



सत्यमेव जयते

INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

e-Stamp

Certificate No.	: IN-DL10425585128604T
Certificate Issued Date	: 13-Aug-2021 05:27 PM
Account Reference	: IMPACC (IV)/ dl925103/ DELHI/ DL-DLH
Unique Doc. Reference	: SUBIN-DL92510318205236803072T
Purchased by	: SHEETAL VOHRA
Description of Document	: Article 12 Award
Property Description	: Not Applicable
Consideration Price (Rs.)	: 0 (Zero)
First Party	: SHEETAL VOHRA
Second Party	: Not Applicable
Stamp Duty Paid By	: SHEETAL VOHRA
Stamp Duty Amount(Rs.)	: 100 (One Hundred only)



Please write or type below this line

Sheetal Vohra

Statutory Alert:

1. The authenticity of this Stamp certificate should be verified at 'www.shcilestamp.com' or using e-Stamp Mobile App of Stock Holding. Any discrepancy in the details on this Certificate and as available on the website / Mobile App 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.

**BEFORE THE SOLE ARBITRATOR UNDER THE .IN DOMAIN NAME DISPUTE
RESOLUTION POLICY
INDRP ARBITRATION**

THE NATIONAL INTERNET EXCHANGE OF INDIA [NIXI]

INDRP Case No: 1404

**ARBITRAL TRIBUNAL CONSISTING OF
SOLE ARBITRATOR**

DR. SHEETAL VOHRA, LLB, LLM, PHD (LAW)

ADVOCATE, DELHI HIGH COURT

COMPLAINT UNDER .IN DOMAIN NAME DISPUTE RESOLUTION POLICY

IN THE MATTER OF:

DIALPAD, Inc.

12935 Alcosta Blvd.,

#559, San Ramon,

CA 94583, California,

United States of America

E-mail : info@selvams.com

...Complainant

VERSUS

Mahesh Reddy

Hyderabad Telangana 500060

bmreddyg@gmail.com

...Respondent

Sheetal Vohra

ARBITRATION AWARD

COMPLAINT REGARDING DISPUTED DOMAIN NAME <DIALPAD.IN>

1. This Complaint has been submitted for decision in accordance with the .IN Domain Name Dispute Resolution Policy (INDRP) and INDRP Rules of Procedure (Rule 3(b)(i)) and details of parties is given herein below:-

2. THE PARTIES:

COMPLAINANT'S INFORMATION

The Complainant in this administrative proceeding is Dialpad, Inc. incorporated under the laws of the State of Delaware of the United States of America, of the address, 100 California Street, Suite 500, San Francisco- 94111, California, United States of America (hereinafter referred to as "Complainant").

The Complainant's contact details are:-

DIALPAD, Inc.
12935 Alcosta Blvd.,
#559, San Ramon,
CA 94583, California,
United States of America
E-mail : info@selvams.com

The Complainant's counsel in this administrative proceeding is:

Raja Pannir Selvam

Selvam and Selvam

Old No. 9, Valliammal Street,

Kilpauk, Chennai-600010

Shukla Sharma

Tamil Nadu, India

Email: raja@selvams.com

RESPONDENT'S INFORMATION

According to the Registry.in WHOIS database, the Respondent in this administrative proceeding is Mahesh Reddy registrant of the domain name www.dialpad.in (hereinafter referred to as the disputed domain name). A copy of the printout of the Registry.in WHOIS database has been provided as **Annexure A**.

The Respondent's contact details are: -

Mahesh Reddy

Hyderabad Telangana 500060

bmreddyg@gmail.com

It was submitted that neither the Complainant nor Complainant's counsel have any other knowledge or information on how to contact the Respondent other than what is listed above and contained in **Annexure-A**.

3. THE DOMAIN NAME AND REGISTRAR:

The disputed domain name is : www.dialpad.in

The domain name is registered with IN REGISTRY

4. PROCEDURAL HISTORY:

June 24, 2021:

Date of Complaint

Shruti Sharma

July 02, 2021:

The .IN REGISTRY appointed Dr. Sheetal Vohra as Sole Arbitrator from its panel as per paragraph 5 (b) of INDRP Rules of Procedure after taking a signed statement of acceptance and declaration of impartiality and independence.

