

2016 in UK web domain dispute resolution

from Nominet's Dispute Resolution Service

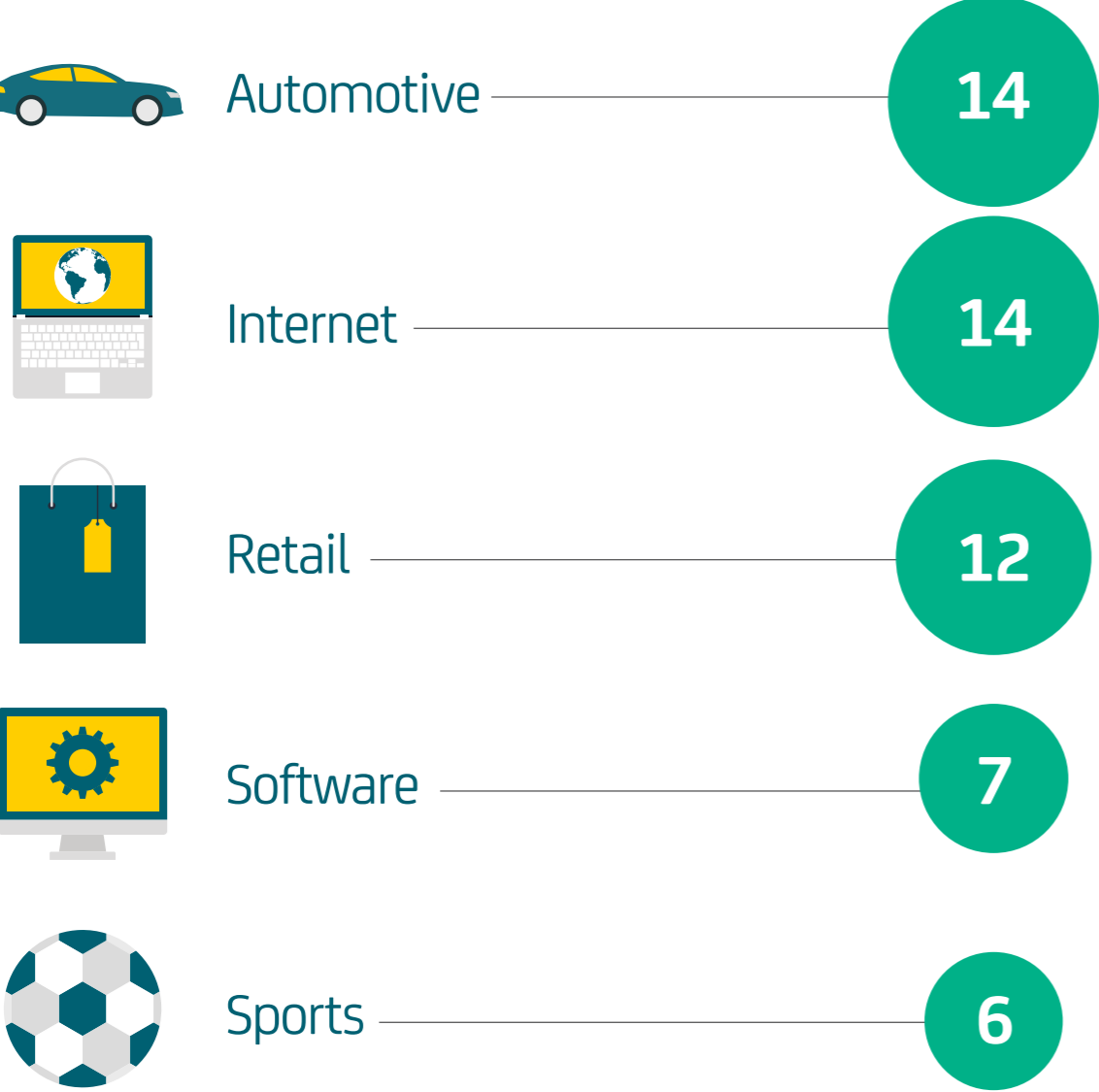
Our Dispute Resolution Service (DRS) offers an efficient and transparent method of resolving disputes relating to .UK domain names. The DRS seeks to settle .UK domain name disputes through mediation and, where this is not possible, through an independent expert decision.



