

DISPUTE RESOLUTION SERVICE

D00017670

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

EYEPARTS LTD

and

Internetonlinedirectory

1. The Parties:

Complainant: EYEPARTS LTD
EYEPARTS LTD
32 CHURCH ROAD
WATFORD
WD17 4PU
United Kingdom

Respondent: Internetonlinedirectory
High Street
BUXTON
SK17 6EU
United Kingdom

2. The Domain Name:

eyeparts.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

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.

No

5. Abusive Registration

The Complainant has, to my reasonable satisfaction, shown that the domain name eyeparts.co.uk is an abusive registration

No

6. Other Factors

I am satisfied that no other factors apply which would make a summary decision unconscionable in all the circumstances

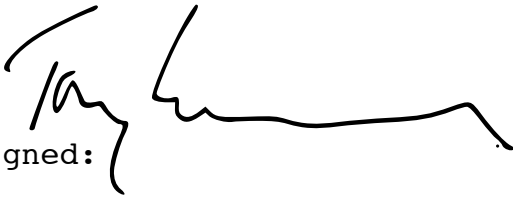
Yes

7. Comments (optional)

The Complaint is far too sparse. The claim to rights is a claim to unregistered rights, but the evidence comprises a 2013 brochure, 3 modest invoices and a Companies' Registry document, which expressly states that it is a receipt for information provided, not confirmation of anything of substance. Nonetheless, if the evidence as to Abusive Registration had been of substance, I might have been prepared to make an assumption in the Complainant's favour. However, the case on Abusive Registration is all bare assertion. If I had to guess the Complainant's case, it is that the domain name is held by someone else who designed the complainant's website. However, the Expert should not be left to guess. No evidence has been supplied to support the assertions, not even a screenshot of the website or any material to indicate how it came to be designed and connected to the domain name.

8. Decision

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

Signed: 

Dated: 21 July, 2016