July 02, 2021

Arbitral proceedings were commenced by sending notice to Respondent through e-mail as per Paragraph 4 (c) of INDRP Rules of Procedure, marking copy of the same to Complainant's authorized representative and to the .IN REGISTRY to file response within 15 days of receipt of same

August 13, 2021

As the Respondent failed to file his response within the stipulated 15 days' time period intimated to all parties, the instant award is being passed.

5. FACTUAL AND LEGAL BACKGROUND :

- a. It was submitted that the present dispute was properly within the scope of the Policy and the Administrative Panel has jurisdiction to decide the dispute. The registration agreement, pursuant to which the domain name that is the subject of this Complaint is registered, incorporates the Policy. A true and correct copy, to the best of Complainant's knowledge, of the registration agreement and domain name dispute policy that applies to the domain name in question has been provided as **Annexure B** to this Complaint.
- b. It was submitted that the Complainant, Dialpad, Inc., formerly known as Switch.co, operates an AI-powered cloud communication platform that makes it easier and more efficient for companies and their staff to connect and collaborate with a global team and their customers. It was further submitted that the Complainant's main offering is a



Sheetal Vohra

cloud- based business phone system that turns conversations into opportunities and helps teams make smarter calls across the world. It was further submitted that the Complainant brings simplicity to the professional phone experience and some of the world's most innovative companies use its platform. The Complainant's products span video meetings, cloud call centres, sales coaching, dialers and enterprise phone systems and are all infused with the latest AI technologies to help every business make smarter calls. It was further submitted that the Complainant's customers include WeWork, Uber, Motorola Solutions, Domo and Xero. The Complainant's list of investors includes Amasia, Andreessen Horowitz, Felicis Ventures, GV, ICONIQ Capital, Salesforce Ventures, Scale Venture Partners, Section 32, Softbank and Work-Bench. Copies of documents evidencing the above-mentioned claims have been provided as **Annexure C**.

- c. It was submitted that the Complainant is based out of the United States with operations across the globe, including offices in the United Kingdom, Australia, Canada, France, Japan and India.

Trademark registrations:

The Complainant has been providing products and services under the trademark DIALPAD since February 29, 2016 and from 2018 in India specifically. The Complainant's rights in the mark are further evidenced by its trademark applications in the USA and India including, without limitation, the following applications:

Trademark	Appl/Reg no.	Class	Jurisdiction	Status
 Dialpad	88023105	9. 42	USA	Registered
DIALPAD	88023103	9. 42	USA	Registered
DIALPAD	86916206	9, 42	USA	Registered
 Dialpad	86980353	38	USA	Registered
DIALPAD	86980352	38	USA	Registered

DIALPAD	5010999	9, 38, 42	India	Pending
---------	---------	-----------	-------	---------

True and correct copies of the above-referenced registrations have been attached as **Annexure D**.

It was submitted that the Respondent has blatantly and deliberately infringed and diluted the Complainant's invaluable and indelible rights in the DIALPAD mark by way of unlawfully registering the domain name www.dialpad.in.

6. STATEMENT OF FACTS:

It was submitted that the Complainant is a developer of business communications platforms and software intended to offer cloud-based solutions for businesses to communicate effectively across the globe. It was further submitted that the Complainant's product suite covers the full range of business communications services including voice and video conferencing, group messaging, SMS, MMS, and screen sharing, and is integrated with Microsoft Office 365 and Google Apps for Work enabling clients to collaborate securely from anywhere across any device. It was further submitted that the Complainant has made extensive use of its distinctive DIALPAD mark in connection with its goods and services. DIALPAD also registered the domain www.dialpad.com on February 29, 2016. The website hosted on the said domain incorporates the registered DIALPAD mark prominently thereon.

It was further submitted that the Complainant uses its website to promote its products and services and provide its customers an easy way to communicate including voice and video conferencing, group messaging, SMS, MMS, and screen sharing. It was further submitted that the profile and popularity of the Complainant's products and services has been continuously increasing since the date of adoption and use of the Complainant's DIALPAD mark. It was further submitted that in fact, DIALPAD has over 10 offices in every corner of the world and has over 600+ employees and has provided its services to nearly 70,000 customers throughout the globe. Relevant copies of webpages from the Complainant's website describing these statistics have been attached as **Annexure E**.

Shutai vohra

It was submitted that the Complainant has invested its time and efforts to promote and develop the products and services provided under its "DIALPAD" mark. The Complainant's products are available on various platforms where customers can download the said software and avail the services provided by the Complainant. Relevant extract of webpages corroborating the same have been filed as **Annexure F**.

