

DISPUTE RESOLUTION SERVICE

D00017620

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

Life Choices Plus ltd - trading as EveryDay

and

Jennifer Gore

1. The Parties:

Complainant: Life Choices Plus ltd - trading as EveryDay
Choices Plus ltd - trading as EveryDay
The Bradbury Centre
13 Saville Street West
North Shields
Tyne and Wear
NE29 6QP
United Kingdom

Respondent: Jennifer Gore
114 Chester Road
Southport
merseyside
PR9 7HH
United Kingdom

2. The Domain Name:

everydayhomecare.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 everydayhomecare.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 Domain Name pre dates the Complainant's rights and no evidence has been provided which indicates that the Respondent's use of the Domain Name changed to take advantage of or cause unfair detriment to the Complainant.

8. Decision

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

Signed: Simon Chapman

Dated: 4 August 2016