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Edwards Wildman Palmer UK LLP  
Dashwood  
69 Old Broad Street  
London  
EC2M 1QS

FAO: Nicholas Bolter

Your Ref: EHJ/NCB/307154-4076  
Our Ref: THRE/SCB/MIT/105153.00053

17 January 2014  
**By Fax and Post**

Dear Sirs

**Cartier International AG v Nominet UK**  
**Claim No. HC13B04781**

Please find enclosed, by way of service, a copy of Nominet UK's Defence in the above proceedings.

A copy of this document has been filed with the court.

Yours faithfully

*CMS Cameron McKenna LLP.*

**CMS Cameron McKenna LLP**

UK - 80275332.1

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IN THE HIGH COURT OF JUSTICE

HC 13 B04781

CHANCERY DIVISION

INTELLECTUAL PROPERTY

BETWEEN:

CARTIER INTERNATIONAL AG  
(*A company incorporated under the laws of Switzerland*)

Claimant

- and -

NOMINET UK

Defendant

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DEFENCE

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1. Except where otherwise specified, paragraph numbers and annex numbers herein refer to paragraphs and annexes respectively of the Particulars of Claim.

**Allegations against the 'Operators'**

2. Paragraphs 1 to 8 are admitted.
3. Nominet will assume that the term 'Operator' defined in paragraph 7(b), when used in the remainder of the Particulars of Claim, is intended to refer to the *actual* operator and not the *purported* operator of each Website.
4. Paragraphs 9 to 12 contain allegations of historical tortfeasance directed against persons who (i) are not Nominet and (ii) are not parties to this claim. Nominet is unable formally to admit these allegations on the basis of its own knowledge. It maintains a neutral position and will make no positive case to the contrary in these proceedings.
5. No admissions are made as to the allegations of loss and damage set forth in paragraph 13 or as to the relevance thereof to the claim advanced. The Claim

Form is expressly marked “non-monetary claim” and no pecuniary relief is claimed.

### **Breaches of Pre-Action Protocols**

6. At 16:33 on Tuesday 22 October 2013 Richard Graham of the Richemont IP Department sent an email to Nick Wenban-Smith of Nominet informing him that an action would be filed against Nominet *“over the course of the next week”*. Attached to that email message was a scanned letter from Mr Graham which appears at Annex D of the Particulars of Claim:
  - (a) It gave *“advance warning of Cartier’s claim”* against Nominet concerning various .uk domain names which did *“not include the CARTIER mark but rather consists of generic terms such as “watches”, “cheap” etc.”*
  - (b) It went on to inform Nominet that the claim would be issued and served, a hearing would be fixed and a Court Order sought.
7. That email and letter did not comply with and were contrary to the Practice Direction on Pre-Action Conduct.
8. Following receipt of that email, Mr Wenban-Smith telephoned Mr Graham in accordance with the final sentence of Mr Graham’s letter *“If you have any questions or require any more information please do not hesitate to contact me at ...”*. As a result of this call a conference call took place on an open basis on Thursday 24 October 2013 between Mr Graham, Mr Wenban-Smith and Mr Nick Bolter of Messrs Edwards Wildman Palmer UK LLP, solicitors to the Claimant. Mr Wenban-Smith inter alia outlined Nominet’s existing procedures for handling complaints in respect of domain names administered by Nominet (i) as to inaccurate or incomplete provision of identity and contact information, and (ii) in relation to purported criminal use of a domain name.

### **PARTICULARS**

During the abovementioned conference call:

