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INDRP ARBITRATION

THE NATIONAL INTERNET EXCHANGE OF INDIA [NIXI]

ADMINISTRATIVE PANEL DECISION

SOLE ARBITRATOR: SUDHIR KUMAR SENGAR

Super Magnificent Coffee Company Ireland Limited

Vs

Ding RiGuo

ARBITRATION AWARD Disputed Domain Name: < coffeebean.co.in >

Sy Sengar

Statutory Alert:

1. The validity of this Stamp certificate should be verified at 'www.shricsestamp.com' or using e-Stamp Mobile App of Stock Holding Corporation of India.
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1. The Parties

The Complainant in this administrative proceedings is Super Magnificent Coffee Company (Ireland) Limited ("SMCC"), having its office at Unit 14, Gray Office Park, Galway Retail Park, Headford Road, Galway, Ireland. The Complainant is represented in these proceedings by its authorized representative Ms. Preetika Kashyap, c/o Ira Law, I-34, 4th floor, Jangpura Extension, New Delhi 110014, India (The Complainant is represented in these proceedings by its authorized representative Ms. Preetika Kashyap, c/o Ira Law, I-34, 4th floor, Jangpura Extension, New Delhi 110014, India (Email: prateeka@ira.law, Telephone: +91 11 40204694).

The Respondent is Ding RiGuo, 8F, No. 199 Shifu Road, Taizhou, Zhejiang – 318000, China (Email: juc@qq.com; Telephone: Telephone - 13819669399)

2. Domain Name and Registrar

(i) The disputed domain name is < coffeebean.co.in >.

(ii) The Registrar with whom the domain name is registered is Endurance Digital Domain Technology LLP, Unit No 501, 5th floor and Unit IT Building No 3, NESCO IT Park, Western Express Highway, Goregaon (East), Mumbai Maharashtra 400063, India.

3. Procedural History

The arbitration proceedings is in accordance with the .IN Domain Name Dispute Resolution Policy (the policy) adopted by National Internet Exchange of India ("NIXI") and INDRP Rules of Procedure ("the Rules") which were approved on June 28, 2005 in accordance with the Indian Arbitration and Conciliation Act, 1996. By registering disputed domain name with a NIXI registrar, the respondent agreed to the resolution of disputes pursuant to the Policy and the Rules.

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

On June 22, 2022, I submitted the statement of Acceptance and Declaration of impartiality and independence, as required by NIXI to ensure compliance with Paragraph 6 of Rules. NIXI notified the parties of my appointment as Arbitrator via email on Jun 22, 2022 and served an electronic copy of the complaint on the respondent. I informed the Parties about commencement of arbitration proceedings on June 23, 2022 and the Respondent was directed to submit a response to the arbitration notice within 10 (ten) days. On 27.6.2022, the Complainant submitted that they have served the INDRP complaint on the Respondent through email on juc@qq.com and attached the email sent to the Respondent along with its delivery receipt. The Complainant further submitted that are unable to service a physical copy of the INDRP complaint on the Respondent as the address of the Respondent appears to be incomplete and fictitious. The Complainant further submitted that Order V Rule 25 of the Code of Civil Procedure, 1908 expressly provides for service of notice/summons through email in the circumstances explained herein "Where the defendant resides out of [India] and has no agent in [India] empowered to accept service, the summons shall be addressed to the defendant at the place where he is residing and sent to him [or by post or by such courier service as may be approved by the High Court, by fax message or by Electronic Mail service or by any other means as may be provided by the rules made by the High Court...".



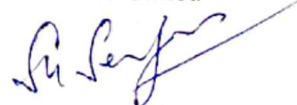
The Complainant has relied on the Delhi High Court in the case of Surinder Kumar v Uttam Singh and Ors. [order dated 16/02/2022 in RSA 220/2019] allowed service of notice through email as well as WhatsApp, as the Respondent was evading service of notice (relevant order is attached for your reference). The Complainant has also relied on Yuvraj Singh v Delhi Development Authority, [order dated 17/02/2022 in CS (Comm) 43/2017] where the court directed service of notice on witnesses through email and What's App as the witnesses were not available at their physical addresses. Therefore, service of notices/summons through electronic mode such as email is considered valid and sufficient and is an established and acceptable practice in India. The complainant has properly served the copies of the complaint on the respondent by email on juc@qq.com. The Complainant's submission is accepted and delivery of Complaint to the Respondent through email fulfills the conditions required in accordance with INDRP Rules of Procedure Paragraph 3(d)

4. Grounds for Administrative Proceedings

- (i) The disputed domain name is identical or confusingly similar to Complainant's trademarks.
- (ii) The respondent has no rights or legitimate interests in respect of the domain name.
- (iii) The registered domain name has been registered or being used in bad faith.

