



DISPUTE RESOLUTION SERVICE

DRS 18213

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

The UK Electric Bike Company Limited

Complainant

and

Mike King

Respondent

1 The Parties

Complainant:	The UK Electric Bike Company Limited
Address:	12 Borelli Yard Farnham Surrey
Postcode:	GU9 7NU
Country:	United Kingdom

Respondent:	Mike King
Address:	8 Buckland Road Yeovil Somerset
Postcode:	BA21 5EA
Country:	United Kingdom

2 Domain Name

ebikeshoponline.co.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)

The Complainant has failed to demonstrate that it has the requisite Rights (as defined in the Policy) because, in circumstances where the Domain Name is at first blush plainly descriptive and generic, it has failed to provide any evidence at all that it has common law rights in a name which is identical or similar to the Domain Name.

Nor has it demonstrated Abusive Registration on the part of the Respondent.

8 Decision

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

Signed: David Engel

Dated: 22 December 2016