- (a) Mr Wenban-Smith explained that either or both of the two procedures may lead to a domain name being “suspended” i.e. the removal of the technical functionality of that domain name such that it cannot be used for email or viewing websites on the Internet. Inaccurate identity and contact information generally leads to the suspension of a domain within three weeks. Where suspicions of criminality are formally confirmed by a recognised law enforcement agency, suspension may be very significantly expedited.
  - (b) Mr Wenban-Smith explained that should existing procedures used by Nominet prove inadequate from the Claimant’s perspective, then he would be interested in understanding where problems were thought to exist. This is because the Internet is a relatively young phenomenon and operators of infrastructure such as Nominet have to review and adjust their policies as appropriate on a regular basis.
  - (c) Mr Graham and Mr Bolter made it clear that they were well aware of Nominet’s existing procedures, and had established contacts within UK law enforcement agencies for criminal complaints of counterfeiting, but that in the circumstances the Claimant was seeking a novel remedy via the Court. They would consider the points made by Mr Wenban-Smith with the Claimant and revert.
9. The outcome of the conversation between Mr Graham, Mr Bolter and Mr Wenban-Smith was a further email message from Mr Graham to Mr Wenban-Smith timed at 17:26 on Friday 25 October 2013. A copy of that email message is annexed hereto at page 1 of Schedule 1. That email message included the following statements:
- (a) *“Thank you for your contribution to the discussions this week, which we had following the e-mail and correspondence we sent on Tuesday. We found the discussions very useful and welcome your collaboration. We also appreciate the further guidance you have given us regarding the established Nominet procedures, in*

*particular regarding false WHOIS and the steps Nominet can take to suspend domain names that link to websites that offer counterfeit goods."*

(b) *"[the Claimant is] looking to establish a precedent that can be used to persuade courts in other jurisdictions where the registries are less cooperative."*

(c) *"We understand that this application for an order against Nominet is innovative and that the Court may conclude that such an order is inappropriate. However, we would like to understand whether it is possible to obtain such an order. We have therefore decided to proceed with this action and I have instructed Edwards Wildman to file the action at Court early next week."*

(d) *"Whilst we are seeking in this action to establish whether, in principle, the Court will grant an Order in the form requested, it remains highly likely that we will in future seek to rely predominantly on the less formal procedures that Nominet already offers to IP owners."*

10. That email message did not comply with and was contrary to the Practice Direction on Pre-Action Conduct.

11. Mr Wenban-Smith responded by email on the next working day, Monday 28 October 2013. A copy of that email message is annexed hereto at page 2 of Schedule 1. That message included the following statements (with emphasis added):

(a) *"I am surprised and disappointed that Richemont's approach to the resolution of these issues is to proceed directly to litigation against Nominet, without making any attempt to investigate whether proceedings are in fact necessary and before our own processes have had a chance to run their course. As I explained, we do have procedures for handling complaints as regards domain names which are alleged to be in breach of our standard terms and conditions of domain registration. As you acknowledged, Nominet has an excellent reputation with rights holders for operating the .uk registry for public benefit, balancing the open nature of the internet with due respect for legal rights. There is therefore every prospect that before the substantive hearing of the threatened application, the domains to which it is*

directed will already have been suspended as a result of these very procedures."

(b) "... [Nominet] would 'welcome' Richemont complying with the Practice Direction on Pre-Action Conduct and availing themselves of the processes that we already have in place to address these types of issue."

(c) "... If you are determined to continue down this route then Nominet will respond to your claim form and application in due course. In the meantime, all of Nominet's rights are reserved. In particular I would draw your attention to the full panoply of sanctions under paragraph 4.6 of the Practice Direction on Pre-Action Conduct."

12. Two weeks later, on Monday 4 November 2013, the Claimant issued the current claim. The first time that Nominet was informed of this was on Friday 29 November 2013, when a copy of the Claim Form and Particulars of Claim were emailed to Nominet. Deemed service is agreed between the parties to have taken place on 4 December 2013.

13. The Claimant thus proceeded to commence proceedings:

- (a) in full knowledge that Nominet had already initiated its own procedures against the domain names in question, without awaiting their outcome;
- (b) having been expressly warned of the risk that those domains might "*already have been suspended as a result of these very procedures*"; and
- (c) without any attempt to comply with the Practice Direction on Pre-Action Conduct, evidently regarding litigation as a first rather than last resort (c.f. paragraph 8.1 of that Practice Direction).

14. In the event, by the time the proceedings were notified to Nominet on 29 November 2013:

- (a) ten out of the twelve domain names complained of had already been suspended;

- (b) one out of the two remaining domain names (shop-4-watches.co.uk) had been cancelled and re-registered to a different registrant and, at the date of this Defence, this domain resolved to a website which appears to make no reference to counterfeit watches; and
- (c) the registrant of the twelfth domain name (mywatchesonline.co.uk) had corrected the address on the Whois record to an address in Germany verified by a copy of a utility bill.

