

COMPLAINT TRANSMITTAL COVERSHEET

Attached is a Complaint that has been filed against you with the World Intellectual Property Organization (**WIPO**) Arbitration and Mediation Center (the **Center**) pursuant to the Uniform Domain Name Dispute Resolution Policy (the **Policy**) approved by the Internet Corporation for Assigned Names and Numbers (**ICANN**) on October 24, 1999, the Rules for Uniform Domain Name Dispute Resolution Policy (the **Rules**) approved by ICANN on October 30, 2009, and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the **Supplemental Rules**).

The Policy is incorporated by reference into your Registration Agreement with the Registrar(s) of your domain name(s), in accordance with which you are required to submit to a mandatory administrative proceeding in the event that a third party (a **Complainant**) submits a complaint to a dispute resolution service provider, such as the Center, concerning a domain name that you have registered. You will find the name and contact details of the Complainant, as well as the domain name(s) that is/are the subject of the Complaint in the document that accompanies this Coversheet.

You have no duty to submit a Response to the Complaint until you have been formally Notified of the Complaint and Commencement of Administrative Proceedings by the Center. Once the Center has checked the Complaint to determine that it satisfies the formal requirements of the Policy, the Rules and the Supplemental Rules, it will forward an official copy of the Complaint, including annexes, to you by e-mail as well as sending you hardcopy Written Notice by post and/or facsimile, as the case may be. You will then have 20 calendar days from the date of Commencement within which to submit a Response to the Complaint in accordance with the Rules and Supplemental Rules to the Center and the Complainant. You may represent yourself or seek the assistance of legal counsel to represent you in the administrative proceeding.

- The **Policy** can be found at <http://www.icann.org/en/dndr/udrp/policy.htm>
- The **Rules** can be found at <http://www.icann.org/en/dndr/udrp/uniform-rules.htm>
- The **Supplemental Rules**, as well as other information concerning the resolution of domain name disputes can be found at <http://www.wipo.int/amc/en/domains/supplemental/eudrp/>
- A **model Response** can be found at <http://www.wipo.int/amc/en/domains/respondent/index.html>

Alternatively, you may contact the Center to obtain any of the above documents. The Center can be contacted in Geneva, Switzerland by telephone at +41 22 338 8247, by fax at +41 22 740 3700 or by e-mail at domain.disputes@wipo.int.

You are kindly requested to contact the Center to provide an alternate e-mail address to which you would like (a) the Complaint, including Annexes and (b) other communications in the administrative proceeding to be sent.

A copy of this Complaint has also been sent to the Registrar(s) with which the domain name(s) that is/are the subject of the Complaint is/are registered.

By submitting this Complaint to the Center the Complainant hereby agrees to abide and be bound by the provisions of the Policy, Rules and Supplemental Rules.

Before the:

**WORLD INTELLECTUAL PROPERTY ORGANIZATION
ARBITRATION AND MEDIATION CENTER**

*Kampmann GmbH
Friedrich-Ebert-Str. 128 -130
49811 Lingen (Ems)
Germany*

(Complainant)

-v-

*Powernation ApS
Emdrupvej 66 1.
Copenhagen NV, DK – 2400
Denmark*

(Respondent)

Disputed Domain Name(s):

kampmann.com

COMPLAINT

(Rules, Paragraph 3(b); Supplemental Rules, Paragraphs 4(a), 12(a), Annex E)

I. Introduction

[1.] This Complaint is hereby submitted for decision in accordance with the Uniform Domain Name Dispute Resolution Policy (the **Policy**), approved by the Internet Corporation for Assigned Names and Numbers (**ICANN**) on October 24, 1999, the Rules for Uniform Domain Name Dispute Resolution Policy (the **Rules**), approved by ICANN on October 30, 2009, and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the **Supplemental Rules**).