It was further submitted that, the Complainant maintains an active and prominent social media presence on multiple popular platforms such as Facebook, Instagram, Twitter, LinkedIn and YouTube among others. These pages are constantly updated with the latest information about DIALPAD and its products and services and have thousands of loyal followers. Relevant extracts of webpages have been filed as **Annexure G**.

It was submitted that as further testament to its success, the Complainant has been awarded several accolades over the years for the services rendered under the DIALPAD mark. Extracts from the website of the Complainant enumerating these accolades have been attached as **Annexure H**. It was submitted that due to the impeccable reputation and goodwill earned by the Complainant across the globe, the word "DIALPAD" has come to be exclusively associated with the Complainant and its services and no one else and hence, the Complainant is vigilant in protecting its intellectual property against unauthorized use by third parties.

It was submitted that it came to the Complainant's notice that the Respondent had registered the disputed domain name www.dialpad.in without any authorization whatsoever. Evidently so, the disputed domain name wholly incorporates the DIALPAD mark; the only difference being a change in the country code Top Level Domain ("ccTLD"). Upon visiting the disputed domain, the link merely shows a landing page without any content hosted thereon. A copy of the webpage has been attached as **Annexure I**.

It was further submitted the disputed domain is identical to the Complainant's DIALPAD trademark and features several sponsored links, which is similar and related to the industry in which the Complainant operates under the DIALPAD

trademark. The Respondent has registered the disputed domain name www.dialpad.in without authorization of any kind whatsoever and hence with malice. It is further stated that the Respondent has not registered the disputed mark "DIALPAD" in India and has registered the disputed domain name with a *malafide* intention to deceive and mislead the customers of the Complainant.

It was submitted that the disputed domain is deceptively similar to the well-recognized DIALPAD trademark, with only a change in the ccTLD as mentioned above. It was submitted that the Respondent has no interest in the domain name or the mark, save to mislead the consumers and thereby infringing the DIALPAD mark. It was submitted that the Respondent has adopted such a deceptively similar domain name with an ill-intent to ride on the Complainant's hard-earned reputation and misuse the well-recognized and globally popular DIALPAD mark. It was submitted that the Complainant had not and has not authorized the Respondent's use of the DIALPAD mark or the registration of the disputed domain name.

It was submitted that based on Respondent's adoption and use of domain names that incorporate the DIALPAD mark, in its entirety, the Complainant believes that Respondent is using and has used the disputed domain name to intentionally attempt to attract internet users and consumers looking for legitimate DIALPAD services by creating a likelihood of confusion with the Complainant, all for commercial gain.

It was submitted that there is no evidence that Respondent has any legitimate claims to the disputed domain name and any current or conceivable future use of the disputed domain name violates the Policy.

It was submitted that this unauthorized use of the disputed domain name by Respondent severely harms the Complainant by tarnishing and infringing its trademarks, hard earned reputation and goodwill in the U.S. and around the world.

7. DISCUSSION AND FINDINGS:

The INDRP, which is the substantive law governing this proceeding, provides that a domain name owner must transfer its domain name registration to a complainant/trademark owner if:

- i. The Registrant's domain name is identical or confusingly similar to a name, trademark or service mark in which the Complainant have rights;
- ii. The Registrant has no rights or legitimate interests in respect of the domain name; and
- iii. The Registrant's domain name has been registered or is being used in bad faith.

I hold that in the present case all three requirements for transfer have been met.

The disputed domain name is identical or confusingly similar to a name, trademark or service mark in which the Complainant has rights.

I find that the Complainant is the registered proprietor in USA of the DIALPAD mark and its variants as elucidated by means of Annexures listed above. The Complainant has filed trademark application under number 5010999 for the mark DIALPAD (word mark) in classes 09, 38 and 42. The said application is pending having been filed on 19/06/2021 with user claim since 15/11/2018. I find that the Complainant's DIALPAD mark and its variants are distinctive and well recognized throughout the world solely in relation to the Complainant. I find that the Complainant owns the DIALPAD mark and has used its registered DIALPAD mark in its own domain name www.dialpad.com from February 29, 2016 which is very relevant to the current proceeding. I find that the disputed domain name is undeniably confusingly and deceptively similar to the Complainant's DIALPAD mark which has been extensively and continually used across the world. I find that the disputed domain name deceptively incorporates the Complainant's mark DIALPAD. I find that the DIALPAD is also dominant part of company name / trading style of the Complainant. I find that the a person with average intelligence and imperfect recollection would obviously not realize the minor addition and be misled into thinking that the said domain belongs to the Complainant only. I

