

**ADJUDICATOR’S SUMMARY DECISION**

|                                      |  |
|--------------------------------------|--|
| CASE NUMBER:                         | <b>ZA2020-0404</b>                           |
| DECISION DATE:                       | <b>10 November 2020</b>                      |
| DOMAIN NAME                          | <b>mercantilebank.co.za</b>                  |
| THE DOMAIN NAME REGISTRANT:          | <b>Avaliani Sergi</b>                        |
| REGISTRANT’S LEGAL COUNSEL:          | <b>None</b>                                  |
| THE COMPLAINANT:                     | <b>Mercantile Bank Limited</b>               |
| COMPLAINANT’S LEGAL COUNSEL:         | <b>Werksmans Attorneys -Donvay Wegierski</b> |
| 2 <sup>nd</sup> LEVEL ADMINISTRATOR: | <b>ZACR</b>                                  |

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## 1. The Parties

### Complainant:

Mercantile Bank Limited  
142 West Street  
Sandown  
Sandton  
2196

### Registrant:

Avaliani SERGI  
203 Nutsubidze Street  
Tbilisi  
Georgia  
0186

## 2. The Domain Name: MERCANTILEBANK.CO.ZA

## 3. Notification of Complaint (16 September 2020)

I am satisfied that the Registrant did not submit a response to the dispute in terms of regulation 18(1) and that the Registrant has been notified of the dispute in accordance with regulation 18(4)(a) read with regulation 15(1).

Yes       No

## 4. Rights

The Complainant has, to my reasonable satisfaction, shown rights in a name or mark which is identical or similar to the domain name.

Yes       No

## 5. Abusive Registration

The Complainant has, to my reasonable satisfaction, shown that the domain name is an abusive registration in the hands of the Registrant.

Yes       No

## 6. Other factors

I am satisfied that there are no other factors or circumstances present that would render the decision in this matter unfair.

Yes       No

## 7. Comments (Optional)

The Registrant has exhibited a pattern of such registrations over a number of years.

## 8. Decision

The domain mercantilebank.co.za is to be transferred to the Complainant.

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**Janusz F Luterek**  
SAIIPL SENIOR ADJUDICATOR  
[www.DomainDisputes.co.za](http://www.DomainDisputes.co.za)