

IL-DRP PANEL
FOR THE INTERNET SOCIETY OF ISRAEL

In the matter of the **Domain** <**ahimtzadik.co.il**>

Between

- 1. Mr. Shay Tzadik** ("Petitioner no. 1")
- 2. Ahim Tzadik 2001 Ltd.** (Petitioner no. 2")
16 Van Gogh Street, Ashdod, 7766614

(collectively, the "Petitioner")

And

Mr. Dany Vaksman
Derech Yotam 5, Eilat
Email: dany.vaksman@mail.ru
(The "Respondent" or "Holder")

I. Procedure

1. ISOC-IL received a Petition on behalf of the Petitioner, requesting that the Domain Name "ahimtzadik.co.il" be reallocated to the Petitioner.
A Panelist was appointed in accordance with the Procedures for Alternative Dispute Resolution under the .ILccTLD IL-DRP Rules, in order to address the Petitioner's above request (http://www.isoc.org.il/domains/ildrp_rules.html) (hereinafter- "the Rules")
2. Notification of the pending Petition, including copies of all submitted material, and notification of appointment of the Panel under the Rules, was sent November 29, 2015, to the Respondent's email address as recorded in the ISOC Domain Name Registry. In accordance with Section 9.3 of the Rules, the Respondent was allotted 15 days, concluding on December 15, 2015, to submit a Statement of Response or any other relevant information to the Panel.
3. The Petitioner submitted a response on December 20, 2015, which was accepted by the Panel.
4. The Respondent did not provide any Response to this Petition.

II. Factual Background

1. Petitioner no. 1 is the CEO and owner of Petitioner No 2, Ahim Tzadik Ltd. The domain name in question was registered by Petitioner No 1 in order to present, promote, market and advertise the services supplied by Petitioner No 2.
2. Petitioner no. 2 was very active in the use of the domain name and website, "*ahimtzadik.co.il*", for advertising its business and services.

3. The Petitioner alleged that due to a mistake, including personal circumstances of the computer manager of Petitioner, who was hospitalized, the petitioner failed to renew its possession and ownership of the domain name *ahimtzadik.co.il*.
4. The domain name *ahimtzadik.co.il* is currently held by the Holder.
5. On October 28, 2015 the Petitioner sent a Cease and Desist letter to the Holder, informing him that he was in violation of the Petitioner's rights, requesting from him to refrain from doing so and to transfer the Domain to the Petitioner. The Respondent did not reply.

III. The Parties' Claims

A. The Petitioner

1. The Holder has no substantial need or reason to use and possess the domain name *ahimtzadik.co.il*, which reflects the identity and goodwill of Petitioner no. 2.
2. The Holder of the domain name *achimtzadik.co.il* enabled the misdirecting and diverting of clients to a competing company named *Ha'Menasrim B'Yahalom Ltd.*, thus creating financial loss and damage to the reputation of the Petitioner.

B. The Respondent

The Respondent failed to submit any Response to the Petition.

IV. Decision

In accordance with my authority as a panelist on behalf of the ISOC-IL, after reviewing the claims of *Ahim Tzadik 2001 Ltd.*, and considering the Holder neglected to provide any response to the request to transfer the domain name *ahimtzadik.co.il* to the Petitioner, I rule that the Disputed Domain shall be reassigned to the Petitioner *Ahim Tzadik 2001 Ltd.*

Under the circumstances, considering this Panel did not conduct any actual proceeding in this regard, it is not necessary to write a detailed decision with respect to the claims submitted by the Petitioner.

Dr. Yuval Karniel, Adv.

Sole Panelist

Date: January 5, 2015