5. Background of the Complainant

The Complainant is Super Magnificent Coffee Company (Ireland) Limited ("SMCC"), having its office at Unit 14, Gray Office Park, Galway Retail Park, Headford Road, Galway, Ireland. The Complainant submitted that the Complainant owns, operates, and franchises over 1,000 stores worldwide under the name "THE COFFEE BEAN & TEA LEAF" with a presence in 26 countries, including India, Bahrain, Brunei, Cambodia, Egypt, Indonesia, Iraqi Kurdistan, Israel, Jordan, Kuwait, Malaysia, Mongolia, Oman, Panama, Paraguay, Philippines, Qatar, Saudi Arabia, South Korea, Sri Lanka, Thailand, United States of America, and Vietnam. The Complainant further submits that the Complainant has protectable rights, title, interest and reputation in the trade name and trademark/service mark THE COFFEE BEAN & TEA LEAF. The Complainant further submits that the Complainant is registered proprietor of the trademark/service mark THE COFFEE BEAN & TEA LEAF in India and abroad, by virtue of a worldwide assignment of trademarks from International Coffee & Tea, LLC, in its favour in October 2019. The Complainant further submits that the Complainant owns various "coffee bean" domain names including the gTLD <coffeebean.com> which was created in 1995; <coffeebeanchina.com> which was created in 2015; <coffeebeanchina.com.cn> which was created in 2015; and the Complainant's website <https://www.coffeebean.com/> has been in operation ever since. The Complainant further submits that established in 1963 in Los Angeles, California, USA as a small family run coffee store, the Coffee Bean & Tea Leaf has since grown into one of the leading global roaster and retailer of specialty coffee and tea beverages offering one of the most extensive selections of coffee and tea from around the world. The Complainant submits that the Complainant adopted the mark THE COFFEE BEAN & TEA LEAF in the year 1963 in the United



States not only as its trademark but also as its business name; the same is thus a vitally important source identifier of the Complainant and is a carrier of the Complainant's reputation and associated goodwill. The Complainant further submits that the Complainant launched its first outlet in India in 2008 on a franchise-owned model and as part of their aim to cater to the growing demand of premium quality coffee and tea among the Indians, the Complainant has made rapid inroads across Indian cities through its franchise-outlets and has created a niche for itself in the organized coffee chain retail market in India. The Complainant further submits that the Complainant has won the "Best Café Award – Gold" at the India International Coffee Festival, 2012, which further solidified its preeminence in the Indian coffee chain retail market. The Complainant submits that the Complainant has always strived to provide a superior world-class experience to beverage enthusiasts in India by sourcing coffee beans and tea leaf from the best plantations such as Blue Mountain Coffee Bean, Jasmine Dragon Phoenix Pearl, Earl Grey tea, Japanese Cherry Green Tea, among others. The Complainant further submits that in addition to operating retail cafes, the Complainant also offers for sale premium coffee and tea beverages as well as snacks through various online marketplaces as well as instant delivery platforms across various cities in India. The Complainant submits that in 2019, Haldiram Bhujawala, the leading food, snacks, and beverage company in India, bought the Indian franchise for the THE COFFEE & TEA LEAF. The Complainant further submits that the Complainant has been continuously and consistently using the trademark and trade name THE COFFEE BEAN & TEA LEAF for several decades for its business activities across the world and on account of its highly distinctive nature and pioneering activities, the trademark THE COFFEE BEAN & TEA LEAF, often used in its abbreviated form as THE COFFEE BEAN, has acquired an excellent reputation from the very inception. The Complainant further submits that over the decades, the said name/mark has consistently been associated with and exclusively denotes the Complainant's business, which is known for premium quality beverages. The Complainant further submits that the Complainant is the registered proprietor of the COFFEE BEAN & TEA LEAF trademarks in India and is also the registered proprietor of the trademark 'THE COFFEE BEAN' in various countries across the world including the European Union, Indonesia, Israel, Lebanon, Malaysia, Mongolia, New Zealand, Singapore, Sri Lanka, United Kingdom, and United States. The Complainant submits that these registrations reflect the worldwide recognition and exclusivity enjoyed by the trademark 'THE COFFEE BEAN' which not only assures high standards to consumers and premium quality of beverages, but also the fact that the Complainant is the sole source and originator of products and services under the said mark. The Complainant further submits that the Complainant has spent substantial time, effort, and money in advertising and promoting its THE COFFEE BEAN trademarks in key markets in the world and as a result of the continuous and extensive use of the THE COFFEE BEAN trademarks over a long period of time spanning a wide geographical area, the said trademarks enjoys an unparalleled reputation and goodwill and have acquired the status of a well-known trademark because it embodies an aura of pre-eminent excellence and is recognized irrespective of the class of goods or services for which it is used. The Complainant submits that the Complainant has devoted significant time, effort, and energy in promoting and



