

DISPUTE RESOLUTION SERVICE

D00010365

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

Certification Trendz Ltd

and

testking

1. The Parties:

Lead Complainant: Certification Trendz Ltd
Ordman House
31 Ardan Close
Bradley Stoke
Bristol
BS32 8AX
United Kingdom

Respondent: testking
IMAG , 2121 Eye Street
N.W. Washington
Washington
D.C.
20052
United States

2. The Domain Name(s):

testking.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 paragraphs 2 and 4 of the Procedure.

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 testking.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 complaint and attached documents establish a concerted course of copying the Complainant's website and trade mark "Test King". The disputed domain is therefore abusive as being used to cause confusion when the respondent was clearly aware of the Complainant's use of and reputation in the mark.

8. Decision

Transfer	<input checked="" type="checkbox"/>	No action	<input type="checkbox"/>
Cancellation	<input type="checkbox"/>	Suspension	<input type="checkbox"/>
Other (please state)	<input type="checkbox"/>		

Signed: Michael Silverleaf

Dated: 21 November 2011