

Bond



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**Deponent**

Name : Rna Ip Attorneys

H.No/Floor : Na

Sector/Ward : 65

Landmark : Na

City/Village : Gurgaon

District : Gurgaon

State : Haryana

Phone : 9910074336



Purpose : OTHERS to be submitted at Other

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RANJAN NARULA

ARBITRATOR

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

In the matter of:

**Your Holding B.V.**

Ceintuurbaan 28  
8024AA, Zwolle  
Netherlands

... Complainant

**Mr. Jibu James**

Sundaram Building, B-502  
Evershine Enclave  
Behind Rassaz Theater  
Mira Road (E), Thane (D)  
Mumbai 401107, Maharashtra  
India

..... Respondent

Disputed Domain Name: [www.starhosting.in](http://www.starhosting.in)

**AWARD**

### **1) The Parties:**

The Complainant in this arbitration proceeding is Your Holding B.V. of Ceintuurbaan 28, 8024AA, Zwolle, Netherlands. The Complainant is represented by its authorized representatives L.R. Swami Co. of 3, Play Ground View Street, Nandanam Extension, Chennai-600 035, Tamil Nadu, India.

The Respondent in this arbitration proceeding is Mr. Jibu James of Sundaram Building, B- 502, Evershine Enclave, Behind Rassaz Theater, Mira Road (E), Thane (D), Mumbai 401107, Maharashtra, India as per the details available in the whois database maintained by National Internet Exchange of India (NIXI).

### **2) The Domain Name, Registrar & Registrant:**

The disputed domain name is [www.starhosting.in](http://www.starhosting.in). The Registrar is Webiq Domains Solutions Pvt. Ltd., of Ist Floor, DirectiPlex, ACME I-Tech Park, Next to Andheri Subway, Old Nagardas Road, Andheri (East), Mumbai-400069, Maharashtra, India.

The Registrant is Mr. Jibu James of Sundaram Building, B- 502, Evershine Enclave, Behind Rassaz Theater, Mira Road (E), Thane (D), Mumbai 401107, Maharashtra, India.

### **3) Procedural History: :**

This arbitration proceeding is in accordance with the .IN Domain Name Dispute Resolution Policy (INDRP), adopted by the National Internet Exchange of India (NIXI). The INDRP Rules of Procedure (the Rules) were approved by NIXI on 28<sup>th</sup> June, 2005 in accordance with the Indian Arbitration and Conciliation Act, 1996. By registering the disputed domain name with the NIXI accredited Registrar, the Respondent agreed to the resolution of the disputes pursuant to the .IN Dispute Resolution Policy and Rules framed thereunder.

As per the information received from NIXI, the history of the proceedings is as follows:

In accordance with the Rules 2(a) and 4(a), NIXI formally notified the Respondent of the Complaint and appointed Ranjan Narula as the Sole Arbitrator for adjudicating upon the dispute in accordance with the Arbitration and Conciliation Act, 1996, and the Rules framed thereunder, .IN Domain Dispute Resolution Policy and the Rules framed thereunder. The Arbitrator submitted the Statement of Acceptance and Declaration of impartiality and independence, as required by NIXI.

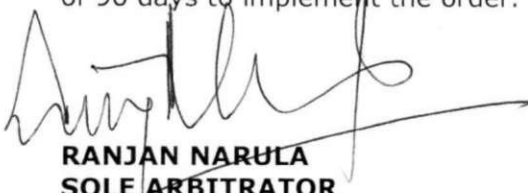
1. The complaint was produced before the Arbitrator on September 26, 2016 and the notice was issued to the Respondent on September 28, 2016 at his e-mail address with a deadline of 10 days to submit his reply to the arbitration.



2. Vide e-mail dated September 28, 2016 the Respondent informed that they have agreed to transfer the disputed domain [www.starhosting.in](http://www.starhosting.in) to the Complainant.
3. Vide e-mail dated September 28, 2016 the learned Arbitrator wrote to the Complainant to get confirmation if the proceedings can be suspended or kept in abeyance for next 10 days for parties to amicably resolve the matter.
4. Vide e-mail dated September 29, 2016 the legal representative of the Complainant confirmed that the proceedings can be kept in abeyance for next 10 days for parties to amicably resolve the matter.
5. Vide e-mail dated October 6, 2016 the legal representative of the Complainant confirmed that both parties (Complainant and Respondent) have agreed on a settlement and Mr. Jibu James (the Registrant) has agreed to transfer the domain name [www.starhosting.in](http://www.starhosting.in) to the Complainant. The legal representative of the Complainant also requested to lift the lock on the transfer so that the domain name can be transferred to the Complainant.
6. Vide e-mail dated October 6, 2016 the learned Arbitrator asked for written consent from the Registrant/Respondent if he is agreeable to transfer the domain [www.starhosting.in](http://www.starhosting.in) to the Complainant and to confirm that both parties have agreed to amicably resolve the matter.
7. Vide e-mail dated October 7, 2016 the Respondent confirmed that he has agreed to transfer the domain name [www.starhosting.in](http://www.starhosting.in) to the Complainant and both parties have agreed to amicably resolve the case.

### **Decision**

In view of the above, and considering parties have voluntarily agreed to resolve the dispute and the Respondent vide e-mail dated October 7, 2016 having agreed to transfer domain name to the Complainant, therefore, no useful purpose would be served in going into the merits of the case. Thus, it is hereby directed that the disputed domain name [www.starhosting.in](http://www.starhosting.in) be transferred to the Complainant. Further, transfer being a result of settlement between the parties, the NIXI is directed to instruct the domain Registrar to remove the locks and initiate domain transfer immediately without waiting for appeal period of 90 days to implement the order.



**RANJAN NARULA**  
**SOLE ARBITRATOR**  
**NIXI**  
**INDIA**

**October 13, 2016**