

DISPUTE RESOLUTION SERVICE

D00014582

Decision of Independent Expert

J. Crew International, Inc.

and

Liu Weihong

1. The Parties:

Lead Complainant: J. Crew International, Inc.
770 Broadway
New York
10003
United States

Respondent: Liu Weihong
nanmazhenliangyoulu8hao
dongyangshi
zhejiangsheng
322100
China

2. The Domain Name(s):

jcrewmercantile.co.uk

3. Procedural History:

I can confirm that I am independent of each of the parties. To the best of my knowledge and belief, there are no facts or circumstances, past or present, or that could arise in the foreseeable future, that need be disclosed as they might be of such a nature as to call in to question my independence in the eyes of one or both of the parties.

30 July 2014 19:11 Dispute received
31 July 2014 09:11 Complaint validated
01 August 2014 12:01 Notification of complaint sent to parties
21 August 2014 02:30 Response reminder sent
26 August 2014 08:39 Response received
26 August 2014 08:39 Notification of response sent to parties
29 August 2014 02:30 Reply reminder sent
03 September 2014 09:22 Reply received
03 September 2014 09:29 Notification of reply sent to parties
03 September 2014 09:30 Mediator appointed
09 September 2014 13:59 Mediation started
29 September 2014 13:54 Mediation failed
29 September 2014 13:55 Close of mediation documents sent
30 September 2014 12:22 Expert decision payment received
02 October 2014 Keith Gymer appointed as Expert wef 07 October 2014

4. Factual Background

The Complainant, J. Crew International, Inc. and its predecessors, through its affiliated companies and licensees, has been engaged in the apparel business since 1983 and has developed a reputation as a premier retailer of fashion apparel and accessories. J. Crew is headquartered in the United States, with a principal place of business in New York.

The Complainant owns trademark registrations for the J. CREW mark around the world, and also owns rights in composite marks that incorporate the J. CREW mark in numerous countries, including in the United Kingdom, the European Union, and the United States. Complainant's first U.K. Trademark Registration of the mark J. CREW issued in 1993.

The Complainant also owns two trademark applications for the mark J. CREW MERCANTILE in the United States, dating from November 2013 and May 2014, respectively. There was a lot of media speculation in May 2014 about the potential plans for the Complainant's intended use of this brand.

The Complainant sells its goods through retail stores and factory outlet stores, and via its website at www.jcrew.com, which is also accessible via www.jcrew.co.uk.

The Respondent, in this case, is Liu Weihong, with a listed address at in China. According to the WHOIS record for the domain name, the Respondent registered the Disputed Domain Name on 5 May, 2014.

At the time of the complaint, the Disputed Domain Name resolves to a website located at the URL www.kuaigang.com, principally in Chinese.

5. Parties' Contentions

Complainant

Complainant's Rights

The Complainant's asserts that its J. CREW Marks are among America's best known trademarks. Reportedly, J. CREW has ranked among the DNR Power Brands top 50 best known brands among American men and the Women's Wear Daily top 100 brands.

The popularity of the J. CREW mark is evident from articles mentioning Complainant, which have appeared in internationally known newspapers and magazines, such as The New York Times, The Financial Times, The Guardian (London), The Daily Mail, FT.com.

In November 2013, J. Crew further expanded its global reach by opening its European flagship store, as well as two additional retail locations, in London. Highly recognized public figures Prince William and Duchess Kate Middleton, were pictured wearing J. CREW clothing on the cover of Bloomberg Businessweek for the global magazine's news feature on the opening of the London store.

The J. CREW Marks have also become well-known throughout the world through their association with Hollywood celebrities, such as Katie Holmes and Josh Duhamel. Clothing bearing the J. CREW Marks was featured in the movie, "The Romantics," starring Ms. Holmes and Mr. Duhamel.

The Complainant also conducts online advertising on Internet websites, including but not limited, to newyorktimes.com and youtube.com ("YouTube"). The Complainant has its own channel on YouTube with videos receiving between a few hundred thousand to over 1 million views. These promotional videos have also been circulated by third parties on YouTube and other third-party websites, and the Complainant has distributed email advertisements or "blasts" to millions of customers. Its own website at www.jcrew.com, which is accessible all over the world, logs millions of visits each year.

