



NOMINET

DISPUTE RESOLUTION SERVICE

D00019939

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

“Dr. Martens” International Trading GmbH

and

Maddison Leach

1. The Parties:

Complainant: “Dr. Martens” International Trading GmbH
“Dr. Martens” International Trading GmbH
Ahornstrasse 8a
82166 Gräfelfing,
Germany

Complainant: “Dr. Maertens” Marketing GmbH
“Dr. Maertens” Marketing GmbH
An der Ach 3
Seeshaupt
82402
Germany

Respondent: Maddison Leach
278 Fellows Court
London
E2 8LL
United Kingdom

2. The Domain Name:

1461bootsales.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 1461bootsales.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 disputed domain hosts a website which appears to be a Dr Martens' sales site and has no other source identification. It therefore is likely to cause members of the public to be deceived into believing that it is owned, operated or authorised by the complainant. Accordingly, the disputed domain is an abusive registration. The complainant asserts that it believes that the site is selling counterfeit products. There is, however, no evidence provided with the complaint to support that belief. It is not necessary to determine whether or not the complainant's belief is sound because the disputed domain is abusive for the reason stated above in any event.

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:

Dated: 27 April 2018