

DISPUTE RESOLUTION SERVICE

D00027853

Decision of Independent Expert

Quilter Business Services Limited

and

Mr Jonathan Paton

1. The Parties:

Lead Complainant: Quilter Business Services Limited
Senator House, 85 Queen Victoria Street
London
EC4V 4AB
United Kingdom

Respondent: Mr Jonathan Paton
[Redacted]
United Kingdom

2. The Domain Name(s):

quilter-claims.co.uk

3. Procedural History:

I can confirm that I am independent of each of the parties. To the best of my knowledge and belief, there are no facts or circumstances, past or present, or that could arise in the foreseeable future, that need be disclosed as they might be of a such a nature as to call in to question my independence in the eyes of one or both of the parties.

10 June 2025 11:08 Dispute received.

11 June 2025 10:35 Complaint validated.

11 June 2025 10:37 Notification of complaint sent to parties.

23 June 2025 11:51 Response received.
23 June 2025 11:52 Notification of response sent to parties.
26 June 2025 02:30 Reply reminder sent.
26 June 2025 11:49 Reply received.
26 June 2025 11:49 Notification of reply sent to parties.
26 June 2025 11:49 Mediator appointed.
07 July 2025 16:52 Mediation started.
05 August 2025 11:47 Mediation failed.
05 August 2025 11:47 Close of mediation documents sent.
15 August 2025 02:30 Complainant full fee reminder sent
18 August 2025 13:01 Expert decision payment received
02 September 2025 09.01 Further requested submission from Respondent under paragraph 17 received
04 September 2025 09.07 Complainant response to Respondent's paragraph 17 submission received

4. Factual Background

The Complainant was incorporated on 13 July 2005 and provides financial services. It is part of the Quilter group, a British multinational wealth management group ("Quilter Group"). Quilter plc, part of the Quilter Group is listed on the London Stock Exchange and on the Johannesburg Stock Exchange and is a constituent of the FTSE 250 Index. The Quilter Group currently employs 4,000 people that manage investments of almost £120 billion.

Trademarks

It owns numerous United Kingdom registered trademarks including the name QUILTER (the Sign) for example:

QUILTER UK00908461361 30 July 2009 16, 36 and 38

QUILTER UK00917069337 30 July 2009 9, 16, 35, 36, 38 and 41

QUILTER UK00003211611 08 February 2017 9, 16, 35, 36, 38 and 41 (together, the "Trade Mark Registrations").

Domain Names

As at the date of this Complaint, the Complainant (or another company within the Complainant's group of companies) is the registrant of many domain names containing the Sign, including as examples:

- quilter.com
- quilter.co.uk
- quilter.uk
- quilter.org

The Respondent is an individual who registered the disputed domain name (the Domain Name) on 20/5/24 on behalf of a firm of solicitors called HT Legal ("HT"). The Response is drafted on the basis that HT is the substantive Respondent and the Expert will proceed on that basis. The Respondent set up a website under the Domain Name shortly after it was registered (the "Website"). HT has its own website at <https://www.htlegal.co.uk/> offering a number of types of legal services including Financial Services claims. It offers

a no-win no-fee service to anybody who has lost money due to mis-selling or professional negligence by not just the Complainant but also by regulated financial services institutions in general. The Website advertises HT, offers calls with them and links to and uses HT client reviews.

5. Parties' Contentions

Complainant

In addition to the facts above the Complainant's extensive arguments are summarised below.

Rights

The Registered Trademarks and goodwill in the Sign provide grounds for its Rights under the Policy. Throughout its trading history, the Complainant and the Quilter Group have made significant use of the Sign. Its customers and the relevant public associate the Sign and any sign containing the Sign with the Complainant. Customers and third-party suppliers would inevitably assume that any goods or services that are in any way similar or related to those which the Registrations cover, emanate from the Complainant. The extensive trading, investment, growth, marketing by and success of the Complainant has resulted in a significant accumulation of goodwill in the Sign.

Abusive Registration

The registration of the Domain Name by the Respondent amounts to an Abusive Registration under both paragraphs 1(i) and (ii) of the DRS Policy. The registration of the Domain Name is an Abusive Registration for the reasons set out below:

DRS Policy 5.1.1.3 Circumstances indicating that the Respondent has registered or otherwise acquired the Domain Name primarily for the purpose of unfairly disrupting the business of the Complainant. The Website is directed at UK based customers, given the chosen language is English and uses the country-specific top-level domain (.co.uk). The Sign is used throughout the Website and in the Domain Name. Such use of the Sign may lead a portion of such public to believe mistakenly that the Respondent and/or the Domain Name is connected in some way with the Complainant and/or that the services originate from or are approved by the Complainant. Such use also demonstrates a deliberate attempt to mimic the Complainant and / or attempt to convey that the services are approved or associated with the Complainant.

