



## **DISPUTE RESOLUTION SERVICE**

**D00017949**

**Decision of Independent Expert**

**(Summary Decision)**

Etech IT Ltd

and

Mark Adams

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

Complainant:

Etech IT Ltd  
9 Park Square East  
Leeds  
West Yorkshire  
England,  
LS1 2LH

Respondent:

Mark Adams t/a 3D Web  
Kemp House  
152 City Road  
London  
EC1V 2NX  
United Kingdom

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

<etech.co.uk> and <etech.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 names etech.co.uk and etech.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 <etech.co.uk> Domain Name was registered on 24 April 2003 and the <etech.uk> Domain Name was registered on 30 August 2014.

The incorporation of the Complainant did not take place until May 2016. There is no suggestion that this is a continuation of some other business under the “etech” name.

The <etech.co.uk> Domain Name has been used for a pay-per-click webpage with technology related links since at least December 2013. No evidence has been provided as to how the <etech.uk> Domain Name has been used. It is not alleged that the nature of those links has materially changed following the Complainant’s incorporation

Accordingly the Complainant has failed to demonstrate that the use made by the Respondent of the Domain Names has sought to take unfair advantage of the Complainant’s rights.

### **8. Decision**

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

Signed: Matthew Harris

Dated: 27 October 2016