Complaints made

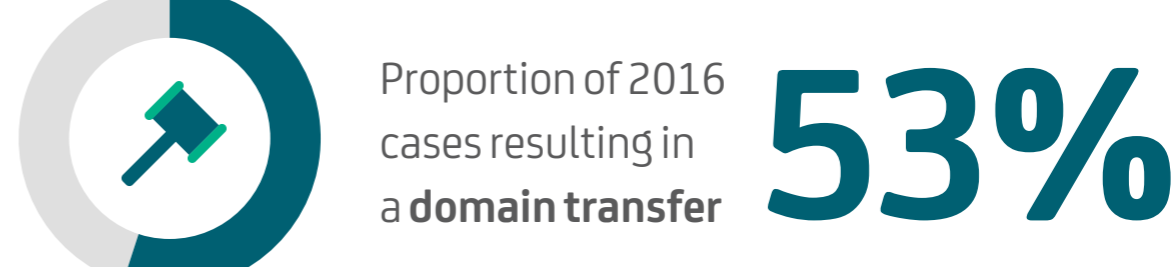
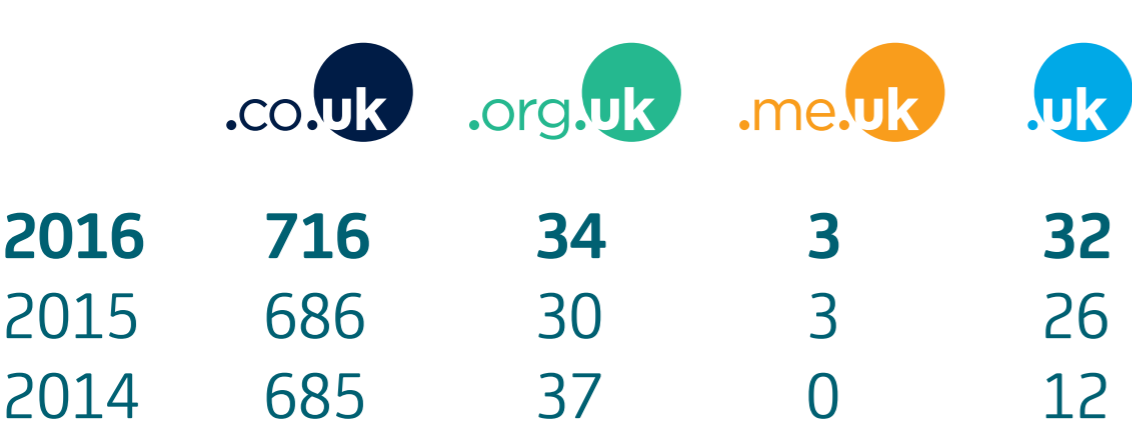


Common industries in 2016



*The most common industries for complainants. Note this is only for full decisions.

Disputed domain names by suffix

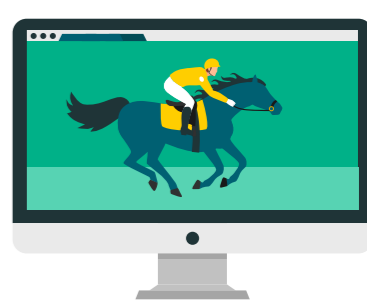


Assuming court & legal fee savings of £15,000 per complaint that progresses into formal dispute resolution.

Noteworthy cases in 2016

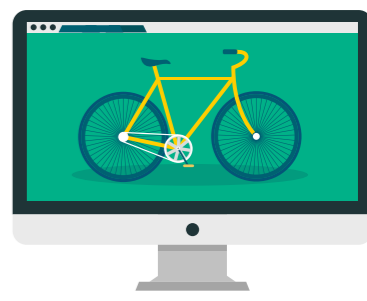
cheltenham-festival.co.uk

The Complainant, Jockey Club Racecourses Limited, is the owner of the registered UK trade mark FESTIVAL/THE FESTIVAL for racing and organisation of race meetings. In the view of the Expert, the Respondent took unfair advantage of the Complainant's rights in registering and using the domain name which might cause confusion for consumers. Domain transferred.



bicycleassociation.co.uk

The Complainant was The Bicycle Association of Great Britain Limited, and the end user of the domain name was a company called National Association of Cycle Traders Limited that uses the name Association of Cycle Traders (ACT). An appeal panel was satisfied that the ACT's use of the Domain Name was likely to cause confusion. Domain transferred.



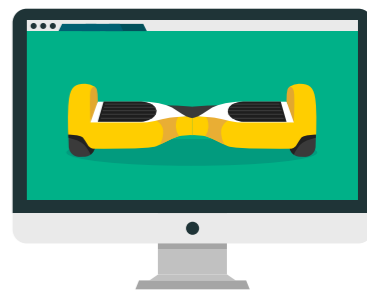
britishredcross.org.uk

The Complainant was the registered charity British Red Cross. They argued that the unauthorised use of the Red Cross name is a criminal offence under the Geneva Conventions Act 1957. No Response was submitted, and a Summary Decision awarded the transfer of the domain name to the Complainant. Domain transferred.



swegway.co.uk & swegwayboards.co.uk

The Complainant in both cases was Segway Inc. Two separate Respondents were using the domain names to sell other 'balance boards'. One Expert agreed that the term 'Segway' was taking unfair advantage of the Complainant's rights in the name Segway. The Expert in the second case argued the term 'Segway' has become a generic term describing personal mobility devices. These cases highlight that Experts are free to use their own interpretation of the facts to make their decision.

