

# **DISPUTE RESOLUTION SERVICE**

**D00017715**

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

Hooper & Weston

and

Bing Digital Consultancy Ltd

**1. The Parties:**

Complainant: Hooper & Weston  
Hillcrest, 3 Southend, Garsington  
Oxford  
Oxfordshire  
OX44 9DD  
United Kingdom

Respondent: Bing Digital Consultancy Ltd  
The Innovation Centre Medway  
Maidstone Road  
Rochester  
Kent  
ME5 9FD  
United Kingdom

**2. The Domain Name:**

hooperandweston.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 hooperandweston.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 Complaint comprises a cursory statement of the situation as the Complainant sees it. There is no evidence to support a claim of rights in a name identical or similar to the Domain Name as required under the DRS Policy.

An exchange of emails between the Complainant's representative and the Respondent is annexed to the Complaint. This suggests a misunderstanding, or possibly something more contentious, between the parties. However, I am unable to infer an abusive registration prejudicial to the Complainant's rights from such a limited submission.

The Complainant is referred to the guidance for parties to a complaint on the DRS portion of the Nominet website, in particular sections 2 & 3 of the Expert Overview at [www.nominet.uk/wp\\_content/uploads/2015/08/Expert\\_Overview.pdf](http://www.nominet.uk/wp_content/uploads/2015/08/Expert_Overview.pdf)

## **8. Decision**

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

Signed:

Dated: 18 August 2016

[Peter Davies]