

DISPUTE RESOLUTION SERVICE

D00019265

Decision of Independent Expert (Summary Decision)

MG Electrical and Property Services (Oxford) Ltd

and

First Choice Media Ltd

1. The Parties:

Complainant: MG Electrical and Property Services (Oxford) Ltd
7 Mathews Way, Wootton
Abingdon-On-Thames
Oxfordshire
OX13 6JX
United Kingdom

Respondent: First Choice Media Ltd
Longlands Cottage
Walney
Barrow in Furness
Cumbria
LA14 3XX
United Kingdom

2. The Domain Name:

mgelectricaloxford.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 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 mgelectricaloxford.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

Nominet's DRS Policy sets out that a Complainant is required to prove to the Expert that it, firstly, has Rights in respect of a name or mark which is identical or similar to the domain name in question and, secondly, that in the hands of the Respondent the domain name in question is an Abusive Registration.

Even when the Complainant's additional statements (admitted under paragraph 17 of the Policy) are taken into account, the Complainant's complete submissions amount to a mere 117 words. Four photographs were also exhibited without any explanation of when they were taken, by whom, what they represented or which arguments they supported.

A Complainant must prove its case through its submissions and evidence; unsupported statements and opinions are not enough. Given the paucity of the Complainant's submissions, I find that the Complainant has not shown to my reasonable satisfaction that it either has rights in respect of a name or mark which is identical or similar to the domain name or that the domain name is abusive.

8. Decision

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

Signed:
Tim Brown

Dated: 09 October 2017