

DISPUTE RESOLUTION SERVICE

D00015722

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

Cloch Solicitors

and

Shiqiang Zhao

1. The Parties:

Complainant: Cloch Solicitors
Cloch Solicitors
Standard Buildings
94 Hope Street
Glasgow
Lanarkshire
G2 6PH
United Kingdom

Respondent: Shiqiang Zhao
No. 115 Song Tuan Town Lieshan District
Huaibei
Anhui
235100
China

2. The Domain Name(s):

fyfeireland.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 fyfireland.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 has not established on the balance of probabilities that the Domain Name is an Abusive Registration as defined in the DRS Policy Paragraph 1.

There is no evidence to indicate that the Domain Name was registered by the Respondent primarily to take unfair advantage of or to cause unfair detriment to the Complainant's Rights.

The evidence of use provided by the Complainant is a screenshot of a webpage operated by a domain registrar. The webpage is a parking page and features links to services offered by the domain registrar, such as domain name registration and website hosting. There are no references to, or advertising links for, other types of goods or services. The Complainant has not established on the balance of probabilities that this use would generate confusion with the Complainant's Rights or otherwise take unfair advantage of those Rights or cause unfair detriment to them.

8. Decision

I refuse the Complainant's application for a summary decision. The domain name registration will therefore remain with the Respondent.

Signed:

SALLIE SPILSBURY

Dated: 7 May 2015