conclude that the Respondent has registered the disputed domain name which contains the registered trademark owned by the Complainant in USA and prior used mark, so that he can ride on the goodwill and reputation attached to Complainant's trademark, company name and domain name. The disputed domain will lead to the inevitable conclusion and deception as it is confusingly similar to the DIALPAD mark, as well as the Complainant's domain name www.dialpad.com, the only difference being in country code Top Level Domain (ccTLD)

The Complainant has placed reliance on *M/s Satyam Infoway Ltd. vs. M/s Sifynet Solution (P) Ltd.* JT. (2004 (5) SC 541), wherein the Hon'ble Supreme Court of India held that, "Domain name has all characteristics of trademark. As such principles applicable to trademark are applicable to domain name also. In modern times domain name is accessible by all internet users and thus there is need to maintain it as an exclusive symbol."

The Complainant has placed reliance on *LEGO Juris A/S v. Robert Martin*, INDRP/125 (2010), wherein it was further held that "It is well recognized that incorporating a trademark in its entirety, particularly if the mark is an internationally well-known mark, is sufficient to establish that the domain name is identical or confusingly similar to the Complainant's registered mark."

The Complainant has placed reliance on *Starbucks Corporation vs. Mohanraj*, INDRP/118 (2009), wherein it has been held that "Domain name wholly incorporating a complainant's registered trademark may be sufficient to establish identity or confusing similarity, despite addition of other words to such marks."

The Complainant has placed reliance on *Google, Inc. vs. Mr. Gulshan Khatri* INDRP/189 (2011), wherein it was held: "The act of registering a domain name similar to or identical to a famous trademark is an act of unfair competition whereby the domain name registrant takes unfair advantage of the fame of the Complainant's

trademark to either increase traffic to the disputed domain, or to seize a potential asset of the trademark owner in the hope that the trademark owner will pay the requirement to relinquish the domain name.”

Thus, as elucidated above, I. hold that the disputed domain name is deceptively similar to the DIALPAD mark as per INDRP, para 4 (i); Rules 4 (b)(vi)(1).

The Respondent has no rights or legitimate interests in respect of the disputed domain name.

I find that the disputed domain name is confusingly identical to the DIALPAD trademark in which the Complainant enjoys substantial reputation and goodwill. I find that the Respondent, on the other hand, has no right or legitimate interest in the disputed domain name. I find that the very fact that the impugned domain is parked and only features links to communication services very clearly portrays that the said domain has been registered by the Respondent with no legitimate interest but to deceive the public.

I find that the Complainant has registered its DIALPAD marks in the USA and the Complainant has claimed use in India since 15/11/2018. The DIALPAD marks have been considered distinctive to the Complainant and its products and services. I find that as already established herein, the Complainant is the sole proprietor of the DIALPAD mark and provides services under the mark DIALPAD in various jurisdictions including India and has garnered immense goodwill and reputation under the DIALPAD mark. I find that the disputed domain name is deceptively similar to the DIALPAD mark in which the Complainant enjoys substantial reputation and goodwill, globally. Thus, the Respondent can have no legitimate interest in the impugned domain name www.dialpad.in other than with malafide intentions to ride on goodwill and reputation attached to Complainant's trademark DIALPAD which is also dominant part of its company name.

I find that the fact that the disputed domain name has not been put to legitimate non-commercial fair use or commercial/business use, in the first place, clearly showcases that the Respondent has no rights or legitimate interests in respect of the disputed domain name, more so owing to the fact that the mark DIALPAD per se is known and associated with the Complainant alone. The Respondent thus, holds no legitimate rights or interest in the disputed domain name pursuant to ICANN Policy ¶ 4(c).

I find that this illegal registration, in fact brings to light, the lack of interest of the Respondent to honestly use the domain name. Thus, it is but apparent that the Respondent has registered the domain name only to take unfair advantage of the Complainant's global reputation and goodwill. Such use does not constitute a bonafide offering of goods or services under ICANN Policy 4(c) (i) or a legitimate non-commercial fair use under ICANN Policy 4(c) (iii).