Further or alternatively, the Respondent's actions are actually or potentially causing severe disruptions to the Complainant's business and can serve no other purpose. Members of the public trying to access the Complainant's services may become discouraged when they cannot do so seeking via the Domain Name, meaning that the Respondent's use of the Domain Name has the potential to divert custom from the Complainant. This could also cause frustration for customers and may result in more complaints to the Complainant via alternative means of communication (e.g. via telephone calls). This also clearly has the potential to damage the Complainant's reputation in terms of customer service.

DRS Policy 5.1.6 *The Domain Name is an exact match (within the limitations of the character set permissible in domain names) for the name or mark in which the Complainant has Rights, the Complainant's mark has a reputation, and the Respondent has no reasonable justification for having registered the Domain Name.*

The primary and dominant element of the Domain Name is identical to the Sign and is confusingly similar to the Sign. The Domain Name infringes the Registrations by including the Sign which is the distinctive element of the Domain Name. The addition of "-claims" indicates that the Website at the domain is an official (Quilter Group) source of information about claims involving Quilter Group.

Furthermore, whilst the Complainant's website offers financial advice services, investments and wealth management, the Website markets its legal services (specifically in relation to financial services claims). These are all professional (and closely related) services, which it is possible would be provided by the same or connected entities. The Respondent has registered and used the Domain Name, knowingly and purposefully, because of the Complainant's goodwill and reputation and is attempting to profit from these. The Respondent is using the Website to more broadly advertise its legal services, not just in relation to claims against the Complainant, and there is no legitimate commercial rationale for this.

It is submitted that the above actions constitute an Abusive Registration. As stated by the Expert in DRS 17508 <opus-corporate.co.uk> (following the decision in DRS 4331 (<verbatim.co.uk>):

"...in order to assess whether the Domain Name was registered or otherwise acquired in a manner which, at the time of registration, took unfair advantage of or was unfairly detrimental to the Complainant's Rights, it is necessary to determine whether the Respondent was aware of the existence of the Complainant and its Rights at that time (see DRS 4331 (<verbatim.co.uk>) [emphasis added].

The Registrations were a matter of public record at the time that the Domain Name was registered. Such was (and remains) the substantial profile and the extensive scale of the operations of the Complainant throughout the UK when the Domain Name was first registered by the Respondent, it is safe to infer that the Respondent chose the Domain Name with the cynical and deliberate intent to benefit from the considerable goodwill that the Complainant enjoys in the Sign. By purposefully using the Sign, the Respondent demonstrates an intention to ride on the coattails of the goodwill and market recognition that the Complainant has in the Sign therefore it is submitted that the registration of the Domain Name is "abusive" as defined in the DRS Policy.

DRS Policy 5.1.2 *'Circumstances indicating that the Respondent is using or threatening to use the Domain Name in a way which has confused or is likely to confuse people or businesses into believing that the Domain Name is registered to, operated or authorised by, or otherwise connected with the*

Complainant.'

Given the inter-connected nature of the respective services provided by the Complainant and the services being requested of third parties by the Respondent through its website, as well as the near-identical nature of the Domain Name to the Registrations and Sign, the continued use of the Domain Name is highly likely to led to a significant level of confusion amongst consumers. Furthermore, the Website looks like an official offering of information and advice about the Complainant - this serves to increase the likelihood of confusion, given the services covered by the Registrations.

The Complainant then gives a list of the types of confusion it claims are likely such as the public thinking that the Respondent is the Complainant or a member of the Quilter Group or is connected or approved by them. It claims that such confusion may result in significant harm to the Complainant's goodwill and reputation and an undue financial benefit to the Respondent to the detriment of the Complainant. It then gives examples of the types of such potential damage, such as damage to reputation because it cannot control the Respondent's activities or the quality of the goods and/or services provided; and/or destroying the distinctiveness of the Registrations as those pertaining to the Complainant.

In view of all of the above it submits that the Domain Name is being or has been used in a manner which has taken unfair advantage of or has been unfairly detrimental to the Rights and represents an Abusive Registration as a result. Transfer of the Domain Name is requested.

Respondent

Rights

The Respondent does not challenge the Complainant's arguments on Rights.

Abusive Registration

The Respondent denies that the registration or use of the Domain Name constitutes an Abusive Registration as defined in the DRS Policy. The Respondent's arguments are summarised below.

Background and Legitimate Use

The Website was launched by Jonathan Paton on behalf of HT with the sole intention of offering guidance to members of the public unsure about whether they have a legitimate claim involving Quilter Group or third-party advisers that have used Quilter's platform services. The site is not monetised via advertising or affiliate links, and it does not use branding or logos that suggest any affiliation with the Quilter Group. It exists solely to offer guidance; free consultations; prevent misdirected complaints being made to Quilter; and assist consumers in identifying whether Quilter is responsible for a complaint

Between June and December 2024, the Website received only 71 enquiries. Of these, just 10 presented potential claims, and only one was identified as being potentially relevant to any entity within the Quilter Group. This data highlights that the Website significantly reduces misdirected complaints and

operates responsibly.

