

# DISPUTE RESOLUTION SERVICE

**D00017888**

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

Acquia Limited

and

Projectorial

## **1. The Parties:**

Complainant: Acquia Limited  
5th Floor  
34 Dover Street  
London  
WIS 4NG  
United Kingdom

Respondent: Projectorial  
Brockley Road  
London  
SE4 2BZ  
United Kingdom

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

acquia.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 *acquia.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 presents little evidence of Rights save for a UK office address registration in 2013, a certificate of a UK company incorporation in 2011 and a reference to the Complainant's websites. Furthermore, it presents no evidence whatsoever of Abusive Registration.

It is not the Expert's job to go searching for evidence. Whilst I am prepared to accept from the *acquia.com* website that the Complainant has Rights in a name which is identical to the Domain Name, I am not prepared to infer from this, and the Complainant's short and unsupported allegations, that the registration and/or lack of use of the Domain Name was or is an Abusive Registration.

### 8. Decision

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

Signed: Steve Ormand

Dated: 11<sup>th</sup> October 2016