II. The Parties

A. The Complainant

(Rules, Paragraphs 3(b)(ii) and (iii))

[2.] The Complainant in this administrative proceeding is
Kampmann GmbH (Germany)

[3.] The Complainant's contact details are:

Address: *Friedrich-Ebert-Str. 128 - 130*

Telephone: *+49 (0)591 – 7108 0*

Fax: *+49 (0)591 – 7108 7303*

E-mail: *udo.scheyk@kampmann.de*

[4.] The Complainant's authorized representative in this administrative proceeding is:

Kopp und Partner

Telephone: +49 (0)591 – 977 820

Rechtsanwalt Hannes Albers

Telefax: +49 (0)591 – 977 82 108

Lengericher Str. 2

E-Mail: albers@rae-kopp.de

49809 Lingen (Ems)

Germany

[5.] The Complainant's preferred method of communications directed to the Complainant in this administrative proceeding is:

Electronic-only material

Method: *e-mail*

Address: *albers@rae-kopp.de*

Contact: *Hannes Albers*

Material including hardcopy (where applicable)

Method: *Post / Fax*

Address: *Kopp u. Partner, Lengericher Str. 2, 49809 Lingen, Germany*

Fax: *+49 (0)591 – 977 82 108*

Contact: *Hannes Albers*

B. The Respondent
(Rules, Paragraph 3(b)(v))

- [6.] According to *the concerned registrar's WhoIs database* the Respondent in this administrative proceeding is

Powernation ApS
Adm. Dir. Mads Rosentoft
Emdrupvej 66 1.
Copenhagen NV, DK – 2400
Denmark

The printout of the WhoIs-database search conducted on 02.04.2014 are provided as **Annex 1.**

- [7.] All information known to the Complainant regarding how to contact the Respondent is as follows:

Powernation ApS
Adm. Dir. Mads Rosentoft
Emdrupvej 66 1.
Copenhagen NV, DK – 2400
Denmark

Telephone: +45 36 96 78 74
Telefax: +45 33 11 33 05
E-Mail: info@powernation.dk
mr@powernation.dk
mads@rosentoft.dk

Internet: www.powernation.dk

A copy of the printout from the WhoIs-database conducted under the 22.04.2014 is provided as **Annex 1.**

III. The Domain Name(s) and Registrar(s)
(Rules, Paragraphs 3(b)(vi), (vii))

- [8.] This dispute concerns the domain name identified below:

kampmann.com

[9.] The registrar with which the domain name is registered is:

TierraNet Inc.
P.O. BOX 502010
San Diego, CA 92150-2010

U.S.A.

telephone: (858) 560-9416

telefax: (858) 560-9417

E-Mail: support@tierra.net

Internet: www.domaindiscover.com

Company Headquarter:

14284 Danielson St.

Poway, CA 92064

U.S.A.

IV. Language of Proceedings
(Rules, Paragraph 11)

[10.] To the best of the Complainant's knowledge, the language of the Registration Agreement is **English**.

The Complainant requests that the language of proceedings be **English** and provides the following supporting arguments and evidence:

The pre-complaint correspondence between the parties was conducted in English language. For evidence we refer to the copy/printout of an e-mail correspondence between the Complainant's Service-provider (ipconn GmbH, Mr. Sven Becker) and the Respondent. (**Annex 2**)

V. Jurisdictional Basis for the Administrative Proceeding
(Rules, Paragraphs 3(a), 3(b)(xv))

[11.] This dispute is properly within the scope of the Policy and the Administrative Panel has jurisdiction to decide the dispute. The registration agreement, pursuant to which the domain name(s) that is/are the subject of this Complaint is/are registered, incorporates the Policy. A true and correct copy of the domain name dispute policy

that applies to the domain name(s) in question is provided as **Annex 3** to this Complaint and can be found at www.icann.org/en/help/dndr/udrp/policy.

VI. Factual and Legal Grounds
(Policy, Paragraphs 4(a), (b), (c); Rules, Paragraph 3)

[12.] This Complaint is based on the following grounds:

A. The domain name(s) is(are) identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(Policy, Paragraph 4(a)(i); Rules, Paragraphs 3(b)(viii), (b)(ix)(1))

The Complainant is a leading constructor and distributor of air-conditioning-technology with sales representatives, construction sites and 16 international offices in 45 countries. The trademark “Kampmann” was first used by the companies founder Heinrich Kampmann in 1972.

