

# **DISPUTE RESOLUTION SERVICE**

**DRS 16815**

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

**Aldi Stores Limited and Aldi GmbH & Co. KG**

and

**Gustavo Winchester**

## **1. The Parties:**

|               |  |  |
|---------------|--|--|
| Complainants: | Aldi Stores Limited                          | Aldi GmbH & Co. KG                               |
| Address:      | Holly Lane<br>Atherstone<br>Warwickshire     | c/o Freeths LLP<br>6 Bennetts Hill<br>Birmingham |
| Postcode:     | CV9 2SQ                                      | B2 5ST   |
| Country:      | United Kingdom                               | United Kingdom                                   |
| Respondent:   | Gustavo Winchester                           |  |
| Address:      | 1810 Rua Pedra Negra<br>Belo Horizonte<br>MG |  |
| Postcode:     | 31985  |  |
| Country:      | Brazil                                       |  |

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

<aldirectment.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 <aldirectment.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)**

It is for the lead complainant to prove its case (see para. 2 of the Policy, and the definitions of “complainant” and “rights” in para. 1). In the absence of contrary evidence I accept that the lead complainant has rights in the domain names, in the form of a licence from the second complainant. The lead complainant should inform Nominet which of the complainants the domain names should be transferred to in implementation of this decision.

### **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:** Carl Gardner

**Dated:** 01 February 2016