



URS DEFAULT DETERMINATION

Bloomberg Finance L.P. v. Yang Yang

Claim Number: FA1808001802312

DOMAIN NAME

<bloomberg.top>

PARTIES

Complainant: Bloomberg Finance L.P. of New York, New York, United States of America.

Complainant Representative: Brendan T. Kehoe.

Respondent: Yang Yang of lan zhou, GS, International, CN.

Respondent Representative: None.

REGISTRIES and REGISTRARS

Registries: .TOP Registry

Registrars: Chengdu West Dimension Digital Technology Co., Ltd.

EXAMINER

The undersigned certifies that he has acted independently and impartially and to the best of his knowledge has no known conflict in serving as Examiner in this proceeding.

David L. Kreider, as Examiner.

PROCEDURAL HISTORY

Complainant submitted: August 20, 2018

Commencement: August 21, 2018

Default Date: September 5, 2018

Having reviewed the communications records, the Examiner finds that the FORUM has discharged its responsibility under URS Procedure Paragraphs 3 and 4 and Rule 4 of the Rules for the Uniform Rapid Suspension System (the "Rules").

RELIEF SOUGHT

Complainant requests that the domain name be suspended for the life of the registration.

STANDARD OF REVIEW

Clear and convincing evidence.

FINDINGS and DISCUSSION

Even though the Respondent has defaulted, URS Procedure 1.2.6, requires Complainant to make a *prima facie* case, proven by clear and convincing evidence, for each of the following three elements to obtain an order that a domain name should be suspended.

The Complainant alleges, and the Examiner finds, that the BLOOMBERG Marks are strong and have gained secondary meaning through their continuous use in connection with Complainant's electronic trading, financial news, and information businesses. The Domain Name fully incorporates the BLOOMBERG mark. The addition of the ".top" top level domain is of no legal significance.

The Examiner notes, moreover, that the website to which the Disputed Domain Name resolves is a "parking" site that offers the domain for sale.

The Complainant alleges, without contradiction by the Respondent who has defaulted, that the Respondent has no rights in the Marks. This Examiner so finds.

Finally, the Complainant references the principle that bad faith may be found to exist in circumstances where it is unlikely the registrant would have selected the Domain Name without knowing the reputation of the well-known trademark in question. Such is the case here.

DETERMINATION

After reviewing the Complainant's submissions, the Examiner determines that the Complainant has demonstrated all three elements of the URS by a standard of clear and convincing evidence; the Examiner hereby Orders the following domain names be SUSPENDED for the duration of the registration.

<bloomberg.top>

A handwritten signature in black ink, appearing to read 'DK', is written over a horizontal line.

David L. Kreider, Esq.
Panelist

David L. Kreider, Examiner

Dated: September 6, 2018