By now the Complainant is one of the biggest manufacturers of air conditioning-systems in Europe. The Complainants products are used in well-known buildings like the PRIME TOWER (Zurich, CH), O2 WORLD (Berlin, GER), PORSCHE CENTRE (Moscow, RU), ADAC Headquarters (Munich, GER), BORYSPIL AIRPORT (Kiev, UKR), FACULTY OF CULTURAL AND SOCIAL SCIENCES (University of Salzburg, AUT), AIRPORT MUNICH / TERMINAL 2 (Munich, GER), ARUP OFFICE (Dublin, IR) and many more.

Printouts from the companies website (“history” and “company and regional offices”) conducted on the 22.04.2014 are provided as **Annex 4**.

The Complainant holds trademarks, which include its servicemark and name of the companies founder “Kampmann”, in 27 different countries and the entire European Union.

The following trademarks, including the word/name KAMPMANN, are registered by the Complainant:

1. "KAMPMANN"

Deutsches Patent- und Markenamt
Reg-Nr. 39402912 - German Trademark



Date of application: 30.11.1994

Date of registration: 26.10.1995

Date of expiration: 30.11.2014

Class(es) Nizza:

11 radiators, underfloor heating, underfloor heaters, church heating, convectors, in particular for heating and/or refrigeration, fan coil units, air treatment apparatus, ventilation installations and equipment, fan heaters, domestic ventilation, roof fans

05 Natural mud, natural mud packsheat and cold transfer media, namely mud paste in foil wrappings

06 Radiator coverings of metal, rigid grates, rolling grates, flood grates

07 Circulating pumps and parts of such

20 Radiator coverings made of plastic

27 Door mats, entrance mats, bath mats

2. "KAMPMANN"

Intellectual Property Office, U.K.
Reg-Nr. UK00002003722



UK Trademark

Date of application: 02.12.1994

Date of registration: 01.03.1996

Date of expiration: 02.12.2014

Class(es) Nizza:

11 Heating, cooling, drying and ventilating apparatus and installations; parts for all the aforesaid goods.

3. "KAMPMANN"

HABM

Reg.-Nr. 003054566 - EU Trademark

Date of registration: 14.02.2003

Date of expiration: 14.02.2023



Class(es) Nizza:

- 05** Natural mud, natural mud packs; heat and cold transfer media, namely mud paste in foil wrappings
- 06** Radiator covers, rigid grates, roller grates, overflow grates
- 11** Heating, refrigerating, drying and ventilating apparatus, radiators, heating panels, underfloor heating apparatus, church heating apparatus, convectors, in particular for generating heat or cold, ventilator convectors, air treatment apparatus, ventilating installations, fan heaters, domestic ventilators, ventilators, roof ventilators, air heaters, hot air curtain apparatus, drying apparatus, hot air dryers, in particular for horses, hot air generators, heat exchangers, solaria, in particular for horses, air conditioning installations, air conditioning apparatus, in particular cold water air conditioning apparatus, cold water generators, apparatus for preparing heat transfer media, namely apparatus for heating heat transfer media.
- 27** Entrance mats

4. "KAMPMANN. Genau mein Klima."

Deutsches Patent und Markenamt

Reg.-Nr. 302011019915 - German Trademark

Date of application: 30.04.2011

Date of registration: 26.05.2011

Date of expiration: 30.04.2021

Class(es) Nizza:

05 Natural mud, natural mud packs; heat and cold transfer media, namely mud paste in foil wrappings

06 Radiator covers, rigid grates, roller grates, overflow grates

07 Circulating pumps and parts of such

09 Regulating, control and monitoring facilities for air treatment, ventilating, and heating and air-conditioning apparatus and installations

11 Heating installations; Air-conditioning installations; Ventilation installations; Unit heaters; Refrigerators; Apparatus for drying; Apparatus for ventilating; floor duct heaters; Underfloor heating; Church heating; Heating elements; Fan coil units; Air handlers; Air heaters; Air freshening apparatus; Air curtain apparatus; Hot air generators; Heat exchangers; Heat accumulators; Air-conditioning apparatus, In particular cold water air-conditioning apparatus; Cold water generators; Heat carrier heaters, namely apparatus for heating heat carriers; Hot air dryers, in particular for horses; Solaria, In particular for horses

20 Radiator covers made of plastic

5. "KAMPMANN. Genau mein Klima."

