

## **DISPUTE RESOLUTION SERVICE**

**D00018581**

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

Independent Health Group Ltd

and

Polarise Ltd

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

Complainant: Independent Health Group Ltd  
3-4 Widcombe Parade  
Bath  
BANES  
BA2 4JT  
United Kingdom

Respondent: Polarise Ltd  
99 Shakespeare Avenue  
Bath  
BA2 4RQ  
United Kingdom

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

ihg.org.uk

### **3. Notification of Complaint**

I hereby certify that I am satisfied that Nominet has sent the complaint to the Respondent in accordance with section 3 and 6 of the Policy.

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 ihg.org.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 Respondent acted on behalf of the Complainant when it registered and held the Domain Name. The legal status of the relationship between the Parties at the time that the Domain Name was registered is unclear. The Respondent was either acting as agent for the Complainant or it held the Domain Name on trust for it. The Respondent has let the domain name registration lapse and it has been suspended. By allowing the registration to lapse, the Respondent has caused unfair detriment to the Complainant's business and customers. This constitutes an Abusive Registration for the purposes of the DRS Policy.

## **8. Decision**

I grant the Complainant's application for a summary decision. In accordance with section 12 of the Policy, the domain name will therefore be transferred to the Complainant.

Signed: S. Spilsbury

Dated: 12 April 2017