In addition to the domain name JCREW.COM, the Complainant also owns many other domain names which incorporate the J. CREW mark, such as JCREW.CO.UK, JCREW.EU, JCREW.CO.NZ, JCREW.FR, JCREW.ASIA, JCREW.IT, JCREW.ES, JCREW.IE, JCREW.INFO, JCREW.MOBI, JCREW.NET, and JCREW.NAME.

As noted in the Factual Background above, the Complainant owns numerous trademark and service mark registrations for the J. CREW mark and marks that incorporate the J. CREW mark around the world, including in the United Kingdom, the European Union, and the United States. The Complainant's first U.K. Trademark Registration of the mark J. CREW issued in 1995, more than two decades before the disputed domain name JCREWMERCANTILE.CO.UK (the "Disputed Domain Name") was registered. Additionally, the

Complainant's first Community Trademark Registration of the mark J. CREW issued in 1999, fifteen years before the Disputed Domain Name was registered. Additionally, the Complainant has two trademark applications for the mark J. CREW MERCANTILE in the United States, U.S. Serial Nos. 86/128,624 and 86/285,414, filed in November 2013 and May 2014, respectively. The Complainant's filing of applications for the mark J. CREW MERCANTILE received substantial press and media attention. Details of these applications and of selected registration certificates from the European Union (including e.g. CTM 10598911 J.CREW in Classes 14, 18, 25, & 35 from 2012), the United Kingdom (including e.g. UK 2575360 J.CREW in Classes 18, 25 & 35 from 2011) and the United States (including e.g. US2351667 in Class 35 from 2000) were provided with the Complaint.

In UDRP disputes, the World Intellectual Property Organization has recognized that the Complainant is a leading retailer of apparel and accessories and that it is the owner of the trademarks J. CREW and CREW. See *J. Crew International, Inc. v. Lin Chengying*, WIPO Case No. D2010-1884; and *J. Crew Int'l v. crew.com*, No. D2000-0054 (WIPO April 20, 2000). More recently, upon finding that Complainant has rights in the trademark J. CREW, a Nominet Expert ordered the transfer of the domain name JCREW.CO.UK to the Complainant. See *J. Crew International, Inc. v. Domain Enterprises Limited*, DRS 10607.

Thus, Complainant, J. Crew, asserts rights in the J. CREW mark and trade name and that the J. CREW mark is highly similar to the Disputed Domain Name, which incorporates Complainant's J. CREW mark in its entirety.

The suffix .CO.UK does not add anything to the Disputed Domain Name, nor does the addition of the word "mercantile" change the fact that the well-recognized term J. CREW remains the dominant component of the Disputed Domain Name, which thus is confusingly similar to Complainant's J. CREW mark.

Abusive Registration

In this case, the Complainant argues that the Disputed Domain Name in the hands of Respondent is an "Abusive Registration" for the following reasons:

- A. The Disputed Domain Name was registered by the Respondent on May 5, 2014, long after the Complainant had established its rights in the J. CREW mark. The Complainant did not authorize the Respondent to register the Disputed Domain Name. Respondent's unauthorized registration of the Disputed Domain Name that incorporates Complainant's J. CREW mark in its entirety is evidence that the Disputed Domain Name is an Abusive Registration.
- B. In these circumstances, initial interest confusion is highly likely. On seeing the Disputed Domain Name as part of a web address, an Internet user will likely believe that the Disputed Domain Name is registered to, operated or

authorized by, or otherwise connected with Complainant because the Disputed Domain Name is highly similar to Complainant's J. CREW mark and trade name.

