



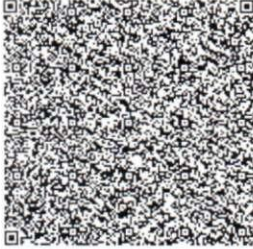
सत्यमेव जयते

INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

e-Stamp

Certificate No. : IN-DL18423066317598O
Certificate Issued Date : 22-Feb-2016 11:38 AM
Account Reference : IMPACC (IV)/ dl881103/ DELHI/ DL-DLH
Unique Doc. Reference : SUBIN-DL88110335495724476225O
Purchased by : LUCY RANA
Description of Document : Article Others
Property Description : NA
Consideration Price (Rs.) : 0
(Zero)
First Party : LUCY RANA
Second Party : NA
Stamp Duty Paid By : LUCY RANA
Stamp Duty Amount(Rs.) : 100
(One Hundred only)



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BEFORE THE SOLE ARBITRATOR UNDER .IN DISPUTE RESOLUTION POLICY
(Appointed by .IN Registry - National Internet Exchange of India)

ARBITRATION AWARD

Disputed Domain Name: <DELLSERVICECENTER.IN>

IN THE MATTER OF:

DELL INC.
One Dell Way
Round Rock, Texas 78682-2244
USA.

Complainant

Versus

Mani, Soniya
Mathaakaavadanur, Dharmapuri
Coimbatore, Tamil Nadu
635301
Email: soniya@gmail.com

Respondent

L. Rana

Statutory Alert:

1. The authenticity of this Stamp Certificate should be verified at "www.shcilestamp.com". Any discrepancy in the details on this Certificate and as available on the website renders it invalid.
2. The onus of checking the legitimacy is on the users of the certificate.
3. In case of any discrepancy please inform the Competent Authority.

1. **The Parties:**

The Complainant in this arbitration proceeding is Dell Inc., of the address One Dell Way, Round Rock, Texas 78682-2244, USA.

The Respondent in this arbitration proceeding is Mani, Soniya of the address Mathaakaavadanur, Dharmapuri, Coimbatore, Tamil Nadu 635301.

2. **The Domain Name, Registrar and Registrant:**

The present arbitration proceeding pertains to a dispute concerning the registration of the domain name <**dellservicecenter.in**> with the .IN Registry. The Registrant in the present matter is Mani, Soniya and the Registrar is Good Domain Registry Private Limited.

3. **Procedural History:**

The arbitration proceeding is in accordance with the .IN Domain Name Dispute Resolution Policy (INDRP), adopted by the National Internet Exchange of India (NIXI).

NIXI vide its email dated January 14, 2016, sought consent of Mrs. Lucy Rana to act as the Sole Arbitrator in the matter. The Arbitrator informed of its availability and consent vide statement of acceptance and declaration of Impartiality and Independence in compliance with the INDRP Rules of Procedure on the same date.

In accordance with Rules 2(a) and 4(a), NIXI vide email dated January 21, 2016, notified the Respondent of the filing of the Complaint and the appointment of the Arbitrator for adjudicating upon the disputed domain name < **dellservicecenter.in**>.

The Arbitrator received the Complaint dated December 19, 2015, from NIXI on January 22, 2016.

Thereafter, the Arbitrator sent a notice to the Respondent vide email on January 25, 2016, informing that copy of this complaint along with annexures has already been forwarded to the Respondent by the .IN Registry and granting the Respondent a period of **14 days (Fourteen Days)** from the receipt of the notice to file its response to the Complaint in both hard as well as soft copy.

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NIXI vide email dated January 27 informed that the courier could not be delivered and they are trying to resend the same. Thereafter, Arbitrator vide email dated January 27, 2016, instructed NIXI to serve a soft copy of the Complaint along with annexures on the Respondent.

NIXI vide email dated January 29, 2016, confirmed that soft copy of the complaint has been served on the Respondent. Thereafter, the Arbitrator vide email on the same day directed the Respondent to file a reply to the Complaint within **ten (10) days** from the date of this email.

NIXI vide email dated February 11, 2016, informed that the courier as sent to the Respondent has remained undelivered.

Arbitrator vide email dated February 11, 2016, informed the Respondent that the courier as sent has remained undelivered however, a soft copy of the Complaint has already been received by them. However, in the interest of justice and equity, the Arbitrator gave one last and final opportunity to the Respondent to file its reply till **February 15, 2016**. The said email has been duly received by the Respondent but no reply has been filed by the Respondent till date.

