

**IN THE MATTER OF A COMPLAINT PURSUANT TO THE
CANADIAN INTERNET REGISTRATION AUTHORITY
DOMAIN NAME DISPUTE RESOLUTION POLICY**

Domain Name: FORSALE.CA

Complainant: Globe Media International Corporation
Registrant: Bonfire Development, Inc.
Registrar: Baremetal.com, Inc.

Panel: Jay Josefo
Eric Macramalla
David Lametti (Chair)

Service Provider: Resolution Canada

CORRECTION TO TYPOGRAPHICAL ERRORS

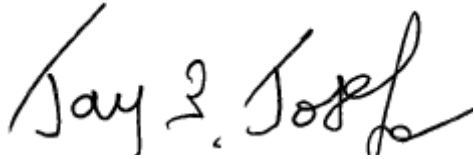
A typographical error was made in the year for certain dates. The error had no substantive impact on the judgment. The following four paragraphs should read as follows:

14. The domain name FORSALE.CA lapsed and became available for re-registration on January 3, **2007**. The name was immediately registered on the same day by Tom Brown (“Brown”), an individual (acting in his capacity as an individual) who happened to work for the domain name registrar BareMetal.com. Brown ignored an offer from the Complainant inquiring about the availability of the name on that same day, i.e., January 3, **2007**.

15. The domain name was purchased for \$29,900 by the Respondent on January 12, **2007**, which it paid in two installments of \$14,995.

16. The Complainant sent an email to the Respondent on January 12, **2007**, citing the trade-mark, offering to purchase the domain name for \$5000 and asserting that it would move to protect its rights failing a favourable response.

22. In this case, the Complainant is the owner of the Canadian trade-mark registration for WWW.FOR-SALE.CA, and as such has established rights. Further, the Complainant’s application matured to registration on January 21, 2005, which is before the January 3, **2007** domain name registration date. Under the circumstances, having established prior trade-mark rights, the Panel can proceed to the question of whether the domain name was confusingly similar with the Complainant's mark.



Jay Josefo
Panelist



Eric Macramalla
Panelist



David Lametti
Chair

July 22, 2009

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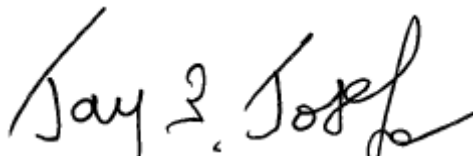
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ORDER ON COSTS

The Panel hereby directs the Registrant (Respondent) to provide its submissions on costs within 5 (five) business days in connection with the Panel's finding of Reverse Domain Name Hijacking. The submissions are to include legal fees incurred as well as disbursements.



Jay Josefo
Panelist



Eric Macramalla
Panelist



David Lametti
Chair

April 15, 2009

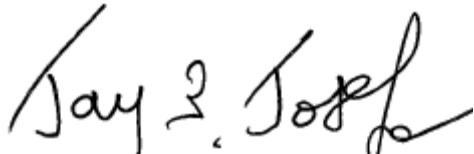
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FINAL ORDER ON COSTS

The Panel, having found that the Complainant has engaged in Reverse Domain Name Hijacking under paragraph 4.6 of the Policy, and having asked the Registrant in a separate order for a submission on its actual costs and disbursements in the proceeding, hereby awards the maximum amount permitted in the Policy of \$5000 to the Registrant to defray its costs.

The Panel hereby orders the Complainant Globe Media International Corporation to pay \$5000 to the Provider in trust for the Registrant.



Jay Josefo
Panelist



Eric Macramalla
Panelist



David Lametti
Chair

May 8, 2009