HABM / OAMI

Reg.-Nr. 009898453 - EU Trademark

Date of application: 15.04.2011

Date of registration: 23.09.2011

Date of expiration: 15.04.2021

Class(es) Nizza:

- 05** Natural mud, natural mud packs; heat and cold transfer media, namely mud paste in foil wrappings
- 06** Radiator covers, rigid grates, roller grates, overflow grates
- 09** Regulating, control and monitoring facilities for air treatment, ventilating, and heating and air-conditioning apparatus and installations
- 11** Heating installations; Air-conditioning installations; Ventilation installations; Unit heaters; Refrigerators; Apparatus for drying; Apparatus for ventilating; floor duct heaters; Underfloor heating; Church heating; Heating elements; Fan coil units; Air handlers; Air heaters; Air freshening apparatus; Air curtain apparatus; Hot air generators; Heat exchangers; Heat accumulators; Air-conditioning apparatus, In particular cold water air-conditioning apparatus; Cold water generators; Heat carrier heaters, namely apparatus for heating heat carriers; Hot air dryers, in particular for horses; Solaria, In particular for horses.

6. "KAMPMANN. Genau mein Klima."

WIPO

Reg.-Nr. 1102788 - IR Trademark:

BG – BY – CH – CZ – GE - HR – HU – KG – KZ – ME – PL – RO – RS – RU –
TR – UA – US

Date of registration: 24.06.2011

Date of expiration: 24.06.2021

Class(es) Nizza:

- 06** Linear metal gratings, flexible metal gratings for coiling, water overflow metal gratings, ducts of metal for central heating installations.
- 09** Physical, electrical and electronical measuring, control and regulation appliances and electric valve actuators, in particular for air conditioning, ventilation and heating systems.
- 11** Radiators; heating systems composed primarily of tubes, pipes and pre-assembled manifolds through which water circulates; underfloor heating systems composed primarily of radiators, tubes, pipes and fans; church heating systems composed primarily of tubes, pipes and pre-assembled manifolds through which water circulates; air treatment apparatus for heating, ventilation and cooling purposes, namely air purifiers, air heaters, air filtering installations for domestic and commercial use; air coolers, namely evaporative air coolers, air cooling apparatus, air conditioning units, air coolers operating with heat exchangers, and electric space cooling apparatus; heated air curtains; hot air generators; electric hot air dryers, in particular for horses; solariums, in particular for horses.

7. "KAMPMANN"

WIPO

Reg.-Nr. 1145241 - IR Trademark:

AU-AZ-BA-BY-CH-CN-GE-HR-KG-KR-KZ-LI-ME-NO-NZ-RS-RU-TR-UA-
US-UZ

Date of application: 05.11.2012

Date of registration: --

Date of expiration: 05.11.2022 *

Class(es) Nizza:

- 06** Radiator coverings of metal, rigid grates, rolling grates, flood grates
- 09** Regulating, control and monitoring apparatus for heating, refrigerating, drying, ventilating and/or air-conditioning apparatus and/or installations; operating units, operating panels, peripherals and monitors for the aforesaid regulating, control and monitoring apparatus.
- 11** Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes; radiators, heating plates, radiant ceiling plates, underfloor heating, underfloor heaters, church heating, convectors, in particular for heating and/or refrigeration, fan coil units, air treatment apparatus, ventilation installations and equipment, fan heaters, domestic ventilation, fans, roof fans, air heaters, air heating apparatus, air curtain units, drying apparatus, hot air dryers, in particular for horses, warm air generators, heat-exchangers, air conditioning systems, air conditioning apparatus, in particular cold water air-conditioning systems, cold water generators, apparatus for preparing heat exchangers, namely heating apparatus for heating heat exchanger, apparatus for heating, cooling and/or ventilating in a selective and/or combined manner, ventilating apparatus, in particular fresh air ventilating apparatus, air conditioning apparatus, all the aforesaid goods, where possible, for stationary and/or mobile use; damper registers, filters, ventilation flaps and throttle valves, being parts of the aforesaid goods; solariums, in particular for horses.
- 27** Door mats, entrance mats

Printouts from the trademark-databases conducted under the 22.04.2014 are provided as **Annex 5**.

Besides the aforesaid trademarks the Complainant is registrar of many other international registered trademarks that do not contain the word/name "Kampmann".

