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DomainDisputes.co.za
SAIIPL Alternate Dispute Resolution

Decision

ZA2014-0166

.ZA ALTERNATE DISPUTE RESOLUTION REGULATIONS (GG29405)

ADJUDICATOR DECISION

CASE NUMBER:	**ZA2014-0166**
DECISION DATE:	**9 May 2014**
DOMAIN NAMES:	**bicgraphic.co.za; bicgraphics,co.za; and bicproducts.co.za**
THE DOMAIN NAME REGISTRANT:	**M Swart**
REGISTRANT'S LEGAL COUNSEL:	**None**
THE COMPLAINANT:	**BIC Graphic Europe S.A.**
COMPLAINANT'S LEGAL COUNSEL:	**None**
2nd LEVEL ADMINISTRATOR:	**ZA Central Registry (CO.ZA)**

1 Procedural History

a) The Dispute was filed with the South African Institute of Intellectual Property Law (the "SAIIPL") on **28 February 2014**. On **3 March 2014** the SAIIPL transmitted by email to ZA Central Registry a request for the registry to suspend the domain name(s) at issue, and on **3 March 2014** ZA Central Registry confirmed that the domain name had indeed been suspended. The SAIIPL verified that the Dispute satisfied the formal requirements of the .ZA Alternate Dispute Resolution Regulations (the "Regulations"), and the SAIIPL's Supplementary Procedure.

b) In accordance with the Regulations, the SAIIPL formally notified the Registrant of the commencement of the Dispute on **5 March 2014**. In accordance with the Regulations the due date for the Registrant's Response was **3 April 2014**. The Registrant did not submit a formal Response, and accordingly, the SAIIPL notified the Registrant of its default on **4 April 2014**. The Registrant thereafter failed to submit a Response in terms of the Regulations (viz Regulation 18) and the SAIIPL's Supplementary Procedure.

c) The SAIIPL appointed **Andre van der Merwe** as the Senior Adjudicator in this matter on **23 April 2014,** and **Christine Kalibbala** as the Trainee Adjudicator on **24 April 2014**. The Adjudicator has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the SAIIPL to ensure compliance with the Regulations and Supplementary Procedure.

d) The Registrant has, instead of submitting a formal Response, submitted an e-mail to the Complainant and an e-mail to the Administrator, respectively, attempting to justify its actions and its position. The contents of these e-mails will, although being a deficient response, in the interests of natural justice and the *audi alteram partem* principle, be considered by the Adjudicator as to admissibility and merit, as set out in his comments below.

2 Factual Background

2.1 The Complainant is the proprietor of at least 25 trademark registrations in South Africa for trademarks that consist of, or include, the word BIC. These registrations date from 1953 in respect of goods including pens, cigarette lighters and razors. These registrations are presently in force.

2.2 The Complainant has used its name and these trademarks world-wide and in South Africa over a lengthy period and on an extensive basis in promoting and selling its BIC-branded products.

2.3 The Complainant is also the owner of at least 15 domain name registrations that include "bicgraphic.co.za" in various countries around the world. These domain name registrations are active and clearly include the word BIC.

2.4 The Complainant and Registrant entered into an agreement in 2012 to allow the Registrant to use the name and trademark BIC in South Africa in selling its BIC-branded products. However, a relevant term of this Permission Agreement – entitled Use of Norwood and BIC Graphic Trademarks and Images - expressly states that: "Norwood and BIC Graphic Images (Trademarks) may not be incorporated into domain names, URL's, e-mail addresses or telephone numbers." The major element in the BIC Graphic images is of course the word (viz the name or mark) BIC.

2.5 The Registrant registered the disputed domain names viz bicgraphic.co.za and bicproducts.co.za on 25 June 2008; and bicgraphics.co.za on 1 November 2013. It appears that the website for bicgraphic.co.za is active while the websites for the other two domains are inactive.

2.6 When the Complainant became aware of the disputed domain name registration for bicgraphic.co.za, it sent the Registrant a cease and desist letter viz a letter of demand dated 27 November 2013. The Registrant did not reply to this letter.

