

**DISPUTE RESOLUTION SERVICE**

**D00016015**

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

**NX Secure Ltd**

and

**Mr Tony Young**

**1. The Parties:**

Complainant: NX Secure Ltd  
NX Secure Ltd  
6 Midland Court  
Central Park  
Lutterworth  
Leicestershire  
LE17 4PN  
United Kingdom

Respondent: Mr Tony Young  
Cambridge Road  
Puckeridge  
SG11 1SA  
United Kingdom

**2. The Domain Name:**

nxsecure.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

### 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.

No

### 5. Abusive Registration

The Complainant has, to my reasonable satisfaction, shown that the domain name nxsecure.co.uk is an abusive registration

No

### 6. Other Factors

I am satisfied that no other factors apply which would make a summary decision unconscionable in all the circumstances

Yes

### 7. Comments (optional)

The Complainant has failed to provide sufficient evidence to establish that it has its claimed rights in the name or mark sufficient to satisfy the requirements of paragraph 2.a.i of the Nominet Dispute Resolution Service Policy. The Complainant has merely made a bald assertion that it is "*operating under the trading name of NX Secure and have registered NX Secure Limited with companies house...*" The assertion is supported by copy of a Companies House search and nothing more. This is not sufficient evidence of rights for the Complainant to succeed.

### 8. Decision

I refuse the Complainant's application for a summary decision. The domain name registration will therefore remain with the Respondent.

Signed: James Bridgeman

Dated: 9 July 2015