

DISPUTE RESOLUTION SERVICE

D00022282

Decision of Independent Expert (Summary Decision)

Pret A Manger (Europe) Limited

and

Alexander Young

1. The Parties:

Complainant: Pret A Manger (Europe) Limited
75b Verde, 10 Bressenden Place
London
London
SW1E 5DH
United Kingdom

Respondent: Alexander Young
402 Stonemason House
3 Hepscott Road
London
E9 5HB
United Kingdom

2. The Domain Name:

veggiepret.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 veggiepret.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)

Although the filing date of the “VEGGIE PRET” mark post-dates registration of the disputed domain, there is sufficient evidence of prior goodwill in the mark to establish Rights. In the context of this dispute, the disputed domain name is also sufficiently similar to the long-registered and well-known mark “PRET” to establish Rights. Timing of registration, non-use, and lack of any evidence as to legitimate purposes lead to the conclusion that the registration is abusive.

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.

or

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

(Please delete as appropriate)

Signed: MATTHEW LAVY

Dated: 18 March 2020