

IL-DRP PANEL

FOR THE INTERNET SOCIETY OF ISRAEL

In the matter of the **Domain** <www.azrieli.co.il>

Between

The Azrieli Group Ltd., RC 510960719

Through its Attorneys Advs. Zohar Lande and/or

Daphna Klein and/or Gilli Cohen Arazi

of Barnea & Co.; Law Offices

58 Harakevet St., Tel Aviv 6777016

Tel: 03-6400600, Fax: 03-6400650

(The "Petitioner")

and

Mr. Alon Shemesh

XX XXXXX, XXXXXX

Email: XXXXXXXXXXX

XXX-XXXXXXXX

(The "Respondent" or "Holder")

I. Procedure

1. ISOC-IL received a petition on behalf of the Petitioner, requesting that the Domain Name www.azrieli.co.il (the "Disputed Domain") be reallocated to the Petitioner (the "Petition").

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://en.isoc.org.il/domains/ildrp_rules.html#40) (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 on July 31, 2016, 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 August 15, 2016, to submit a Statement of Response or any other relevant information to the Panel.
3. The Petitioner submitted an Urgent Petition for a Decision on August 16, 2016, which was accepted by the Panel.
4. The Respondent did not provide any response to this Petition.

II. Factual Background

5. The Petitioner owns the domain www.azrieli.com, and uses it as its main internet access point for current and prospective partners, investors and clients, as well as to conduct its business.
6. The Petitioner alleged it recently discovered that the IL domain (www.azrieli.co.il) (the "IL Domain") has been registered to Respondent and is being operated by him.
7. On June 21, 2016 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 remove the website located at the Domain from the internet and transfer the Domain to the Petitioner. The Respondent did not reply.

III. The Parties' Claims

A. The Petitioner

8. The IL Domain is identical to the Petitioner's name in a way that is misleading to users.
9. The Azrieli name is a well-known brand name according to the definition provided in the Trademarks Ordinance (New Version), 1972. The Respondent, however, by its own admission, is not associated with the Petitioner, and, therefore, does not hold any rights to the IL Domain, which belongs to the Petitioner.

10. The request to acquire the IL domain name was filed in bad faith and is being used in bad faith. Moreover, it is clear from the tone and contents of IL Domain that the intent of the Holder is to injure, denigrate, and demean 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 the Petitioner, and considering the Holder neglected to provide any response to the request to transfer the domain name *www.azrieli.co.il* to the Petitioner, I rule that the Disputed Domain shall be reassigned to the Petitioner The Azrieli Group 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: August 25, 2016