

# 2017 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



Proportion of 2017 cases resulting in a domain transfer **55%**

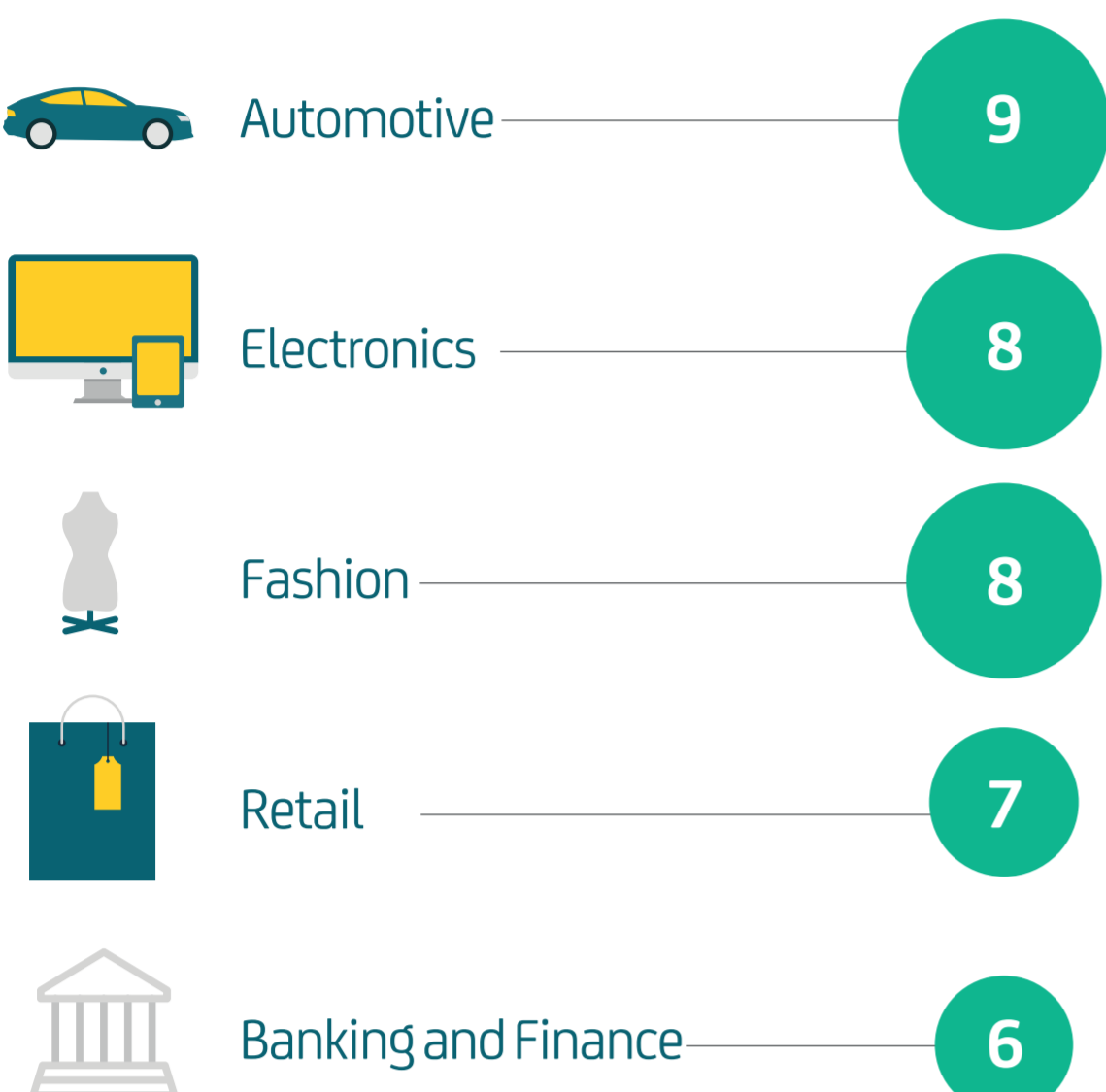


Court costs avoided in 2017\*

**£6,975,000**

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

## Common industries in 2017\*



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

## Noteworthy cases in 2017

### guntree.org.uk

The Complainant, Gumtree.com Limited, is a wholly owned subsidiary of eBay Inc. It operates an online classified advertisement website, and has registered the trade mark "GUMTREE". The Respondent argued that GUNTREE has been derived from the artistic concept of a tree made of guns or an artistic gun made from wood. GUNTREE advertises weapons to a specific market and therefore, does not offer the same services as the Complainant. The independent Expert agreed with the Complainant's claim that there is an overlap between the two sites which is likely to confuse Internet users. Domain transferred.



### victoriasecretbeauty.co.uk

The Complainant was Victoria's Secret, an American designer and manufacturer of women's lingerie and beauty products. The Respondent was a beauty therapist, operating a salon in Mayfair, London. The Respondent claimed not to have known about the Victoria's Secret brand at the time when the Domain Name was registered. In the view of the Expert, "this is not a credible claim, particularly taking into account that the Respondent operates in field of beauty services". Domain Transferred.



