

3. However, on 01.05.08 the Counsels for the parties appeared and sought adjournment till 03.05.08 on the ground that by that time they shall enter into an out of court settlement. The Tribunal adjourned the hearing to 03.05.08.
4. On 03.05.08 both the counsels for the parties appeared alongwith the Respondent Mr. Amar Tokas
5. That the Counsels placed the following documents before this Tribunal :
 - i. Terms of Settlement as per Rule 14(a) of INDRP Rules of Procedure;
 - ii. Domain Name Assignment Agreement;
 - iii. An affidavit on behalf of Ms. Ramni Taneja, the Ld.Counsel for the Complainant;
 - iv. A photocopy of the driving license of Mr. Amar Tokas, which duly signed by him.
6. The parties requested this Tribunal to pass Order / Award as per the terms of the Settlement u/s 14(a) of the INDRP Rules of Procedure. This Tribunal notes that on behalf of the Complainant the Terms of Settlement carry the signature of the Complainant Mothercare and the same is a scanned copy of the Terms of Settlement and Ms. Ramni Taneja affixed her



signature on the same alongwith Mr. Amar Tokas. Ms. Ramni Taneja Ld. Counsel for the Complainant stated that original copy has been couriered and would be delivered to this Tribunal within 3/4 days. (The said document was delivered on 7th May,2008)

7. Ms. Ramni Taneja placed before this Tribunal her affidavit stating that she is being authorized to sign Terms of Settlement on behalf of the Complainant and **Annexure 'A'** is a scanned copy of the original authorization, which is also underway and Ms. Ramni Taneja affixed her signature thereto. (The original copy of the Annexure A has been delivered on 7th May,2008) Both the parties thereafter affixed their signature on the Domain Name Assignment Agreement, which is witnessed by Shri N.K. Aggarwal , Ld.Counsel for the Respondent as the witness. (Another copy of The Domain Name Assignment Agreement with signatures of the Complainants authorized representative was delivered on 7th May,2008). Both the parties stated that they have arrived at a settlement and the settlement is before the Arbitrator and hence this Arbitral Tribunal ought to pass an order of terminating the arbitration proceedings and enter the settlement as a decision of the Arbitral Tribunal.

A handwritten signature in black ink, appearing to be 'Rao', is written over a horizontal line that extends to the right.

8. In view of the settlement it is noted that the Respondent i.e. Mr. Amar Tokas have assigned his rights in the Domain Name mothercare.co.in in favour of Mothercare UK Limited and in terms thereof, the Domain Name as per the settlement and Assignment Agreement filed before this Tribunal, is hereby transferred in the name of Mother UK Limited.
9. The original copy of this decision and termination of proceedings under Rule 14(a) of INDRP Rules of Procedure are being sent to National Internet eXchange of India (NIXI) and a copy thereof is being dispatched separately to the parties.



New Delhi
Date: 07/05/2008

V. Shrivastav
Arbitrator