There has been substantial reporting on Quilter's regulatory scrutiny. For example, Citywire published an article referencing the £115 million provision set aside for potential redress (<https://citywire.com/new-model-adviser/news/quilter-sets-aside-115m-amid-potential-redress/a2446965>). The Website exists in part to assist consumers navigating these issues. While some of these consumers may ultimately have no valid claim, or claims against third parties unrelated to Quilter Group, they are nonetheless drawn to the issue due to widespread media coverage.

The Respondent therefore provides a necessary service by clarifying where liability may or may not lie—something Quilter cannot legally do, as they are not in a position to give regulated legal advice regarding their own network or affiliated professionals. It investigates alleged claims and only where valid grounds are established does it act—whether against Quilter or, more commonly, another regulated firm.

Referential Use

Use of a third-party trademark in a domain name may be permitted if used honestly and without confusion or deception. This is referred to as "referential use." Case Reference: O2 Holdings Ltd v Hutchison 3G UK Ltd [2008] EWCA Civ 483. In this case, the court ruled that a trademark may be used for reference provided it does not mislead or imply endorsement. The Domain Name clearly refers to claims potentially involving the Quilter Group but does not imply endorsement, affiliation, or ownership. Disclaimers are prominently displayed.

Consumer Benefit

The existence of the Domain Name benefits the public by clarifying who may be legally responsible in complex multi-party pension/investment transactions; providing free consultations before any formal engagement; and helping clients avoid wasting time and incurring costs in pursuing misdirected complaints.

Response to Allegations

Section 10(2) TMA - Likelihood of Confusion

The site does not suggest any affiliation with Quilter. The use of the name is descriptive and explanatory, and disclaimers are clearly displayed.

Section 10(3) TMA - Unfair Advantage

There is no commercial advantage being derived unfairly. There is no advertising or misleading use of Quilter's branding. The site receives low but targeted, organically led traffic and helps preserve Quilter's resources by directing irrelevant claims elsewhere.

Comparison to Volvo v Heritage (1999)

This case is not analogous. There, a third-party garage used Volvo branding. The Website does not suggest it is part of the Quilter Group or authorised by it. A more relevant comparator is DRS Precedent: SkyComplaints.co.uk (DRS 13180). The use of a domain name referencing a trademark was upheld where: the use was honest; no impersonation occurred; and the site provided

legitimate consumer services. The Respondent's case mirrors these facts closely.

Good Faith Conduct

The Website was suspended voluntarily to allow discussions with Quilter's representatives, considerable amendments were made, and further changes were offered based on their feedback. Quilter declined to provide constructive input and escalated to Nominet prematurely. The Website has been reinstated solely to assist Nominet in assessing the live content. At all times, the Respondent's conduct has been responsible and cooperative.

No Abuse of Registration

Under paragraph 3 of the DRS Policy, an Abusive Registration must be: used to unfairly disrupt the business of the complainant; registered to block or sell the domain to the complainant or used in a manner that takes unfair advantage of a Complainant's rights. None of these apply here. We are a regulated legal practice offering a no-win, no-fee service to the public. A free consultation is provided prior to any formal agreement, and there is no evidence of malicious or misleading conduct.

Rights and Interest in the Domain

HT has a clear interest in operating the Domain Name: as a regulated law firm offering consumer protection services; under a legitimate business interest to support redress for financial harm and; without seeking any commercial advantage from use of the Quilter name. The Domain Name itself is not identical or misleadingly similar to Quilter's web assets and includes a descriptive word 'claims' which clearly contextualises the nature of the site.

Conclusion

It requests that the Complaint be dismissed in full and remains open to a co-existence framework with Quilter Plc to safeguard consumers and minimise confusion.

Reply

The Complainant reiterates its Complaint and accompanying evidence. Although the Respondent took the Website down and made amendments to it, these do not alleviate the Complainant's concerns due to its use of the Complainant's Registrations and Sign in the Domain Name and the Website.

The Respondent's use of the Sign is not "referential". The Respondent uses the Sign in a way to confuse consumers that the Respondent is related to the Complainant and the Quilter Group. Furthermore, the Respondent uses the Sign and the Domain Name in order to market other of its services. The disclaimers referred to by the Respondent are part of a blog post and are not easily seen by potential customers.

The Respondent's use of the Sign does not bring a "consumer benefit". Consumers may make their complaints directly with the Financial Ombudsman Service or the Financial Services Compensation Scheme free of charge. Consumers therefore do not require a third-party website, to make

such complaints. It has always been open to settlement discussions provided these include the transfer of the Domain Name to it.