advertising the said trademark through print and online media, as well its social media handles. The Complainant submits that the Complainant has a Facebook account @TheCoffeeBeanIndia; an Instagram page @cbtlindia, both of which have a large number of followers and consequently, the THE COFFEE BEAN trademarks are solely identified with the Complainant. The Complainant further submits that the Complainant is the owner of the domain name <coffeebean.com> which is synonymous with its THE COFFEE BEAN trademarks.

The Respondent

The Respondent is Ding RiGuo having its address at 8F, No 199 Shifu Road, 31800, Taizhou, Zhejiang, China.(Email: juc@qq.com;Telephone: 13819669399).The Respondent has registered the disputed domain name <coffeebean.co.in>

6. Legal Grounds

(i) The Respondent's domain name is identical or confusingly similar to the Complainant trademarks:

Complainant's Contentions

The Complainant contends that the impugned domain name <coffeebean.co.in> is identical to the Complainant's domain name <coffeebean.com> and the impugned domain name is confusingly similar to the well known THE COFFEE BEAN trademarks of the Complainant and wholly comprises of and is identical to the trademark/service mark 'THE COFFEE BEAN' of the Complainant. The Complainant further contends that the impugned domain name <coffeebean.co.in> constitutes an imitation of the essential feature of the Complainant's registered and well-known trademark/service mark 'THE COFFEE BEAN' and 'THE COFFEE BEAN & TEA LEAF'. The Complainant submits that it has been consistently held by WIPO Arbitration and Mediation Center that "where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark for the purposes of UDRP standing." The Complainant has relied on Dr. August Oetker Nahrungsmittel KG v. WhoisGuard Protected, WhoisGuard, Inc., WIPO Case No. D2020-2233. The Complainant further contends that the registration of the impugned domain name by the Respondent is in violation of paragraph 3 of the INDRP. As per paragraph 3 of the INDRP, it is the responsibility of the Registrant, the Respondent in the instant case, to ensure that the domain name registered by them does not violate the rights of any proprietor or third party. The Complainant further submits that the Respondent has failed in its responsibility as it has registered without any due permission and/or authorization the impugned domain name which is wholly incorporated in the trademark /service mark of the Complainant. The Complainant submits that The Complainant's registration of its mark 'THE COFFEE BEAN & TEA LEAF' in India is dated 1998 and it started its operations in India in the year 2008The Complainant



further submits that the Complainant's domain name <coffeebean.com> was created in 1995 and has been in operation ever since. The Complainant further submits that the Respondent created and registered the impugned domain name in 2012, that is, well after the Complainant had started its business operations in India. The Complainant submits that the only plausible reason for registration of the Complainant's trademark/service mark by the Respondent in the impugned domain name is to illegally occupy the impugned domain name with a mala fide intention of hurting the business and commercial operations of the Complainant in India. The Complainant further submits that the impugned domain name featuring an essential feature of the Complainant's 'THE COFFEE BEAN' trademarks has been registered by the Respondent with the sole ulterior motive of preventing the Complainant from making a legitimate commercial use of the same for offering its products and service using the impugned domain name. The Complainant further submits that the Respondent is a habitual cyber-squatter and has occupied the impugned domain name with nefarious intention of coercing the Complainant to purchase the impugned domain name at an exorbitant price. The Complainant further submits that the Respondent has in fact posted the impugned domain name and the domain name <coffeebean.co.in> for sale as evident from the screenshots of the webpages of coffeebean.in and coffeebean.co.in. The Complainant submits that In order to prevent cybersquatting or trafficking or unethical trading in domain names, the trademark law has been extended to cover the Internet and consequently domain names may be protected just like trademarks. The Complainant contends that the trademark 'THE COFFEE BEAN & TEA LEAF' is an unusual combination of words which renders it highly distinctive and due to its distinctive nature, extensive use, statutory protection, and wide recognition amongst the relevant class of consumers, the trademark 'THE COFFEE BEAN & TEA LEAF' including its essential feature 'THE COFFEE BEAN' are well-known, and entitle the Complainant to restrain others from using the same in any manner whatsoever including registration of the THE COFFEE BEAN trademarks as domain names.

