



Alternative dispute resolution proceeding (ADR) Accelerated proceeding

Decision
11-30-2015

Case number
870 PF

Applicant

Jelly Belly Candy Company (org.nr C0757186)
One Jelly Belly Lane
Fairfield
California 94533
USA

Counsel:

Mannheimer Swartling Advokatbyrå
Box 4291
20314 Malmö

Domain holder

Jens & Co I/S (org.nr 26128641)
Jens & Co Aps
Virkelyst 2-4,
7400 Herning
Denmark

Matter

Alternative dispute resolution proceeding concerning the domain name < **jellybelly.se**>.

Decision

The domain name <jellybelly.se> is transferred to the Applicant Jelly Belly Candy Company.

Background to the dispute

Jelly Belly Candy Company (“**the Applicant**”) is a manufacturer and seller of candy products. The Applicant is the holder of several registered trademarks, inter alia CTM registration No. 000823765 JELLY BELLY registered in 1999.

Jens & Co (“**the Domain holder**”) is a Danish wholesaler of among other products candy.

The domain name <jellybelly.se> was registered by the Domain holder in 2003.

The application for the ADR was submitted on 6 October 2015 and the Applicant has requested that the dispute should be decided by ADR Accelerated Proceedig in the case the Domain holder does not reply.

The Adjudicator notes that section 26 of the Rules for Procedure for Alternate Dispute Resolution allows for an application to be filed in Swedish and English. The decision will therefore be worded in English, the language of the Application.

The domain holder has been given the opportunity to respond to the application, but have not provided any response.

Claims

The Applicant has requested that the domain name <jellybelly.se> shall be transferred to the Applicant.

Brief findings of the arbitrator

The Applicant has proven that it holds such entitlement as defined in point 7.2.1 of the Terms and Conditions of Registration which is identical or similar to the domain name.

The Applicant has proven that the domain name was registered or used by the Domain Holder in bad faith.

Circumstances in support of a right or justified interest to the domain name for the Domain Holder, has not been demonstrated.

On behalf of IIS

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Peter Hedberg