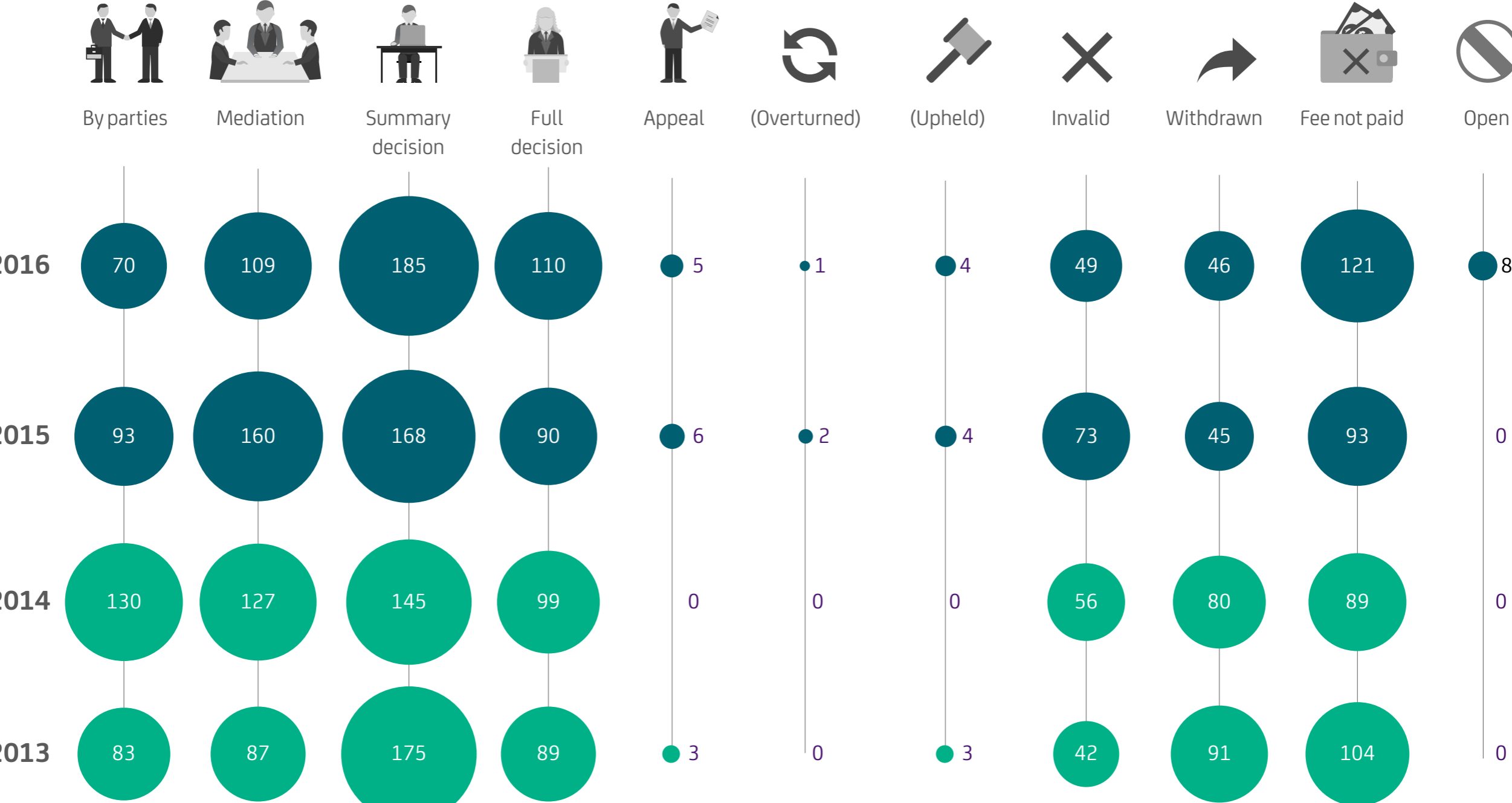


Geographical distribution of Complainants and Respondents in 2016

In 2016 the DRS saw cases brought by complainants from 28 countries, with respondents from 35 countries

