

DISPUTE RESOLUTION SERVICE

D00017759

Decision of Independent Expert

Medical Elite Recruitment & Practice Sales Limited

and

Mr Phillip Barker

1. The Parties

Complainant: Medical Elite Recruitment & Practice Sales Limited
Bloxam Court
Corporation Street
Rugby
Warwickshire
CV21 2DU
United Kingdom

Respondent: Mr Phillip Barker
6 Appian Way
Alvaston
Derby
Derbyshire
DE24 0TG
United Kingdom

2. The Domain Names

<medicalelite.co.uk> and <veterinaryelite.co.uk> ("the Disputed Domain Names")

3. Procedural History

The Complaint was filed with Nominet on 20 July 2016. Nominet validated the Complaint on the same day and notified the Respondent by post and by email, stating that the Response had to be received on or before 10 August 2016. The Response was filed on 4 August 2016. On the same day Nominet notified the Complainant that a Reply had to be received on or before 11 August 2016. A Reply was received on 9 August 2016 and the mediator was appointed on 15 August 2016.

The Informal Mediation procedure failed to produce an acceptable solution for the parties and so on 31 August 2016 Nominet informed the Complainant that it had until 14 September 2016 to pay the fee for the decision of an Expert pursuant to paragraph 7 of the Nominet Dispute Resolution Service Policy ("the Policy"). On 12 September 2016 the Complainant paid Nominet the required fee.

On 14 September 2016 the undersigned, Jane Seager ("the Expert"), confirmed to Nominet that she was independent of each of the parties and that, to the best of her knowledge and belief, there were no facts or circumstances, past or present (or that could arise in the foreseeable future) that needed to be disclosed as they might be of such a nature as to call in to question her independence in the eyes of one or both of the parties.

4. Factual Background

The Respondent is connected to a family run group of companies based in Derby that specialises in providing ancillary services to the medical industry, in particular the dental industry. Such services include recruitment, sale and purchase of dental practices and pharmacies, and specialist financing. Certain of the group's websites may be found at www.medicruit.co.uk, www.medistates.co.uk, www.medistatespharmacy.co.uk and www.medifinancial.co.uk. The Respondent is also connected to a website design company, Design39 Limited, whose website is available at www.design39.co.uk.

The Complainant is based in Rugby and provides very similar services to the Respondent's connected companies. Its main website is available at www.dentalelite.co.uk. The Complainant's founders were previously involved with the same group of companies as the Respondent but left in March 2010 to set up their own business. They began trading as a partnership under the Dental Elite brand in April 2010 and incorporated a limited company, Medical Elite Recruitment & Practice Sales Limited, on 13 August 2010.

The Respondent registered the Disputed Domain Names on 16 September 2010. Historical usage cannot be assessed with any certainty, but at the time that the Complaint was filed, based on screenshots taken by Nominet upon receipt of the Complaint, <medicalelite.co.uk> was pointing to a page containing the name and logo of Action Builders (a firm of builders in Derby) which contained, amongst other things, the wording "Medical Elite Construction, Builders for the medical industry" and <veterinaryelite.co.uk> was pointing to a third party website offering trainers for sale.

5. Parties' Contentions

Complaint

Complainant's Rights

The Complainant states that it believes that it has a right to <medicalelite.co.uk> as it is now an established business of considerable reputation, trading predominately under the trading names Dental Elite and DE Finance. However, it now seeks to make use of the Medical Elite parent name as its finance business expands to cover other healthcare professions and this is crucial to its business plan.

The Complainant asserts that there is no evidence whatsoever that the Respondent is using the Medical Elite brand. It argues that if he were to do so, given the history

between the parties and the fact that the Complainant and the Respondent's firm are directly competing in the dental profession, this would give rise to a passing off claim.

The Complainant also states that it believes that the dates add further weight to its allegations. In this regard the Complainant asserts that it is likely that the Respondent used the Dental Elite website to source the Complainant's limited company name that was displayed from when it first started trading on 1 September 2010. In the Complainant's opinion, the Respondent then registered <medicalelite.co.uk> almost immediately afterwards.

Abusive Registration

The Complainant asserts that the registration of <medicalelite.co.uk> is an abusive registration by its direct competitor. It states that the Respondent, an individual, is a director of MediCruit Limited and MediEstates Limited, companies owned by Mediholdings Limited, in which the Respondent has a 5% shareholding. In the Complainant's opinion the Respondent therefore has a vested interest in the performance of these firms, both as a director and as a shareholder. The Complainant explains that MediEstates Limited is a valuation and business transfer agency for the dental and pharmacy professions whilst MediCruit Limited is in the business of recruitment for the dental profession.

