

## **DISPUTE RESOLUTION SERVICE**

**D00016622**

### **Decision of Independent Expert**

**(Summary Decision)**

Evergreens UK Limited

and

RoofClean Uk

#### **1. The Parties:**

Complainant: Evergreens UK Limited  
Exton Block Ironstone Lane, Market Overton, Oakham,  
Rutland,  
LE15 7TP  
United Kingdom

Respondent: RoofClean Uk  
2 Lambeth Avenue  
Failsworth  
Manchester  
Lancashire  
M35 9LJ  
United Kingdom

#### **2. The Domain Name:**

lazylawnz.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 lazylawnz.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)**

Both the disputed domain name and the content on the site are clear infringements of the Complainant's trade mark rights and constitute passing off.

**8. Decision**

I grant the Complainant's application for a summary decision. In accordance with paragraph 5f of the Procedure, the domain name will therefore be transferred to the Complainant.

Signed: Michael Silverleaf

Dated 18 November