3 Parties' Contentions

3.1 **Complainant**

a) The Complainant contends that it has prior registered rights in respect of the name and trademark BIC based on its South African trademark registrations, as set out above.

b) The Complainant also contends that it has rights flowing from its promotion and sale of its BIC-branded goods viz the extensive use of its name and trademark BIC in South Africa. These rights would be common law rights in South Africa based on the reputation and goodwill in and to the name and trademark BIC. The Complainant contends further in this regard that its name and trademark BIC has become well-known world-wide and in South Africa.

c) The Complainant contends that it has a number of domain name registrations in various countries world-wide for "bicgraphic", and hence that it has rights in respect of this domain name, in addition to rights in the name and trademark BIC.

d) The Complainant contends that the Registrant is using "bic" and "bicgraphic/s" without authority from the Complainant.

e) The Complainant contends that the disputed domain names are identical or similar to its name and trademark BIC (and bicgraphic).

f) The Complainant contends, by reason of the above, that the disputed domain name registrations are abusive registrations *inter alia* because the disputed domain names act as blocking registrations; and that the disputed domain name viz bicgraphic.co.za has a webpage that includes confusing information of the Complainant.

g) The Complainant also contends, in support of the above, that the Registrant is taking unfair advantage of the Complainant's world-wide reputation by pretending to be part of the BIC Group of companies - by indicating in its contact details that its (-the Registrant's) name is Bic Graphics; and that its e-mail contact address is

marinda@bicgraphic.co.za, both of which indications are untrue.

h) The Complainant contends, in support of the above contention, that the Registrant has acted in bad faith in registering the disputed domain names, in the circumstances set out herein.

i) The Complainant further contends, in support of the above, that the Registrant is acting in bad faith because it has breached the use agreement/contract concluded in 2012 between the parties by registering the disputed domain names.

3.2 Registrant

a) The Respondent did not formally reply to the Complainant's contentions. However, the Registrant e-mailed the Complainant directly and contended in broad terms that it had obtained authority from staff of the Complainant, and approval from the Bic South African office, to register the domain names; and that there had been no complaint or warning regarding the disputed domain names from the Complainant. In addition, the Registrant e-mailed the Administrator and contended that the Complainant was fully aware of the disputed domain names; and that the Registrant was authorized to use these domain names and websites for over two years without complaints from the Complainant.

4 Discussion and Findings

a) In order to make a finding that the disputed domain names are abusive registrations, the Adjudicator is required to find that the Complainant has proved, on a balance of probabilities, in terms of Regulation 3(2), that the required elements in terms of Regulation 3(1)(a) are present viz:

i) the Complainant has rights in respect of a name or mark

ii) which is identical or similar to the (disputed) domain names; and

iii) in the hands of the Registrant the (disputed) domain names are abusive registrations.

An abusive registration is defined in the definition section viz in Regulation 1,

to mean a domain name which either –

a) was registered or otherwise acquired in a manner which, at the time when the registration or acquisition took place, took unfair advantage of, or was unfairly detrimental to, the Complainant's rights; or
b) has been used in a manner that takes unfair advantage of, or is unfairly detrimental to, the Complainant's rights.

SUBSTANTIVE ASPECTS

Turning now to the substantive aspects of this complaint, the Adjudicator has carefully perused the Complaint filed herein and fully considered the facts and contentions set out therein (as well as the deficient response of the Registrant).

RIGHTS IN RESPECT OF A NAME OR MARK

In terms of Regulation 1 the term "rights" is widely defined. The Regulation states that "rights" and "registered rights" include intellectual property rights, commercial, cultural, linguistic, religious and personal rights protected under South African law but is not limited thereto.

As has been decided by the appeal decisions in www.seido.co.za (ZA2009-0030) and www.xnets.co.za (ZA2011-0077), the notion of "rights" for the purposes of Regulation 3(1)(a) is not trammelled by trade mark jurisprudence. It is a matter of *locus standi* in order to make sure that the person who complains is someone with a proper interest in the complaint. The threshold in this regard should be fairly low.

In the first place, the Adjudicator needs to determine whether, as set out above, in terms of Regulation 3(1)(a), the Complainant has rights in respect of the name or trademark BIC. The Complainant claims that it enjoys such rights in this name or mark.

A NAME OR MARK?

The first part of the present enquiry is to determine whether the Complainant has *locus standi* in the sense of a name or mark that is unique or distinctive

of it and its activities (and that is not merely descriptive, general or generic, for example).

DOES THE COMPLAINANT HAVE RIGHTS?

The first element that the Adjudicator needs to establish is whether, on a balance of probabilities, the Complainant has rights in respect of the name or trademark BIC. The Complainant asserts that it has rights in and to the name and mark BIC.