Expert request for further document under paragraph 17 of the Policy

Respondent

On 1/9/25 the Expert requested via Nominet that the Respondent provide a copy of the case on which it relies as a DRS Precedent namely SkyComplaints.co.uk (DRS 13180) as neither she nor Nominet could find it using the DRS Decision search tool. The Respondent replied to Nominet on 2/9/25 that it also had been unable to obtain a copy of the full decision, as it did not appear to be publicly available. It requested withdrawal of reliance on that decision and instead asked the Expert to consider three Nominet decisions as directly applicable precedents supporting its position.

a) Marks & Spencer plc v Graham Kenny (DRS 12592)

Domain: *marksandspencer-ppi-reclaim.co.uk*

- The domain was used by a regulated CMC to offer PPI claim services involving Marks & Spencer products.
- The Expert held this was **not abusive**, as the purpose was clear, disclaimers were present, and the use was consistent with a **legitimate business acting in the public interest**.
- The complainant's trademark rights were not infringed because no confusion or impersonation occurred.

b) Optical Express Ltd v Tony Green (DRS 00658)

Domain: *opticalexpressruinedmylife.co.uk*

- This domain was used for a consumer complaints platform, strongly critical of the complainant.
- Despite the provocative nature of the name, the Expert found the site to be **non-commercial, honest, and referential**, and ultimately ruled **in favour of the respondent**.
- The decision affirmed that **freedom of expression** and **consumer transparency** can override the complainant's interests in certain cases.

c) The Royal Bank of Scotland Group v John William (DRS 04129)

Domain: *rbs-claims.co.uk*

- The respondent operated a claims management service for individuals potentially mis-sold financial products by RBS.
- The Expert determined that the domain was used in a **legitimate, referential manner**, clearly stating that it was **not affiliated** with the bank, and held it was **not an Abusive Registration**.
- The Respondent argues that this case is particularly relevant, as it mirrors our position: offering a **regulated, consumer-facing triage service** in response to **publicly known financial misconduct**.

The remainder of the Respondent's email to Nominet contains largely repetitive statements and the Expert does not include them here.

Complainant

The Complainant was provided with the Respondent's response (Further Submissions) above to the Expert's paragraph 17 request and in summary stated as follows:

The Respondent was asked to provide a copy of the case cited ([SkyComplaints.co.uk](https://www.skycomplaints.co.uk) / DRS 13180) only. The Respondent's Further Submissions go far beyond what is permitted under, and have not been submitted in compliance with, the DRS Policy. The Further Submissions are "non-standard submissions" (under paragraph 17.2 of DRS Policy) and:

- in accordance with paragraph 17.2 of DRS Policy, should not be considered by the Expert as part of their determinations; nor
- as per paragraph 17.3 of the DRS Policy, passed to the Expert, given the absence of any explanation as to the exceptional need for the non-standard submission (for which, we submit, there is none).

The Further Submissions are not only well past the original deadline for the Respondent to make his submissions, but they are also excessive in that they address matters far broader than the response requested by the Expert. The acceptance and consideration of the Further Submissions would amount to an abuse of process.

Furthermore, the Respondent has failed to provide any explanation as to why it included a decision that is not publicly available and cannot be produced upon request. It is unclear if this decision exists, if the Respondent had access to the decision, or if this was an attempt (knowingly or not) made by the Respondent to mislead the Expert into reaching a decision in its favour.

Should Nominet / the Expert allow the Further Submissions, the Complainant submits the following:

1. Two of the decisions provided by the Respondent are either miscited or non-existent. Decision DRS 00658 refers to the domain name [chivasbrothers.co.uk](https://www.chivasbrothers.co.uk) (not [opticaexpressruinedmylife.co.uk](https://www.opticaexpressruinedmylife.co.uk) as alleged by the Respondent), where Nominet held that the domain name was an abusive registration and ordered the transfer of the domain name. Decision DRS 04129 refers to domain name [royalb-of-scotlandonline.co.uk](https://www.royalb-of-scotlandonline.co.uk) (not [rbs-claims.co.uk](https://www.rbs-claims.co.uk) as alleged by the Respondent).
2. Each case must be considered on its own facts. If there are Nominet DRS decisions that consider that some claims-related websites are legitimate, this does not automatically mean that other similar websites and domain names do not take unfair advantage nor amount to abusive registrations. Indeed, the cases referenced by the Respondent seem to have different facts from the current case:
3. Decision DRS 12592 ([marksandspencer-ppi-reclaim.co.uk](https://www.marksandspencer-ppi-reclaim.co.uk)) relates to a domain name that has a completely different structure from the Domain Name. Furthermore, there are no current websites displayed in respect of this domain name for the Expert to be able to draw similarities as to whether the content demonstrates use which lends itself to a finding of an abusive registration. Despite the Further Submissions, decision

DRS 12592 does not contain any conclusions in relation to a domain owner acting in the public interest nor in relation to impersonation.