The Arbitrator finds that NIXI had duly complied with the directions of the Arbitrator. It is apparent that NIXI has tried to serve the Complaint along with the Annexures upon the Respondent, but all attempts to contact the Respondent on the postal address provided by the Respondent in the WHOIS records for the domain <dellservicecenter.in>, have remained unsuccessful. However, a soft copy of the Complaint along with annexures have been duly received by them.

As adequate steps have been taken to notify the Respondent on the contact details provided by it in the WHOIS records for the impugned domain, it is deemed to be an effective service within the meaning of Rule 2(e) of the INDRP Rules of Procedure. Further Section 3 (1) (b) of the arbitration and Conciliation Act, 1996, reads that "If none of the places referred to in clause (a) can be found after making a reasonable inquiry, a written communication is deemed to have been received if it is sent to the addressee's last known place of business, habitual residence or mailing address by registered letter or by any other means which provides a record of the attempt to deliver it."

In light of the above it is evident that the Registrant cannot be contacted on postal address as provided by them in the WHOIS records for the domain <dellservicecenter.in>. Therefore, it prima facie appears that the Registrant



has provided incorrect postal address and not updated the same as per the Registry Advisory No. LA 02 dated February 18, 2005, regarding Accurate WHOIS Information in Domain

Hence, the service of notice is deemed to have been completed on the Respondent.

Accordingly, in view of the facts and circumstances in the matter, the Arbitrator has proceeded with the arbitration proceedings on the basis of the material submitted and put on record by the Complainant.

1. **Factual Background**

It is submitted by the Complainant that it is one of the world's largest direct sellers of computer systems and began using the trade mark/trade name DELL in 1987.

The Complainant further submits that the trade mark DELL and the DELL formative marks have been registered by the Complainant in classes 9, 2, 37, 42, 36 over 184 countries across the world including in United States of America and India. Details of which are copied below:

US Registered Marks

Trade Mark: DELL (Stylized)

Trade Mark No.: 1616571

Goods & Service details: [Class:9] Computers and computer peripherals, namely monitors, keyboards, printers, mice, co-processors, modems, hard and floppy disk drives, tape drives, cards and memory add-ons, memory boards and chips, cables.

Trade Mark: DELL (Stylized)

Trade Mark No. 1860272

Goods & Service details: [Class:9] Computers and parts thereof

Trade Mark: DELL

Trade Mark No. 2, 236, 785

Goods & Service details: [Class: 40] Custom Manufacture of computers for others

Trade Mark: DELL (Stylized)

Trade Mark No. 1860272

Goods & Service details: [Class:9] Computers and parts thereof

Trade Mark: DELL PRECISION

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Trade Mark No. 75445276

Goods & Service details: [Class:9] Computers, computer peripheral devices and parts and fittings thereof, monitors, keyboards, [printers], mice, co-processors, modems, hard and floppy disk drives, tape drives, CD-ROM drives, Data Storage Units and Electronic or (magnetic cards) and memory add-ons, memory boards and chips, cables and connectors, all for the use with computers.

Trade Mark: DELL VENUE

Trade Mark No. 85267885

Goods & Service details: [Class:9] Telephone, cell phones, mobile phones, digital phones, smart phones.

India Registered Marks

Trade Mark: DELL

Trade Mark No. 575, 115

Goods & Service details: [Class 9] Scientific, natural, surveying and electrical apparatus and instruments (including wireless), photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), life saving and teaching apparatus and instruments, air or counter feed apparatus, talking machines, cash registers, calculating machines including computer and computer peripherals, namely monitors, keyboards, printers, mice, co-processors, modems, hard and floppy disk drives, cards and memory add-ons, memory boards and chips cables and connectors, operating software sold together.

Trade Mark: www.dell.com

Trade Mark No. 826, 095

Goods and Service details: [Class:9] Computers and computer peripheral devices and parts and fitting therefore, monitors, keyboards, printers, mice , co-processors, modems, hard and floppy disk drives, tape drives, CD-ROM drives, data storage devices, and electronic or magnetic cards and memory add-ons, memory boards and chips, cables and connectors, operating software and instruction manuals all sold together.

