

## Complaint Guidance Questions

*The questions below are intended to help you to provide enough information to make an effective complaint. The questions in the blue boxes should give you an idea of the kind of information you should provide, but you shouldn't feel that you have to answer each one as they may not be relevant to your situation. Similarly, there may be other issues which you feel are particularly relevant to your complaint which are not covered below, you should ensure that you include these in your complaint.*

**When answering the questions below, you should try to provide as much detail as possible, and provide evidence to back up your case – an expert will give much more weight to a claim which has a screenshot or scanned document (for example) to back it up.**

*You should bear in mind that the complaint is the one opportunity you have to submit evidence to the expert which he or she is obliged to look at in coming to a decision. If you fail to mention anything at this stage which is relevant to the dispute, it may have an effect on the outcome of the dispute.*

<b>RIGHTS</b>	
<b>Tell us about yourself</b>	
	<ul style="list-style-type: none"><li>• Provide some information about yourself and/or your business. What do you do? What products or services do you sell (if any)?</li><li>• How long have you been trading? Have you always been using your current business name? How do you trade (do you sell products online or in a shop or by wholesale)?</li><li>• Are you incorporated? Please provide details about your incorporation. Dates are likely to be particularly relevant to the dispute</li><li>• How well-known or successful has your business been? What do you regard as your market/public? What are your sales figures (for the relevant period)?</li><li>• If there are multiple complainants, please explain the relationship between the parties.</li></ul>
<b>Tell us about your rights</b>	
	<ul style="list-style-type: none"><li>• Do you have a registered trade mark which is the same as or similar to the domain name? If so, please provide full details.</li><li>• Do you have a trading name or product name which is the same as or similar to the domain name?</li><li>• Do you have any contractual right to the domain name? For example as part of a distribution or franchising agreement.</li><li>• How does the domain name relate to the name or mark in which you have rights? Is it identical or similar? Please explain. Tell us the history of your use of the name or mark.</li><li>• How do you use the name or mark now? Are you recognised by the name or mark? Have you used it in any publications or in any advertising?</li></ul>

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<b>ABUSIVE REGISTRATION</b>	
<b>Tell us about your relationship with the Respondent</b>	
	<ul style="list-style-type: none"><li>• Is the Respondent known to you? Tell us how and when you became aware of the Respondent. Explain if there has been any long-term relationship (business or otherwise) between you and why and how this has changed.</li><li>• Has there been any contact with the Respondent in order to resolve the dispute? What happened? Who initiated the contact? What was the outcome?</li></ul>
<b>Tell us about the domain name</b>	
	<ul style="list-style-type: none"><li>• What is the domain name being used for? Please provide a screenshot of any websites connected to the domain name</li><li>• When was the domain name registered (or otherwise acquired) by the Respondent?</li><li>• Do you know anything about historical use of the domain name? Has the use changed over time? If so how? Do you think there are any connections between these changes and the activities of your business, or your contact with the respondent? What evidence can you provide of this?</li></ul>
<b>Tell us why you believe that the registration or use of the domain name by the Respondent is an Abusive Registration</b>	
	<ul style="list-style-type: none"><li>• Do you find yourself in a situation described in section 3 of the <a href="#">Policy</a>?</li><li>• If you believe that the respondent's use of the domain name is causing damage to your business, please explain how this damage arises. What evidence can you provide? Do you have any evidence of confusion amongst customers? Or emails going astray?</li><li>• Do you believe that the domain name was registered in order to prevent you from registering it, or in order to sell it to you for an inflated value? Why? Can you provide evidence?</li><li>• Do you believe that the Respondent is gaining an unfair advantage from their use of your name or mark?</li><li>• Is the domain name registered to a fake name or false address? Can you prove this (for example by providing evidence of returned post)?</li><li>• Is the registration part of a pattern of behaviour of registration of well-known names or marks as domain names by the Respondent? Can you provide proof (e.g. <a href="#">WHOIS</a> printouts, <a href="#">DRS decisions</a> or <a href="#">UDRP decisions</a>)?</li><li>• Do you think that the registration is abusive for any other reason? Please explain and refer to other <a href="#">DRS decisions</a> or the <a href="#">Expert Overview</a> as appropriate?</li></ul>
<b>Do you want to raise any other issues in order to demonstrate that the registration or use of the domain name is abusive? Please provide details</b>	
	<ul style="list-style-type: none"><li>• The respondent is likely to rely on one of the factors listed in section 4 of the <a href="#">Policy</a> in the response. Do you have any comments that you wish to make on these factors at this stage (bear in mind that you will have the opportunity to reply to the response at a later stage)?</li></ul>