

DISPUTE RESOLUTION SERVICE

D00014863

Decision of Independent Expert

(Summary Decision)

ital-living Ltd

and

Nina Zakogian

1. The Parties

Complainant: ital-living Ltd
Unit 8 Travellers Close
North Mymms
Hatfield
Hertfordshire
AL9 7NT
United Kingdom

Respondent: Nina Zakogian
Sterling Rd
London
London
W3 8DJ
United Kingdom

2. The Domain Name

<ital-living.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 <ital-living.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

The Expert finds that the Complainant has Rights in a name which is identical to the Domain Name, but is not satisfied that the Domain Name is an Abusive Registration.

Nothing in the Complainant's submission suggests that the registration of the Domain Name was abusive. The Complainant states that the address in the Whois is false, but it appears to be a simple spelling mistake.

Similarly, nothing in the Complainant's submission actually evidences that the use of the Domain Name is currently abusive or has previously been so. The Domain Name is not currently pointing anywhere.

The Policy is intended to deal with abuse. Unfortunately for the Complainant the Policy is not something that may be used simply to resolve the situation when a domain name holder cannot be contacted.

8. Decision

No action

Signed: Jane Seager

Dated: 25 November 2014