



Webwordwizards.com

Leicester
England

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Victory at UNITED NATIONS WIPO for Leicestershire Witches in Highcrossquarter.com Domain Name Dispute.

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Webwordwizards.com, are a small IT Consultancy and Web Design Agency run by Mel Gordon from St Peters in Leicester in England. We look after the IT interests of small local groups, small businesses and micro voluntary and social sector organisations mainly in Leicester but also throughout the East midlands and South east England.

Webwordwizards.com are the legal registrants of the domain names highcrossquarter.com and highcrossquarter.co.uk on behalf of a client

who are a group of Wiccans based in Leicester and Loughborough in Leicestershire England.

The wiccans (Witches and Wizards) who are mainly ladies of senior years, commissioned us to produce a website, about the high cross quarter sabbats which are highpoints on the Wiccan calendar. The principle client is Morrigan Wisecraft of Loughborough and Leicester... an endearing yet feisty silver haired pensioner, who any of us would love as a grandmother.

Hammerson Plc is a very large FTSE100 Company that develops and manages shopping centres and offices buildings worldwide. Hammerson have a total value of about £3.6 billion. In July 2006 they decided to name their Leicester shopping centre and its massive new £354 Million extension "Highcross Quarter" not knowing that "high cross quarter" had significance in Wicca.

In September 2006 Hammerson Plc approached us with a view to transferring the domain names into their ownership for substantial remuneration which we turned down.

In June 2007 they commenced action at the United Nations World Intellectual Property Organisation in Geneva Switzerland to have the Domain name highcrossquarter.com transferred to Hammerson Plc on the ground that our use of the name was abusive as they owned the trade mark "Highcross Quarter".

At the same time they embarked on litigation at Nominet in UK for highcrossquarter.co.uk for the same reason.

In July 2007 the witches and wizards of the Wicca coven issued press releases from

http://www.highcrossquarter.co.uk/resources_press_releases_index.html

to the world's media that summoned down what can only be described as a sensational media maelstrom upon the heads of Hammerson Plc involving large scale press, radio and TV coverage on every continent except Antarctica. We have been informed that this is now the highest profile domain name dispute case of all time principally due to the Wicca and witchcraft angle... and that those involved are three ladies all pensioners of "senior years".

About that time, Hammerson then announced a U-Turn on their choice of name for the development, announcing it was instead to be called Highcross Leicester. Domain name dispute action was not withdrawn

however as Hammerson refused to withdraw a claim on the disputed domain names.

Webwordwizards.com, the Leicester based IT consultants and website designers to the Wiccan group who own the highcrossquarter.com website, would now like to announce that we have received news from the United Nations World Intellectual Property Organisation in Geneva that we have won a huge David versus Goliath victory and prevailed in the .com domain name litigation case against Hammerson Plc.

This was a case that three leading domain name dispute solicitors advised us we could not and would not win. However, not only have we won but have done so convincingly on all the main points of contention. This was an important victory not only for Webwordwizards.com of Leicester and the group of ladies who own the highcrossquarter.com website but for all small businesses, local groups and private individuals who own domain names many of them who in the past have failed in similar battles.

Sadly, as domain names get in increasingly short supply as all the names are taken up, large companies and organisations will increasingly resort to domain name dispute litigation in hope of overwhelming the little guy with that onerous litigation process and all it entails.

Now here is a case where we have a £3.6 billion FTSE100 index company and Nabarro their "illustrious" legal team getting themselves up off the ground and dusting themselves off after having tried this very stunt against us... webwordwizards.com and a group of Loughborough and Leicester-based silver haired ladies of senior years... all pensioners who simply wanted no more than a modest website to represent their Wiccan group that would sit quietly on some corner of the Internet whose only fault was to be faster off the mark to register website domain names than what Hammerson Plc were.

Too often it is the case that the legal and rightful registrants of these domain names lose their domain names because they cannot rise to onerous task of filing a response in the face of the glossy but often, all icing and no cake domain name dispute complaint submissions. The sheer majesty of the opposition ranged against them overwhelms them before they even figure out where to start in filing a response.

The submission against us was prepared for Hammerson Plc by Intellectual Property Litigation specialists Nabarro, who whilst undoubtedly are legal assistance of the highest order had nevertheless

perhaps in desperation padded out and underpinned their submission with circumstantial evidence of the lowest quality.

This was a fight Webwordwizards.com did not want, but having been forced into it by Hammerson PLC and Nabarro (their "illustrious" brigade of barristers) we robustly defended our clients and ultimately as we promised we would, made a very painful and public example of those ranged against us that will stand as a lesson to other leading Fortune 500 and FTSE 100 index companies watching and observing this no doubt from their mahogany panelled and leather padded boardrooms.

The lesson taught here is that the domain names of small organisations, businesses and individuals are not prizes up for the grabs of large multinational corporations too slow off the mark to get to them first on a fair and square first come first served basis. These small businesses have to battle day in and day out to survive and the last thing they need is a large wealthy corporation treating its hard earned and fairly and squarely acquired domain name assets as mere sporting trophies to be fought over on the field of litigation.

With the battle for the highcrossquarter.co.uk domain name now set out before us and before the watching world and the people of the city of Leicester for whom Hammerson Plc are creating the Highcross quarter Leicester retail development I invite Hammerson Plc and Nabarro to carefully consider their options and to ponder upon their position and to withdraw from a battle that again presents them with the prospect of yet a further humiliating and embarrassing defeat, should they lose yet again.

Webwordwizards.com hopes not to get into the habit of slaying giants many times our own size in fields of very complex intellectual property law litigation which was admittedly not quite what we do, but the world of big business should take heed that webwordwizards.com will defend the interests of ourselves and our clients equally as robustly and professionally as we have done against Hammerson PLC and Nabarro who "represented" them.

On hearing the news of our victory at the United Nations WIPO in Geneva our client, the octogenarian Murrigan Wisecraft, owner of the highcrossquarter.com website who has not been in best of health lately skipped around her garden in Loughborough in England like a girl of 15 with her grandchildren and great-grandchildren who were present at the time. Drinking a small glass of elderflower wine to celebrate she raised her glass to toast and thank the people of Loughborough, the nearby city

of Leicester and further afield whose e-mails continue to pour into our inbox on a daily basis wishing her and the other ladies of the coven well.

Morrigan's advice to other small groups who are set upon by similar adventurism and bullying from big companies is "The men on the boards of these companies, all of whom who are all young enough to be my own children are just like naughty boys all quite sweet and charming really, but they need scolding once every now and then when they want something they can't have and get out of line".

Webwordwizards.com dedicates this victory to all the "Little Guys" who had not been able to prevail as we have done... and who lost their domain names.

Mel Gordon

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