

DISPUTE RESOLUTION SERVICE

D00022424

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

The Commissioners for HM Revenue and Customs

and

hemr

1. The Parties:

Complainant: The Commissioners for HM Revenue and Customs
The Commissioners for HM Revenue and Customs
C2/17
100 Parliament Street
West Side
London
SW1A 2BQ
United Kingdom

Respondent: hemr
7 Albert Street
Hillfields Coventry
City of London
CV1 5HA
United Kingdom

2. The Domain Name:

h-m-r-c-gov.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 h-m-r-c-gov.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)

In coming to the conclusion that the Complainant has Rights and that the Domain Name is an Abusive Registration (all within the meaning of the Policy), I have not found it necessary to reach a conclusion on the Complainant's submission that *"it is reasonable to infer in the absence of evidence to the contrary, that it is more likely than not that fraud or other illegitimate use was, in part, the purpose for which the Domain Name was registered."* As the Complainant itself admits, it has been *"unable to exhibit direct evidence of fraudulent use"*. In the circumstances, I make no finding one way or the other in relation to that submission.

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: 3 April 2020