

# NOMINET

## DISPUTE RESOLUTION SERVICE

**D00018326**

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

**Nomad Portable Washers Limited**

and

**Emma Chorley**

### **1. The Parties:**

**Complainant:** Nomad Portable Washers Limited  
2b Cannon Street  
Worcester  
Worcestershire

**Respondent:** Emma Chorley  
11 Farmer Street  
London  
W8 7SN

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

< nomad-direct.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 section 3 and 6 of the Policy.

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)

I am satisfied that the Complainant has evidenced that it has Rights in a name identical to the Domain Name. However, it has not provided any evidence that the Domain Name in the hands of the Respondent is an Abusive Registration. In that respect I note that the Domain name lapsed in July last year (it being registered by a person who had some connection with the Respondent) and was then registered by the Respondent. The Respondent is seemingly conducting a business that is wholly unconnected with or competing with the Complainant and notwithstanding the absence of a Response, no evidence has been provided that the Respondent was aware of the Complainant's business or that any of the grounds set out in paragraph 5 of the DRS Policy have been made out.

### 8. Decision

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

Signed: SIMON CHAPMAN

Dated: 14. 02. 2017

A handwritten signature in black ink, appearing to be 'SC' followed by a stylized flourish.