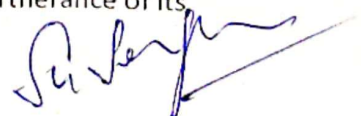
Respondent's Contentions

The Respondent has failed to submit any response to arbitration notice issued by this panel rebut the contentions of the Complainant.

(ii) The Respondent has no rights or legitimate interests in respect of the domain name.

Complainant's Contentions

The Complainant contends that the Complainant has well established common law and statutory rights in the THE COFFEE BEAN trademarks and the Complainant being the exclusive owner of the said marks is entitled to use these exclusively in relation to its products and services, including incorporation of the said marks as a conspicuous part of domain names in furtherance of its



business activities in India. The Complainant submits that the Complainant has not in any way authorized, licensed, or otherwise permitted the Respondent to use its well-known trademark/service mark 'THE COFFEE BEAN & TEA LEAF' or any part thereof including "THE COFFEE BEAN" or to apply for any domain name incorporating its trademark/service mark in full or in part. The Complainant further submits that the Respondent has not provided any contact information about itself and neither does the Respondent disclose its identification which proves beyond doubt that Respondent does not have and knows that it does not have any rights or legitimate interests in the disputed domain name. The Complainant has relied on *Lego Juris A/S v. PrivacyProtect.org*, WIPO Case No. D2011-2265. The Complainant contends that the Respondent's registration of the impugned domain name <coffeebean.co.in> is not bona fide and merely an attempt to prevent the Complainant from operating under its legitimate business name in India. The Complainant further submits that the Respondent is not making any legitimate, non-commercial, or fair use of the disputed domain name because there is no website associated with the impugned domain name. The Complainant further submits that the Respondent does not engage in any activity under the name 'COFFEE BEAN', neither does it carry out any business or commerce activity relating to coffee and tea related products and services. The Complainant further submits that the primary motive of the Respondent for registering the impugned domain name is to coerce the Complainant to purchase the impugned domain name at an exorbitant price and there can be no justification for the registration or use of the impugned domain name <coffeebean.co.in> by the Respondent since the trademark/service mark 'THE COFFEE BEAN & TEA LEAF' is a coined mark which is registered and exclusively used by the Complainant for its products and services.

Respondent's Contentions

The Respondent has failed to submit any response to arbitration notice issued by this panel rebut the contentions of the Complainant

(iii) The disputed domain name has been registered in bad faith.

Complainant's Contentions

The Complainant contends that in light of the world-wide fame and recognition of the Complainant's 'THE COFFEE BEAN' trademarks, it is implausible that the Respondent was unaware of the reputation enjoyed by the Complainant in relation to these trademarks and in any case, the Respondent would have known about the Complainant's trademarks as these are well-known and widely used on the Internet and such presumed knowledge on the part of the Respondent is an indicator of the bad faith on its part in registering the impugned domain name. The Complainant contends that a simple trademark search would have revealed to the Respondent the Complainant's prior trademark rights as on the date the Respondent elected to create the impugned domain name and thus, a failure to conduct the trademark search of the Complainant's trademarks is a contributory factor to the Respondent's bad faith registration and



