

DISPUTE RESOLUTION SERVICE

D00013980

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

AGA Print Ltd trading as Solopress

and

Valueprints

1. The Parties

Complainant: AGA Print Ltd trading as Solopress
9 Stock Road
Southend on Sea
Essex
SS2 5QF
United Kingdom

Respondent: Valueprints
PO Box 20731
London
London
E3 3SY
United Kingdom

2. The Domain Name

solopress.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 solopress.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)

This is not a straight forward case. As this is a summary decision I have not set out in full the reasons for my decision. However, the main points that have influenced me are set out below.

- The complainant is an online printer. The respondent is "Valueprints". This name suggests that the respondent may also be involved in printing.
- The Domain Name resolves to the site of an Indian restaurant called "tiffin indian cuisine". On its face the Domain Name does not appear to have any connection with the restaurant name or with Indian cuisine. Rather the inclusion of "press" in the Domain Name suggests a connection to printing. The contact e-mail address on the site at the Domain Name (orders@tiffinindian.com) does not use the Domain Name.
- The complainant says it "cannot get hold of" the respondent. The respondent has stated it is a non-trading individual who has opted to have its address omitted from the WHOIS service. Nominet's contact address for the respondent is a PO Box number in London E3 3SY (there is no contact e-mail address). On 19 March 2014 Nominet sent the notification of complaint letter by Royal Mail Special Delivery to the PO Box number contact address. It was returned by Royal Mail undelivered; the reason given was that there is "no such address". A handwritten note on the returned envelope states "no such PO Box in E3" (the 'E' is not very clearly written; this is my reading of the handwriting). I cannot be sure whether or not this PO Box address existed when the Domain Name was registered on 14 April 2004. However, I consider I can take into account Royal Mail's verification that this address does not currently exist and also that it is different to the address for the Indian restaurant shown on the site at the Domain Name.

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"/>		

I direct that the domain name solopress.co.uk be transferred to the complainant.

Signed: Patricia Jones

Dated: 22 April 2014