### cybfx.co.uk

The complaint was brought by Clydesdale Bank PLC (Clydesdale and Yorkshire Bank), after they found that the domain name had been registered by someone who was asking for almost £100,000 in return for transferring the registration. The Expert agreed with the Complainant: that on the balance of probabilities the Respondent noted the Complainant's trade mark application and purposefully registered the domain name in order to then sell it specifically to the Complainant at a later date. Domain Transferred.



## Disputed domain names by suffix

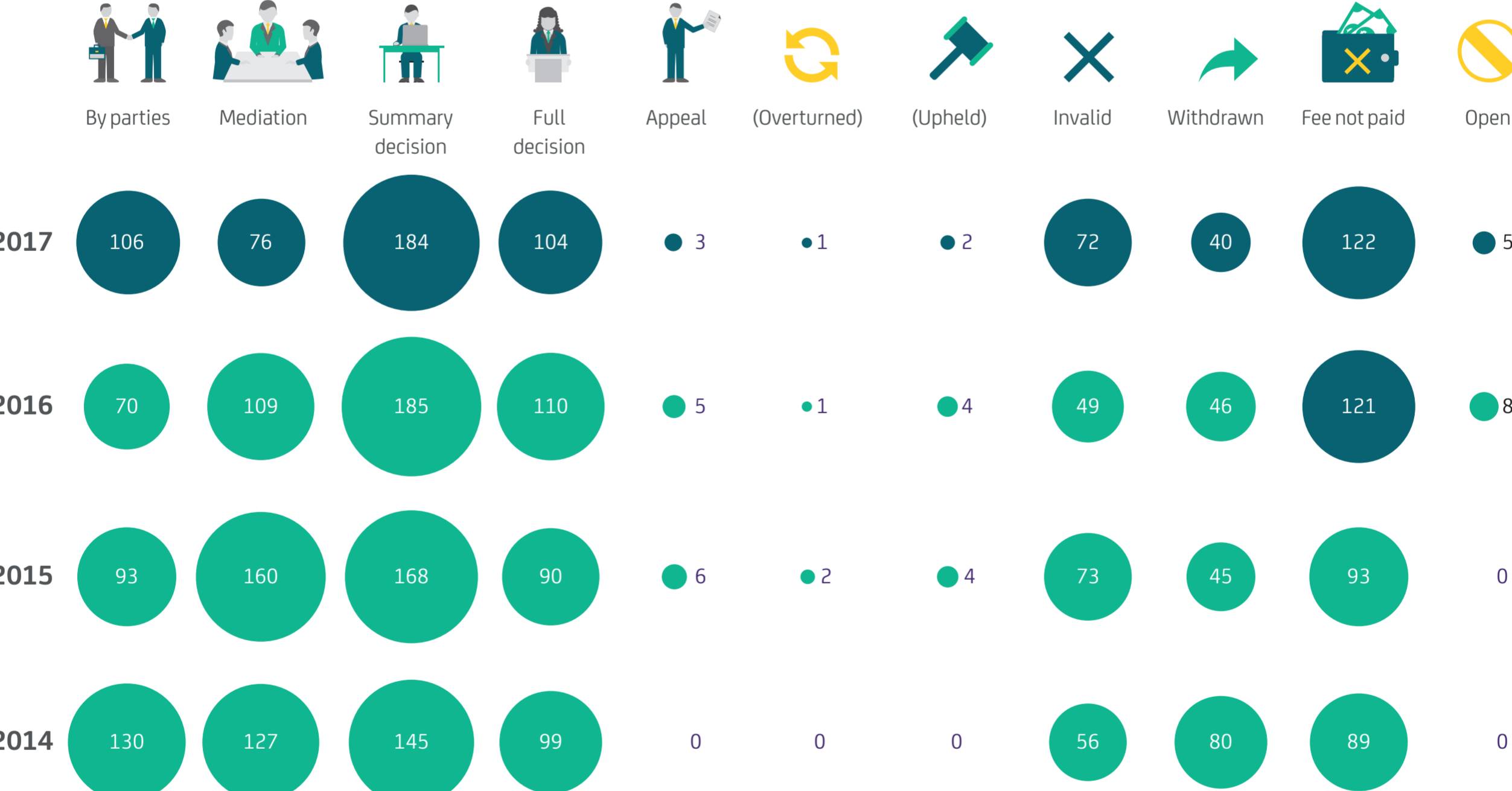
	.co.uk	.org.uk	.me.uk	.uk
2017	687	46	4	46
2016	716	34	3	32
2015	686	30	3	26
2014	685	37	0	12

## Geographical distribution of Complainants and Respondents in 2017

In 2017 the DRS saw cases brought by complainants from 29 countries, with respondents from 34 countries