use. The Complainant has relied on Carrefour vs Bryce Smith, WIPO Case No. D2018-2140. The Complainant submits that the Respondent has no connection to the 'THE COFFEE BEAN & TEA LEAF' and 'THE COFFEE BEAN' trademarks belonging to the Complainant and yet, the Respondent registered the impugned domain name comprising the Complainant's trademark. The Complainant contends that bad faith ought to be imputed to the Respondent as the impugned domain name is so closely connected with the well-known trademarks of the Complainant that its use by the Respondent suggests opportunistic bad faith. The Complainant has also relied on Sanofi-aventis v. Nevis Domains LLC, IPO Case No. D2006-0303. The Complainant submits that the Respondent has carefully anonymized its identity on the Whois database and has not provided verifiable information of its address or contact details which demonstrates that the Respondent has no rights or legitimate interests in the impugned domain name which has been created and registered in bad faith. The Complainant has relied on Lego Juris A/S v. PrivacyProtect.org, WIPO Case No. D2011-2265. The Complainant further submits that the Respondent has created the impugned domain name <coffeebean.co.in> primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant, who owns the trade/service mark 'THE COFFEE BEAN' and 'THE COFFEE BEAN & TEA LEAF', at an exorbitant price. The Complainant further submits that the website parked on the impugned domain name states that the impugned domain name <coffeebean.co.in> is for sale. The Complainant contends that the Respondent has deliberately acquired a confusingly similar name in which the Complainant has substantial interest being its registered trademark/service mark in India as well as in other countries and the Respondent was undoubtedly aware of the immense commercial value and significance of the domain name <coffeebean.com> owned by the Complainant. The Complainant further contends that it is for the same exact reason, that the Respondent grabbed the impugned domain name <coffeebean.co.in>. The Complainant further submits that the Respondent, by creating the impugned domain name <coffeebean.co.in> has deprived the Complainant of their legitimate right of registering a domain name that incorporates its well-known trademark/service mark and such acts of the Respondent amount to domain name squatting. The Complainant further submits that the Respondent is not making any legitimate, non-commercial, or fair use of the impugned domain and has registered the same with a mala-fide intent of extorting money from the Complainant for commercial gain. The Complainant has relied on Clare Locke LLP Vs Gene Camarata, WIPO Case No. D2021-2788. The Complainant contends that the Respondent being a cyber-squatter, there is a real chance that it will sell the impugned domain name to a third-party, thereby enabling passing off and dilution of the well-known trademark/ service mark of the Complainant which will cause irreparable loss, damage, and injury to the business and reputation of the Complainant and its associated franchisees.

Respondent's Contentions

The Respondent has failed to submit any response to arbitration notice issued by this panel rebut the contentions of the Complainant.



7. Discussion and findings

The Complainant Super Magnificent Coffee Company (Ireland) Limited ("SMCC") operates under the name "THE COFFEE BEAN & TEA LEAF" for providing coffee and tea beverages in many countries of world including India. The Complainant has rights in the trade name and trademark/service mark "the coffeebean and tea leaf". The mark is distinctive and unique combination of words. The Complainant has also registered the trademark/service marks in many jurisdictions. The Complainant has common law right and statutory rights in the marks which needs to be protected. The Complainant owns domain <coffeebean.com> which was created in 1995. The Complainant is also the registered owner of domain <coffeebeanchina.com> and the domain <coffeebeanchina.com.cn> is also registered in favor of the Complainant. Both these domains are registered in China where the Respondent is based. The Complainant is using the mark THE COFFEE BEAN & TEA LEAF since 1963. The Complainant is operating in India since 2008 and has outlets in many Indian cities. The Complainant is in business to sell coffee, tea beverages and snacks through online marketplaces platforms in India. The Complainant has been using the trademark and trade name THE COFFEE BEAN & TEA LEAF for its business activities across the world. The Complainant has spent substantially in advertising and promoting its marks. The mark is well-known and prominently associated with business of the Complainant. The Complainant is significantly present on social media platforms such as Facebook and Instagram having number of followers. The Respondent has registered the identical domain <coffeebean.co.in> in 2012 years after registration of domain <coffeebean.com> by the Complainant in 1995. The Respondent has also registered domain <coffeebean.in>. The Respondent is not using the domain for any purpose. The Respondent has in fact put the disputed domain on sale. The Respondent has not provided proper contact information in whois information page indicating his malafide intent. The respondent has also failed to submit any response to the arbitration notice issued by this panel to rebut the contentions of the Complainant. The Respondent has previously also registered nearly identical third party popular domain and is on losing side in the INDRP decision.

Respondent's Default

The INDRP Rules of Procedure require that Arbitrator must ensure that each party is given fair opportunity to present its case. Rule 8(b) reads as follows;

"In all cases, the arbitrator shall at all times treat the parties with equality and provide each one of them with a fair opportunity to present their case."