The domain

kampmann.com

obviously contains the distinctive element of the specified trademarks of the Complainant as well as the family-name of the business-founder used as a service-mark by the Complainant since 1972.

B. The Respondent has no rights or legitimate interests in respect of the domain name(s);
(Policy, Paragraph 4(a)(ii); Rules, Paragraph 3(b)(ix)(2))

The Respondent has no legitimate interest in respect of the domain-name "kampmann.com". Neither it's business nor the director of the Respondent as a natural/private person has any correlations to the name "Kampmann" used in the domain and the specified trademarks. The Respondent never offered any services or products under the Domain "kampmann.com" or any similar name or label. Neither has the Respondent any plans to do so.

Since the word/name "*Kampmann*" has no individual meaning in Danish or English language there is no comprehensible and legitimate own interest for the Respondent in respect of the disputed domain.

C. The domain name(s) was/were registered and is/are being used in bad faith.
(Policy, paragraphs 4(a)(iii), 4(b); Rules, paragraph 3(b)(ix)(3))

1. The given circumstances indicate that the Respondent has registered or acquired the domain name "kampmann.com" primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant who is the owner of the specified trademarks or to a competitor of the Complainant, for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the domain name (Policy, paragraph 4(b)).

In *Educational Testing Service v. TOEFL (Case-No. D2000-0044)*, the Panel inferred bad faith registration from bad faith use, even where the Respondent's only use was an offer to sell the disputed domain name on a public Internet auction site. The Panel reasoned that because the Respondent did nothing but offer the domain name for sale, the registration was for that sole purpose. The Panel wrote: "*As there is no evidence on the record that Respondent has undertaken any act regarding the disputed domain name other than to offer it for sale, the Panel infers that* the offering for sale was Respondent 's purpose for the registration. If the Respondent 's offer for sale is determined to be in bad faith, then the registration will also be deemed to be in bad faith.*"

As stated in the following the Respondent is keeping the disputed domain as well as many other domains registered just for the purpose of selling or renting them.

According to its own website (www.powernation.dk) the main business of the Respondent is the registration and commercialization of internet-domains.

According to a summary of all the domains the Respondent keeps registered by the online-service-provider DOMAINTOOLS, the respondent actually holds more than 140 domains registered. A printout of the reverse-whois-search by DOMAINTOOLS conducted under the 22.04.2014 is provided as **Annex 6**.

On its website the Respondent claims that its business predominantly contains the registration of domains for the purpose of giving other companies the opportunity to present themselves on the internet under these domains. The Respondent therefore registered a certain amount of generic domains under the cc-toplevel-domain ".dk", such as *arkitekt.dk* or *cafeguide.dk* and others. Some of these domains contain addresses and telefon-numbers of companies offering services connected to the domain-name, others don't contain any information. For example the website under the domain "cafeguide.dk" does not contain any information. It is obviously used just as a placeholder.

Screenshots of the websites under the domains arkitekt.dk and cafeguide.dk conducted under the 23.04.2014 are provided as **Annex 7**.

In difference to the above mentioned generic domains the disputed domain does not contain an individual website but it is directly linked to the homepage of the website of the Respondent. A Screenshot of the Website under the disputed domain conducted under the 31.03.2014 is provided as **Annex 8**. A translation of the statements from that website is provided as **Annex 9**.

Since the respondent has no own right in the name "Kampmann" it is obvious the he is keeping the disputed domain registered just for the purpose of renting or selling it.

Further more it seems likely that the Respondent registered the disputed domain in knowledge of the Complainant and its registered trademarks. According to the annexed whois-abstract the disputed domain was first created on 17.10.1996, which was only a few month after the Complainant registered its first national and international trademarks including the name "KAMPMANN". At that time the Complainant already looked back on a history of 24 years and was a growing and international active and well known company. (**Annex 4**)

It is obvious that the domain was registered in temporal coherence to the registration of trademarks by the Complainant. Since then – for more than 17 years - the Respondent took no further action to develop a reasonable and independent website under the disputed domain. At the same time the Respondent regularly had to take action to keep the disputed domain registered, since the registration-period of a .com-domain is limited.

