

## **DISPUTE RESOLUTION SERVICE**

**D00017119**

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

Ibis London Earls Court / Cockpit Hotel (London) Ltd

and

Central Reservations

### **1. The Parties**

Complainant: Ibis London Earls Court / Cockpit Hotel (London) Ltd  
47 Lillie Road  
London  
SW6 1UD  
United Kingdom

Respondent: Central Reservations  
93 Upper Georges Street  
Dun Laoghaire  
CO. DUBLIN  
Ireland

### **2. The Domain Name**

<ibislondonearlscourt.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 <ibislondonearls court.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 Complainant asserts that: "Our company is trading under the name of Ibis London Earls Court and as such should be the sole owner of the disputed domain name." However it submits no evidence in support of its trading under this name or of its ownership (as opposed to that of any other party) of any unregistered or registered trademark rights that may attach to the name.

#### **8. Decision**

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

Signed: Steven Maier

Dated: 6 April 2016