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URS | COMPLAINT

(URS Procedure 1, URS Rules 3)

Insert Dispute Number (8)

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Dispute Details

SHOW DETAILS

URS Complaint : New Complaint

Before completing and submitting this form, please familiarize with the Uniform Rapid Suspension System Procedure (the URS Procedure), approved by the Internet Corporation for Assigned Names and Numbers (ICANN) on March 1, 2013, with the Uniform Rapid Suspension System Rules (the URS Rules), approved by ICANN on June 28, 2013 and with MFSD's Supplemental Rules for URS

I. Introduction

(URS Rules 3(b)(i))

This Complaint is hereby submitted for determination in accordance with the Uniform Rapid Suspension System Procedure (the URS Procedure), approved by the Internet Corporation for Assigned Names and Numbers (ICANN) on March 1, 2013, the Uniform Rapid Suspension System Rules (the URS Rules), approved by ICANN on June 28, 2013, and MFSD's Supplemental Rules for Uniform Rapid Suspension System (the Supplemental Rules).

II. The Parties

A.The Complainant(s)

(URS Procedure 1.2.1-1.2.2; URS Rules 3(b)(ii))

The Complainant in this administrative proceeding is:

Specify full name, mailing address, telephone number, fax number and e-mail address of the Complainant

Profile

Name

Surname

Address

Telephone

Fax

E-mail

ADD COMPLAINANT

The Complainant's Authorized Representative in this administrative proceeding is:

Specify full name, mailing address, telephone number, fax number and e-mail address of the Complainant's Authorized Representative

Profile

Name

Surname

Address

Telephone

Fax

E-mail

ADD AUTHORIZED REPRESENTATIVE

B. The Respondent(s)

(URS Procedure 1.2.3; URS Rules 3(b)(iii))

The Respondent in this administrative proceeding is:

Specify full name, mailing address, telephone number, fax number and e-mail address of the Respondent

Profile

Name

Surname

Address

Telephone

Fax

E-mail

ADD RESPONDENT

All information known to the Complainant regarding how to contact the Respondent(s) is as follows:

Provide all contact details (postal address, telephone number, fax number, email addresses) for the Respondent(s), including contact information based on pre-complaint dealings, in sufficient detail to allow MFSD to notify the Respondent of the Complaint

III. The Domain Name(s), Registry Operator(s) and Registrar(s)

(URS Procedure 1.2.4; URS Rules 3(b)(iv))

This dispute concerns the following **domain name(s)**:

Identify the disputed domain name(s) and include a description or copy, if available, of the offending portion of the website content associated with each domain name(s)

Add Domain(s) Name

Registry

Registrar

Domain Name

ADD DOMAIN NAME **+**

Selected Domain(s) Name

No domain name has been indicated as subject of this proceeding

IV. Factual and Legal Grounds

(URS Procedure 1.2.5-1.2.6; URS Rules 3(b)(v)-(vii))


This Complaint is based on the following grounds:

A. The trademark(s) or service mark(s) on which the Complaint is based is(are):

(URS 1.2.5; URS Rules 3(b)(v))

In accordance with URS Procedure 1.2.5, URS Procedure 1.2.6 and URS Rules 3(b)(v), specify the trademark(s) or service mark(s) on which the Complaint is based and, for each mark, describe the goods or services with which the mark is used including evidence of use - which can be a declaration and a specimen of current use in commerce - submitted directly or by including a relevant SMD (Signed Mark Data) from the Trademark Clearinghouse. If applicable, attach copies of the registration certificates for the relevant marks

Attachment(s)

PDF / TXT / WRD / XLS
 SELECT FILE(S)

B. URS Procedure para. 1.2.6

For a complainant to succeed, it must establish that each of the three conditions under the URS Procedure, para. 1.2.6 are satisfied:

1. The domain name(s) is(are) identical or confusingly similar to a word mark:

Choose one of the followings by ticking the box(es). Annex any documentary or other evidence upon which you rely in this regard

(URS Procedure 1.2.6.1; URS Rules 3(b)(vi))

- For which the Complainant holds a valid national or regional registration and that is in current use
- That has been validated through court proceedings
-

That is specifically protected by a statute or treaty in effect at the time the Complaint is filed

Attachment(s)

PDF / TXT / WRD / XLS

 SELECT FILE(S)

