

भारतीय गैर न्यायिक

एक सौ रुपये

Rs. 100

रु. 100



सत्यमेव जयते

ONE
HUNDRED RUPEES

भारत INDIA
INDIA NON JUDICIAL

दिल्ली DELHI

D 815621

IN THE MATTER OF:

M/S You Tube LLC.
At:1000 Cherry Avenue
Suite no.2, San Bruno
California 94066
USA
Through
Ranjan Narula Associates
Vatika Towers, 10th floor
Block-B, Sector-54
Gurgaon122002
Email-info@indiaiprights.com

...Complainant

VERSUS

Rohit Kohli
20A, Mountain Road
Mt. Wellington
Auckland 11004
New Zealand
Email- Kohli_rohit@yahoo.com

...Respondent

Award

1. The complainant filed a complaint in IN

respect to respondent's Domain Name youtube.co.in etc.

2. The complainant filed the said complaint under In Domain Name Dispute Resolution Policy (INDRP) .

3. The complainant had stated in his complaint that the respondent has copied his trade mark and Domain name, " You Tube".

4. On 25.07.07 the said complaint was referred by NIXI to me for arbitration in accordance with Dispute Resolution Policy (INDRP).

5. The copy of the complaint along with the compendium of exhibits was forwarded to me and the respondent by. In Registry of NIXI.

6. On 20.08.07 I had informed to the parties, about my appointment as an arbitrator. I called upon the parties to file their respective supporting evidence, reply/ counter.

7. On 21.08.07 I had received intimation from the respondent that he is negotiating a



settlement/agreement with the complainant
in respect to the Disputed Domain Name.

There upon I called upon the complainant to
confirm the averment of the settlement,
made by the respondent. On
30.08.07/13.09.07 I received intimation
from complainant whereby he informed me
that parties are discussing settlement.

On 26.09.07 I called upon the
complainant to forward to me the copy of
the settlement if any arrived with the
respondent, so that further action could be
taken. On 09.10.07 I received intimation
from the complainant that a settlement has
been arrived between the parties on 3rd
Oct.07, whereby the respondent had agreed
to transfer his following Domain Names to
the complainant for a consideration of
NZ\$8000:-

a) www.youtube.co.nz



b) www.youtube.in

c) www.youtube.co.in

Along with above intimation a copy of the agreement was also forwarded to me.

9. In the above facts and circumstances the Award is here by passed.

Relief In Award

10. The domain name www.youtube.co.nz;www.youtube.in/ and www.youtube.co.in, of the respondent be transferred in the name of the complainant, on completion of all the necessary formalities. The respondent is entitled to the consideration of the NZ\$ 8000 as agreed. The award is accordingly passed .

11. The copy of the confirmatory agreement arrived between the parties is also annexed with the Award.

Delhi:

Date: **05.11.07**



(Rajeev Singh Chauhan)
(Sole Arbitrator)

**(1) Copy to Parties
and Legal Tapan @nixi.com**

adv.r.s.chauhan@gmail.com

CONFIRMATORY AGREEMENT FOR TRANSFER OF DOMAIN NAMES

PARTIES MR ROHIT KOHLI of 20A Mountain Road, Mt Wellington, Auckland, New Zealand (Mr Kohli)
YOUTUBE, LLC of 1000 Cherry Avenue, Suite 2, San Bruno, California, 94066, United States of America (YouTube)

RECITAL

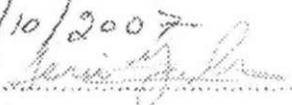
- A. Mr Kohli has registered the domain names (the "Domain Names"):
www.youtube.co.nz
www.youtube.in
www.youtube.co.in
- B. YouTube is the owner of the trade mark YOUTUBE.
- C. YouTube has disputed ownership of the Domain Names.
- D. The parties have settled the dispute on 9 August 2007 and Mr Kohli is to transfer the Domain Names to YouTube.
- E. This agreement confirms the settlement.

THE PARTIES HAVE AGREED:

1. Mr Kohli will take all necessary steps to transfer the Domain Names to YouTube.
2. In consideration YouTube will pay to Mr Kohli the good and valuable consideration that has been agreed by the parties (NZ\$5,000).
3. The consideration is held in trust and will be paid to Mr Kohli on confirmation the Domain Names are under the control of YouTube.

Signed 
Mr Rohit Kohli

Date: 03/10/2007

Signed for and on behalf of 
YouTube, LLC

Name: Terri Y. Chan
Position: Trademark Counsel
Date: 10/8/07