

CHANNEL ISLANDS DOMAIN DISPUTES

C.I.D.D. DOMAIN DISPUTE SERVICE AND ARBITRATION
A TIMELY SERVICE

IN THE CASE OF THE DOMAIN NAME AIONSPORTS.GG Number 2

NCSOFT Corporation (*Complainant*)

- and -

AION eSports (*Respondent*)

DECISION OF THE ADJUDICATOR IN FAVOUR OF THE COMPLAINANT

1. INTRODUCTION

This Complaint is made in accordance with the *Channel Islands Dispute Resolution Service Policy*, the *Terms and Conditions for Domain Name Registration (GG/JE) v17.02*, and the *Channel Islands Domain Disputes Rules (CIDD Rules)*.

2. THE COMPLAINANT

The Complainant in this administrative proceeding is **NCSOFT Corporation** of Korea and the Complaint has been filed via **Beck Greener LLP**.

3. THE RESPONDENT

According to the whois records, the Registrant is as follows and the Complainant has amended proceedings to reflect this:

aionesports.gg

This computer produced extract contains information derived from changes to the registry database made by the registrar of the domain, and by systems administrators or automatic processes. The information in this report is stored as historical snapshots of the domain, and from imports of this information from external systems.

If you believe that the information in this abstract is incorrect, please contact the registry.

Current Status of the Domain

Domain Name	aionesports.gg
Registry Identifier	853826-CI
Registrant	Gustavo Duenas
Registrar	NameCheap, Inc
Status	Active
Fee Due Date	2021-05-20 00:01 UTC
Date Last Updated	2021-03-05 14:14 UTC
Date Created	2019-05-20 00:01 UTC
Name Servers	dns1.registrar-servers.com dns2.registrar-servers.com
Locks	Client and Server
Billing Contacts	Gustavo Duenas
Admin Contacts	Gustavo Duenas
Technical Contacts	Gustavo Duenas

Current Registrant

Name	Gustavo Duenas
Registry Identifier	853822-CI
Registrar	namecheap
Contact ID	wtaahgxix194l7aj
Email	viejitogamer@gmail.com
Phone	+966 505570445
International Address	Gustavo Duenas AION eSports KSA Rabigh, Rabigh,21911 Saudi Arabia
Date Created	2019-05-20 00:01 UTC
Locks	None
Status	Active

4. The correct Registrant on the face of the Register is **Gustavo Duenas (t/a AION eSports)** .
5. The adjudicator considers that it is the case that Mr Duenas' full name might possibly be 'Gustavo Andreas Duenas Castro' according to the customary principles of *apellido paterno/apellido materno* in Spanish-speaking countries but nothing turns on this.
6. **Rights in the name**
The Complainant has established rights in the name AION and that they are engaged in games and e-games with that name.
7. **Covid Concerns**
The Registry has been concerned by lack of contact from the Registrant and delays in process occurred whilst attempts were made to contact the Registrant to ensure that notice of action is made, especially given COVID isolation concerns.
8. **Intervening Issue**
The Registry has today received a Notice of Cancellation from the Registrar of record and accordingly this represents an intervening factor.

9. Determination/Adjudication:

The Adjudicator determines that

- (i) The Complainant has established Rights
- (ii) the domain, having been released pursuant to the Notice of Cancellation, obtains a new status, the NOC has the effect that it is no longer registered to the Registrant;
- (iii) Pursuant to (ii) it is not necessary for the adjudicator to determine whether the prior Registrant had rights;
- (iv) The Domain should not be released to the pool but should instead be released to and transferred to the Complainant.

Nick Lockett

Nick Lockett, Solicitor (213086) and ex-Barrister (30499 Inner Temple)
Adjudicator C.I.D.D.

Dated 22nd July 2021