Therefore, only one of the twelve Websites appearing at Annex C to the Particulars of Claim remained accessible at 29 November 2013.

15. Since 29 November, Nominet has taken further steps to confirm the identity of the registrant of the domain name, mywatchesonline.co.uk.

#### PARTICULARS

- (a) On 19 December 2013, Nominet sent the registrant a letter by registered post to the address provided in Germany. A copy of this letter is annexed hereto at page 1 of Schedule 2. Delivery of this letter was attempted but was unsuccessful. Nominet therefore emailed the registrant on 6 January 2014 informing him that transfer of the domain name would be prevented until the registrant had signed for the letter of 19 December. The registrant responded on 8 January 2014 stating that he was on holiday and would collect the letter upon his return. A copy of Nominet's email and the registrant's response are annexed hereto at page 3 of Schedule 2.
  - (b) Nominet wrote again to the registrant on 9 January 2014 notifying the registrant that *"until such time we can be sure of your identity and address detail, we will suspend your domain with immediate effect given the complaints that we have received"*.
16. The twelfth domain name was therefore suspended on 10 January 2014. On 14 January 2014, the registrant provided Nominet with a scanned copy of his ID card, annexed hereto at page 4 of Schedule 2. As at the date of this Defence,

Nominet is still in correspondence with the registrant of the twelfth domain as to the veracity of the identity and address details provided, however the domain name remains suspended.

17. As a result of the actions described in paragraphs 14 to 16 above, as of the date of this Defence, none of the twelve Websites appearing in Annex C is accessible via the domain names complained of.

### PARTICULARS

Chronologies of the events relating to each of the domain names complained of are set out in Schedule 3 hereto.

#### Allegations against Nominet

18. It was possible and practical for the Claimant to have invoked Nominet's well-established procedures to identify the Operators and/or bring about the suspension of the domain names complained of (either on the basis of the inaccurate or incomplete name and contact information or via a complaint to an appropriate law enforcement agency). The Claimant could and should have done so without resort to legal process against Nominet. Save as aforesaid paragraph 14 is denied.
19. Certain .uk domain names (for example under gov.uk, ac.uk, police.uk, etc) are not operated by Nominet. Save as aforesaid the first sentence of paragraph 15 is admitted.
20. The domain name registrations operated by Nominet allow for "name server" details to be recorded against each domain name. Name servers are computer servers which enable internet users' browsing and email software to correctly identify the Internet Protocol (IP) address required to visit a website anywhere on the worldwide internet or to send an email. A website may be reached directly via its IP address and/or via one or more domain names (not just those operated by Nominet). Suspension or deletion of a domain name by a domain name registry does not therefore remove a website, only one address route whereby



internet users may visit that website. Save as aforesaid the second sentence of paragraph 15 is denied.

21. The first three words of paragraph 16 are denied. The remainder is admitted.
22. It is denied that the Websites were or are "registered with Nominet". Nominet is a domain name registry, not a website registry. Save as aforesaid paragraph 17 is admitted in that each of the domain names listed in paragraph 20(1) is or was administered by Nominet.
23. In relation to paragraph 18, Nominet repeats paragraphs 6 to 14 hereinabove. Nominet is not at liberty under its Terms and Conditions of Domain Name Registration to suspend .uk domain names summarily upon mere receipt of a demand from someone unconnected with the domain name registrant. Save as aforesaid paragraph 18 is admitted.
24. Paragraph 19 is denied. On becoming aware of the Claimant's allegations Nominet took action in accordance with its standard processes (under clause 16 of Nominet's Terms and Conditions of Domain Name Registration), which by the date of service of the Claim Form herein had yielded the results summarised in paragraphs 14 to 17 hereinabove and set out in Schedule 3 hereto.
25. It is denied that the Claimant is entitled to the relief claimed against Nominet. Without prejudice to the generality of the foregoing denial:
  - (a) the Particulars of Claim do not allege that Nominet is (i) an intermediary (ii) whose services are being used by a third party to infringe an intellectual property right; and
  - (b) it is not technically possible to de-tag and/or lock a website (c.f. suspending a domain name).