Trade Mark: DELL (with the stylized E)

Trade Mark No.923,915

Goods & Service details: [Class:9] Computers and computer peripherals, namely monitors, keyboards, printers, mice, co-processors, modems, hard and floppy disk drives, tape drivers, CD-ROM drivers, cards and memory add-ons, memory boards and chips, cables and connectors, operating software sold together as a unit.

Trade Mark: DELL

Trade Mark No.: 1,190, 375

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Goods & Service details: [Class:2] Toner cartridges, ink jet cartridges for printers.

Trade Mark: DELL

Trade Mark No.: 1, 190376

Goods & Service Details: [Class:9] Printers, personal and handheld computers, computer hardware and computer peripherals, namely modems, computer cables, computer styli, handheld computers, including handheld computers with wireless email and wireless access to electronic communication networks, projectors, and instruction manuals sold therewith as a unit for the aforesaid goods falling in class 9.

Trade Mark: DELL

Trade Mark No.: 1,239,350

Goods & Service Details: [Class:37] Maintenance and repair of computer hardware, installation of computer networks and installation of computer systems.

Trade Mark: DELL

Trade Mark No.: 1.239. 349

Goods & Service Details: [Class: 42] Technical support service namely, troubleshooting of computer hardware and software problems, consulting services in the field of design, selection implementation and use of computer hardware and software systems for others.

Trade Mark: DELL

Trade Mark No.: 1, 335, 057

Goods & Service Details: [Class:36] Financial services relating to the purchase, re-purchase, sale and leasing of computer/information technology apparatus and equipment, financing services, credit card services.

Trade Mark: DELLPRECISION

Trade Mark No.: 805105

Goods & Service Details: [Class:9] Computers and computer peripherals namely monitors, keyboards, printers, mice, co-processors, modems, hard and floppy disk drives, tape drives, CD-ROM Drives, cards and memory additions, memory boards and chips, cables and connectors, operating software sold together as a unit.

Trade Mark: LATTITUDE

Trade Mark No.: 624558

Goods & Service Details: [Class:9] Computers and computer peripherals namely monitors, keyboards, printers, mice, co-processors, modems, hard and floppy disk drives, tape drives, CD-ROM Drives, cards and memory additions, memory boards and chips, cables and connectors, operating software sold together as a unit.

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The Complainant claims that it is a world leader in computers, computer accessories and other computer related products and services. The Complainant submits that it has invested heavily in marketing under its marks, devoting hundreds of millions of dollars to advertising and promoting its products and services through television, radio, magazines, newspapers, and the internet as marketing media. The Complainant further submits that Dell sells its products and services in over 180 countries and as a consequence of Dell's marketing and sales success, Dell and its marks have become famous in the United States and many other countries including India.

The Complainant also states that Dell has been one of the leaders in the Indian PC maker in India and began doing business in India since 1993. The Complainant claims that it has a highly successful presence in India in respect of its trade mark and trade name DELL because of extensive use of DELL products and also subsequently through extensive after sales service outlets and direct sales of its products through its Indian subsidiary incorporated in June 2000. The Complainant also submits that information regarding Complainant's business and operations in India can be found on the website www.dell.co.in.

The Complainant submits that numerous arbitration panels have either recognized the fame of the trade mark/name DELL or its very distinctiveness such as *Dell Inc. vs. SZK.com*, Claim No. FA0509000555545 (National Arbitration Forum, Oct. 21, 2005); *Dell Inc. vs. William Stenzel*, Claim No. FA0510000574596 (National Arbitration Forum, Nov 23, 2005); *Dell Inc vs. Innervision Web Solutions c/o Domain Registrar*, Claim No. FA0503000445601, May 23, 2005); *Dell Inc. vs. Radvar Computers LLC*, Claim No. D2007-1420 (WIPO Dec. 24, 2007) *Dell Inc. vs. Pateh Mbowe*, Case No. D2004-0689 (WIPO Oct 20, 2004); *Dell Inc. aka Dell Computer Corporation vs. Asia Ventures Inc.*, Case No. D2004-0512 (WIPO-July 30, 2004) and *Dell Inc. vs. George Dell and Dell Net Solutions*, Case No. D2004-0512 (WIPO Aug-24, 2004).

Further the Complainant also submits that the .IN Registry has also passed orders in favour of the Complainant thereby recognizing the Complainant's trade mark rights in the trade mark DELL. The Complainant has also attached copies of the orders passed in respect of the domain names *dellcloud.co.in*, *dellcloud.in*, *delldirect.co.in*, *dellinspiron.co.in*, *delllatitude.co.in*, *delllatitude.in*, *dellphone.co.in*, *dellphone.in*, *dellprecision.co.in*, *dellprecision.in*, *dellvenue.co.in*, *dellvenue.in*.