All these circumstance evidence that the Respondent virtually waited for his "*chance*" to sell the disputed domain to the Complainant. Meanwhile the Respondent was aware that the estimated price for the domain would rise with the strong and international growth of the Complainant and with every trademark the Complainant would register.

From these circumstance it can be inferred that the sole motivation for the Respondent to keep the disputed domain (passively) registered for over 17

years, was the aspiration to make a big profit by selling the domain to the Complainant sooner or later.

In *Starline Publications, Inc. v. Unity (Case No. D2008-1823)* the panel inferred evidence for a registration and use of a domain in bad faith from the fact, that a domain was just passively registered for (just) 5 years. The panel wrote: *“Further, the evidence of record indicates that, ever since the Respondent registered the disputed domain name* on December 22, 2003, it has not used the disputed domain name to resolve to an operational website hence passively holding the name since its registration over five years ago. The Panel views this passive holding in and of itself as also evidencing bad faith use and registration.”*

Further more in *Telstra Corporation Limited v. Nuclear Marshmallows (Case No. D2000-0003)* the panel elaborately sets out, that the passive holding of a domain is a strong evidence for a registration and use of a domain in bad faith, when there is no further evidence for a legitimate interest of the Respondent in the disputed domain.

Following this accepted argumentation from different Panel decisions it is even more likely that the Respondent registered the disputed domain in bad faith since he did not make any reasonable use of it for almost 17 years.

2. On its website the Respondent pretends that domains were under no circumstances registered to sell them. In detail the Respondent's website contains the following statements (translated from Danish):

"Powernation ApS only register domains for their own concepts"

"Powernation ApS do NOT register domains for the purposes of resale"

"Inquiries to Powernation ApS regarding the purchase of one or more domains will NOT be answered!"

"Domains with Powernation ApS are NOT for sale."

"Powernation ApS does not sell domains"

"Any inquiries regarding the purchase of one or more domains will remain unanswered!"

All these statements are just an attempt to protect the Respondent and justify the registration of an unreasonable number of domains without any legitimate interest other than selling or renting them.

In fact the Respondent does offer the domains it once registered for sale as stated in the following.

3. PRE COMPLAINT COMMUNICATION

A printout of the complete e-mail-communication between the parties is provided as **Annex 2**.

The Complainant contacted the Respondent via its host-provider, the ipCONN GmbH (Mr. Sven Becker), on 22.10.2013 per E-mail. The Respondent was hereby asked, if it was willing to sell the disputed domain.

On 22.10.2013 the Respondent send the following answer:

“If the interested buyer has a price proposal, and the domainholder find the price interesting, sale will be taken into consideration.”

The Respondent hereby pretended that a third party was the registered domainholder. Actually the Respondent itself was the domain-holder at this time without any intend to use the domain for its own business other than selling or renting the domain.

The Complainant on the 31.10.2013 then offered the amount of 1.500,00 EUR.

On the 25.11.2013 the Respondent set the price for selling the domain to the amount of **10.000,00 EUR**. In his E-Mail he wrote:

“The price proposal for selling the domain: kampmann.com is EURO: 10.000.-“

After the Complainant re-offered the amount of 3.000,00 EUR the Respondent on 27.11.2013 abruptly closed the communication with the following E-Mail:

*“Dear Sven Becker
Thank you for your counteroffers, which have no interest.
I don't need other people to find out, what is the right price for me.
So I do hope, that this is the final contact about this domain*

*Best regards
Powernation Aps
Mads Rosentoft (...)*”

Within this last e-mail it becomes obvious that the Respondent, respectively it's director Mad Rosentoft, acts in his very own interest of selling the disputed domain for an amount that clearly exceeds the out-of-pocket costs directly related to the domain name.

After all it is evident, that the Respondent registered and used the disputed domain in bad faith pursuant to Policy, paragraphs 4(a)(iii), 4(b).

VII. Remedies Requested
(Rules, Paragraph 3(b)(x))

[13.] In accordance with Paragraph 4(i) of the Policy, for the reasons described in Section VI. above, the Complainant requests the Administrative Panel appointed in this administrative proceeding that the disputed domain

“kampmann.com”

be transferred to the Complainant.

VIII. Administrative Panel
(Rules, Paragraph 3(b)(iv); Supplemental Rules, Paragraph 8(a))

[14.] The Complainant elects to have the dispute decided by a single-member Administrative Panel.