The Complainant asserts that its directors and founders began trading in April 2010 under the Dental Elite brand after they left the employment of MediCruit / MediEstates Limited somewhat acrimoniously in March 2010. The Complainant was incorporated on 13 August 2010 (company n° 0734 5687) and began trading on 1 September 2010. The Complainant asserts that it used the term "Medical Elite" in its company name because of its long term ambition to expand the existing Dental Elite business to cover other healthcare professions as the business grew and also because of restrictions on the incorporation of limited companies using the word "Dental".

The Complainant believes that, given that its founders are ex-employees and now competitors of the firm connected with the Respondent, the Respondent deliberately sought to register a domain name that could ultimately restrict the Complainant's growth of the Elite brand at a later stage, upon discovery of the name of the Complainant's limited company.

The Complainant points out that <medicalelite.co.uk> now points to the website of a firm called Action Builders in Derby, which appears to be operating as a sole trader or partnership as there doesn't appear to be any record of the same at Companies House, nor of Medical Elite Construction, a brand the firm claims to be using.

The Complainant states that Action Builders does have another website with a contact telephone number. On this website it can be seen that it has been built by Design39, a firm for which the Respondent is also a director and shareholder. The Complainant therefore asserts that the Respondent has sought the permission of Action Builders to use their name to cover his "Machiavellian" behaviour, but in actual fact Action Builders does not use Medical Elite Construction as a brand name whatsoever. The Complainant asserts that <medicalelite.co.uk> has always pointed to the same website since it was registered.

The Complainant adds that there is no telephone number to make contact with Action Builders or any email address on the website to which <medicalelite.co.uk> is pointing, and accordingly the Complainant believes that this landing page has been used deliberately to attempt to side-step the abusive registration rules as opposed to use for a genuine business trading as Medical Elite Construction.

Response

The Respondent states that the Disputed Domain Names are for the sole use of his clients who are sole trading builders. He asserts that they have no connection to any other business that he owns other than Design39. The builders are clients of Design39 and the Respondent states that he is holding the Disputed Domain Names for them as a service. This Respondent adds that it can be seen on the Design39 website that Action Builders is a client and the website clearly states that they also use the Disputed Domain Names. Furthermore the Respondent points out that MediCruit / MediEstates Limited own their own domain names as limited companies.

The Respondent states that Design39 was approached by Action Builders with a view to enhancing their business with new websites in 2010 as they were tied to a Moonfruit web address at the time. The Respondent asserts that *"they have a lucrative model of fitting out decontamination rooms in medical practices and thus needed a trading style to suit this when advising potential customers"*. According to the Respondent, *"the websites are there so they can check up that this building firm does have the relevant skills in this area and also compliments their business cards. My client has both business cards for each trading style to suit different customers and has used this as a trading style for many number of years"*.

The Respondent states that <medicalelite.co.uk> was transferred to his client's 123-reg account as a result of a previous failed dispute claim from the Complainant *"to not confuse the situation again"*, but it unfortunately it still bears the Respondent's name and address on the registration although in his client's account. The Respondent states that he thought that the registration would automatically change to his client on transfer but has now been informed that this needs to be changed manually.

The Respondent states that unfortunately the screenshots provided by the Complainant of the Disputed Domain Names show a "coming soon" page, but they failed to supply the home page that is obtained by clicking on the button next to this. The Respondent adds that the Complainant has also failed to supply the full page of the Action Builders website where the telephone number is displayed, but rather has just cropped the bottom footer of the website where the number is not displayed. The Respondent asserts that he has now spoken to his client who has now upgraded the website to the one that Action Builders have used since 2013.

The Respondent states that his client and many in the industry choose to operate as sole traders, and the same can be said for Dental Elite which does not trade under the name of the Complainant's company but rather Dental Elite, a brand the Complainant uses but has no connection to Companies House. Based on this premise, the Respondent wonders whether his client would be able to claim the name Dental Elite.

The Respondent states that there is no sign in the last seven years that the Complainant has traded using its limited company name, and the Respondent finds it strange that they

would not wish to do so. The Respondent wonders why the Complainant did not trade as Medical Elite (as opposed to Dental Elite) from the start if this was the view for the future.

