Evicting Cyber-Squatters

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Pravin Anand calls for a rethink of Indian rules governing domain name disputes. With Insure.com selling for US$16 million in 2009, the valuation of domain names has increased exponentially. All over the world cyber-squatters are registering domain names, in the hope of quick profit. This has forced rights holders to use dispute resolution mechanisms to recover domain names. In this context, understanding how India differs from other jurisdictions is vital. The .IN Dispute Resolution Policy follows a procedure similar to the Uniform Domain Name Dispute Resolution Policy, but with a few important differences. The most significant difference lies in how many of the three elements a complainant must satisfy: domain name similarity to complainant's trademark; registrant not having rights or legitimate interests in respect of domain name; domain name registered and/or used in bad faith. *This article was published in India Business Law Journal April 2012.* To continue reading, please contact us at email@anandandanand.com

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