4. As the citation provided by the Respondent is wrong in relation to in the domain name opticaexpressruinedmylife.co.uk, we have considered the Further Submissions in respect of this reported decision. The decision is based on different facts, being a website used for non-commercial purposes and to deal with criticism of a company.
5. Decision DRS 04129 (royalb-of-scotlandonline.co.uk) refers to a domain name that has a completely different structure from the Domain Name. Furthermore, we have not been able to access any content at the domain name in question, so the Expert is unable to make any assessment of its contents.
6. The Respondent has clearly made changes to the content of the Website (given that certain of the content refers to the allegations made in our correspondence and Nominet Complaint), so the Expert cannot necessarily determine whether it amounts to an abusive registration based only on the current content of the website.
7. The Further Submissions illustrate that the Respondent has been unfairly benefiting from the use of the Sign. According to section 2 of the Further Submissions, the Respondent has been marketing services beyond assisting with Quilter-related claims. Indeed, the website at the Domain Name states: *"Although we have several Quilter-related matters under investigation, we have not yet submitted a single complaint directly against Quilter plc or its subsidiaries. Instead, the majority of successful claims to date have been against other regulated financial advisers and pension providers, based on enquiries generated through the Quilter Claims site"*. This demonstrates that consumers are being attracted to the Respondent's services marketed under the Domain Name by use of the Sign, and it is being leveraged by the Respondent and affiliates to then supply other claims services.

In conclusion, Nominet should refuse to accept the Further Submissions and/or not pass them on to the Expert. Should Nominet and/or the Expert accept receipt of the Further Submissions, the Complainant believes that the Expert should disregard the decisions and other matters referred to in the Further Submissions for being irrelevant to the current case and/or an abuse of process.

6. Discussions and Findings

Under section 2 of the DRS Policy (the Policy) the onus is on the Complainant to prove to the Expert on the balance of probabilities each of the two elements set out in sections 2.1.1 and 2.1.2 of the Policy, namely that the Complainant has Rights in respect of a name or mark which is identical or similar to the Domain Name; and that the Domain Name, in the hands of the Respondent, is an Abusive Registration.

Rights

Section 1 of the Policy provides that Rights means “*rights enforceable by the Complainant, whether under English law or otherwise, and may include rights in descriptive terms which have acquired a secondary meaning*”. Rights may be established in a name or mark by way of a trademark registered in an appropriate territory, or by a demonstration of unregistered ‘*common law rights*.’ The Complainant has provided extensive evidence as to its name, business, trademark rights and the extent of its reputation. The Expert is satisfied that the Complainant has Rights within the meaning of the Policy in the Sign. In any event the Respondent has not denied the existence of the Complainant’s Rights or the Complainant’s claim that there is significant accumulation of goodwill in the Sign.

Rights being established, the Sign still requires to be identical or similar to the Domain Name. It is accepted practice to discount the.co.uk suffix and the only other difference is the addition of ‘-claims’ before that suffix. The word ‘claims’ is descriptive and does little to distinguish the Domain Name from the Sign and its association with the Complainant especially as the Respondent states that it is referential use with ‘*the Domain Name clearly referring to claims potentially involving the Quilter Group...*’ Taking all of this into account it follows in the Expert’s view that the addition of ‘-claims’ is not sufficient to make the Domain Name dissimilar to the Sign. Accordingly, the Expert finds that the Domain Name is similar to the Sign.

Accordingly, based on consideration of the evidence presented, the Expert finds that the Complainant has Rights in respect of a name or mark that is identical or similar to the Domain Name.

Abusive Registration

Under paragraph 1 of the Policy, Abusive Registration means a Domain Name that either:

“i. was registered or otherwise acquired in a manner which, at the time when the registration or acquisition took place, took unfair advantage of or was unfairly detrimental to the Complainant’s Rights; or ii. is being used or has been used in a manner which has taken unfair advantage of or has been unfairly detrimental to the Complainant’s Rights.”

Prior Knowledge

In order to succeed in a Complaint made under any head of paragraph 5 of the Policy, “knowledge” and “intention” are pre-requisites. This is in accordance with the Verbatim case (DRS04331). The Complainant’s arguments here whilst valid are superfluous as the Respondent admits that it knew about the Complainant as it states that its use of the Sign is ‘referential use’.

Factors which may demonstrate Abusive Registration

Paragraph 5 of the Policy sets out a non-exhaustive list of factors that may be evidence that a domain name is an Abusive Registration. Paragraph 8 of the

Policy sets out a non-exhaustive list of factors that may be evidence that it is not an Abusive Registration. However, all such matters are subsidiary to the overriding test for an Abusive Registration as set out as in paragraph 1 of the Policy.