The Respondent asserts that his main argument is that <medicalelite.co.uk> is sought in bad faith from Action Builders by the Complainant after it formed a new company on 5 April 2016. In the Respondent's opinion this company is unrelated to the company that was registered in 2010, and this runs contrary to the Complainant's assertion in the Complaint, namely: *"we now seek to make use of the Medical Elite parent name as our finance business expands to cover other healthcare professions and this is crucial to our business plan"*.

In the Respondent's opinion this shows that the Complainant wishes to use <medicalelite.co.uk> in relation to a finance company that didn't start operating until recently. The Complainant's website at www.dentalelite.co.uk states that *"Dental Elite now operate DE Finance; our Dental Practice Finance division which is operated independently of the core practice sales division"*. In this regard the Respondent states that the Complainant's founders have also set up a new company on 5 April 2016 called Medical Elite Finance Limited, and in the Respondent's opinion they now seek to use <medicalelite.co.uk> for this reason. The Respondent asserts that this business was set up nearly six years after <medicalelite.co.uk> was registered for Action Builders.

The Respondent points out that the Complainant also owns <lawelite.co.uk> and <accountancyelite.co.uk> and argues that this shows that it is not just dealing in the medical field, as stated in the Complaint. The Respondent asserts that this means that the Complainant's founders *"would need every generic name possible for the elite brand which would just not be possible as so generic, thus this is not crucial to their business plan"*.

The Respondent also argues that the Complainant's company name does not give it the right to the Disputed Domain Names as they are generic, and points out that registration is still available for <medicaleliterecruitmentandpracticesaleslimited.co.uk> along with other variations under .CO.UK such as:

opticalelite
doctorelite
vetelite
medicaleliterecruitment
medicalelitepracticesales
medicaleliteuk

The Respondent asserts that he and his client Action Builders have no interest in any such domain names, and argues that if he were to be abusive he would have registered <pharmacyelite.co.uk>. He points out that one of the companies he is connected with, MediEstates Limited, also operates <mediestatespharmacy.co.uk>. However neither the Respondent nor Action Builders have registered <pharmacyelite.co.uk>, and the Respondent states that *"the reason for this is they are predominantly a shop and have no need for the expansive decontamination rooms that action builders benefit from although it can be seen that action builders have fitted a medical facility of this nature from their website"*.

The Respondent states that <medicalelite.co.uk> is used for a legitimate business and is not used for the purpose of stopping the Complainant from using it and nor was it registered to do so.

The Respondent also argues that <medicalelite.co.uk> is generic while the Complainant's company name is very specific, and states that "*they could use a more specific domain name that relates to the company as not to mix up with my client*". In the Respondent's view the Complainant could register a specific domain name containing "medical elite finance" to coincide with its future plans.

The Respondent asserts that <medicalelite.co.uk> was not registered to confuse any internet viewers as it is purely linked to a building firm. In the Respondent's opinion if it were to become a recruitment site then it could confuse viewers as there are also several recruitment agencies trading using the elite brand that are predominantly in healthcare. The Respondent also states that over the last six years <medicalelite.co.uk> has not been used to criticise the Complainant in any way or disrupt the Complainant's business. The Respondent concludes by saying that the previous claim by the Complainant was not upheld.

Reply

The Complainant highlights the fact that the Respondent asserts that he registered <medicalelite.co.uk> and developed the corresponding website for Action Builders as they are a client of his web design firm Design39. The Complainant states that it finds this statement to be completely false as Design 39 Limited was not incorporated until 22 October 2012 and the domain name <design39.co.uk> also was not registered until 24 September 2012. In the Complainant's view the Respondent's assertion that Action Builders were clients back in 2010 therefore seems a little unreasonable.

The Complainant states that it is aware that the Respondent was previously involved in web design using the brand MediWebDesign, but <mediwebdesign.co.uk> was not registered until 7 July 2011. On this basis the Complainant does not accept that the Respondent was operating any web design agency at the time that the Disputed Domain Names were registered, and instead he used friends to mask his true intentions, being fully aware of the rules on abusive domain name registrations.

The Respondent also asserts that the Complainant deliberately cut off the phone numbers on the websites to which the Disputed Domain Names were pointing, but the Complainant points out that this could not have been the case as it did not provide screenshots, just links to the relevant websites. The Complainant only provided one screenshot of the banner on the Action Builders website.

