DISPUTE RESOLUTION SERVICE DECISION

The Vesey Partnership Limited v. Safa Hussain
Case No. DUK2026-0023

1. The Parties

1.1. The Complainant is The Vesey Partnership Limited, United Kingdom, represented internally.

1.2. The Respondent is Safa Hussain, United Kingdom.

2. The Domain Name and Registry

2.1. The Registry of the disputed domain name <searchpoint.uk> is Nominet UK ("Nominet" or the "Registry").

3. Procedural History

3.1. The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on 3 August 2026. On 4 August 2026, the Center transmitted by email to the Registry a request for registry verification in connection with the disputed domain name. On 5 August 2026, the Registry transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Unknown Registrant) and contact information in the Complaint. The Center sent an email communication to the Complainant on 10 August 2026, inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on 10 August 2026.

3.2. The Center verified that the Complaint satisfied the formal requirements of the Nominet Dispute Resolution Service Policy (the "Policy" or "DRS Policy").

3.3. In accordance with the Policy, paragraphs 3 and 6, the Center formally notified the Respondent of the Complaint on 11 August 2026. In accordance with the Policy, paragraph 7, the due date for Response was 2 September 2026. The Response was filed with the Center on 1 September 2026.

3.4. In accordance with the Policy, paragraph 9, the due date for the Complainant's Reply was 9 September 2026.

3.5. The Parties were invited to mediation on 7 September 2026. The Registry confirmed on 7 October 2026 that mediation was unsuccessful.

3.6. The Complainant paid the fee for an expert decision on 9 October 2026.

3.7. The Center appointed Alan L. Limbury as the Expert in this matter on 28 October 2026. The Expert has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Policy, paragraph 15.

4. Factual Background

4.1. The Complainant, The Vesey Partnership Limited, uses the domain name <searchpoint.co.uk> to operate an infrastructure platform providing searches, including conveyancing searches in the United Kingdom ("UK"). The Respondent registered the disputed domain name <searchpoint.uk> on 19 June 2026. It resolves to a website offering "Professional Conveyancing Searches". The Complainant applied to register the trademark SEARCHPOINT in the UK on 29 July 2026. The application is pending.

5. Parties' Contentions

The Complainant

5.1. The Complainant has traded continuously and extensively across the United Kingdom under the distinctive commercial brand name 'Searchpoint' and via the primary web domain <searchpoint.co.uk> since 2011. While the Complainant is relying on unregistered rights for the purpose of this Complaint, its market penetration, brand longevity, and historic commercial footprint generate an undeniable legal right to the name. The disputed domain name is identical to the Complainant's core brand name and mirrors the Complainant's long-standing online identity, <searchpoint.co.uk>.

5.2. The Respondent is a direct commercial competitor of the Complainant, operating within the exact same UK market sector. The Respondent could not have been unaware of the Complainant's rights when registering the domain name and did so in bad faith to confuse the public and disrupt the Complainant's business infrastructure. The registration and current operational use of <searchpoint.uk> therefore satisfy all criteria for Abusive Registration under the Policy.

The Respondent

5.3. The Respondent denies that the registration and use of the disputed domain name constitutes an Abusive Registration, saying *inter alia*:

> "I registered the domain name on 19 June 2026 for a legitimate business purpose. At the time of registration, I had no knowledge of The Vesey Partnership Limited, its business, its website, or its use of the name 'Searchpoint'. I did not register the domain name with the intention of taking advantage of the Complainant's reputation, preventing the Complainant from registering the domain, disrupting its business, misleading customers, impersonating the Complainant, or selling the domain to the Complainant or any competitor. My choice of the name was independently made because 'SearchPoint' was considered a suitable and intuitive name for a property-search related service…
>
> …Before registering the .uk domain, I had attempted to obtain searchpoint.co.uk [http://searchpoint.co.uk], but that domain was unavailable. I recall that the domain registrar presented the .uk alternative, which I subsequently registered…The decision to use

'SearchPoint' was based on the suitability of the name for the business I intended to develop. It was not selected because of any knowledge of, or reference to, The Vesey Partnership Limited…

The circumstances surrounding the registration are consistent with a genuine business decision rather than an abusive registration. In particular:
* the domain was registered for a genuine business purpose;
* I independently selected the name;
* I had no knowledge of the Complainant at the time of registration;
* I did not register the domain to sell it to the Complainant;
* I did not approach the Complainant seeking payment;
* I did not register it to prevent the Complainant from operating its business;
* I did not register it to disrupt the Complainant;
* I did not intend to impersonate the Complainant; and
* the Complainant's trademark application was filed after my domain registration…
I respectfully submit that these circumstances are inconsistent with the type of conduct contemplated by the DRS Policy as an Abusive Registration.