I find that it is well established that criminal fraud clearly demonstrates that Respondent has no legitimate interests in the disputed domain name. The Complainant has placed reliance on *Demco, Inc. v. Adminprivateregcontact a/k/a Demco USA*, Case No. D2011-1516 (WIPO Oct. 31, 2011) which is applicable in the present case.

I find that as the Complainant has registered the domain name www.dialpad.com which features the DIALPAD mark much prior to the Respondent. Hence, it is evident that the Respondent was interested in obtaining the disputed domain name only because it is deceptively similar to the mark in which the Complainant has rights and interest. Such use of a domain name does not provide a legitimate interest under the Policy. The Respondent thus, holds no legitimate rights or interest in the disputed domain name pursuant to ICANN Policy ¶ 4(c).

Shubra Vohra

Accordingly, and for all the reasons above, I hold that the Respondent has no rights or legitimate interest in the disputed domain name.

I hold that the disputed domain name has been registered or is being used in bad faith

I find that the Complainant's DIALPAD mark is well-recognized and the Complainant has gained immense reputation and goodwill, not to mention popularity, thriving in the industry for decades. I find that the Complainant and the DIALPAD mark are synonymously known across countries, including India, for their laudable products and services. I find that the Complainant has expended substantial resources for promoting and advertising its products and services and continues to maintain on-going business operations across the globe. I find that the by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, internet users to the disputed domain's website by creating a likelihood of confusion with the Complainant's DIALPAD mark, as to the source, sponsorship, affiliation, or endorsement of the disputed domain name. I find that the fact that the website features the term DIALPAD along with the country code Top Level Domain ("ccTLD") establishes the fact that the Respondent only aims at luring unwary customers and consumers and ride upon the reputation and popularity of the Complainant, and this clearly showcases the bad faith of the Respondent.

I find that the fact that the DIALPAD mark was adopted and applied to unique and popular services by the Complainant for many years prior to the registration of the disputed domain name makes it extremely unlikely that the Respondent created the said domain independently without any knowledge of the Complainant's popular DIALPAD mark or website.

Shruti Vohra

The Complainant has placed reliance on *Google Inc. Sunil K. Support Solution Aditi Sawant, Support Solution Rohit Sharma/ Vineet Sharma Deep Sunil K, FA1501001599162* (National Arbitration Forum, February 19, 2015) wherein the Panel held that, "Respondent's use of the contested domain name is an attempt to capitalize on the likelihood that Internet users will be confused as to the possibility of Complainant's association with the contested domain name and its website. Under Policy 4 (b) (iv), this stands as evidence of Respondent's bad faith in the registration and use of the domain name."

The Complainant has placed reliance on *LEGO Juris A/S v. Martin*, INDRP/125 (2008) wherein it has held "Where a domain name is found to have been registered with an intention to attract Internet users by exploiting the fame of a well-known trademark, it constitutes bad faith registration."

The Complainant has placed reliance on *Google Inc. vs. Chen Zhaoyang*, INDRP/23 (2007) wherein the Panel held that, "The Respondent has taken deliberate steps to ensure to take benefit of identity and reputation of the Complainant. The Respondent also provided web services which were similar to those of the Complainant. All these factors indicated that the disputed domain name was registered and used by the Respondent in bad faith in respect of the general commercial activities."

I find that the Respondent is attempting to use the disputed domain name in such a manner so as to lure unwary consumers. I find that the a legitimate domain name owner would certainly create an active working website and keep it live if the same was adopted in an honest manner. When this is perceived in conjunction with the fact that the said domain name is deceptively similar to the Complainant's domain and prior trademark www.dialpad.com and DIALPAD respectively, it is conclusively proved that the said domain has been registered only to misrepresent and mislead consumers all over the world under the guise of the Complainant. This irrefutably establishes that the said domain has been registered in bad faith by the Respondent.

The Complainant has placed reliance on *Satyam Infoway Ltd. v. Sifynet Solutions Pvt. Ltd* [AIR 2004 SC 3540], wherein it has held that the Respondent had registered domain names www.siffynet.com and www.siffynet.net which were similar to the Plaintiff's domain name www.sifynet.com. The Plaintiff was reputed and Sify was a coined mark comprising of Satyam and Infoway. The Hon'ble Supreme Court of India held that "domain names are business identifiers, serving to identify and distinguish the business itself or its goods and services and to specify its corresponding online location." The decision was in favour of the Plaintiff.