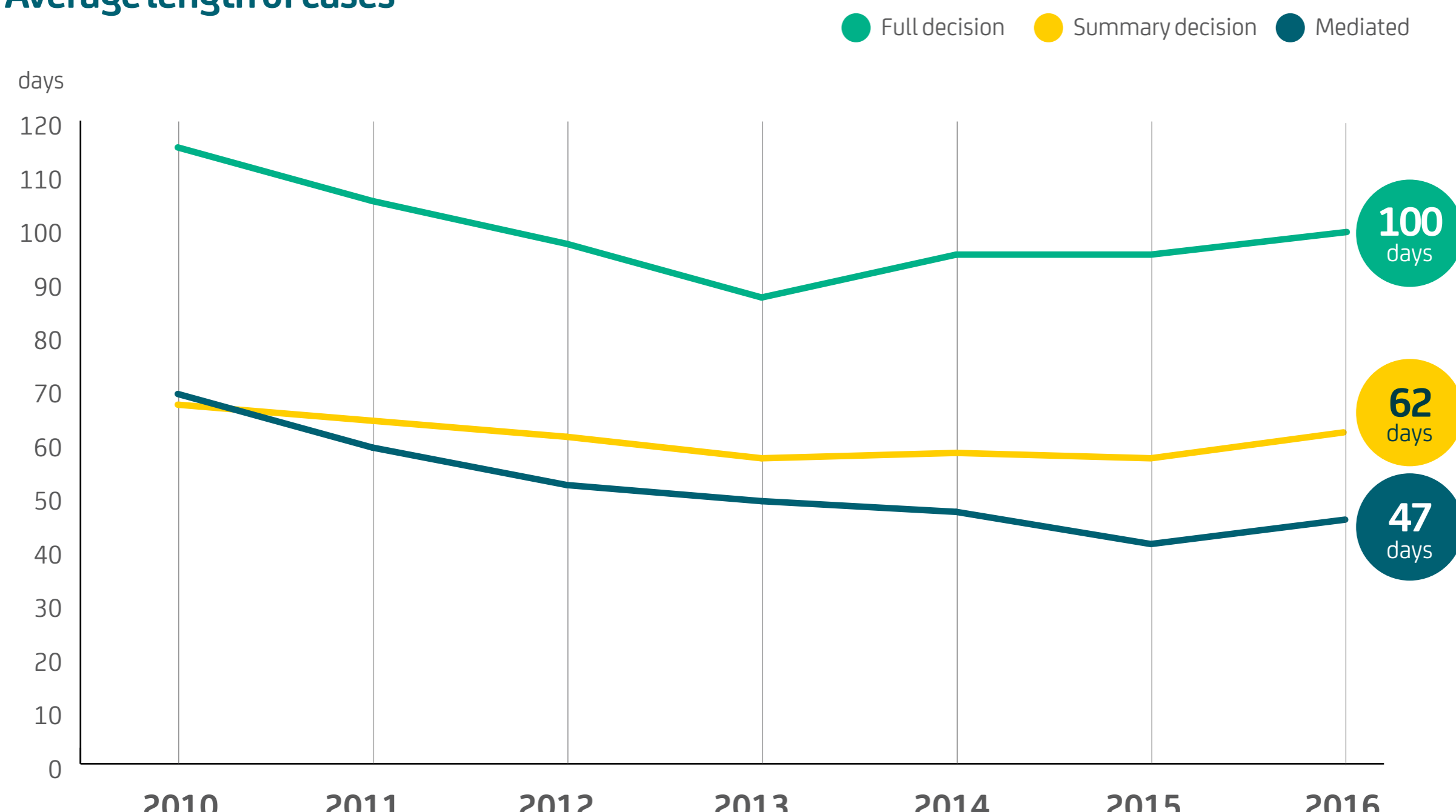


Case outcomes



Case outcome figures for 2015 have been updated to reflect new status of the two open cases that are now closed.

Average length of cases



About DRS

Nominet established the DRS in 2001 to offer an efficient, transparent method of resolving disputes relating to .UK domain names. The DRS seeks to settle disputes through mediation and, where this is not possible, through an independent Expert decision.

To make a complaint through the DRS, you need to have rights (such as a trade mark) in a name which is the same as or similar to the domain name you are concerned about. The DRS can usually provide a quicker and cheaper resolution to disputes than going through the courts as this service is based on free, confidential mediation. In the event of deadlock, complainants can pay to appoint an independent expert from a panel to make a full or summary decision. All decisions are made public via Nominet's website.

About Nominet

Nominet is an internet company delivering public benefit and is the trusted guardian of the UK namespace – one of the world's largest country code registries. Nominet manages and runs the infrastructure for over 10 million domain names that end in .uk as well as Welsh Top Level Domains (TLDs) .cymru and .wales and 35 other branded and generic TLDs, including .bbc and .london. Over 3 million businesses, and millions more consumers, rely on its domain registry services. It has a team of 150 people based in Oxford and London and over 2,500 members.

With the proceeds of its successful registry business, Nominet set up and supports the charitable foundation Nominet Trust, the UK's leading social tech funder.

More information about the DRS is available at:

www.nominet.uk/disputes

