

**DISPUTE RESOLUTION SERVICE**

**D00012430**

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

**Solargen Energy Ltd**

and

**Mr Daniel Clarke**

**1. The Parties:**

Complainant: Solargen Energy Ltd  
Unit A25  
Red Scar Business Park  
Longridge Road  
Preston  
Lancashire  
PR2 5NA  
United Kingdom

Respondent: Mr Daniel Clarke  
Appletree Farm  
Dagwood Lane  
Doddinghurst Brentwood  
CM15 0RX  
United Kingdom

**2. The Domain Name:**

solargenenergy.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 coast4dresses.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 evidence submitted by the Complainant in support of its contentions that the Domain Name, in the hands of the Respondent, is an Abusive Registration referred to the domain names <solargenergy.co.uk> and <solargenergy.com>.

Accordingly, on 27 March 2013 the Expert issued (through Nominet) a request for the Complainant to provide further information in accordance with paragraph 13a of the DRS Procedure:

*“The emails of 17 June 2010 and 1 October 2010 provided as evidence to support the Complainant’s contentions set out in its Complaint both refer to the domain names solargenergy.co.uk and solargenergy.com. Please provide an explanation as to why the domain name in dispute under this DRS proceeding, namely solargenergy.co.uk, is not referred to in those emails, together with any evidence supporting the following contentions on the Complainant:*

- (i) *that the domain name in dispute was bought by David Taylor from Duport.co.uk*
- (ii) *that Appletree Creative requested David Taylor to release the domain name in dispute in order for Appletree Creative to design the Complainant's website; and*
- (iii) *that as a result of (ii) above, the domain name in dispute was registered in the name of Daniel Clarke, at the business address of Appletree Creative, rather than it being registered to David Taylor as the Complainant alleges was agreed."*

The Expert allowed the Complainant until the 4 April 2013 to provide the information requested pursuant to paragraph 13a, and the Respondent until 11 April 2013 to comment on any further information so provided.

On 27 March 2013 the Complainant responded to the paragraph 13a request providing evidence which refers to the domain name in dispute, namely solargenenergy.co.uk, and supporting its contentions that the domain name, in the hands of the Respondent, constitutes an Abusive Registration.

The Respondent did not submit any comment in response to the further information provided by the Complainant.

Accordingly, the Expert directs that the Domain Name <solargenenergy.co.uk> should be transferred to the Complainant.

## 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: **Ravi Mohindra**

Dated: **16 April 2013**