2. The Respondent has no legitimate right or interest to the domain name(s):

(URS Procedure 1.2.6.2)

The Respondent has no legitimate right or interest to the domain name(s)

3. The domain name(s) was/were registered and is/are being used in bad faith:

In accordance with URS Procedure 1.2.6.3, indicate by ticking the box(es) why the domain name(s) should be considered as having been registered and used in bad faith by the Respondent. The following list is a non exclusive list of circumstances that demonstrate bad faith registration and use by the Respondent

(URS Procedure 1.2.6.3)

Circumstances indicating that the domain name(s) was/were registered or acquired primarily for the purpose of selling, renting, or otherwise transferring the domain name registration(s) to the Complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the Respondent's out-of-pocket costs directly related to the domain name(s)

The domain name(s) was/were registered in order to prevent the trademark holder or service mark from reflecting the mark in a corresponding domain name, provided that the Respondent has engaged in a pattern of such conduct

The domain name(s) was/were registered primarily for the purpose of disrupting the business of a competitor

By using the domain name(s), the Respondent intentionally attempted to attract for commercial gain, Internet users to the Respondent's web site or other on-line location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's web site or location or of a product or service on the Respondent's web site or location

Other

C. Explanatory Statement

(URS Rules 3(b)(vii))

You may submit up to 500 words of explanatory free form text

1 of 500 used / 499 words left

Attachment(s)

PDF / TXT / WRD / XLS

 SELECT FILE(S)

V. Remedies Requested

(URS Procedure 10; URS Rules 14)

The only remedy available in URS proceeding is the temporarily suspension of the domain name for the balance of the registration period, which can be extended by the Complainant for up to one year for a fee

In accordance with URS Procedure 10, for the reasons described in Section IV above, the Complainant requests the Examiner appointed in this administrative proceeding that the disputed domain name(s) be suspended

VI. Other Legal Proceedings

(URS Rules 3(b)(viii))

If any, identify other legal proceedings that have been commenced or terminated in connection with or relating to the domain name(s) that is/are the subject of the Complaint

Attachment(s)

PDF / TXT / WRD / XLS

 SELECT FILE(S)

VII. Mutual Jurisdiction

(URS Rules 3(b)(ix))

In accordance with URS Rules 3(b)(ix), the Complainant will submit, with respect to any challenges that may be made by the Respondent to a determination in this administrative proceeding, to the jurisdiction of the courts at:

Choose one of the followings by ticking the box. It is mandatory to choose one of the options

the location of the principal office of the concerned registrar

the location of the domain name holder's address, as shown for the registration of the domain name(s) in the concerned registrar's WHOIS database at the time of the submission of the Complaint to MFSD

VIII. Payment

(URS Procedure 2; URS Rules 3(d); Supplemental Rules 3)

In case the person or entity who carries out the payment of the fees is resident and/or has permanent establishment in Italy, Italian V.A.T. at the rate of 22% is applicable to the fees. Tick this box if Italian V.A.T. is to be applied to the fees

Selected Domain(s) Name**IX. Certification**

(URS Rules 3(b)(x); Supplemental Rules 3)

The Complainant agrees that its claims and remedies concerning the registration of the domain name(s), the dispute, or the dispute's resolution shall be solely against the domain name holder and waives all such claims and remedies against (a) MFSD and Examiner, except in the case of deliberate wrongdoing, (b) the concerned registrar(s), (c) the registry operator(s) and (d) the Internet Corporation for Assigned Names and Numbers, as well as their directors, officers, employees, and agents

The Complainant certifies that the information contained in this Complaint is to the best of the Complainant's knowledge complete and accurate, that this Complaint is not being presented for any improper purpose, such as to harass, and that the assertions in this Complaint are warranted under the URS Rules and under applicable law, as it now exists or as it may be extended by a good-faith and reasonable argument

X. List of Annexes




(Supplemental Rules, 3)

You have already annexed the following attachments

SignatureName Surname E-mail

No domain name has been indicated as subject of this proceeding
The information filled in the form is not sufficient to submit the form
CONFIRM AND CONTINUE

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SAVE **MFSD srl****Via Giorgio Washington 50****20146 Milano, Italy****IT VAT: 04810100968****CONTACTS** **+39 02 45506624** **+39 02 91471087****@ urs@mfsd.it (URS)** **https://urs.mfsd.it****LEGAL NOTES**[Corporate information](#)

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