

## **DISPUTE RESOLUTION SERVICE**

**D00017874**

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

Dell Inc.

and

Kun Da

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

Complainant: Dell Inc.  
One Dell Way  
RR1-33  
Round Rock  
Texas  
TX 78682  
United States

Respondent: Kun Da  
Nt Matourd 1187 House 28/601  
Shanghai  
Shanghai  
200131  
China

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

<dellrefurbished.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 dellrefurbished.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)

In certain limited circumstances, a domain name registrant may legitimately use another party's trademark for the purposes of offering goods or services related to that trademark. However, in the absence of any Response in this case, the Expert has no evidence to suggest that any such circumstances apply or that the registration is anything other than abusive as alleged by the Complainant.

#### 8. Decision

I grant the Complainant's application for a summary decision. In accordance with paragraph 5f of the Procedure, the domain name will therefore be transferred to the Complainant.

Signed: Steven Maier

Dated: 5 October 2016