

**DISPUTE RESOLUTION SERVICE**

**D00014334**

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

All Trades Network Ltd

and

Des Markham

**1. The Parties:**

Lead Complainant: All Trades Network Ltd  
All Trades Network Ltd  
Unit 4  
Elder Court  
Lions Drive  
Blackburn  
Lancashire  
BB1 2EQ  
United Kingdom

Respondent: Des Markham  
22 Old Woods Hill  
Torquay  
Devon  
TQ2 7NR  
United Kingdom

**2. The Domain Name(s):**

alltradesnetwork.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 alltradesnetwork.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)

While I am satisfied that the Claimant has demonstrated Rights in the Domain Name, he has not satisfied me that the Respondent's registration or possession of the Domain Name is an Abusive Registration. I note that the Claimant was emailed an invitation to reconsider his application on account of its brevity, and was given some guidelines to consider in the event he wished to do so.

The Claimant has to show that the Domain Name is an Abusive Registration. The DRS Policy at paragraph 3 sets out a non-exhaustive list of what may amount to an Abusive Registration. The Claimant has provided no evidence to suggest that the Respondent's initial registration or continued possession of the Domain Name falls into any one of these categories. Indeed, while the Claimant observes that the Respondent has done nothing with the Domain Name, paragraph 3(b) of the DRS Policy provides that such failure is not of itself evidence that the Domain Name is an Abusive Registration. I have insufficient

information to decide whether there is some other reason why the Domain Name should be transferred to the Claimant.

I have therefore concluded that the Claimant has not shown on the balance of probabilities that he is entitled to transfer of the Domain Name.

## 8. Decision

Transfer	<input type="checkbox"/>	No action	<input checked="" type="checkbox"/>
Cancellation	<input type="checkbox"/>	Suspension	<input type="checkbox"/>
Other (please state)	<input type="checkbox"/>		

Signed: Richard Stephens

Dated: 23 July 2014