I understand that under the DRS Policy the Complainant must establish both the necessary rights in the relevant name or mark and that the domain name constitutes an Abusive Registration. I accept that the Complainant has provided evidence of its historical use of 'Searchpoint'. However, I respectfully deny that the evidence establishes that my registration of searchpoint.uk [http://searchpoint.uk] on 19 June 2026 was abusive. In particular, there is no evidence that I knew of the Complainant when registering the domain or that I intended to take unfair advantage of its business or goodwill. The fact that two parties may independently select the same or similar descriptive business name does not necessarily mean that the later registration was made in bad faith or for an abusive purpose…"

6. Discussion and Findings

6.1. To succeed under the Policy, the Complainant must prove on the balance of probabilities both that it has Rights in respect of a name or mark that is identical or similar to the domain name and that the domain name is an Abusive Registration in the hands of the Respondent.

Identity/similarity

6.2. The Complainant has provided evidence that, between November 26, 2012, and August 3, 2026, it has prominently used the trading name Searchpoint, the domain name <searchpoint.co.uk> and the corresponding website to promote its conveyancing search services, and that in 2016 "Searchpoint" was awarded CV Magazine's "Best Conveyancing Application Services Provider". This history of use satisfies the Expert that the Complainant has acquired reputation and goodwill in relation to the name "Searchpoint" in relation to conveyancing searches in the UK, such that the Complainant may lawfully prevent the passing off of that name.

6.3. Further, as in the decision of the Appeal Panel in *Polo Enterprises Ltd T/A Ascot Park Polo Club v Mr Nick Beitner*, DRS D00016584, (3 August 2016), the Expert considers that the Complainant's consistent use of the <searchpoint.co.uk> domain name to host its website for many years is sufficient to overcome the relatively low hurdle of establishing Rights in that name.

6.4. Accordingly, the Expert finds the Respondent's <searchpoint.uk> domain name to be similar to the Searchpoint trading name and the <searchpoint.co.uk> domain name, in both of which names the Complainant has Rights.

Abusive registration

6.5. Abusive Registration is defined in the Policy, paragraph 1 as a domain name which either:

(i) 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

(ii) is being or has been used in a manner which has taken unfair advantage of or has been unfairly detrimental to the Complainant's Rights.

6.6. Paragraph 5.1 of the Policy sets out a non-exhaustive list of factors which may be evidence that a Domain Name may be an Abusive Registration, including:

5.1.1 Circumstances indicating that the Respondent has registered or otherwise acquired the Domain Name primarily:

5.1.1.1 for the purposes of selling, renting or otherwise transferring the Domain Name to the Complainant or to a competitor of the Complainant, for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly associated with acquiring or using the Domain Name;

5.1.1.2 as a blocking registration against a name or mark in which the Complainant has Rights; or

5.1.1.3 for the purpose of unfairly disrupting the business of the Complainant;

5.1.2 Circumstances indicating that the Respondent is using or threatening to use the Domain Name in a way which has confused or is likely to confuse people or businesses into believing that the Domain Name is registered to, operated or authorised by, or otherwise connected with the Complainant.

6.7. Although the Respondent was aware of the <searchpoint.co.uk> domain name when he registered the disputed domain name <searchpoint.uk>, the Expert is not persuaded that the Respondent was aware of the Complainant when registering the disputed domain name and finds that none of the circumstances in paragraph 5.1.1 of the Policy are present here.

6.8. The Respondent’s registration of the disputed domain name was not abusive.

6.9. As to paragraph 5.1.2 of the Policy, the Expert is satisfied, on the balance of probabilities, that the Respondent’s use of the <searchpoint.uk> domain name for a property-search related service of the same kind provided by the Complainant is likely to confuse people or businesses into believing that the domain name is registered to, operated or authorised by, or otherwise connected with the Complainant. Accordingly, despite the registration of the disputed domain name not being abusive, the Expert finds that the <searchpoint.uk> domain name is an Abusive Registration in the hands of the Respondent.

7. Decision

7.1. For the foregoing reasons, in accordance with paragraphs 18 and 19 of the Policy, the Expert orders that the disputed domain name <searchpoint.uk> be transferred to the Complainant.

Alan L. Limbury
Expert
Date: 31 October 2026