

DISPUTE RESOLUTION SERVICE

DRS 17456

Decision of Independent Expert

(Summary Decision)

Construction Industry Training Board

and

Ciprian Toma

1. The Parties:

Complainants: Construction Industry Training Board

Address: Bircham Newton
King's Lynn
Norfolk

Postcode: PE31 6RH

Country: United Kingdom

Respondent: Ciprian Toma

Address: 85A Headstone Road
Harrow

Postcode: HA1 1PG

Country: United Kingdom

2. The Domain Name:

<cpcs-theory-test-answers.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 <cpcs-theory-test-answers.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

Disregarding <.uk>, the domain name is similar to the complainant's mark CPCS, which is its first and arguably dominant element. The additional characters do not remove the similarity given that, read naturally, they form words relevant to the complainant's business. The purpose of the registration appears in my view to be unfair disruption of the complainant's business.

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

19 August 2016