

DISPUTE RESOLUTION SERVICE

D00010848

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

Lululemon Athletica Canada Inc.

and

Mr M. Gray

1. The Parties:

Complainant: Lululemon Athletica Canada Inc.
Address: 1818 Cornwall Avenue
Vancouver
BC V6J 1C7
Country: Canada

Respondent: Mr M. Gray
Address: <omitted> Street
WARWICK
Warwick
Postcode: CV34 5LA
Country: United Kingdom

2. The Domain Name(s):

lululemon.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 lululemon.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 Respondent requested an extension of time to submit a response after the deadline for submission had passed.

The DRS is a simple and straightforward procedure; if a party intends to apply for an extension of time such application should be made before the expiry of the time limit. In exceptional circumstances Nominet may allow an extension after the event, but did not do so here. I am not aware of any exceptional circumstances to warrant the grant of an extension of time. It is apparent from the papers before me that the Respondent was aware of the deadline for the submission of a response and had sufficient time to do so.

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: Steve Ormand

Dated: 1st April 2012