The Complainant also claims that they have a huge internet presence and submits that they generate half of their revenue from sales over the internet. The Complainant has also submitted that they have registered numerous other domain names and at present owns over 5000 domain names which comprise of the Complainant's famous DELL mark in conjunction with the trade marks/brand name associated with the line of product and services.

The Complainant claims that it has a huge internet presence and numerous websites that provide information about their business activity. Information about the Complainant's business can be found on the websites <dell.com> and <dell.co.in>. The Complainant also states that they have registered numerous other domain names that comprise of the mark DELL such as delldirect.in, dellinspiron.in, delldirect.com, delllatitude.com, dellinspiron.com, dellcloud.com etc.

The Complainant submits that at present it owns over 5000 domain names majority of which contains the trade mark DELL including dell.co.in, dell.in, delldirect.in, dellinspiron.in, dellcenter.in, dellcomputer.co.in, dellcomputer.in, dellcomputercenter.in, dellcomputers.co.in, dellcomputers.in, dellcustomerstories.co.in, delldatasafe.co.in, delllaptops.in, delllaptops.co.in, dellmobile.co.in, dellmobile.in, dellpc.in, dellperotsystems.in, dellphones.co.in, dellphones.in, dellprinters.in, dellservices.co.in, dellsmartphone.co.in, dellsmartphone.in, dellstage.in, dellstore.in, dellstores.in, dellstreak.co.in, dellstreak.in, dellstudio.in, dellstudioone.in, dellsuppliers.co.in, delltablet.co.in, delltablet.in, delltablets.co.in and delltablets.in.

The Complainant submits that the Respondent in the present dispute has registered several domain names <delllaptoppricelist.in>, <delllaptopstore.in>, <dellservice.in>, <dellservicecenter.in>, <dellservicecenterchennai.in>, <dellservicecenterinbangalore.in>, <dellshowroominchennai.in>, <dellshowrooms.in>. The Complainant claims that the disputed domain names are clearly being used to capitalize on a Dell customer's attempt to search for Complainant's products and services.

The Complainant further claims that the Respondent is using the disputed domain name to intentionally attract for commercial gain, internet users seeking the Complainant's products and services, to its own websites. Further the Complainant has also provided comparative webpages of the Complainant's website and the Respondent's website and has submitted that the Respondent has not only copied the trade mark DELL but also the design and layout of the Complainant's website.

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2. Parties Contentions

A. Complainant

The Complainant submits that the Respondent in the present dispute has registered several domain names incorporating the trade mark DELL. The Complainant also claims that they are filing domain complaints against each of such domains.

The Complainant claims that the Disputed Domain Names are being used to capitalize on a Dell customer's attempt to search for the Complainant's products and services in relation to various models and range of products and services offered by the Complainant under the DELL formative marks. The Complainant also claims that the Respondent is using the disputed Domain Name to intentionally attract, for commercial gain, internet users seeking the Complainant's (Dell's) products and services, to its own websites.

The Complainant also states as follows:

i. **The Respondent's domain names are identical or confusingly similar to a name, trade mark or service mark in which the Complainant has rights.**

The Complainant claims that the disputed domain name fully incorporates the Complainant's well known and registered trade mark DELL in its entirety and are confusingly similar as a whole to the Complainant's domain names www.dell.com and www.dell.co.in. Further the Complainant also claims that the disputed domain name is also similar to various other domain names owned by the Complainant. The Complainant further submits that addition of the descriptive term SERVICE CENTRE only serves to solidify confusion among internet users as service centers have obvious connection with the Complainant's business. Further the Complainant has also placed reliance on Dell Inc v. SKZ.com wherein it has been held that the domain names <dellcustomersupport.com> and <dellcomputer.com> are confusingly similar to the Complainant's DELL mark in its entirety and addition of the generic term "customer support" and "computer" has an obvious connection with the Complainant's business.