The Complainant has placed reliance on *Aqua Minerals Limited v. Mr Pramod Borse & Anr* [AIR 2001 Delhi 467], wherein the Hon'ble Delhi High Court observed that "Unless and until a person has a credible explanation as to why did he choose a particular name for registration as a domain name or for that purpose as a trade name which was already in long and prior existence and had established its goodwill and reputation there is no other inference to be drawn than that the said person wanted to trade in the name of the trade name he had picked up for registration or as a domain name because of its being an established name with widespread reputation and goodwill achieved at huge cost and expenses involved in the advertisement."

The Complainant has placed reliance on *Microsoft Corporation v. Montrose Corporation*, (WIPO Case No. D2000-1568), wherein it was held: "The incorporation of a well-known trademark into a domain name by a registrant having no plausible explanation for doing so may be, in and of itself, an indication of bad faith." I agree with Complainant's submission that the nature of Respondent's fraudulent activity in registering a domain name incorporating the DIALPAD mark not only showcases the full extent of knowledge that the Respondent has, of the Complainant, but also the extreme bad faith and *malafide* intent of the Respondent, while simultaneously causing damages and prejudice to the business of the Complainant, by unlawfully using the prior and registered DIALPAD mark of the latter.

I find that the Respondent has failed to comply with Para 3 of the INDRP which requires that it is the responsibility of the Respondent to ensure before the registration of the impugned domain name registration does not infringe or violate someone else's rights. (*AB Electrolux vs. Liheng* INDRP/700) (August 03, 2015).

I hold that the facts and evidence overwhelmingly support the conclusion that the Respondent has registered the disputed domain name in bad faith.

For the foregoing reasons, I hold that the registration of the disputed domain name www.dialpad.in is deceptively similar to the earlier DIALPAD mark of the Complainant, and that the Respondent has no rights or legitimate interest in and to the disputed domain name, and that the Respondent has registered and used the disputed domain name in bad faith.

That I did not receive any Response/ Reply to the Complaint dated 24th June 2021 on behalf of the Respondent and hence rely only on the documents and pleadings submitted on record by the Complainant.

In view of all the above facts and well-known legal propositions and legal precedents, I find and hold as under:

- that that the Respondent's domain name is misleading and deceptively similar to the trademark in which the Complainant has rights.
- that the disputed domain name www.dialpad.in is identical with the Complainant's trademark **DIALPAD**.
- that due to the reputation of the trademark/ domain name/ trading style **DIALPAD** of the Complainant, the first impression in the minds of the users shall be that the Respondent's website / domain name originates from, is associated with, or is sponsored by the

Complainant.

- that the Respondent has no rights or legitimate interests in respect of the domain name.
- that none of the exemptions provided under paragraph 7 of the .IN Domain Dispute Resolution Policy (INDRP) apply in the present circumstances.
- that Complainant has not authorised, licensed, or permitted the Respondent to register or use the Domain Name <www.dialpad.in>
- that the Complainant has prior rights in the trademark / domain name which precedes the registration of the disputed domain name by the Respondent.
- that the Complainant has therefore established a *prima facie* case that the Respondent have no rights and legitimate interests in the disputed domain name and thereby the burden of proof shifts to the Respondent to produce evidence demonstrating rights or legitimate interests in respect of the Domain Name.
- that the disputed domain name has been registered in bad faith
- that the disputed domain name is identical to the acronym of the Complainant's registered trademark in their entirety, in which the Respondent cannot have any rights or legitimate interest.

That I received no Response / Reply to the Complaint on behalf of the Respondent though proper service was affected to the Respondent's email addresses provided and I am satisfied that the Respondent has received the copy of the Complaint as well as the Order and direction of this Tribunal to submit his reply within 15 days of receipt of the Complaint and the email of the Tribunal. I have therefore proceeded only on the basis of available documents and assertions on the law and facts made before me.

8. DECISION

- a) In view of the above facts and circumstances, it is clear that the Complainant has succeeded in its complaint.

- b) That the .IN Registry of NIXI is hereby directed to transfer the domain name/URL of the Respondent "**www.dialpad.in**" to the Complainant;
- c) In the facts and circumstances of the case no cost or penalty is imposed upon the Respondent. The Award is accordingly passed on this 13th Day of August, 2021.



Dr. Sheetal Vohra

Sole Arbitrator

Date: 13/08/2021

Place: New Delhi