

DISPUTE RESOLUTION SERVICE

D00021091

Decision of Independent Expert (Summary Decision)

Anticimex Aktiebolag

and

Anticimex (U.K.)

1. The Parties:

Complainant: Anticimex Aktiebolag
Årstaängsvägen 21B
Stockholm
Sweden
100 74
Sweden

Respondent: Anticimex (U.K.)
93 Regent
Watford
Street
Hertfordshire
WD2 5AT
United Kingdom

2. The Domain Name:

anticimex.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 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 Name **anticimex.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 Whois record shows the Domain Name first registered 23 September 1999. The Complaint has earlier trade mark rights. Date of first website use is unknown. The Registrant is nominally identified as "Anticimex (U.K.)" but address details are evidently incorrect. It is unclear if "Anticimex (U.K.)" is a trading style of a registered company. The current website does not identify the legal entity to which it relates, and refers to "Anti Cimex" with a different Watford address to that on the Whois record. The Complainant identifies a UK company "Cimex Pest Control Limited" (incorporated in 2015 as "Anticimex Limited") as potentially responsible. This company changed its name in 2018 reportedly after a warning letter from the Complainant. Nominet received an informal email from a director of this company as follows, but no explanatory Response or evidence was provided to rebut the Complaint (the Expert therefore finds for the Complainant):

"Hello

Re your enquiry we have been trading as ANTICIMEX UK for around 34 years in England uk and have proof of this we do not have a registered office at 93 Regent sreet Watford Hertfordshire WD2 5AT are office is registered else where in the UK .we WILL Dispute any company in our trading name in the UK
Regards MR G Vaughan."

8. Decision

I grant the Complainant's application for a summary decision. In accordance with section 12 of the Policy, the Domain Name will therefore be transferred to the Complainant.

Signed:
Keith GYMER

Dated: 14 March, 2019