**PHILIP ROBERTS**

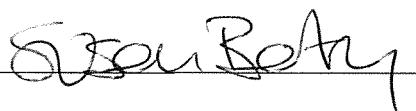
**STATEMENT OF TRUTH**

The Defendant believes that the facts stated in this Defence are true.

I am duly authorised by the Defendant to sign this statement.

Full name : SUSAN BARTY

Name of Defendant's solicitors firm: **CMS Cameron McKenna LLP**

signed , position or office held PARTNER

Dated this 17 day of January 2014

Served this 17th day of January 2014 by CMS Cameron McKenna LLP of Mitre House, 160 Aldersgate Street, London EC1A 4DD (Tel: +44(0)20 7367 3000, Fax +44(0)20 7367 2000), Solicitors for the Defendant.

IN THE HIGH COURT OF JUSTICE

HC 13 B04781

CHANCERY DIVISION

INTELLECTUAL PROPERTY

BETWEEN:

CARTIER INTERNATIONAL AG  
*(A company incorporated under the laws of Switzerland)*

Claimant

- and -

NOMINET UK

Defendant

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SCHEDULE 1

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**From:** Richard Graham [<mailto:richard.graham@richemont-ip.com>]  
**Sent:** 25 October 2013 17:26  
**To:** Nick Wenban-Smith  
**Cc:** DRS; Nominet  
**Subject:** Cartier Enforcement Action (Update)

Dear Nick,

Thank you for your contribution to the discussions this week, which we had following the e-mail and correspondence we sent on Tuesday. We found the discussions very useful and welcome your collaboration. We also appreciate the further guidance you have given us regarding the established Nominet procedures, in particular regarding false WHOIS and the steps Nominet can take to suspend domain names that link to websites that offer counterfeit goods.

As we explained, our team is seeking to develop a range of tools that can be deployed quickly and efficiently to prevent Internet users accessing websites that offer counterfeit goods. This is part of our overall strategy to try and future-proof action against the rapid growth in digital platforms that damage our brand. Whilst we are aware of the assistance that Nominet has provided in the past with regard to domain names with false WHOIS data, our concern is not limited only to domains that have false WHOIS data. We are also looking for options to deal with domain names that have WHOIS data that may be genuine addresses, albeit not the address of the operator of the website. In addition, we are looking to establish a precedent that can be used to persuade courts in other jurisdictions where the registries are less cooperative.

We understand that this application for an order against Nominet is innovative and that the Court may conclude that such an order is inappropriate. However, we would like to understand whether it is possible to obtain such an order. We have therefore decided to proceed with this action and I have instructed Edwards Wildman to file the action at Court early next week. Of course, there will be no hearing for a number of weeks during which time we would be happy to discuss whether there are ways in which we can ensure that, should the Order be granted, any collateral risks for Nominet are minimised.

We appreciate that Nominet may wish to respond formally to our letter of 22 October 2013. If there are changes you would like us to make now to the Order that is sought, for example to include suitable indemnities for Nominet, we would be happy to consider these.

Whilst we are seeking in this action to establish whether, in principle, the Court will grant an Order in the form requested, it remains highly likely that we will in future seek to rely predominantly on the less formal procedures that Nominet already offers to IP owners. We would therefore welcome an opportunity to work with you with one of our other brands (such as IWC or Chloe) in parallel to the Court proceedings.

Kind regards  
Richard

Richard Graham  
Head of Digital

**RICHEMONT**  
Intellectual Property Department  
15 Hill Street, London, W1J 5QT

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[richard.graham@richemont-ip.com](mailto:richard.graham@richemont-ip.com)  
[www.richemont.com](http://www.richemont.com)

**From:** Nick Wenban-Smith  
**Sent:** 28 October 2013 18:54  
**To:** Richard Graham  
**Cc:** legal  
**Subject:** RE: Cartier Enforcement Action (Update)

Dear Richard

I write in response to your letter of 22nd October, and subsequent to our related telephone conversations culminating in your email of 25th October.