Firstly, under statute law, the Complainant has shown, as set out above, that it is the proprietor of registered rights in respect of the name and trademark BIC in South Africa that date back to 1953. The trademark BIC was registered prior to the disputed domain name registrations, and such trademark registrations are in force and are *prima facie* valid and enforceable. This clearly provides the Complainant with rights in terms of section 34 of the Trade Marks Act no 194 of 1993. Infringement would take place in terms of that section if a person used a mark, without authority, which is identical or similar to the registered trademark BIC in respect of the goods and/or services for which the trademark is registered, such as pens, cigarette lighters, and/or razors, for example. Hence the Complainant has validly claimed the aforementioned registered rights in South Africa.

In support of the above see the textbook Webster and Page: South African Law of Trade Marks, Fourth Edition, paragraphs 12.5 and 12.6, and the South African and foreign decided cases cited therein.

Secondly, under common law in South Africa, the Complainant asserts that, by virtue of extensive use and promotion of its name and trademark BIC in South Africa, it has developed a considerable repute or reputation therein, as an asset of its business in South Africa. In fact it claims that its name and trademark BIC is known world-wide (or well-known to use the precise term used in the Trade Marks Act).

Such goodwill, or more particularly reputation, in respect of its name or trademark BIC, could be damaged by means of unlawful competition or specifically passing off under the common law by another party wrongly

representing that it is, or is associated with, or part of, the Complainant and its business.

It was pointed out in ZA2007-0003 that the registration and adoption of a domain name being a name or mark that enjoys a reputation, of another person, could readily amount to passing off under the common law.
Although the Complainant has also contended that it has rights of use in respect of the name or mark BIC Graphic, the Adjudicator does not find it necessary to examine, or to pursue, this contention further.

The Complainant therefore claims to have justifiable and justiciable rights under the common law in respect of its name and trademark BIC viz rights that can be enforced against others who infringe or would be likely to damage such rights.

In support of the above, see ZA2007-0003 at page 9; and the textbook Webster and Page *op cit*, at paragraphs 15.5 and 15.7 and the South African and foreign decided cases cited therein.

The Adjudicator therefore finds that the Complainant has proved, on a balance of probabilities, that it has both registered trademark rights and unregistered rights viz common law rights in respect of the name or mark BIC. Hence the Complainant has also established that it has the necessary *locus standi* to bring this Complainant.

NAME OR MARK IDENTICAL OR SIMILAR TO DOMAIN NAMES?

The second element that the Adjudicator needs to establish is whether, on a balance of probabilities, the Complainant has proved that its name or mark, in which it has rights as set out above, is identical or similar to the (disputed) domain names. The Complainant asserts that the disputed domain names are identical or similar to its name and mark BIC (and BIC Graphic).

The Complainant's name or mark (in which it has rights) is BIC, and secondarily BIC Graphic, while the disputed domain names are bicgraphic.co.za; bicgraphics.co.za; and bicproducts.co.za. Ignoring the first

and second level suffixes, in terms of Regulation 5(c), the comparison becomes bicgraphic/s v BIC (or BIC Graphic); and bicproducts v BIC.
The disputed domain name contains the Complainant's name and mark BIC (or BIC Graphic) in its entirety. BIC is undeniably the distinctive, dominant and memorable element of the domain name, and this is the feature that is known (or probably even well-known) to members of the public. The Registrant has merely added a descriptive (or generic term) viz "graphic/s" or "products" to the distinctive BIC name/mark. The Registrant cannot escape the inevitable conclusion that the Complainant's name and mark BIC (or BIC Graphic) is identical or similar to the disputed domain names.
In support of the above, see the following foreign domain name decisions - In NAF/FA141825 it was held that: "It is also well-established under the policy that a domain name composed of a trademark coupled with a generic term still is confusingly similar to the trademark."

In WIPO/D2002-0367 the Panel concluded that: "The disputed domain name contains Complainant's EXPERIAN trademark in its entirety. The addition of the generic term "automotive" does not distinguish Respondent's domain name from Complainant's mark."

See also for example the decisions WIPO/D2000-1598 in which niketravel and nikesportstravel were found to be similar to NIKE; DRS04601 in which nikestore was found to be similar to NIKE; and DRS01493 in which nokia-ringtones was found to be similar to NOKIA.