The Complainant also submits that addition of the top level domain ".in" is irrelevant in determining whether the domain names are

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confusingly similar to the Complainant's registered trade marks and have quoted decisions in this regard.

ii. **The Respondent has no rights or legitimate interest in the domain names**

The Complainant submits that since the disputed domain name comprises of the well known and famous trade mark "DELL" and the DELL formative marks used in relation to the Complainant's wide range of goods and services, it is evident that the Respondent can have no right or legitimate interest in the domain name and there exists no relationship between the Complainant and the Respondent. Further the Complainant has also submitted that they have not authorized or licensed the Respondent to register or use the Disputed Domain Name.

The Complainant also submits that Respondent's website appear to be designed to mislead consumers into believing that Respondent is affiliated with the Complainant as the Respondent uses phrases such as "Contact Dell Services" and "Call Timings" "At Dell, we understand your need for robust Technical Support Services that will support your Home or Small Business Computers"

The Complainant has also submitted that the Respondent is not commonly known by the domain names at issue. Further the Complainant has also stated that the Respondent is not making a legitimate non-commercial or fair use of the domain name. The Complainant has also referred to awards wherein it has been held that authorized reseller did not have rights or legitimate interest in domain name even with disclaimer onsite.

iii. **The domain names were registered in bad faith**

The Complainant submits that the Respondent's use of the confusingly similar mark as that of the Complainant is evidence of bad faith. The Complainant further submits that Respondent knew of the Complainant's famous DELL marks. Further the Complainant has also submitted that the Respondent has also copied the Complainant's logo, look and feel of the Complainant's official website, display pictures of the complainant's products and this evidences the bad faith of the Respondent.

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The Complainant has also submitted that the Respondent has registered various domain that incorporates the trade mark DELL of the Complainant.

The Complainant states that inclusion of inconspicuous disclaimers at the bottom of the webpages does not mitigate against finding of a bad faith. The Complainant has also referred to UDRP decisions in this regard.

The Complainant further submits that Respondent's bad faith is also evidenced by the fact that the Respondent owns no trade mark or other intellectual property rights in the domain name. Further the Complainant also claims that the domain name do not consist of a legal name or a name commonly used to identify the Respondent and that the Respondent is not using the domain names in connection with the bonafide offering of goods and services.

The Complainant further submits that bad faith lies in the Respondent's intentional use of the disputed domain name to attract for commercial gain, internet users to its website by creating likelihood of confusion with the Complainant's trade mark DELL as to the source, sponsorship, affiliation and endorsement of the Respondent's website.

B. RESPONDENT

Despite receipt of soft copy of the complaint and adequate notification from the Arbitrator, the Respondent has not filed any response and submissions to the complaint. Therefore, the Arbitrator has proceeded with the arbitration proceedings on the basis of the material submitted and put on record by the Complainant.

3. Discussion and Findings:

In the present circumstances, the decision of the Arbitrator is based on the documents as filed by the Complainant.

After perusing the Complaint and annexures as filed, the Arbitrator is of the view that the Complainant has satisfied all the three conditions as outlined in Paragraph 4 of the .IN Domain Name Dispute Resolution Policy, i.e.,:-



- i. The Registrant's domain name is identical and confusingly similar to a name, trademark or service mark in which the Complainant has rights;
 - ii. The Registrant has no rights and legitimate interests in respect of the domain name;
 - iii. The Registrant's domain name has been registered or is being used in bad faith.
- i. **The Domain Name is identical or confusingly similar to a name, trademark or service mark in which the Complainant has rights (paragraph 4 (i) of .IN Domain Name Dispute Resolution Policy)**

The Complainant is the registered proprietor of the trade/service mark "DELL" and the DELL formative marks in over 184 countries across the world including in United States of America and India and have also provided details of such registrations.

The disputed domain name <dellservicecenter.in> completely incorporates the trade/service mark **DELL** of the Complainant. It has been held by prior panels deciding under the INDRP that there is confusing similarity where the disputed domain name wholly incorporates the Complainant's trade mark such as *Kenneth Cole Productions v. Viswas Infomedia INDRP/093*. Therefore, it is observed that the domain name <dellservicecenter.in> is similar to the Complainant's trade/service mark **DELL**.

Further the domain name also incorporates the generic terms 'Service Centre' with which the Complainant has obvious association. Further it has been held by prior panels that addition of generic terms to a trade mark does nothing to distinguish it from a trade mark. (*Orange Brand Services Ltd v. Anshul Aggarwal INDRP/579*)

Since '.IN' is an essential part of any top level Indian domain name, it does not distinguish the Respondent's domain name <dellservicecenter.in> from the Complainant's trade/service mark **DELL**. This has also been held in prior panels such as *Lego Juris A/S v. Robert Martin INDRP/125* and *AB Electrolux v. GaoGou of Yerec, INDRP/630*.