I am surprised and disappointed that Richemont's approach to the resolution of these issues is to proceed directly to litigation against Nominet, without making any attempt to investigate whether proceedings are in fact necessary and before our own processes have had a chance to run their course. As I explained, we do have procedures for handling complaints as regards domain names which are alleged to be in breach of our standard terms and conditions of domain registration. As you acknowledged, Nominet has an excellent reputation with rights holders for operating the .uk registry for public benefit, balancing the open nature of the internet with due respect for legal rights. There is therefore every prospect that before the substantive hearing of the threatened application, the domains to which it is directed will already have been suspended as a result of these very procedures.

You say that you are "naturally keen to maintain an excellent working relationship with Nominet, and hope that you will welcome this opportunity to allow the Court to ensure that the .uk registry is not used by counterfeiters." First, I do not understand how it is conducive to an 'excellent working relationship' to take peremptory legal action without any meaningful attempt at discussion or explanation beforehand. Second I am at a loss to understand why you think Nominet should 'welcome' being on the receiving end of an impetuous application for injunctive relief in order to create a precedent for other jurisdictions where procedures are apparently not so effective. On the contrary, we would 'welcome' Richemont complying with the Practice Direction on Pre-Action Conduct and availing themselves of the processes that we already have in place to address these types of issue.

Naturally I would be concerned if our current processes were inadequate in any way, in which case our self-regulatory model gives us scope to review and refine how we operate. In our conversations I indicated that I would be open to discussing this further to address your specific concerns in the cases you have highlighted in your draft particulars of claim. Given the rapid changes in the internet landscape, in any event that would appear to be the preferential approach rather than to incur legal costs on both sides and to absorb judicial resources unnecessarily.

If you are determined to continue down this route then Nominet will respond to your claim form and application in due course. In the meantime, all of Nominet's rights are reserved. In particular I would draw your attention to the full panoply of sanctions under paragraph 4.6 of the Practice Direction on Pre-Action Conduct.

Yours sincerely  
Nick

Nick Wenban-Smith  
Senior Legal Counsel | Nominet  
T: +44 (0) 1865 332287

IN THE HIGH COURT OF JUSTICE

HC 13 B04781

CHANCERY DIVISION

INTELLECTUAL PROPERTY

BETWEEN:

CARTIER INTERNATIONAL AG  
*(A company incorporated under the laws of Switzerland)*

Claimant

- and -

NOMINET UK

Defendant

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SCHEDULE 2

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# nominet<sup>®</sup>

Herr Hans Brüning  
Pankokstr. 4  
48153  
Münster  
Germany

**REGISTERED POST**

## Contacting us

Phone: 01865 332211

Fax: 01865 332288

Email: [legal@nominet.org.uk](mailto:legal@nominet.org.uk)

Write to: Nominet UK, Minerva House,  
Edmund Halley Road,  
Oxford Science Park, Oxford, OX4 4DQ

Web: [www.nominet.org.uk](http://www.nominet.org.uk)

Date 19<sup>th</sup> December 2013

**Mywatchesonline.co.uk**

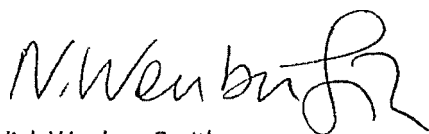
Dear Herr Brüning

I write further to your recent email exchanges with Nominet via our recorded email address for you:  
[cctv5@live.nl](mailto:cctv5@live.nl)

You have provided the enclosed utility bill as evidence of your address details, however to ensure that you are not a victim of identity theft, please could you contact me on receipt of this letter to ensure your domain name [mywatchesonline.co.uk](http://mywatchesonline.co.uk) remains active.

I look forward to hearing from you.

