



BELGIAN CENTRE FOR ARBITRATION AND MEDIATION

DECISION OF THE THIRD-PARTY DECIDER

NV IKKI/ Digirock Inc

Case no. 44193: ikki.be

1. The parties

1.1. Complainant: IKKI NV;

with registered office at 2000 Antwerp, Frankrijklei 101,
represented by Mr. Hubert Vanhoe.

1.2. Licensee: Digirock Inc;

with registered office at Honmachi TS Building 6F Bakurou-cho
4-7-5, Chuo-ku, 541-0059 Osaka-shi, Osaka-fu, Japan.

2. Domain name

Domain name: **"ikki.be"**
Registered on: 10 April 2007

hereafter referred to as "the domain name".

3. Factual information

The Complainant offers online career services and recruitment solutions for professionals and companies.

The Complainant is active in the Netherlands and Belgium. Its online services are accessible at www.ikki.nl and www.ikki.com.

No information is available on the Licensee.

4. Position of the parties

4.1. Position of the Complainant

The Licensee is "a typical speculative enterprise who does not conduct a commercial activity under the domain name".

The Complainant's company name and trade name is identical to the domain name, under which the Complainant wants to offer its online services on the Belgian market.

4.2. Position of the Licensee

No reply has been submitted by the Licensee.

5. Discussion and findings

Pursuant to Article 15.1 of the *CEPANI rules for domain name dispute resolution*, the Third-party decider shall rule on domain name disputes with due regard for the Policy and the *CEPANI rules for domain name dispute resolution*.

Pursuant to Article 10b(1) of the Terms and conditions of domain name registrations under the ".be" domain operated by DNS BE, the Complainant must provide evidence of the following:

- *" the licensee's domain name is identical or confusingly similar to a trademark, a tradename, a social name or corporation name, a geographical designation, a name of origin, a designation of source, a personal name or name of a geographical entity in which the Complainant has rights; and*
- *the licensee has no rights or legitimate interests in the domain name; and*
- *the licensee's domain name has been registered or is being used in bad faith."*

6.1. Identical or similar to

The domain name is identical to the trade name and the company name of the Complainant.

6.2. Rights and legitimate interests

The company name of the Licensee is totally different from its company name. No right or legitimate interest in the domain name is claimed by the Licensee.

6.3. Registration in bad faith

It results from the following circumstances that the Licensee has registered the domain name in bad faith.

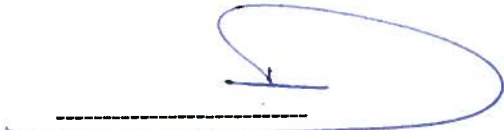
The domain name was registered in order to prevent the owner of an identical trade name and company name from reflecting this name in a corresponding domain name. The Licensee does not use the domain name, which is totally different from its company name. No information on the Licensee is available.

Moreover, failure of the Licensee to respond within the prescribed time limits can be considered as grounds to accept the claims of the Complainant, in particular the argument regarding the speculative nature of the business activities of the Licensee.

7. Decision

Consequently, pursuant to Article 10(e) of the *Terms and conditions of domain name registrations under the ".be" domain operated by DNS BE*, the Third-party decider hereby rules that the domain name registration for the "ikki.be" domain name is to be transferred to the complainant.

Brussels, 10 May 2010.



Ignace Vernimme
The Third-party decider