The Complainant states that the Respondent has subsequently redirected the Disputed Domain Names to the Action Builders website, a site built by his firm in 2013, in order to remove the pages which contained no contact information in a disingenuous effort to strengthen his position. The Complainant also asserts that the website to which the Disputed Domain Names are now being directed bears no mention of the trading activities or trading styles that the Respondent mentions in relation to decontamination rooms for dental practices, but rather home building projects and a chemist fit out (which the Respondent alleges that his client has no interest in), despite the Respondent's statement that "*The websites are there so they can check up that this building firm does have the relevant skills in this area*". However, the Complainant points out that is only on

the Respondent's Design39 website that there is any mention of medical practice renovation or Medical Elite. Furthermore the Complainant points out that the reference to Action Builders only appears to have been added to the Respondent's Design39 website within the last fortnight, even though the Action Builders website was built in 2013, and supplies a screenshot from Google cache in evidence.

The Complainant also supplies a screenshot dated 13 July 2016 of the "Coming Soon" website to which <medicalelite.co.uk> was previously pointing, showing that it contained no telephone numbers.

The Complainant points out that the Respondent refers to a previous failed dispute claim but underlines that it withdrew its previous complaint as Nominet informed it that its arguments were too short and did not fulfil the minimum number of words. The Complaint states that it therefore withdrew this complaint as it did not have enough time spend on it at that point in time, but it was unaware that the correspondence had been sent on to the Respondent and it never received any response from him. The Complainant mentions that it is unsure why the Respondent sought to transfer <medicalelite.co.uk> at this stage if it wasn't an abusive registration.

The Complainant asserts that it has no intention to stop using the Dental Elite name nor has it stated that it intends to do. As evidenced by its registration with the Information Commissioner's Office (ICO), the Complaint has a number of trading styles, all of which are listed therein.

Finally, the Complainant states that the new incorporation of Medical Elite Finance Limited is purely for structural reasons connected with its registration with the Financial Conduct Authority, and thus this bears no relevance to the dispute. The Complainant points out that Medical Elite Finance is not listed as a brand in the Complainant's ICO registration as it is not one it uses and nor does it intend to.

6. Discussion and Findings

General

Under paragraph 2(a) of the Policy, for the Expert to order a transfer of the Disputed Domain Name, the Complainant is required to demonstrate, on the balance of probabilities, both of the following elements:

- "(i) *The Complainant has Rights in respect of a name or mark which is identical or similar to the Domain Name; and*
- (ii) *The Domain Name, in the hands of the Respondent, is an Abusive Registration."*

Complainant's Rights

The Policy defines Rights as "*rights enforceable by the Complainant, whether under English law or otherwise, and may include rights in descriptive terms which have acquired a secondary meaning*".

The Complainant is a registered company, Medical Elite Recruitment & Practice Sales Limited, and appears to be relying on its company name to provide it with the relevant Rights under paragraph 2(a) of the Policy.

Section 1.7 of the Nominet Experts' Overview deals with the question of whether a company name registration can give rise to a Right under the Policy in and of itself, and provides as follows:

"There are decisions going both ways, DRS 00228 (activewebsolution.co.uk) and DRS 04001 (generaldynamics.co.uk). The issue is this: does the mere fact that under the Companies Acts (section 28(2) of the Companies Act 1985 and sections 66 and 67 of the Companies Act 2006) the Secretary of State can direct NewCo to change its name because it is the same as, or 'too like', OldCo's name, mean that OldCo enjoys 'rights enforceable under English law and/or 'Rights' within the full meaning of the Policy?"

The consensus view of recent Experts' meetings has been that mere registration of a company name at the Companies Registry does not of itself give rise to any rights for this purpose".

Having considered the relevant previous cases in detail, the Expert considers that there is no justification in this case to depart from the consensus view. It is advisable for complainants, respondents and their advisors to have certainty in relation to the Policy and predictability when it comes to decisions, and so, in line with the vast majority of cases, the Expert finds that the Complainant's registered company name is not enough to provide it with Rights under the Policy.