Yours sincerely



Nick Wenban-Smith  
Senior Legal Counsel  
Nominet UK

## STROMRECHNUNG



Herr

Hans Brüning  
Pankok Str 4  
48153Münster

SW GmbH & Kraftwerke AG

Briefe: Postfach 624512-42125

Telefon: 08008-220222

Telefax: 08008-550220

Internet: [www.stadtwerke.de](http://www.stadtwerke.de)

E-Mail: [Info@stadtwerke.de](mailto:Info@stadtwerke.de)

St-Nr.: 261/3471/7342

Ust-Nr.: 175986473

Strombezug bis 14.10.2013

Kundennummer: 4360398142

Rechnungsnummer: 43920040

Rechnungsdatum: 15.10.2013

STROMRECHNUNG STROMNACHZAHLUNG	Rechnungsbetrag ohne Mwst in Euro	Mwst 19% in Euro	Rechnungsbetrag inkl. Mwst in Euro
Rechnungsbetrag	192,20 Euro	36,51 Euro	228,71 Euro

Es gelten die Bestimmungen gemäß unserem Vertrag bzw. den allgemeinen Lieferbedingungen. Nach Rechnungsausgleich senden wir Ihnen den Gesamtabschlag, Jahreskalkulierung.  
Wir bitten Sie den Rechnungsbetrag innerhalb von 7 Tagen ab Rechnungsdatum mit beiliegendem Einzahlungsschein zu überwelsen.



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**From:** cctv cctv [cctv5@live.nl]  
**Sent:** 08 January 2014 05:05  
**To:** Nick Wenban-Smith  
**Subject:** RE: attn Hans Bruning

Hi

I'm on my vacation and not in Germany now, I will be back in about a week, I'm sorry for that.  
When I come back I will get the letter and send you a scan copy.

Thank you

---

**From:** Nick.Wenban-Smith@nominet.org.uk  
**To:** cctv5@live.nl  
**CC:** legal@nominet.org.uk  
**Subject:** attn Hans Bruning  
**Date:** Mon, 6 Jan 2014 16:45:43 +0000

Dear Herr Bruning

I have recently sent you a letter regarding your registration of mywatchesonline.co.uk.

Delivery has been attempted, but was unsuccessful. You must collect the letter from your local post office or arrange for redelivery, otherwise your domain registration will be suspended on the basis of provision of false registration data.

Once you have received a copy of my letter, please provide a scan copy by return as confirmation of receipt.

You should also note that as a result of ongoing legal claims in relation to this domain name, we will not be allowing any cancellation or change in registrant until further notice.

Yours sincerely

Nick Wenban-Smith  
Senior Legal Counsel | Nominet  
T: +44 (0) 1865 332211

Nominet is a trading name of Nominet UK. Nominet UK is a limited company registered in England and Wales. Registration number: 3203859.  
Registered office: Minerva House, Edmund Halley Road, Oxford Science Park, Oxford OX4 4DQ.  
This message may contain information that is privileged or confidential. If you are not the intended recipient of this email, you must not read, use or disclose the contents of this email. If you receive this email in error, please advise us immediately and delete the email.  
Nominet UK has taken every reasonable precaution to ensure that any attachment to this e-mail has been swept for viruses. However, Nominet UK cannot accept liability for any damage sustained as a result of software viruses and would advise that you carry out your own virus checks before opening any attachment.



Vorname/Given name/Prénom

Geburtsort und -ort/Date and place of birth/Date at last of residence

State/region/origin/Nationality	Issuing SA	Date of expiry	Date d'expiration
Nationalité			

DEUTSCH / 08.01.15

Unterzeichnung der Teilnehmer/ des Initiators: Signature of Member/ Signataire de la Table Ronde: \_\_\_\_\_

Have Brining

IDD<<BRÜNING<<HANS<<<<<<<<<<<<<<<<<<

2777394649D<<8305046<1501088<<<<<<0

IN THE HIGH COURT OF JUSTICE

HC 13 B04781

CHANCERY DIVISION

INTELLECTUAL PROPERTY

BETWEEN:

CARTIER INTERNATIONAL AG  
*(A company incorporated under the laws of Switzerland)*