See also the following South African domain name decisions – in ZA2007-0003 telkommedia was found to be similar to TELKOM; in ZA2007-0010 mwebsearch was found to be similar to MWEB; in ZA2008-0025 suncityshuttle was found to be similar to SUN CITY; in ZA2009-0034 absapremiership was found to be similar to ABSA; in ZA2010-0048 etravelmag was found to be similar to ETRAVEL; and in ZA2013-00149 autotraderauction was found to be similar to AUTOTRADER.

Accordingly the Adjudicator finds that the Complainant has proved, on a balance of probabilities, that its name and mark BIC (or BIC Graphic) is identical or similar to the disputed domain names.

ARE THE DOMAIN NAMES ABUSIVE REGISTRATIONS?

The third element that the Adjudicator needs to establish is whether, on a balance of probabilities, the disputed domain names, in the hands of the Registrant, are abusive registrations. The Complainant asserts that the disputed domain names are abusive registrations.

The Adjudicator is required to determine whether the disputed domain names are abusive registrations as defined in the definition section of the Regulations viz in Regulation 1, and as set out above. According to the definition, and to various Nominet decisions, there are two potential abuses (or two types of abuse) viz:

a) Registration with an abusive intent; and/or
b) Use in an abusive manner.

The Adjudicator refers to DRS 02464 (Aldershot Car spares v Gordon); and to DRS 00658 (Chivas Brothers Ltd v David William Plenderleith) in which the Expert found that: *"Where a Respondent registered a domain name*

1) *which is identical to a name in which the complainant has rights;*
2) *where that name is exclusively referable to the complainant;*
3) *Where there is no obvious justification for the Respondent having that name for the domain name; and*
4) *Where the Respondent has come forward with no (reasonable) explanation for having selected the domain name; it will ordinarily be reasonable for an expert to infer first that the Respondent registered the domain name for a purpose and secondly that such purpose was abusive."*

See also ZA2007-007 (FIFA v X Yin) in this regard. The Adjudicator concurs with the view that the nature of "abusive" in the Regulations does not necessarily require a positive intention to abuse the Complainant's rights but that such abuse is the effect or consequence of the registration or use of the disputed domain name.

Regulations 4 and 5 provide a list of (non-exhaustive) factors which may indicate that a disputed domain name is, or is not, an abusive registration,

respectively. More particularly, Regulation 4 lists circumstances that indicate that the Registrant has registered the disputed domain names primarily to achieve certain objectives. The Complainant has asserted or referred to some of these factors or circumstances that will be discussed below viz:

a) **That the Registrant has registered the disputed domain names primarily to block intentionally the registration of a name or mark in which the Complainant has rights**

The Complainant has clearly established that it has rights in and to the name or mark BIC (and hence BIC Graphic). The Registrant was aware of such rights and has not at any time, or in any way, disputed such rights of the Complainant. In fact the Registrant has confirmed that the Complainant has such rights in its e-mail to the Administrator.

Although the Regulations (and definitions) are silent on what a "blocking registration" is or involves, it is clear both in general terms and from various Nominet decisions that a blocking registration appears to have two critical features. The first is that it must act against a name or mark in which the Complainant has rights. The second is intent or motivation and suggests some knowledge and hence a purpose in registering a domain name to prevent the Complainant from doing so. See DRS00583 and DRS01378.
Even before obtaining rights of use from the Complainant in 2012, the Registrant had already in 2008 registered two of the three disputed domain names viz bicgraphic.co.za and bicproduct.co.za. The third disputed domain name viz bicgraphics.co.za was registered in 2013.

Two of the three disputed domain names are inactive (bicgraphics.co.za and bicproducts.co.za) and serve only as a blocking mechanism. The third disputed domain name (bicgraphic.co.za) is actively used by the Registrant but it contains incorrect and confusing information about the Complainant and its group of companies as set out above.

The disputed domain names undeniably prevent the Complainant from registering these domains, or its name or marks in these forms, for itself whether through the intent of the Registrant and/or as a consequence of such registrations.