- C. Moreover, as noted above, the Complainant has pending applications in the United States for the very mark J. CREW MERCANTILE. This mark had already been the subject of substantial media coverage at the time the Respondent registered the Disputed Domain Name, suggesting an improper attempt by Respondent to trade on Complainant's goodwill and reputation. The Disputed Domain Name is therefore an Abusive Registration because Respondent registered the Disputed Domain Name for the purpose of unfairly disrupting the business of the Complainant and taking undue advantage and causing detriment. Given the Complainant's extensive reputation, it is inconceivable that the Respondent did not know of the Complainant, its business and its J. CREW mark. Accordingly, the Respondent could only have registered the Disputed Domain Name for the purpose of disrupting Complainant's business or to take undue advantage and cause detriment.
- D. Furthermore, Respondent's registration of the Disputed Domain Name is an Abusive Registration because Respondent has misappropriated Complainant's goodwill in the J. CREW mark when it registered the Disputed Domain Name solely for the value derived from the J. CREW mark.
- E. Additionally, the Disputed Domain Name is an Abusive Registration of the Policy because the Respondent has engaged in a pattern of misconduct registering domain names corresponding to well-known names or trademarks in which Respondent has no apparent rights, and the Disputed Domain Name is part of that pattern. Most recently, a Nominet Expert ordered the transfer of a domain name that had been registered by Respondent, LOWEPROFERO.CO.UK, upon finding that the domain name was an Abusive Registration. *Lowe Profero Limited v. liu weihong*, DRS 14099
- F. In the absence of any conceivable reason for Respondent's registration of the Disputed Domain Name, there can only be one conclusion, namely, that Respondent's registration is an "Abusive Registration" and, on the facts presented above, it seems clear that both the original registration of the Disputed Domain Name and its subsequent use took/take unfair advantage of, and was/is unfairly detrimental, to Complainant's rights in the J. CREW mark and name. It is difficult to imagine any innocent explanation or legitimate reason for the Respondent's choice of the Disputed Domain Name.
- G. Lastly, Respondent cannot point to any exonerating factors under paragraph 4 of the Policy because (1) its misappropriation of Complainant's well-known J. CREW mark and trade name in the Disputed Domain Name does not constitute a *bona fide* offering of services or goods; (2) Respondent is not commonly known by the Disputed Domain

Name or legitimately connected with a mark that is identical or similar to the Disputed Domain Name; and (3) Respondent is not making legitimate non-commercial or fair use of the Disputed Domain Name.

The Complainant requests that the Disputed Domain Name be transferred to the Complainant.

Respondent

The Respondent submitted a brief Response, arguing that the Complaint should not succeed because the Complainant's rights were in registered trademarks for JCREW, but the Disputed Domain Name is jcrewmercantile.co.uk.

The Respondent claims to have a website under construction not to sell clothes, but as a nonprofit consulting website, and asserts that "the Act to register the domain name now has the right to use. So we have to register the domain name rights."

In China, the Respondent claims to have applied to register the trademark STYLEJCREW and to have the right to use the trademark. The Respondent provided an image of an extract apparently taken from the Chinese Trade Marks Office record, for an application with the number 3142099 for goods in Class 25, but with the details in Chinese. The Respondent alleges that this registration is not yet completed. Consequently, the Respondent says they are entitled to register and use the Disputed Domain Name, jcrewmercantile.co.uk, and that there is no cybersquatting.

Complainant's Reply

In its Reply, the Complainant reiterates the principal points from the Complaint that it owns prior rights in respect of a mark highly similar to the Disputed Domain Name and that it has established a *prima facie* case that the Disputed Domain name, in the hands of the Respondent, is an Abusive Registration, including on the grounds that: (i) the Disputed Domain Name wholly incorporates the Complainant's well-known J. CREW mark; (ii) initial interest confusion is highly likely; (iii) the Respondent registered the Disputed Domain Name for the purpose of unfairly disrupting the business of the Complainant and taking undue advantage and causing detriment; (iv) Respondent has misappropriated the Complainant's goodwill in the J. CREW mark when he registered the Disputed Domain Name; and (v) the Respondent has registered other domain names incorporating well-known names or trademarks in which the Respondent has no apparent rights.

The Respondent's bald assertions to the contrary in his Response fail to rebut the Complainant's *prima facie* case. The Respondent makes four arguments as to why the Disputed Domain Name is allegedly not an Abusive Registration, each of which is wholly without merit.

- A. Firstly, the Respondent claims that, “[Complainant’s] registered trademarks are JCREW, our domain name is jcrewmercantile.co.uk.”

However, the mere addition of the word “mercantile” does nothing to distinguish the Disputed Domain Name from the Complainant’s J. CREW. Moreover, as the Complainant had applied to register the very mark J. CREW MERCANTILE in the United States and this mark had already been the subject of substantial media coverage at the time Respondent registered the Disputed Domain Name, the addition of the word “mercantile” actually enhances the confusing similarity between the Complainant’s J. CREW mark and the Disputed Domain Name because the term “mercantile” was known to relate to the Complainant’s apparel business.

- B. Secondly, the Respondent claims that its website does not sell clothes, but is a “nonprofit consulting website”.

