DISPUTE RESOLUTION SERVICE

DRS00011815

Decision of Independent Expert

(Summary Decision)

Limo Broker Limited

Complainant

and

MR PINK 112 112

Respondent

1 The Parties

Complainant:	Limo Broker Limited
Address:	Unit 2, Regents Court Nettlefold Road Cardiff South Glamorgan CF24 5JQ United Kingdom

Respondent:	MR PINK 112 112
Address:	190 Hale Lane London HA8 9RF United Kingdom

2 The Domain Name

Mrpinklimobroker.co.uk

3 Notification of Complaint

I hereby certify that I am satisfied that Nominet has sent the complaint to the respondent in accordance with paragraphs 2 and 4 of the Procedure.

[✓] Yes [ ] No

4 Rights

The complainant has, to my reasonable satisfaction, shown Rights in respect of a name or mark which is identical or similar to the Domain name.

[✓] Yes [ ] No

5 Abusive Registration

The complainant has, to my reasonable satisfaction, shown that the Domain Name *mrpinklimobroker.co.uk* is an Abusive Registration

[✓] Yes [ ] No

6 Other Factors

I am satisfied that no other factors apply which would make a summary decision unconscionable in all the circumstances

[✓] Yes [ ] No

7 Comments (optional)

The Complainant relies in support of its contention that the Domain Name is an Abusive Registration exclusively on its assertion that registration of the Domain Name constitutes passing off. The Complainant has failed to show that, not least because of the absence of any evidence.

However, given that the Domain Name is currently pointing to a domain parking page containing links to competitors of the Complainant, and given that it is likely that the Respondent is so earning revenue on a pay-per-click basis, it would be unconscionable in the circumstances to make a summary decision in favour of the Respondent.

8 Decision

Transfer	✓	No action	
Cancellation		Suspension	
Other (please state)			

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Signed: David Engel Dated: 19 October 2012