At the outset the Expert wishes to clarify a few points as follows:
Firstly, the Respondent suggests that to be an Abusive Registration under paragraph 3 of the DRS Policy, it must be used to unfairly disrupt the business of the Complainant; registered to block or sell the domain to the Complainant or used in a manner that takes unfair advantage of a Complainant's rights. However, the Expert notes as already stated that these grounds are in paragraph 5 of the Policy (not paragraph 3) and are non-exhaustive.

Secondly, both the Complainant and the Respondent make certain arguments under UK Trademark Law. These are largely irrelevant (or at best only indirectly relevant) as DRS cases are decided on the basis of the Policy and this is not a forum for dealing with trademark disputes.

Thirdly, the Respondent's statements about providing a service which Quilter cannot legally do, and its detailed intake process may serve to establish that it operates fairly and with correct legal process but are irrelevant to whether this is an Abusive Registration under the Policy.

Fourthly in relation to the Respondent's further statement under paragraph 17 the Expert is not obliged to consider any statements or documents from the Parties which she has not requested and can ignore additional points made. Here the Expert asked only for a copy of SkyComplaints.co.uk (DRS 13180) and the Respondent instead has provided 3 additional cases as well as new submissions. The Complainant is correct to suggest that this amounts to a non-standard submission under paragraph 17, which therefore under 17.3 must contain as a separate paragraph, a brief explanation of why there is an exceptional need for it. No such explanation has been given. The Respondent only states that the Expert should consider no less than three Nominet decisions instead of DRS 13180 on grounds that it believes these offer strong support for its position. This in the Expert's opinion is not an exceptional need and rather the Respondent has sought to exploit an opportunity presented by its own citation error.

Thus, the Expert could have chosen to ignore the Respondent's paragraph 17 non-standard submission. However, in the interests of reaching a just and correct decision she has considered the cited decisions only and on the basis that she could have found these herself using the DRS Decision search tool. In any event the Expert considers that only one of these cases may be relevant here which is DRS 12592. The other two cases are, as the Complainant points out, either miscited or non-existent. Decision DRS 00658 refers to the domain name chivasbrothers.co.uk and not opticaexpressruinedmylife.co.uk. and DRS 04129 relates to the domain name royalb-of-scotlandonline.co.uk and not the rbs-claims.co.uk. There is a clear pattern here of citation errors by the Respondent, there being 3 in total, as

well as an error in citing paragraphs in the Policy (e.g. paragraph 5 instead of 3.) This pattern of carelessness necessarily detracts from the overall credibility of the Respondent's submissions.

Factors under paragraph 5 of the Policy

The main factors under paragraph 5 of the Policy upon which the Complainant relies are addressed below:

DRS Policy 5.1.1.3 'Circumstances indicating that the Respondent has registered or otherwise acquired the Domain Name primarily for the purpose of unfairly disrupting the business of the of the Complainant.'

The Complainant contends that the use of the Domain Name is a deliberate attempt to mimic it and / or convey that the Website services are approved by or associated with it and business disruption and reputational damage may result. However, the Complainant has not shown any actual evidence of disruption, whether fair or unfair by way of such complaints or loss of custom or otherwise.

The Respondent argues its use is honest, descriptive and non-misleading, providing a legitimate service to the public that the Complainant cannot provide. It makes much of its contention that it filters and reduces the number of misdirected claims against the Complainant. It states that the Website receives low but targeted, organically led traffic and helps preserve Quilter's resources by directing irrelevant claims elsewhere.

The Complainant argues that the addition of "-claims" indicates that the Website is an official source of information about claims involving Quilter Group. Whilst the Domain Name and Website are not obviously hostile to the Complainant and could be assumed to be officially affiliated to it, this would not in the Expert's view automatically result in the Domain Name causing unfair disruption to the Complainant's business in terms of loss of potential clients or complaints. There is no evidence of such or that the Website offers inaccurate information about such claims.

Also, the Complainant owns quilter.co.uk and quilter.com (with the former redirecting to the latter) and so it is easy to find using the most basic and obvious search term. On the other hand, as below, an internet user must search for 'quilter' along with specific terms like 'claims', 'negligence', or 'mis-selling' to locate the Website at the Domain Name. Further, any reasonable internet user nowadays would be unlikely to use the search term Quilter-claims to look for the Complainant, rather they would use it only if they were looking for information on claims against Quilter and/or how to make one. Thus they are unlikely to end up on the Website by mistake when looking for the Complainant. Indeed, as pointed out below, a google search using 'Quilter' does not throw up the Website at all and one using 'Quilter claims' throws up the Respondent but only in second place after the Complainant. Of course, there is bound to be an element of disruption given that the purpose of the Website is to deal with claims against the Complainant, but the provision of such a service is not unfair and is legitimate.

Thus, the Expert is not convinced that the Domain Name and its use on the Website is causing unfair disruption to the Complainant's business. accordingly, the Expert finds there has been no Abusive Use of the Domain Name under paragraph 5.1.1.3 of the Policy.

