

ADJUDICATOR’S SUMMARY DECISION

CASE NUMBER:	ZA2023-0481
DECISION DATE:	10 October 2023
DOMAIN NAME	f1group.co.za
THE DOMAIN NAME REGISTRANT:	Lilybrite
REGISTRANT’S LEGAL COUNSEL:	None
THE COMPLAINANT:	Formula One Licensing B.V
COMPLAINANT’S LEGAL COUNSEL:	Spoor & Fisher
2 nd LEVEL ADMINISTRATOR:	ZARC

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1. The Parties

Complainant:

Formula One Licensing B.V

The Netherlands

Registrant:

Lilybrite

Rooihuiskraal

South Africa

2. The Domain Name: F1GROUP.CO.ZA

3. Notification of Complaint (22 August 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)

The adjudicator reviewed the website at www.f1group.co.za, and noted that some changes have been made to the website, namely the removal of images of formula 1 cars. It is the adjudicator's view that the changes do not save the Registrant, as the screenshots forming part of the complaint clearly show that the possibility exists, and indeed it has happened in the past, that the Registrant can ride on the Complainant's reputation to promote services rendered through the site linked to this domain name.

8. Decision

For all the foregoing reasons, in accordance with Regulation 9, the Adjudicator orders that the domain name, f1group.co.za, be transferred to the Complainant

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VANESSA LAWRENCE
SAIPL SENIOR ADJUDICATOR
www.DomainDisputes.co.za