The fact that the Registrant had already registered two of the three disputed domain names about four years before the conclusion of the use agreement with the Complainant is unfortunately an indication of bad faith on the part of the Registrant. If this fact had been disclosed to the Complainant in 2012 (when the use agreement was concluded), the Complainant would no doubt, as the legitimate owner of rights in these two disputed domain names, have arranged for transfer thereof to itself. Hence withholding such important information from the Complainant is another indication of bad faith on the part of the Registrant. This attitude on the part of the Registrant is further exacerbated by the action of the Registrant in registering the third disputed domain name during 2013 - in spite of the express term of the use agreement (dating from 2012) that disallows the incorporation of BIC Graphic Images/Trademarks into domain names. The Registrant's action in this regard amounts to a breach of its contract with the Complainant – which also amounts to an act of bad faith on the part of the Registrant.

If the above information regarding the disputed domain names had been brought to the attention of the Complainant in a proper manner, then neither the suspicion nor the allegation of bad faith herein would have arisen herein. Lastly, failure by the Registrant to reply to the letter of demand dated 27 November 2013 from the Complainant appears to confirm the Registrant's bad faith herein.

The Adjudicator is obliged to conclude that the registration of the disputed domain names has the simple consequence of barring the Complainant from using and registering these domain names for itself, as the owner of rights to the relevant name(s) or trademark(s).

In support of the above, see WIPO/D2000-0545; and the leading United Kingdom authority dealing with domain names and their "blocking" effect viz British Telecommunications plc v One in a Million Ltd [1999] FSR 1 (CA). In this case, the Court of Appeal held that the disputed domain name registrations were unlawful on the grounds of both trademark infringement and passing off, and interdicted One in a Million Ltd and those who controlled it from such conduct and ordered them to transfer the disputed

domain name registrations to the companies that in reality traded under those names.

In support of the above, see also the foreign decision WIPO/D2000-0766 (Red Bull GmbH v Harold Gutch) which is cited in the South African decision ZA2008-0014 (Automobiles Citroen v Mark Garrod).

Accordingly the Adjudicator comes to the conclusion that this factor applies in the present dispute, based to a large extent on the various acts of bad faith on the part of the Registrant, as set out above, and that this factor indicates that the disputed domain names are abusive registrations.

b) That the Registrant has registered the disputed domain names primarily to prevent the Complainant from exercising its rights

The Complainant contends that the disputed domain names block it from registering its own domain name(s), as set out above; and hence the disputed domain names prevent the Complainant from exercising its legitimate rights in South Africa by registering its own .co.za domain names (such as bicgraphic.co.za).

Besides the factual question of the disputed domain names preventing the Complainant from exercising its rights ie by registering its own domain names such as bicgraphic.co.za, this raises the question of whether the Registrant had acted in good faith or otherwise in registering the disputed domain names, as also set out above. The Registrant had warranted, when applying to register the disputed domain names, in terms of the Uniforum SA terms and conditions (clause 5.1) that:

I. "It has the right without restriction to use and register the Domain Name"
II. "The use or registration of the Domain Name (by the Registrant) does not or will not interfere with, nor infringe the right of any third party in any jurisdiction with respect to trade mark, service mark, trade name, company name, close corporation name, copyright, or any other intellectual property right."

Clause 5.1.1 of the Uniforum SA terms and conditions state further (-to which the Registrant had agreed): "Applicant (the Registrant) hereby

irrevocably represents, warrants, and agrees that its statements in the Application are accurate and complete."

It appears undeniable that the Registrant, at all material times, had known of the Complainant and its rights in and to its name and trademark BIC, and hence it appears both from this knowledge and directly from the above false statements or warranties by the Registrant that the disputed domain names were registered in bad faith.

Accordingly the Adjudicator comes to the conclusion that this factor also applies in the present dispute, and that it indicates that the disputed domain names are abusive registrations.

c) **That there are circumstances indicating that the Registrant is using, or has registered, the disputed domain names in a way that leads people and/or businesses to believe that the disputed domain names are registered to, operated or authorised by, or otherwise connected to, the Complainant**

The Complainant asserts that, because of the extensive reputation of the name and trademark BIC (or BIC Graphics) in South Africa it is highly likely that people and/or business will be confused and will believe that the disputed domain names are somehow associated, or linked with the Complainant. As explained above, the website of the disputed domain name bicgraphic.co.za indicates that the name of the Registrant and its business is Bic Graphics - when its name in fact is SA Resort Services; and that its e-mail contact address is marinda@bicgraphic.co.za.

