

ADJUDICATOR'S SUMMARY DECISION

CASE NUMBER:	ZA2023-0480
DECISION DATE:	19 September 2023
DOMAIN NAME	clearvusuperfencing.co.za
THE DOMAIN NAME REGISTRANT:	Mbali Ngubane
REGISTRANT'S LEGAL COUNSEL:	None
THE COMPLAINANT:	Cochrane Steel Products (Pty) Ltd
COMPLAINANT'S LEGAL COUNSEL:	None
2 nd LEVEL ADMINISTRATOR:	ZARC

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1. The Parties

Complainant:

Cochrane Steel Products (Pty) Ltd
Gauteng
South Africa

Registrant:

Mbali Ngubane
Westville
Durban

2. The Domain Name: CLEARVUSUPERFENCING.CO.ZA

3. Notification of Complaint (27 July 2023)

I am satisfied that the Registrant did not submit a response to the dispute in terms of regulation 18(1) and that the Registrant has been notified of the dispute in accordance with regulation 18(4)(a) read with regulation 15(1).

Yes No

4. Rights

The Complainant has, to my reasonable satisfaction, shown rights in 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 is an abusive registration in the hands of the Registrant.

Yes No

6. Other factors

I am satisfied that there are no other factors or circumstances present that would render the decision in this matter unfair.

Yes No

7. Comments (Optional)

It should be noted that the Registrant of the domain name responded to the Complaint by means of an email addressed to the Authority dated 30 August 2023. The response was however not received timeously, nor was it sufficient to be considered as a formal response in terms of Regulation 18. As such, the Registrant was in default and the dispute proceeded on Summary Decision. The Adjudicator, after considering the procedures and perusing the mentioned deficient response, remains of the view that the decision made herein is appropriate.

8. Decision

I hereby order the transfer of the disputed domain name to the Complainant, Cochrane Steel Products (Pty) Ltd.

.....
CHRISTIAAN STEYN
SAIPL SENIOR ADJUDICATOR
www.DomainDisputes.co.za