IX. Mutual Jurisdiction
(Rules, Paragraph 3(b)(xiii))

[15.] In accordance with Paragraph 3(b)(xiii) of the Rules, the Complainant will submit, with respect to any challenges that may be made by the Respondent to a decision by the Administrative Panel to transfer or cancel the domain name that is the subject of this Complaint, to the jurisdiction of the courts at the location of the principal office of the concerned registrar.

X. Other Legal Proceedings
(Rules, Paragraph 3(b)(xi))

[16.] -----

XI. Communications

(Rules, Paragraphs 2(b), 3(b)(xii); Supplemental Rules, Paragraphs 3, 4, 12)

- [17.] A copy of this Complaint, together with the cover sheet as prescribed by the Supplemental Rules, has been sent or transmitted to the Respondent on **24.04.2014** by E-Mail to *mads@rosentoft.dk* and *mr@powernation.dk*
- [18.] A copy of this Complaint has been sent or transmitted to the concerned registrar(s) on **24.04.2014** by E-Mail to *support@tierra.net*
- [19.] This Complaint is submitted to the Center in electronic form, including annexes, in the appropriate format by E-Mail to *domain.disputes@wipo.int*

XII. Payment

(Rules, Paragraph 19; Supplemental Rules Paragraph 10, Annex D)

- [20.] As required by the Rules and Supplemental Rules, payment in the amount of USD **1.500.-** has been made by transfer to the WIPO bank account (**Annex 10**):

IBAN No. CH68 0483 5063 0397 8200 0

Credit Suisse, CH-1211 Geneva 70

Swift/BIC: CRESCHZZ80A

(Kampmann GmbH ./ Powernation ApS)

XIII. Certification

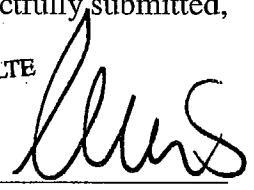
(Rules, Paragraph 3(b)(xiv); Supplemental Rules, Paragraph 14)

- [21.] The Complainant agrees that its claims and remedies concerning the registration of the domain name, the dispute, or the dispute's resolution shall be solely against the domain name holder and waives all such claims and remedies against (a) the WIPO Arbitration and Mediation Center and Panelists, except in the case of deliberate wrongdoing, (b) the concerned registrar(s), (c) the registry administrator, (d) the Internet Corporation for Assigned Names and Numbers, as well as their directors, officers, employees, and agents.

[22.] The Complainant certifies that the information contained in this Complaint is to the best of the Complainant's knowledge complete and accurate, that this Complaint is not being presented for any improper purpose, such as to harass, and that the assertions in this Complaint are warranted under the Rules and under applicable law, as it now exists or as it may be extended by a good-faith and reasonable argument.

Respectfully submitted,

KOPP & PARTNER
NOTAR, RECHTSANWÄLTE
Lengericher Str. 2
49809 Lingen (Ems)
Tel. 0591-97782-0
Fax: 0591-57436
email: sekretariat@rag-kopp.de



Rechtsanwalt Hannes Albers
Kopp und Partner
49809 Lingen (Ems)
Germany

Date: 24.04.2014

XIV. List of Annexes

(Rules, Paragraph 3(b)(xv); Supplemental Rules, Paragraphs 4(a), 12(a), Annex E)

1. Printout from the WhoIs-database conducted under the 22.04.2014;
2. Printout of the pre-complaint correspondence between the parties (e-mails);
3. Copy of the domain name dispute policy that applies to the domain name in question;
4. Printouts from the Complainant's website ("*history*" and "*company and regional offices*") conducted on the 22.04.2014;
5. Printouts from the trademark-databases conducted under the 22.04.2014;
6. Printout of the reverse-whois-search by DOMAINTOOLS conducted under the 22.04.2014;
7. Screenshots of the websites under the domains architect.dk and cafeguide.dk conducted under the 22.04.2014;
8. Screenshot of the Website under the disputed domain conducted under the 22.04.2014;
9. Translation of the statements from the website under the disputed domain (danish/english) .
10. Record of payment in the amount of 1.500,00 USD (= 1.090,00 EUR) to the WIPO