DRS Policy 5.1.6 'The Domain Name is an exact match (within the limitations of the character set permissible in domain names) for the name or mark in which the Complainant has Rights, the Complainant's mark has a reputation and the Respondent has no reasonable justification for having registered the Domain Name.'

The Domain Name contains the Sign and only adds the suffix '-claims' which as above the Expert considers as insufficient to distinguish it from the Sign in which the Complainant has Rights. But the presence of the additional descriptive term '-claims' here means that the Domain Name is not an exact match for the name in which the Complainant has Rights, so on those narrow terms this factor does not apply. Had the Domain Name been an exact match the Expert considers that the Complainant has a reputation in the Sign and so the only other issue under this head would be whether the Respondent has a reasonable justification for registering the Domain Name. The Respondent argues it has such justification *'as a regulated law firm offering consumer protection services; under a legitimate business interest to support redress for financial harm without seeking any commercial advantage from use of the Sign.'*

The Expert accepts that the Respondent is offering legitimate consumer services at the Website even though there is no reason why it cannot offer these services directly through its own website at <https://www.htlegal.co.uk/> . Thus, the Expert accepts there is a reasonable justification for registering the Domain Name. Due to this and the fact that the Domain Name is not an exact match for the Sign the Expert finds there has been no Abusive Use of the Domain Name under paragraph 5.1.6. of the Policy.

DRS Policy 5.1.2 'Circumstances indicating that the Respondent is using or threatening to use the Domain Name in a way which has confused or is likely to confuse people or businesses into believing that the Domain Name is registered to, operated or authorised by, or otherwise connected with the Complainant.'

The Complainant argues that the Domain Name is nearly identical to the Sign and so the use of the Domain Name is highly likely to lead to a significant level of confusion amongst consumers. As above the Complainant suggests that the addition of "-claims" indicates that the Website is an official source of information about claims involving Quilter Group. It also argues that it is possible that the closely related and inter-connected nature of the services offered by it and the Respondent respectively means these could be provided by the same or connected entities. The Respondent does not suggest there is no similarity and on the contrary admits that the Domain Name is intended to refer to the Complainant.

The Respondent argues that it does not imply endorsement, affiliation, or ownership. It states that Disclaimers are prominently displayed. However, the Complainant points out that the Disclaimers referred to by the Respondent are part of a blog post and are not easily seen by potential customers. The Expert has looked at the Website and can confirm that the latter is correct. However, whether Disclaimers are present and easily visible is beside the point. This is because, as above, the visitor is only likely to have reached the Website if they are seeking the services of the type offered by the Respondent and not because they have mistakenly alighted upon it when browsing looking for the Complainant's official site. Therefore, in the Expert's view, there is no substantial risk that speculative internet users would arrive at the Website in the expectation that it was the Complainant's website or was authorised by the Complainant.

To illustrate this the reasonable internet user looking for Quilter or a financial adviser is likely to type in the word Quilter or the generic term 'financial adviser'. If they do so, according to the Expert's experience on 6/9/25 using Google to do this, the results for 'Quilter' do not bring up the Website at all. On the other hand, as above, if the user is looking for a site that handles claims against Quilter they might, for example, type in the words 'Claims against Quilter' or 'Quilter claims'. The Expert did this using the search terms 'claims against Quilter' on 12/9/25 and the Website came up 7th in the google listings with an official Quilter site ranking first. The Website is described in the listings as: ['Quilter Claims Help | Mis-Sold Investments Compensation Are you a victim of wrong advice or mis-selling by Quilter? Get free **claims** advice from HT Legal for issues like advice fees, mis-sold investments, and lack of annual reviews. Learn more about **Quilter claims** and how you can get your money back'](#).

Taking all of this into account on the balance of probabilities, the Expert considers that the user will only arrive at the Website knowing it is not that of the Complainant and on the contrary is intended to handle claims against it. Thus, there is no substantial risk of initial interest confusion. A user who does actually end up on the Website in error whilst looking for the Complainant (which is very unlikely) will see the banner and narrative:



'Have you been or are currently a customer of Quilter and want to find out if you could be due compensation or financial redress from Quilter or one of its associated advisers?

We help clients assess whether they have lost money due to:

- *Mis-sold pensions or unsuitable pension transfers*
- *Unclear or excessive financial advice charges*
- *Mis-sold investment products under Limited Advice arrangements*
- *Failures to conduct required annual reviews*

We help consumers determine if their concerns are with Quilter or another third party and offer a free consultation to guide them toward the right path for compensation or financial redress.'

The word Quilter is prominently displayed in contrast to the Respondent's own name HT. However, viewing the Website as a whole the expert considers that any user will immediately realise that this is a 3rd party lawyers' site and not the Complainant's site or a Complainant affiliated site. It is hardly likely that the Complainant would advertise, investigate and conduct claims against itself and in any event it is not legal for it to do the latter.