The question then arises as to whether the Complainant has any other Rights in the name "Medical Elite". The Complainant does not have any registered trade marks in respect of that term (or any other relevant term) so the issue is whether the Complainant has established that it has any unregistered rights in the term, by virtue of having used it in the course of trade, which would amount to Rights for the purposes of the Policy. In this regard it should be noted that Section 2.3 of the Experts' Overview provides that the first hurdle is intended to be a relatively low-level test, and that the objective for a complainant is simply to demonstrate a *bona fide* basis for making a complaint. It is also generally established that a complainant only needs to prove Rights at the time a complaint is filed, and not that such Rights pre-date the registration of the domain names in question. With this in mind, had the Complainant evidenced even a low level of trading activity using the name "Medical Elite", then the Expert may have been able to find relevant Rights in the form of unregistered or common law trade mark rights.

However, although the Complainant alleges that if the Respondent were to use the term "Medical Elite" this would result in a passing off claim, it does not elaborate on this and does not provide any evidence at all of a reputation trading under the "Medical Elite" name. The Complainant has been in existence for over 6 years and has therefore had ample time to accumulate evidence of use of the name "Medical Elite", if such has occurred. No such evidence has been provided.

Indeed as far as any potential unregistered rights are concerned, the Complainant's case would seem clear that it does not use "Medical Elite" as a trading name but rather that it uses the trading names "Dental Elite" and "DE Finance" in that it states as follows "*We used Medical Elite as our limited company as we had long-term business ambitions to expand our existing Dental Elite trading name to cover other healthcare professions as the business grew*". No evidence has been provided of any such long-term ambitions having matured into actual use of the term "Medical Elite" as a trading name and thus it is

not possible for the Expert to conclude that the Complainant has Rights in accordance with the meaning of the Policy in the term MEDICAL ELITE.

However, in view of the fact that the first hurdle is intended to be a relatively low-level test, the Expert is satisfied that the Complainant has Rights in the term DENTAL ELITE, given the evidence shown on the Complainant's website as to the Complainant's use of this term as a trading name for a number of years.

The question at issue therefore becomes whether DENTAL ELITE may be said to be identical or similar to the Disputed Domain Names for the purposes of the Policy. It should be noted that the Policy does not require "confusing similarity", unlike the Uniform Dispute Resolution Policy, only "similarity" in general. In this regard, the Expert finds that DENTAL ELITE consists of two descriptive terms which are distinctive when placed together, the first relating to the healthcare field, the second being the word "ELITE". The Disputed Domain Names follow the exact same pattern.

In this regard see also *Recruitment Genius Limited and Zulqarnain Abbas*, DRS 16105, finding that the Complainant had Rights in the term RECRUITMENT GENIUS and that this was similar to the domain name <rpogenius.co.uk>, where the Expert commented: "*The only difference between the names 'Recruitment Genius' and 'RPO Genius' is the replacement of the descriptive word 'recruitment' with the descriptive acronym 'RPO' standing for 'recruitment process outsourcing'. Both names directly refer to the business of recruitment and the dominant part of both names is the additional word 'genius'*". In the case at hand, the names "Dental Elite", "Medical Elite" and "Veterinary Elite" all consist of a first word relating broadly to the field of healthcare and all are followed by the exact same second word, "Elite".

Therefore the Expert finds that paragraph 2(a)(i) of the Policy is satisfied and that the Complainant has Rights in respect of a name which is similar to the Disputed Domain Names.

Abusive Registration

"Abusive Registration" is defined in paragraph 1 of the Policy to mean a domain name which:

- "(i) *was registered or otherwise acquired in a manner which, at the time when the registration or acquisition took place, took unfair advantage of or was unfairly detrimental to the Complainant's Rights; or*
- (ii) *has been used in a manner which has taken unfair advantage of or has been unfairly detrimental to the Complainant's Rights."*

The Complainant and the Respondent have put forward completely conflicting assertions as to why the Disputed Domain Names were registered and it is for the Expert to examine all the available evidence and decide which party's version is the most credible.

In short, the Complainant alleges that the Respondent registered the Disputed Domain Names after noticing from the Complainant's website that the Complainant's founders had incorporated a limited company beginning with the term "Medical Elite". The Complainant justifies this assertion by stating that its founders used to work with the Respondent but that they parted company rather acrimoniously and set up a competing

business. The Complainant alleges that at the time that the Complaint was filed, <medicalelite.co.uk> was pointing to a website for a firm called Action Builders that was using the brand Medical Elite Construction, although no contact details were available on this website. However, the main Action Builders website (containing contact details but making no reference to Medical Elite Construction) was designed by Design39, a company connected with the Respondent, thus suggesting to the Complainant that the Respondent had used the name of one of his clients to justify the registration of the Disputed Domain Names.