Therefore, the disputed domain name <dellservicecenter.in> is identical/confusingly similar to the trade mark of the Complainant. The Complainant has satisfied the requirement paragraph 4(i) of the .IN Domain Name Dispute Resolution Policy.

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ii. **The Registrant has no rights and legitimate interests in respect of the domain name** (Paragraph 4 (ii); paragraph 7 of .IN Domain Name Dispute Resolution Policy)

The Complainant submits that since the disputed domain names incorporate the trade/service mark DELL used in relation to the Complainant's goods and services therefore, Respondent can have no right or legitimate interest in the said trade/service mark.

The Complainant has no relationship with the Respondent and has not authorized or licensed the Respondent to use or register the disputed domain name. The website at www.dellservicecenter.in attempts to gather Internet users personal information through its enquiry form. Respondent may then benefit by abusing that information or by selling that information to third parties. Further in *Consorzio del Prosciutto di Parma of Via Marco dell' Arpa v. Jim Muller, INDRP/218*, it was held that "misleading users by incorporating other's trademarks in a domain name gives a false impression to users and does not constitute a *bonafide* offering of goods and services."

The Respondent also cannot claim that that it is commonly known by the name **DELL**. (*Six Continents Hotels, Inc. v. The Hotel Crown, INDRP/151*)

Further Respondent is not making any non-commercial or fair use of the domain. Use of DELL marks by the Respondent is likely to confuse general public as to the source, sponsorship, affiliation or endorsement of the activity being carried on through the websites. The Respondent's websites are not bona fide as the Respondent is using the disputed domain name to divert/redirect internet users seeking Complainant's goods to its own websites.

In view of the aforesaid, the Arbitrator accepts the Complainant's claim that the Respondent is not authorized, licensed or permitted to use the trade mark **DELL** and therefore, the Respondent has no rights or legitimate interests in the domain name <dellservicecentre.in> and the conditions under paragraph 4 (ii) and paragraph 7 of the .IN Domain Name Dispute Resolution Policy, have been satisfied.

iii. **The Domain Name was registered or is being used in bad faith** (Paragraph 4 (iii) and paragraph 6 of the .IN Policy)



The Complainant has stated that use of the domain names similar to Complainant's marks DELL is evidence of bad faith. Further the Complainant also asserts that Respondent's bad faith is clearly demonstrated by the fact that domain names are being used for websites which attempt to deceive consumers into thinking that Respondent or Respondent's business is associated with DELL.

Further Complainant also claims that the fact that the Respondent has registered various domain names incorporating the mark DELL reveals bad faith.

The Respondent's inclusion of inconspicuous disclaimers at the bottom of the webpages does not mitigate against a finding of bad faith.

Complainant also asserts that Respondent's bad faith is also evidenced by the fact that Respondent owns no trade mark or other intellectual property rights in the domain name. Registration of a domain name incorporating a trade mark of the Complainant is in bad faith.

In view thereof, the Arbitrator concludes the Complainant has proved the requirements under Paragraph 4 (iii) and paragraph 6 of the .IN Dispute Resolution Policy).

Despite being given adequate notification the Respondent has not filed any reply till date hence, they are deemed to be admitted by them. Therefore, in absence of any response received from the Respondent, the Arbitrator has proceeded with the award ex parte. (As held in *Intercontinental Corporation v. Jaswinder Singh, INDRP/265* and *Park Hospitality Worldwide LLC v Kristin Frakfurter, INDRP/659*).

4. Decision

Based upon the facts and circumstances and further relying on the documents as annexed with the complaint, the Arbitrator is of the view that Complainant has statutory and proprietary rights over the trade mark **DELL** and other **DELL** formative marks. The disputed domain name <dellservicecenter.in> is similar/identical to the trade mark of the Complainant. The Complainant has proved to the satisfaction of the Arbitrator that the Respondent has no right or legitimate interest to use the aforesaid domain name and the said domain name has been registered and is being used in bad faith.

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The Arbitrator therefore allows the prayer of the Complainant and directs the .IN Registry to transfer the domain <dellservicecenter.in> to the Complainant. The Award is accordingly passed and the parties are directed to bear their own costs.



Lucy Rana
Sole Arbitrator

Date: 24/2/2016

Place: New Delhi, India