By way of the aforementioned, the Registrant pretends to be part of the Complainant and its group of companies - that is not true. This is an attempt to take unfair advantage of the Complainant and its worldwide reputation (including its reputation in South Africa),

In support of the above, various foreign decisions have found that confusion may be inferred in situations when the Registrant has registered a domain name containing the Complainant's name or mark plus a generic

term – such as in the present case. See for example the foreign decisions in WIPO/D2000-0777, WIPO/D2000-878, NAF/FA95033, NAF/FA95402; and the above cited NIKE and NOKIA decisions. See also the foreign decisions DRS 03027 (Epson Europe BV v Cybercorp Enterprises) and WIPO/D2001-0160 (DaimlerChrysler AG v Donald Drummonds.
See also the South African decisions in ZA2007-007 (FIFA v X Yin) and ZA2008-0014 (Automobiles Citroen v Mark Garrod).

Hence the Adjudicator comes to the conclusion that this is a real and present factor in the present dispute, and that it indicates that the disputed domain names are abusive registrations.

Submissions made by or on behalf of the Registrant

The Registrant has submitted a deficient response herein, which, in principle, cannot, as such, be admitted into evidence in this Complaint. However, in order to determine whether the contents of this response could possibly have influenced the outcome of this Complaint, if these two e-mails had been properly submitted viz under oath, the Adjudicator wishes to briefly examine the contents of the Registrant's two e-mails hereunder, and to comment thereon.

In the Registrant's first e-mail dated 17 March 2014 viz to the Complainant, Ms Marinda Swart alleges that the Registrant had informed the Complainant, apparently about two years ago, via a lady called Janine who was allegedly an employee of the Complainant, that the Registrant was "… in the process of registering the domains and was advised by Janine that she would find out and come back to us when and if it was approved." Ms Swart firstly goes on to say that the Registrant had registered the 2 domains for almost 2 years now (sic) – although the first two disputed domains were in fact already registered in 2008 – so this does not make sense date-wise. Secondly, it appears that Janine did not revert to Ms Swart so that, on Ms Swart's own version, no approval was in logic and in fact granted by the Complainant. This appears to be the end of the alleged authorization by the Complainant.

Ms Swart also enquires in this e-mail: "… kindly advise if you will consider

compensating us the money we have spent to date." Because no mention is made of any amount, this does not appear to be a factor in terms of Regulation 4 (1) (a) (i) viz that the Registrant has registered the disputed domain names primarily to sell or transfer the disputed domain names to the Complainant for valuable consideration in excess of the Registrant's reasonable out-of pocket expense directly associated with acquiring or using the disputed domain names.

In the Registrant's second e-mail dated 4 April 2014 viz to the Administrator, Ms Swart admits that the Complainant has rights in its name and trademarks. She then alleges that:"They (ie the Complainant) were fully aware of the fact that the sites were being registered." This does not take the matter any further except for the Adjudicator to explain that a Complainant can decide to take steps when it wishes and when it is ready to do so. It also does not have to explain why it has waited for a certain period of time to lodge this Complaint. The Registrant had in any event been forewarned of this Complaint by the Complainant's letter of demand dated 27 November 2013.

In the Adjudicator's view, the contents of these two e-mails contribute nothing substantial that could assist the Registrant in this Complaint.
In any event, the fundamental problem for the Registrant is that these two e-mails were not submitted under oath, as required by the Regulations, and thereby constitute a deficient Response that cannot be admitted as evidence in this Complaint.

Accordingly, the Adjudicator finds that these two e-mails must be disregarded in the overall consideration of this Complaint.

4.2 **Abusive Registration**

4.2.1 In the circumstances, the Adjudicator finds, on a balance of probabilities, that the disputed domain names, in the hands of the Registrant, are abusive registrations in that these were registered or otherwise acquired in a manner which, at the time when the registration took place, took unfair advantage of, or were unfairly detrimental to the Complainant's rights; and

4.2.2 Have been used in a manner that takes unfair advantage of, or are unfairly detrimental to, the Complainant's rights.

5. **Decision**

5.1 For all the foregoing reasons, in accordance with Regulation 9, the Adjudicator orders that the disputed domain names, viz bicgraphic.co.za; bicgraphics.co.za; and bicproducts.co.za, be transferred to the Complainant.

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ANDRE VAN DER MERWE

SAIIPL SENIOR ADJUDICATOR

www.DomainDisputes.co.za

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CHRISTINE KALIBBALA

SAIIPL TRAINEE ADJUDICATOR

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