Even assuming this claim is true (and Respondent provides absolutely no evidence to support it), the Respondent could have chosen another domain name for its website rather than choosing a domain name that wholly incorporated the Complainant’s well-known J. CREW name and trademark. Given the numerous other indicia of an Abusive Registration present in this matter, including the likelihood of initial interest confusion, the Respondent’s registration and use of the Disputed Domain Name is clearly not fair and is abusive within the meaning of the DRS Policy.

- C. Thirdly, the Respondent argues that, “the Act to register the domain name now has the right to use. So we have to register the domain name rights.”

Although this argument is not entirely clear, the Respondent appears to be claiming that because he successfully registered the Disputed Domain Name, he has the right to use the domain name. This argument is frivolous and wholly contrary to the entire purpose of the DRS Policy and all other regimes that provide for the transfer or cancellation of domain names that have been registered for abusive or otherwise improper purposes.

- D. Fourthly, and finally, the Respondent baldly asserts that he is in the process of registering the trademark STYLEJCREW in China.

The Respondent’s conclusory assertion of alleged trademark rights carries no evidentiary weight. After the Respondent made a similar claim of trademark rights in email correspondence to the Complainant, the Complainant asked for identifying information as to any purported trademark registration or application owned by the Respondent. The Respondent failed to provide any such information, claiming instead that it was “temporarily unavailable.” The Complainant had its local counsel in China conduct a search of the China Patent & Trademark Office, and the search confirmed there were presently no registrations or pending

applications for the mark STYLEJCREW in China. The Respondent's claim of trademark rights is clearly a falsehood that was concocted solely for the purposes of defending against his unlawful registration of the Disputed Domain Name.

Additional Evidence

The Complainant's Reply included additional evidence of developments since the original Complaint was filed, which the Complainant submits should be considered because such evidence was not available to Complainant at the time it filed its Complaint and it directly rebuts Respondent's claim in his Response that he is not a "cybersquatter."

The supporting evidence shows that, after this proceeding was commenced, the Complainant was contacted on behalf of the Respondent by an individual apparently named "shen yong" using the email address scy1216@gmail.com. A recent DRS decision in *Société des Produits Nestlé S.A. v. Liu Weihong*, <nestleskinhealth.co.uk> (DRS 14372) decided against the same Respondent, indicates that the full name of this individual is Shen Chaoyong. Notably, nestleskinhealth.co.uk redirected to the very same "parked" website operated by the Respondent to which the Disputed Domain Name in the instant matter resolves, namely, www.kuaigang.com. As in the instant matter, although Liu Weihong was the listed registrant/Respondent, evidence indicated that Shen Chaoyong, using the email address scy1216@gmail.com maintained control over the domain name. The Expert in DRS 14372 held that any reference to "the Respondent" properly included both Liu Weihong and Shen Chaoyong. The Complainant requests that the "Respondent" in this present case should likewise be taken to include both the listed registrant Liu Weihong as well as Shen Chaoyong, who appears to exercise some control over disposal of the Disputed Domain Name.

The additional evidence includes details of an apparent offer to sell the Disputed Domain Name to Complainant for valuable consideration in excess of the Respondent's documented out-of-pocket costs associated with acquiring or using the Disputed Domain Name. Specifically, Shen Yong, apparently acting for the Respondent, contacted Complainant by email and offered to "negotiate" the transfer of the Disputed Domain Name. When the Complainant inquired as to the terms of the proposed negotiation, an offer was made to sell the Disputed Domain Name to Complainant for \$1,100.

A reverse WHOIS report for the email address used by Shen Yong to contact Complainant (scy1216@gmail.com) is presented as evidence that the Respondent has registered a large number of domain names incorporating well-known and famous marks, including AMAZON, AOL, FACEBOOK, GOOGLE, HUFFPOST, LIVING SOCIAL, MOTOROLA, NOKIA, SAMSUNG, WAL-MART, and YAHOO!, in which the Respondent has no apparent rights.

Taken together with the decision in *Lowe Profero Limited v. liu weihong*, (DRS 14099) referenced in the Complaint, the Respondent has been the subject of two adverse DRS decisions within the last three months alone. The

Complainant asserts that the Société des Produits Nestlé S.A. decision and the instant matter make clear that Respondent is unlawfully registering multiple infringing domain names that resolve to the very same “parked” website and then offering to sell those domain names to their trademark owners at a price that exceeds its out-of-pocket costs for registering those domain names, and that the foregoing facts underscore that Respondent is a cybersquatter, who has registered the Disputed Domain Name for abusive purposes.