Rule 12 empowers arbitrator to proceed with an ex parte decision in case any party does not comply within the time limits or fails to reply against the complaint. Rule 12 reads as follows:

"In the event any party breaches the provisions of INDRP rules and /or the directions of the Arbitrator, the matter can be decided ex parte by the Arbitrator and such arbitral award shall be



binding in accordance with the law." The respondent was given notice of administrative proceedings in accordance with Rules. The panel finds that the Respondent has been given fair opportunity to present his case. The Rules paragraph 12(a) provides that the Arbitrator shall decide the complaint on the basis of the Complainant's contention and documents submitted in accordance with Rules and any other law which Arbitrator deems fit to be applicable. In the circumstances, the Arbitrator's decision is based upon the Complainant's assertions, evidence and inferences as the respondent has not replied.

The domain name <cofeebean.co.in> is identical or confusingly similar to Complainant's trademark or service in which the Complainant has rights.

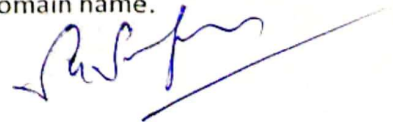
The Complainant has been able to prove that it has trademark rights and other rights in marks 'THE COFEEBEAN and TEA LEAF'" by submitting substantial documents. The mark is widely used by the Complainant in advertising and spent substantially for promotion of its mark. The disputed domain contains name which is nearly identical to mark 'COFEEBEAN' as the disputed domain contains whole part Complainant's mark "THE COFEEBEAN". Addition of top level domain (CCTLD) extension 'co.in' is insignificant and does little to make it different. There can't be coincidence that the respondent has chosen domain name similar to the mark of the Complainant. The top level domain <cofeebean.com> was registered by the Complainant in 1995 years before registration of disputed domain by the Respondent in 2012. The Respondent has failed to submit any response to rebut the contentions of the Complainant.

Bases on the forgoing analysis, I am of the opinion that the disputed domain name is nearly identical and confusingly similar to the complainant's mark.

The Respondent has no rights or legitimate interests in respect of the Domain Name.

The Complainant has been able to prove by submitting evidences that it has legitimate interest in trademark 'THE COFEEBEAN AND TEA LEAF'. The Respondent is not known by the mark and can't have legitimate interest in the disputed domain. This panel is of the view that mere registration of domain name can't establish rights in disputed domain. According to the Policy that "once the Complainant makes a prima facie showing that the registrant does not have rights or legitimate interests in the domain name, the burden shifts to the registrant to rebut it by providing evidence of its rights or legitimate interests in the domain name". The burden to establish any legitimate interest falls on the Respondent. The Respondent could have invoked legitimate interests in the Disputed Domain Name. The primary objective of the Respondent in registering the disputed domain is definitely to gain from the popularity of the Complainant mark. The Respondent has failed to submit any response to rebut the contentions of the Complainant.

Therefore, in light of complaint and accompanying documents, I am therefore of the opinion that the Respondent has no rights or legitimate interest in the disputed domain name.



The Domain Name was registered or is being used in bad faith.

This can't be a coincidence that the Respondent registered disputed domain name fully incorporating well known mark of the Complainant. The Complainant has been using the mark for several years when the Respondent registered the disputed domain name in 2012. The intent of the Respondent to offer for sale of the disputed domain is definitely a bad faith in accordance with Para 7(C) of INDRP Rules. The panel finds that the Respondent has used the mark of the Complainant to profit from the popularity of the Complainant's mark. The Respondent must have done dilly diligence to ensure that domain name registered does not infringe upon someone other's rights. The respondent has failed to submit any response to arbitration notice issued by this panel to rebut the contentions of the Complainant

In view of the above, In view of the above, I am of the opinion that registration of disputed domain name is in bad faith.

Decision

Based on the of contentions of the complainant , the attached documents , cited decisions and in view of the above read with all the facts of the present case, the Complainant's contentions are tenable. The test of prudence demands fairness of actions by the Respondent. The Respondent is involved in cybersquatting aiming to profit from the popularity of third party domains. In view of the forgoing discussion, I am of the opinion that the disputed domain name is nearly identical and confusingly similar to the Complainant's marks/domain. The Respondent does not have rights or legitimate interest in the disputed domain name and disputed domain name was registered in bad faith.

In accordance with the Policy and Rules I direct that the Disputed Domain name be transferred to the Complainant, with a request to NIXI to monitor the transfer.

The award is being passed within statutory deadline of 60 days from the date of commencement of arbitration proceedings.

No order to costs.

July 12,2022


Sudhir Kumar Sengar

Sole Arbitrator