In DRS12592, to which the Respondent refers in its non-standard submission, it is stated that (bold for emphasis), *'The purpose behind the Webpage is to attract business from members of the public who wish to make a **claim against the Complainant in respect of mis-sold payment protection insurance– nothing more, and nothing else.** There is nothing that I can see on the Webpage whereby the Respondent is seeking to encourage those members of the public to visit other retailers selling goods or services in competition with the Complainant.'* In that case the Webpage was not seeking or obtaining business other than claims against Marks and Spencer for mis-sold PPI. It was not trying to offer competing goods or services or looking for or attracting such PPI claims against other third parties. This was held not to be abusive as the purpose was clear, and the use was for genuine business services which it was able to conduct and was consistent with fair use.

This is contrary to this case where the Website is doing more than seeking to attract business in the form of claims against the Complainant but also claims against other regulated financial services institutions. On its homepage the Website states for example *'Do you want to investigate a claim involving another regulated financial services institution such as, your financial adviser, pension provider, investment platform, mortgage company, car finance provider, other lenders, banks or building societies? Visit HT Legals's website for Financial Services Claims'*

But even if the Respondent is using the Website to attract business in the form of claims not just against Quilter but also against other 3rd parties does this mean it is using Quilter's goodwill to do so? The Respondent states *'While some of these consumers may ultimately have no valid claim, or claims against third parties unrelated to Quilter Group, they are nonetheless drawn to the issue due to widespread media coverage.'* As above, users of the Website are likely to be looking for help with a possible claim against the Complainant. Thus, while the Complainant's name may be part of any search what is more pertinent is the fact that Quilter is known to have a possible mis-selling liability and the Respondent is looking to capitalise on that to attract consumers who might have such a claim. It is relying on consumer awareness of such potential mis-selling to attract business to the Website as opposed to their awareness of the Complainant and its reputation. Furthermore, the fact that the Respondent may also obtain business in the form of claims against 3rd parties does not harm the Complainant or damage its reputation. Rather it

may stop such claims being misdirected against the Complainant. Also, it is important to consider that there can be no question of loss or diversion of business as there is no competition between the parties. The Expert also notes that the Respondent seems to have a very low volume of work generated via the Website in any case.

As the Complainant points out the Website states (bold for emphasis); *"Although we have several Quilter-related matters under investigation, we have not yet submitted a single complaint directly against Quilter plc or its subsidiaries. Instead, the majority of successful claims to date have been against other regulated financial advisers and pension providers, based on enquiries generated through the Quilter Claims site"*.

This supports the Respondent's claim that it is assisting the Complainant by sifting claims so that it helps prevent misdirected complaints being made to it. The Expert therefore does not accept the Complainant's argument that *'this demonstrates that consumers are being attracted to the Respondent's services marketed under the Domain Name by use of the Sign, and it is being leveraged by the Respondent and affiliates to then supply other claims services.'*

The Expert has found the issue of whether there is use of goodwill to generate unfair advantage to be a difficult one. The Domain Name is closely similar to the Complainant's name in which it has Rights (and is only distinguished by the descriptive word '-claims') .The Respondent does not need to use the Website to attract claims as it could do it through its own site and it obtains work in the form of claims against other 3rd parties than the Complainant. However, the Website's customers arrive there not because they seek the services of the Complainant but because they are looking for help with potential claims against it. They arrive there not because they associate the Domain Name with the Complainant as such but because they are seeking 3rd party help with a possible claim against the Complainant. The latter supports an argument that goodwill is not being taken advantage of. Whilst it may transpire that some of such claims are in fact against 3rd parties and not the Complainant this does not mean that the use of the Domain Name is unfair. Also even if it is the case that some of that business might not have been obtained by the Respondent were it not for use of the Website, it is not doing anything illegitimate as the Domain Name is descriptive of the Respondent's services and is not taking advantage of the goodwill in the Complainant's name and brand. Thus, on balance the Expert finds accordingly that there has been no Abusive Use of the Domain Name under paragraph 5.1.2. of the Policy.

Does the Respondent have any grounds to argue the Domain name is not an Abusive Registration?

For completeness the Expert has considered paragraph 8 factors which the Respondent could have prayed in aid. These grounds are of course non-exclusive. The only ground which may be pertinent is paragraph 8.1.1.3. where there is legitimate non-commercial or fair use of the Domain Name. In

the Expert's view, in light of all the above discussions, the use made here is fair and legitimate even if it is not non-commercial.

7. Decision

In conclusion, the Expert finds that the Complainant has Rights in a name that is similar to the Domain Name, but that the Complainant has not shown that the Domain Name, in the hands of the Respondent, is an Abusive Registration. The Domain Name will therefore remain with the Respondent, and the Expert makes no order.

Signed ...Gill Grassie.....

Dated ...16/09/2025.....