

DISPUTE RESOLUTION SERVICE

D00022624

**Decision of Independent Expert
(Summary Decision)**

ICC INTERCERTUS CAPITAL LTD

and

DomainWebber

1. The Parties:

Complainant: ICC INTERCERTUS CAPITAL LTD
ICC INTERCERTUS CAPITAL LTD
Antheon 2, Monovoliko
Kato Polemidia
Limassol
CY4151
Cyprus

Respondent: DomainWebber
2810 Ambler Drive, Unit 14
Mississauga
Ontario
L4W 4J5
Canada

2. The Domain Name:

everfx.uk

3. Notification of Complaint

I hereby certify that I am satisfied that Nominet has sent the complaint to the Respondent in accordance with section 3 and 6 of the Policy.

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 everfx.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)

Complainant has adduced evidence that:

- (i) it has rights, including registered rights, in respect of the name “everfx”; and
- (ii) the disputed domain name has been used to host a website which includes the Complainant’s logo and has the look and feel of the Complainant’s legitimate website, with the apparent intention of confusing internet users into believing (wrongly) that such website is associated with the Complainant and is a legitimate website of the Complainant.

8. Decision

I grant the Complainant’s application for a summary decision. In accordance with section 12 of the Policy, the domain name will therefore be transferred to the Complainant.

Signed: **MATTHEW LAVY**

Dated: **3 June 2020**