of domain soon after acquisition and passive holding are evidence of bad faith registration.

Fourthly, The Respondent impersonated the Complainant's Trademark 'AMAZON' which demonstrates its purpose to deceive users for commercial benefit and to harm Complainant's business making illegitimate

commercial gains by banking on the hard-earned goodwill and reputation of the Complainant which is done in bad faith.

iii) In *HSBC Holdings PLC v. Hooman Esmail Zadeh*, INDRP Case no 032, dated March 20, 2007; *Visteon Corporation v. Prahlad S.*, INDRP Case No. 1535, dated May 6, 2022; *Solidium Oy v. Privacy Service Provided by Withheld for Privacy ehf EstormH Estormhasting. Estorm Programming*, WIPO Case No. D2022-3139; *LPL Financial LLC v. Privacy Service Provided by Withheld for Privacy ehf I Steffen Hain*, WIPO Case No. D2022-0542 it was held that the mere registration of an identical domain name by an unaffiliated entity can by itself create a presumption of bad faith.

On careful consideration of the above findings, the Arbitral Tribunal accepts the contentions of the Complainant and holds that the Respondent domain name <LOGISTTICSAMAZON.IN> has been registered with an opportunistic intention and is being used in bad faith and Therefore, the third element in paragraph 4(c) of the Policy has been satisfied.

VIII. DISPOSITIONS

The Arbitral Tribunal holds that The three elements set out in paragraph 4 of the INDRP Policy that

- i) The Respondent domain name <LOGISTTICSAMAZON.IN> is identical and confusingly similar to the name, trademark 'AMAZON' by the Complainant.
- ii) The Respondent has no rights or legitimate interests in the Complainant's Trademark 'AMAZON'.
- iii) the Disputed Domain name has been registered in bad faith.

have been established by the Complainant and hence It is entitled for the relief sought for.

For the foregoing reasons stated above, The Arbitral Tribunal directs that:
The Disputed Domain Name www.logisticsamazon.in be transferred to the Complainant as prayed for.

In the Result , Complaint Allowed as prayed for. No Costs.



Place: Chennai
Dated: 13th December 2025

(M.SHIRIJHA)
Sole Arbitrator.