6. Discussions and Findings

General

Paragraph 2 of the Policy requires that, for the Complainant to succeed, it must prove to the Expert, on the balance of probabilities, both that it has Rights in respect of a name or mark which is identical or similar to the Domain Name; and that the Domain Name, in the hands of the Respondent, is an Abusive Registration as defined in Paragraph 1 of the Policy.

Complainant’s Rights

The Complainant has clearly demonstrated that it has prior registered rights in J.CREW, including in the UK.

It is well established that the domain suffices “.co.uk” are generally not pertinent in a comparison with a name or mark in which a Complainant has rights.

The Disputed Domain Name will be recognised by an English speaker as a concatenation of JCREW with MERCHANDISE, so that effectively it differs from the Complainant’s mark only by the addition of the ordinary English word “mercantile”. The commonly recognised meaning of “mercantile” is as relating to trade or traders and commerce. So the Disputed Domain Name will readily be understood as referencing JCREW trade. This is insufficient to provide any meaningful differentiation and the Disputed Domain Name will plainly be perceived as relating to the J.CREW business.

Consequently, the Expert finds that the Complainant has Rights in respect of a name or mark, which is similar to the Domain Name, so that the requirements of Paragraph 2a.i. of the Policy are met.

Abusive Registration

The Complainant also has to show that a disputed Domain Name is an Abusive Registration. Paragraph 1 of the Policy defines “Abusive Registration” as a Domain Name which either:

- (i) was registered or otherwise acquired in a manner which, at the time when the registration or acquisition took place, took unfair advantage of or was unfairly detrimental to the Complainant's Rights; OR
- (ii) has been used in a manner, which took unfair advantage of or was unfairly detrimental to the Complainant's Rights.

A non-exhaustive list of factors which may be evidence that a Domain Name is an Abusive Registration are set out in Paragraph 3a of the Policy.

From the Complainant's submissions, the following examples are claimed to be potentially applicable in this case:

3a.i. Circumstances indicating that the Respondent has registered or otherwise acquired the Domain Name primarily:

A. for the purposes of selling, renting or otherwise transferring the Domain Name to the Complainant or to a competitor of the Complainant, for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly associated with acquiring or using the Domain Name;

B. as a blocking registration against a name or mark in which the Complainant has rights; or

C. for the purpose of unfairly disrupting the business of the Complainant;

ii. Circumstances indicating that the Respondent is using or threatening to use the Domain Name in a way which has confused or is likely to confuse people or businesses into believing that the Domain Name is registered to, operated or authorised by, or otherwise connected with the Complainant;

iii. The Complainant can demonstrate that the Respondent is engaged in a pattern of registrations where the Respondent is the registrant of domain names (under .uk or otherwise) which correspond to well known names or trademarks in which the Respondent has no apparent rights, and the Domain Name is part of that pattern;

...

Paragraph 4 of the Policy additionally provides observations on "How the Respondent may demonstrate in its response that the Domain Name is not an Abusive Registration", of which the following may be considered pertinent to the present Complaint:

4a.i.C. [The Respondent has] made legitimate non-commercial or fair use of the Domain Name.

The factors listed in Paragraphs 3 and 4 of the Policy are only intended to be exemplary and indicative. They are not definitive either way. It is Paragraph 1 of the Policy, which provides the applicable definition as indicated above.

In accordance with the Policy Paragraph 2b, it is for the Complainant to prove, on the balance of probabilities, that the Domain Name is an Abusive Registration.

Although the Complainant has cited two recent adverse DRS decisions against the same Respondent, the Paragraphs 3c and 4c of the Policy, which apply a presumption of Abusive Registration require three (3) or more DRS cases in the two (2) years before the Complaint was filed, and so are not applicable in this case.

On the basis of the evidence in the initial Complaint, in the Expert's opinion, the Complainant's most convincing argument is that the Respondent is very likely to have registered the Disputed Domain Name in an opportunistic fashion, having regard to the publicity at that time around the Complainant's own recent applications to register J. CREW MERCANTILE as a US trade mark.

In the minimal Response, the Respondent does not provide any explanation for the timing of the registration, but makes confused assertions regarding the rights to use a domain name that has been registered. He claims that the intention is to use the Disputed Domain Name for a website for non-profit consultancy service. However, the Respondent does refer to an alleged Chinese trade mark application for the mark STYLEJCREW, and provides an image apparently from the Chinese Trade Marks Office register. The details are presented in Chinese, but evidently relate to Class 25 goods, which covers clothing. This would not be consistent with a consultancy service. The Respondent then baldly claims "There is no cybersquatting".

