

DISPUTE RESOLUTION SERVICE

DRS 14629

Decision of Independent Expert (Summary Decision)

English Heritage

Complainant

and

Vanilla Circus Limited

Respondent

1 The Parties

Complainant:	English Heritage
Address:	The Engine House Fire Fly Avenue Swindon
Postcode:	SN2 2EH
Country:	United Kingdom

Respondent:	Vanilla Circus Limited
Address:	1002 West Anchorage America West 12th Avenue Anchorage Anchorage Alaska AK
Postcode:	99501
Country:	United States

2 Domain Name

englishheritage.org.uk (the "Domain Name")

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 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)

It was only in response to a request from the Expert pursuant to paragraph 13(a) of the DRS Procedure, that the Complainant finally produced evidence of its Rights (as defined in the DRS Policy) in the English Heritage name. Had the Expert not been minded to make such a request (and he was under no obligation to do so), the Complaint would have failed because the Complainant had provided no evidence whatsoever that it had any such rights.

Plenty of user friendly guidance and assistance in preparing a Complaint under the DRS is provided on the Nominet website. Complainants would be well advised to have regard to that guidance to avoid their Complaints failing unnecessarily.

8 Decision

Transfer

No action

Cancellation

Suspension

Other (please state)

Signed: David Engel

Dated: 14 October 2014