



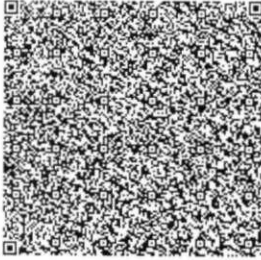
सत्यमेव जयते

INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

e-Stamp

Certificate No. : IN-DL120925378034760
Certificate Issued Date : 05-Feb-2016 02:05 PM
Account Reference : IMPACC (SH)/ dlshimp17/ HIGH COURT/ DL-DLH
Unique Doc. Reference : SUBIN-DLDSLHIMP17227492021495270
Purchased by : JAYANT KUMAR
Description of Document : Article 12 Award
Property Description : Not Applicable
Consideration Price (Rs.) : 0
(Zero)
First Party : JAYANT KUMAR
Second Party : Not Applicable
Stamp Duty Paid By : JAYANT KUMAR
Stamp Duty Amount(Rs.) : 100
(One Hundred only)



.....Please write or type below this line.....

BEFORE THE NATIONAL INTERNET EXCHANGE OF INDIA

IN THE MATTER BETWEEN

Dell Inc.

Complainant

v.

Nagendran Kathirvel

Respondent

Statutory Alert:

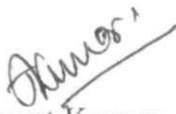
1. The authenticity of this Stamp Certificate should be verified at "www.shcilestamp.com". Any discrepancy in the details on this Certificate and as available on the website renders it invalid.
2. The onus of checking the legitimacy is on the users of the certificate.
3. In case of any discrepancy please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

ARBITRATION AWARD

1. The Complainant is Dell Inc., a Delaware Corporation having its registered office at One Dell Way, Round Rock, Teexas 78682-2244, USA.
2. The Respondent is Mr. Nagendran Kathirvel, GBS Systems & Services Pvt. Ltd., having address at No. 1070-A, Munuswamy Salai, K K Nagar, Chennai, Tamil Nadu, 600078.
3. The Arbitration pertains to the disputed domain name <dellexclusive.in>. The registrar for the disputed domain name is GoDaddy.com, LLC.
4. The sole arbitrator appointed in this complaint by NIXI is Jayant Kumar. The Arbitrator submitted the Statement of Acceptance and Declaration of Impartiality and Independence to NIXI on January 14, 2016.
5. The Parties were informed about the appointment of the Sole Arbitrator by NIXI vide email dated January 21, 2016 and a physical copy of the complaint was provided to the Sole Arbitrator.
6. On January 22, 2016, the Respondent sent an email stating that he is willing to surrender the disputed domain name and requested to let him know the procedure for the same. The email was although sent from the email address of the Respondent but was sent by one Mr. K Sridher. I also received a telephone call from Mr. K Sridher wherein he reiterated the same and he informed me that he is the Manager – IT Services of GBS Systems and Services Pvt. Ltd. and Mr. Nagendran Kathirvel is the Managing Director of the said company. He also informed me that he operates this particular email address as a part of his roles and responsibilities of the employment. He further informed me that he has sent the aforesaid email with consent and under instructions of Nagendran Kathirvel.

AKumar

7. On January 25, 2016, the Sole Arbitrator directed the Respondent to send the Authorization Code of the disputed domain name to the Complainant, but the Respondent indicated his inability to do so since the disputed domain name was 'Locked' by the Registrar.
8. On January 25, 2016, the Respondent again sent an email stating that he wants to surrender certain domain names featuring the mark DELL, but the domain names are currently 'Locked'.
9. On February 2, 2016, the Respondent further sent an email confirming his intention to transfer the disputed domain name to the Complainant and stated that he has no intention to retain the disputed domain name.
10. The Arbitrator also learnt that the Complainant has filed a series of domain name dispute complaints against the Respondent under INDRP (particularly for domain names <delllaptopbatteryprice.in>, <delllaptopbattery.in>, <delllaptopadapterprice.in>) and consent Awards have been passed in those complaints as well.
11. Since the Respondent is willing to surrender/transfer the domain name in favour of the Complainant, the Arbitrator does not find the need to pass an Award on the merits of the complaint.
12. In light of the aforesaid, the Arbitrator directs that the disputed domain name <dellexclusive.in> be transferred to the Complainant.


Jayant Kumar
(Sole Arbitrator)

Dated: February 5, 2016