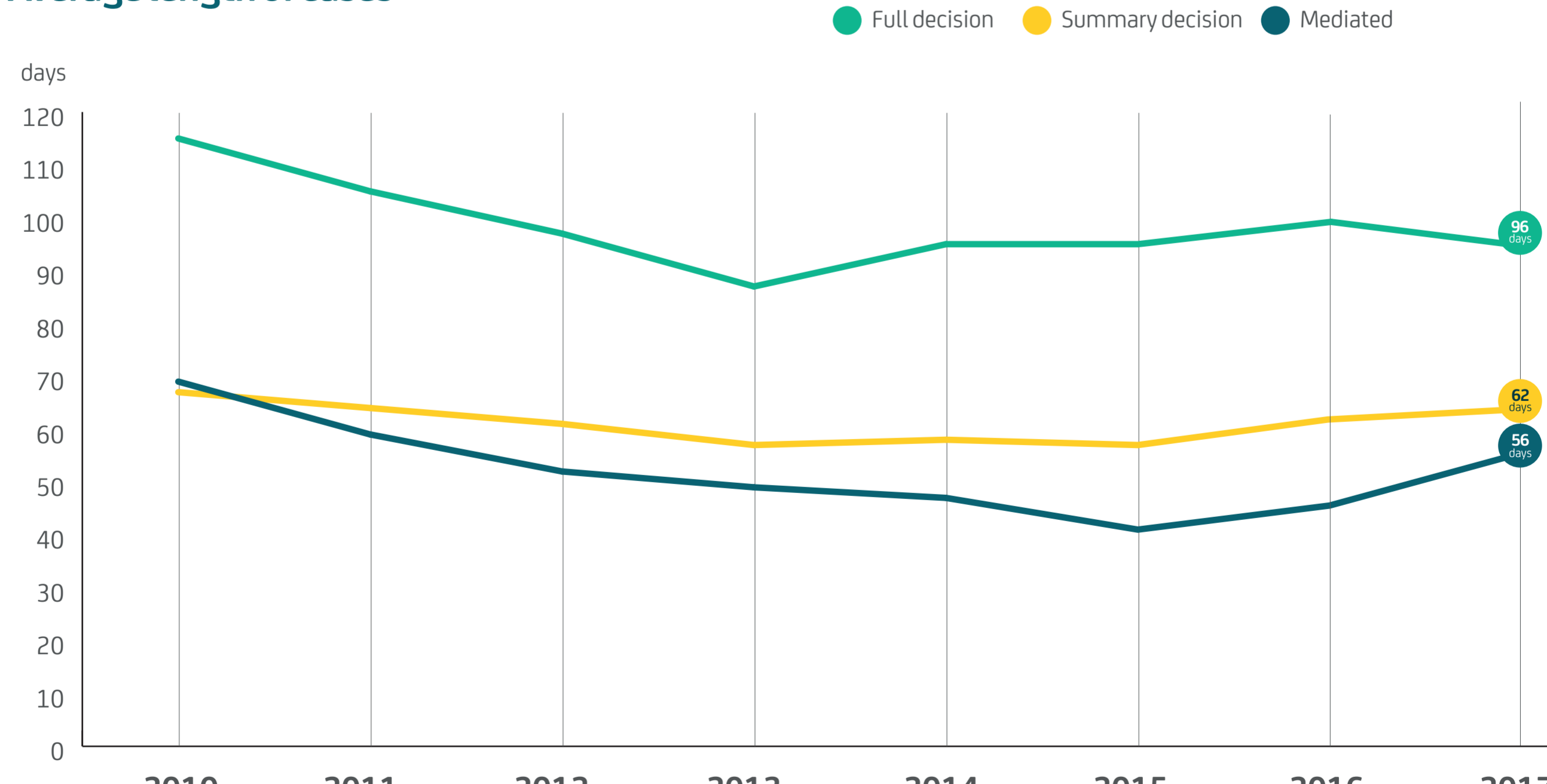


## Case outcomes



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 Nominet

Nominet is driven by a commitment to use technology to improve connectivity, security and inclusivity online. For 20 years, Nominet has run the .UK internet infrastructure, developing an expertise in the Domain Name System (DNS) that now underpins sophisticated network analytics. Used by governments and enterprises to mitigate cyber threats. The company provides registry services for top level domains, and is exploring applications for a range of emerging technologies. A profit with a purpose company, Nominet supports initiatives that contribute to a vibrant digital future.

## About the Dispute Resolution Service

Nominet's Dispute Resolution Service has addressed around 12,000 .UK domain disputes since being established in 2001. To make a complaint through the DRS, you need to have rights (such as a trade mark) in a name which is the same or similar to the domain name you are concerned about. The DRS can usually provide a quicker and cheaper resolution to disputes through the courts as this service is based on free, confidential mediation. In the event of deadlock, complainants can pay to appoint independent experts from a panel to make a binding adjudication.

More information about the DRS is available at:

[www.nominet.uk/disputes](http://www.nominet.uk/disputes)