Claimant

- and -

NOMINET UK

Defendant

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SCHEDULE 3

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## highqualitywatches.co.uk

Date	Event
22 October 2013	Receipt of initial complaint from the Claimant (§18 PoC)
25 October 2013	Initial notice issued to registrant and registrar
4 November 2013	Claim Form issued (unbeknownst to Nominet)
8 November 2013	Suspension warning notice issued to registrant and generic email addresses for domain name
15 November 2013	No response received: <b>Domain name suspended</b> - Suspension notice issued to registrant and generic email addresses for domain name
29 November 2013	Claim form and Particulars of Claim sent to Nominet via email
30 November 2013	Cancellation warning issued to registrant and generic email addresses for domain name

cheapwatchuk.co.uk

Date	Event
22 October 2013	Receipt of initial complaint from the Claimant (§18 PoC)
25 October 2013	Initial notice issued to registrant and registrar
4 November 2013	Claim Form issued (unknownst to Nominet)
8 November 2013	Suspension warning notice issued to registrant and generic email addresses for domain name
15 November 2013	No response received: <b>Domain name suspended</b> - Suspension notice issued to registrant and generic email addresses for domain name
18 November 2013	Emails received from admin contact (registrant) querying notices/suspension
18 November 2013	Reply sent to admin contact (registrant) explaining action required
29 November 2013	Claim form and Particulars of Claim sent to Nominet via email

shareswissgoods.org.uk

Date	Event
22 October 2013	Receipt of initial complaint from the Claimant (§18 PoC)
25 October 2013	Initial notice issued to registrant and registrar
4 November 2013	Claim Form issued (unbeknownst to Nominet)
8 November 2013	Suspension warning notice issued to registrant and generic email addresses for domain name
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shareswissgoods.co.uk

Date	Event
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watcheslol.co.uk

Date	Event
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25 October 2013	Initial notice issued to registrant and registrar
4 November 2013	Claim Form issued (unbeknownst to Nominet)
8 November 2013	Suspension warning notice issued to registrant and generic email addresses for domain name
15 November 2013	No response received: <b>Domain name suspended</b> - Suspension notice issued to registrant and generic email addresses for domain name
29 November 2013	Claim form and Particulars of Claim sent to Nominet via email
30 November 2013	Cancellation warning issued to registrant and generic email addresses for domain name



## buytopwatches.co.uk

Date	Event
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25 October 2013	Initial notice issued to registrant and registrar
4 November 2013	Claim Form issued (unbeknownst to Nominet)
8 November 2013	Suspension warning notice issued to registrant and generic email addresses for domain name
15 November 2013	No response received: <b>Domain name suspended</b> - Suspension notice issued to registrant and generic email addresses for domain name
29 November 2013	Claim form and Particulars of Claim sent to Nominet via email
30 November 2013	Cancellation warning issued to registrant and generic email addresses for domain name

**irisweb.co.uk**

Date	Event
22 October 2013	Receipt of initial complaint from the Claimant (\$18 PoC)
25 October 2013	Initial notice issued to registrant and registrar
4 November 2013	Claim Form issued (unbeknownst to Nominet)
8 November 2013	Suspension warning notice issued to registrant and generic email addresses for domain name
15 November 2013	No response received: <b>Domain name suspended</b> - Suspension notice issued to registrant and generic email addresses for domain name
17 November 2013	<b>Domain name cancelled</b> by registrant via online services
17 November 2013	<b>Domain name re-registered</b> to new registrant details
29 November 2013	Claim form and Particulars of Claim sent to Nominet via email
29 November 2013	Notice issued to new registrant requesting proof of identification and proof of address
30 November 2013	Cancellation warning issued to registrant and generic email addresses for domain name
04 December 2013	<b>Domain name suspended</b> due to lack of response
05 December 2013	Secure message received from registrant via the online services requesting cancellation
06 December 2013	<b>Domain name cancelled</b> and confirmation emailed to registrant
06 December 2013	<b>Domain name re-registered</b> to new registrant details (third)
11 December 2013	Notice issued to new registrant requesting proof of identification and proof of address
12 December 2013	Email received from admin contact (registrant) with copy of driving licence (Chinese)
12 December 2013	Reply sent to admin contact (registrant) requesting proof of ID for registrant details on register
12 December 2013	Email received from admin contact (registrant) stating address details updated to Chinese address
12 December 2013	Request received from admin contact (registrant) via online services requesting change of registrant name (accepted)