The Respondent states that he registered the Disputed Domain Names on behalf of a client of his web design firm, Action Builders. He asserts that Action Builders also specialise in fitting out decontamination rooms in medical practices and thus need different trading styles to suit different customers, hence the two different websites. However, he states that his client has now upgraded the website to which the Disputed Domain Names were pointing to the main website used by it since 2013.

On the basis of the facts and evidence presented, on the balance of probabilities the Expert finds the Complainant's version of events to be the most plausible for a number of reasons, including the following:

- It is undisputed, based on the content of websites belonging to companies connected to the parties, that the Complaint and the Respondent are competitors providing very similar services. What's more, they operate in a very narrow field and are geographically close.
- The Complainant states that its founders left the company connected to the Respondent and set up their own business in rather acrimonious circumstances, and the Respondent does not dispute this.
- The Complainant states that its registered company name appeared on its website as of 1 September 2010 and the Respondent registered the Disputed Domain Names on 16 September 2010. No evidence would suggest that any of the competing businesses that the Respondent is connected with has ever used a brand containing the term "Elite".
- The Action Builders website to which <medicalelite.co.uk> was previously pointing making reference to Medical Elite Construction did not appear to contain any contact details, based on the screenshots of both tabs ("Home" and "Coming Soon") provided by both the Respondent in its Response and the Complainant in its Reply.
- The Disputed Domain Names now both point to the main Action Builders website created in 2013 which, although it does have contact details, makes no reference to the Medical Elite Construction brand, nor of decontamination rooms.
- The only reference to the use by Action Builders of the Disputed Domain Names and of its specialisation in "*medical practice renovation, extension and maintenance*" is on the Respondent's own Design39 website, and the Complainant has supplied plausible evidence that this information was only added after the Complaint was filed.

Paragraph 3(a) of the Policy sets out a non-exhaustive list of factors that may be evidence of abuse, and in view of the above on the balance of probabilities the Expert finds that 3(a)(i)(C) referring to registration is made out, as follows:

"Circumstances indicating that the Respondent has registered or otherwise acquired the Domain Name primarily:

[]

C. for the purpose of unfairly disrupting the business of the Complainant"

It should also be noted that paragraph 4(a) of the Policy sets out a non-exhaustive list of factors which may be evidence of non-abuse. On the face of it, paragraph 4(a)(i)(A) could appear to be potentially relevant to the Respondent, and this reads as follows:

"Before being aware of the Complainant's cause for complaint (not necessarily the 'complaint' under the DRS), the Respondent has:

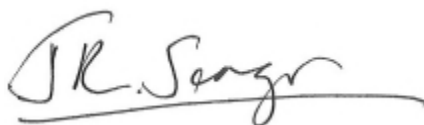
A. used or made demonstrable preparations to use the Domain Name or a domain name which is similar to the Domain Name in connection with a genuine offering of goods or services"

However, based on the facts and evidence presented, on the balance of probabilities the Expert finds that the Disputed Domain Names have not been used in connection with a genuine offering of goods or services. Indeed, in view of the lack of contact details on the previous Action Builders website making reference to Medical Elite Construction and the fact that the main Action Builders website makes no reference to any medical or veterinary specialisation, it is not certain that Action Builders is aware of this dispute and of the Respondent's assertions. It should also be recalled here that at the time that the Complaint was filed <veterinaryelite.co.uk> was pointing to a third party website offering trainers for sale. The Respondent does not make reference to this and in any case the Expert finds that pointing a domain name to a random unrelated website is not enough to create a use in connection with a genuine offering of goods or services. In the Expert's opinion none of the other factors at paragraph 4(a) of the Policy offer any assistance to the Respondent.

In conclusion, the Expert has considered the admissibility, relevance, materiality and weight of the evidence as a whole and is satisfied that the Complainant has succeeded in proving, on the balance of probabilities, that the Disputed Domain Names are an Abusive Registration in accordance with paragraph 2(a)(ii) of the Policy.

7. Decision

The Expert finds that the Complainant has Rights in a name which is similar to the Disputed Domain Names, and that the Disputed Domain Names, in the hands of the Respondent, are an Abusive Registration. The Disputed Domain Names should therefore be transferred to the Complainant.



Jane Seager
3 October 2016