

DISPUTE RESOLUTION SERVICE

D00016008

Decision of Independent Expert (Summary Decision)

DB Farming Limited

and

Mr Stephen Clarke

1. The Parties:

Complainant: DB Farming Limited
Reeves House Farm
Off Chorley Road
Westhoughton
Bolton
Lancs
BL5 3LY
United Kingdom

Respondent: Mr Stephen Clarke
63-65 boulevard Massena
Paris
75013
France

2. The Domain Name:

haylageforsale.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 haylageforsale.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 complainant has advertised and promoted his business using the Disputed Domain name for a period of 5 years. He therefore has rights. The respondent registered the Domain for the complainant but now seeks to claim ownership and hold the complainant to ransom. Paragraph 3(a)(v) of the DRS Policy therefore applies.

8. Decision

I grant the Complainant's application for a summary decision. In accordance with paragraph 5f of the Procedure, the domain name will therefore be transferred to the Complainant.

Signed: Michael Silverleaf

Dated: 08 July 2015