12 December 2013	Email sent to admin contact (registrant) explaining that correction should have been rejected as a Registrant Transfer and that change had been reversed
12 December 2013	Email received from admin contact (registrant) stating Registrant Transfer had been completed via the online services
13 December 2013	<b>Domain name suspended</b>
16 December 2013	Telephone calls received from admin contact (registrant) querying how to cancel domain name - advised cannot cancel in circumstances
16 December 2013	Emails received from admin contact (registrant) requesting cancellation

perfectwatches.co.uk

Date	Event
22 October 2013	Receipt of initial complaint from the Claimant (§18 PoC)
25 October 2013	Initial notice issued to registrant and registrar
4 November 2013	Claim Form issued (unknownst to Nominet)
8 November 2013	Suspension warning notice issued to registrant and generic email addresses for domain name
15 November 2013	No response received: <b>Domain name suspended</b> - Suspension notice issued to registrant and generic email addresses for domain name
29 November 2013	Claim form and Particulars of Claim sent to Nominet via email
30 November 2013	Cancellation warning issued to registrant and generic email addresses for domain name

## cheapsalewatches.co.uk

Date	Event
22 October 2013	Receipt of initial complaint from the Claimant (§18 PoC)
25 October 2013	Initial notice issued to registrant and registrar
4 November 2013	Claim Form issued (unknownst to Nominet)
8 November 2013	Suspension warning notice issued to registrant and generic email addresses for domain name
15 November 2013	No response received: <b>Domain name suspended</b> - Suspension notice issued to registrant and generic email addresses for domain name
29 November 2013	Claim form and Particulars of Claim sent to Nominet via email
30 November 2013	Cancellation warning issued to registrant and generic email addresses for domain name

## shop-4-watches.co.uk

Date	Event
07 October 2013	Domain name cancelled by admin contact (registrant) via online services
22 October 2013	Receipt of initial complaint from the Claimant (\$18 PoC)
02 November 2013	Domain name re-registered to new registrant details
4 November 2013	Claim Form issued (unbeknownst to Nominet)
29 November 2013	Claim form and Particulars of Claim sent to Nominet via email

wowatch.co.uk

Date	Event
22 October 2013	Receipt of initial complaint from the Claimant (§18 PoC)
25 October 2013	Initial notice issued to registrant and registrar
4 November 2013	Claim Form issued (unbeknownst to Nominet)
8 November 2013	Suspension warning notice issued to registrant and generic email addresses for domain name
15 November 2013	No response received: <b>Domain name suspended</b> - Suspension notice issued to registrant and generic email addresses for domain name
29 November 2013	Claim form and Particulars of Claim sent to Nominet via email
30 November 2013	Cancellation warning issued to registrant and generic email addresses for domain name

mywatchesonline.co.uk

Date	Event
22 October 2013	Receipt of initial complaint from the Claimant (\$18 PoC)
25 October 2013	Initial notice issued to registrant and registrar
25 October 2013	Correction to address requested via online services by admin contact (registrant)
25 October 2013	Email sent to admin contact (registrant) requesting proof of identification
26 October 2013	Email received from admin contact (registrant) with attached copy of utility bill matching new address details
31 October 2013	Email sent to admin contact (registrant) confirming update to correction has been accepted and case closed
4 November 2013	Claim Form issued (unbeknownst to Nominet)
29 November 2013	Claim form and Particulars of Claim sent to Nominet via email
19 December 2013	Registered post letter sent to admin contact (registrant) to address provided on utility bill
6 January 2014	Email sent to admin contact (registrant) to notify him that the letter of 19 December 2013 had not been signed for
8 January 2014	Email received from admin contact (registrant) stating that he would respond to the letter on 19 December upon return from holiday
9 January 2014	Email sent to admin contact (registrant) notifying registrant of proposal to suspend the domain name pending receipt of confirmation of address
10 January 2014	<b>Domain name suspended</b>
14 January 2014	Email received from admin contact (registrant) attaching copy of ID card
14 January 2014	Registered post letter re-sent to admin contact (registrant) to address provided on utility bill



HC 13 B04781

IN THE HIGH COURT OF JUSTICE  
CHANCERY DIVISION  
INTELLECTUAL PROPERTY

BETWEEN:

CARTIER INTERNATIONAL AG  
*(A company incorporated under the laws of  
Switzerland)*

Claimant

- and -

NOMINET UK

Defendant

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DEFENCE

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