

DISPUTE RESOLUTION SERVICE

D00010286

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

Sports Licensed Division of the adidas Group, LLC

and

ChenXiuQing

1. The Parties:

Lead Complainant: Sports Licensed Division of the adidas Group, LLC
1895 J.W. Foster Boulevard
Canton
MA
02021
United States

Respondent: ChenXiuQing
licheng
putian
FuJian
351100
China

2. The Domain Name(s):

mittchellandness.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 mitchellandness.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 Domain Name has been the subject of a previous decision under Nominet's DRS. In DRS10130 a complaint was filed by Reebok International Limited against the same Respondent as in this matter. In DRS10130 Reebok's complaint was turned down on the basis that Reebok was the incorrect complainant and did not own any Rights in the Domain Name. I have therefore considered whether this Complaint should not be allowed as a repeat complaint under paragraph 10e of the Policy. I have done so bearing in mind the questions set out in paragraph 10f of the Policy and in particular I have noted that the complainant in DRS 10130 and the Complainant are different. I do not therefore find that this is a case which I should refuse as being a re-submission of an earlier complaint.

8. Decision

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

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Signed: Nick Phillips

Dated: 6 December 2011