The additional evidence then provided with the Complainant's Reply (which evidence the Expert accepts as wholly appropriate for consideration within the normal DRS Procedure) exposes this claim as a hollow pretension.

The exhibited email correspondence is from Shen Yong at scy1216@gmail.com, which is the registrant's contact email address on Nominet's Whois record for the Disputed Domain Name. It includes the proposition: "Hello, jcrewmercantile.co.uk need only 1100 dollars. We are not asking very high. Because the price is very reasonable for both of us."

As the Complainant contends, this is indeed well in excess of any likely out-of-pocket costs for registering a .co.uk domain name.

In the Expert's view, this proposition is calculated to be around the cost for a full DRS decision and is characteristic of the tactics frequently adopted by cybersquatters who are threatened with a Complaint.

The Expert is also unconvinced by the possibility that the Respondent might have a claim to fair use. The structure of the Disputed Domain Name has similarities with the that in DRS07991 <toshiba-laptop-battery.co.uk>, where the Appeal Panel in that case summarised the principles to be applied as follows:

1. It is not automatically unfair for a reseller to incorporate a trade mark into a domain name and the question of abusive registration will depend on the facts of each particular case;
2. A registration will be abusive if the effect of the respondent's use of the domain name is falsely to imply a commercial connection with the complainant;
3. Such an implication may be as a result of "initial interest confusion" and is not dictated only by the contents of the website;
4. Whether or not a commercial connection is implied, there may be other reasons why the reseller's incorporation of the domain name was unfair. One such reason is the offering of competitive goods on the respondent's website".

In the Expert's view, the structure of this Disputed Domain Name, with the Complainant's trade mark presented first, has the familiar appearance of a trade mark use. The perception of most ordinary internet users when this Domain Name is connected to a website, or used in an email address, will inevitably be that it is operated or authorised by the Complainant's business. Principles 2 and 3 above will therefore clearly apply in this case, even if the Respondent's claimed intended use were to be considered credible.

However, the Expert does not find the Respondent's submissions remotely credible. The existence of a STYLEJCREW trade mark application in China would not assist the Respondent. Rights to STYLEJCREW would not explain registration of jcrewmerchandise.co.uk. The Expert therefore agrees with the Complainant that this purported application would not be relevant as a defence in any event.

(For the record, and with regard to Paragraph 5.10 of the Experts Overview v.2 that "...there may be occasions where an Expert will find it expedient to conduct a simple online enquiry of a public database, where, for example, an exhibit purporting to support a party's contention does not do so...", when the Expert entered the Respondent's trade mark number 3142099 using the official Chinese search service available at http://sbcx.saic.gov.cn:9080/tmois/wscxsy_getIndex.xhtml and took advantage of a well-known online translation service, he was readily presented with these details:

Application number/ registration number	Class number	Brand name	Name of Applicant
3142099	25	STYLEJCREW	Shishi Crown Clothing Co., Ltd.

along with the information that the "Trademark is invalid".)

Taken overall, the evidence in this case tilts the balance of probability overwhelmingly in favour of the Complainant. The Respondent's conduct clearly falls within the examples of Paragraph 3a.i of the Policy at the least. The Complainant has argued that there is evidence of a pattern of registrations so that Paragraph 3a.iii also applies. The Expert found the

Complainant's chart of domain names submitted in support of this contention to be almost unreadably small and so has not addressed this in detail as it is not essential to do so.

As this will now be the third adverse decision against the same Respondent following DRS 14099 and DRS 14372, there may now effectively be a numerical presumption to that end, pursuant to Paragraph 3c of the Policy.

In any event, in the present case, there is no doubt in the Expert's mind that the Disputed Domain Name was registered or otherwise acquired in a manner which, at the time when the registration or acquisition took place, took unfair advantage of or was unfairly detrimental to the Complainant's Rights.

The requirements of Paragraph 2a.ii. of the Policy are met.

7. Decision

Having found that the Complainant has relevant Rights, and that the Domain Name, jcrewmercantile.co.uk, is an Abusive Registration in the hands of the Respondent, the Expert orders that the Domain Name should be transferred to the Complainant.

Signed  . Dated 20 October, 2014
Keith Gymer