

DISPUTE RESOLUTION SERVICE

D00018200

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

Fibrelite Composites Ltd.

and

Faifley Limited

1. The Parties:

Complainant: Fibrelite Composites Ltd.
Unit 2, Snaygill Industrial Estate
Skipton
North Yorkshire
BD23 2QR
United Kingdom

Respondent: Mr David McDonald
Faifley Limited
Cedar Technology Centre
Atlantic Street
Altrincham
WA14 6DZ
United Kingdom

2. The Domain Name:

fibrelite.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 fibrelite.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's Complaint is very short. It is for the Complainant to prove on the balance of probabilities that it has Rights in respect of a name or mark which is identical or similar to the Domain Name and that the Domain Name, in the hands of the Respondent, is an Abusive Registration.

In this case while I am prepared to make a finding that the Complainant has, on the balance of probabilities, Rights in a name or mark which is the same or similar to the Domain Name there is simply not enough information for me to make a finding that the Domain Name, in the hands of the Respondent, is an Abusive Registration.

8. Decision

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

Signed: Nick Phillips

Dated: 28 December 2016