

Before the:

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

NCI Group, Inc.
10943 North Sam Houston Pkwy W,
Houston, Texas, 77064

(Complainant)

-v-

Bradshaw Consulting, Inc.
440 West Roberts Dr.,
Mt. Zion, Illinois, 62549

(Respondent)

Disputed Domain Name:

WWW.STEELBUILDINGS.COM

**COMPLAINT IN ACCORDANCE WITH THE
UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY**

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 NCI Group, Inc., a Texas Corporation, having a principal place of business at 10943 North Sam Houston Pkwy W., Houston, TX 77064.

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

Address: Matt Thiem
VP, Legal Affairs
NCI Group, Inc.
10943 North Sam Houston Pkwy W.
Houston, TX 77064

Telephone: 281-897-7788
Fax: 281- 477-9674
E-mail: MThiem@ncigroup.com

- [4.] The Complainant's authorized representatives in this administrative proceeding are:

Richard F. Whiteley
William L. Doggett
Bracewell & Giuliani, L.L.P.
711 Louisiana, St., Suite 2300
Houston, TX 77002
Phone: 713-221-1123
Fax: 713-222-3234

E-mail: Richard.Whiteley@bgllp.com
William.Doggett@bgllp.com

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

Electronic-only material

Method: E-mail
Address: William.Doggett@bgllp.com
Contact: William Doggett

Material including hardcopy (where applicable)

Method: Fax
Fax: 1-800-404-3970
Contact: William Doggett

B. The Respondent

(Rules, Paragraph 3(b)(v))

- [6.] According to the eNom.com Whois database, the Respondent in this administrative proceeding is Bradshaw Consulting, Inc ("Bradshaw"). Bradshaw's listed address is 440 West Roberts Dr., Mt. Zion, Illinois, 62549. A Copy of the printout of the database search conducted on January 27, 2014 for the domain name www.steelbuildings.com is provided as Annex 1.

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

Respondent

Bradshaw Consulting, Inc.
440 West Roberts Dr.,
Mt. Zion, Illinois,
62549.

Administrative and Technical Contact:

Derrick Bradshaw
Bradshaw Consulting, Inc.
440 West Roberts Dr.,
Mt. Zion, Illinois, 62549
Phone: 2178646485
Fax: 2178646350
Email: Domainservice@bradshawconsulting.com

III. The Domain Name(s) and Registrar(s)

(Rules, Paragraphs 3(b)(vi), (vii))

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

www.steelbuildings.com

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

eNom.com
5808 Lake Washington Blvd. NE, Ste. 300
Kirkland, Washington, 98033
legal@enom.com
Phone: 425.974.4689
Fax: 425.974.4791

IV. Language of Proceedings

(Rules, Paragraph 11)

- [10.] The Complainant requests that the language of proceedings be English. Respondent has a place of business in the United States and gave a United States address when registering the domain. Both the website where the disputed domain resolves and the website for Bradshaw are in English.

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 that is the subject of this Complaint is registered, incorporates the Policy. A true and correct copy of the domain name dispute policy that applies to domain names registered through eNom.com can be accessed at <http://www.enom.com/terms/drp.aspx> and is attached as Annex 2.

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 www.steelbuildings.com is 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))

Complainant is the registered owner of the domain www.steelbuilding.com. See Domain Name Registration at Annex 3. Complainant has registered several trademarks and service marks relating to "steel building" with the United States Patent and Trademark Office. See USPTO Registrations at Annex 4. Complainant

uses its domain name "steelbuilding.com" to promote and facilitate its e-commerce business selling pre-engineered metal building systems. *See* Annex 5.

Respondent is a marketing firm and its use of "steelbuildings.com" is confusingly similar to the trademarks and domain name registered by Complainant. Upon information and belief, Complainant has received multiple complaints from its customers attempting to contact Complainant through www.steelbuildings.com and have received no response from Respondent thereby damaging Complainant's reputation in the industry and diluting its registered marks.

Counsel for Complainant has made several attempts to contact Respondent by phone and email with no response, further evidencing Respondent's disregard for the disputed domain.

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 onus of proof under section 4(a)(ii) of the Policy is on the Complainant to show:

- (i) use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services before any notice of the dispute; or
- (ii) that it has been commonly known by the domain name, even if it has acquired no trademark or service mark rights; or
- (iii) that it was making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark.

Royal Bank of Canada v. RBC Bank, WIPO Case No. 2002-0672.

However, if the Complainant produces sufficient evidence to suggest an absence of bona fides on the part of the Respondent the burden shifts to the Respondent to explain its use of the domain. *Id.* In this case, Complainant does not have any information to indicate that Respondent has engaged in use of "steelbuildings.com" in connection with a bona fide offering of services before notice of a potential dispute.

In a similar case, this element has been held to be satisfied where a marketing firm registered and maintained a domain after the business relationship between the marketing firm and its customer was terminated. *See Trustway Homes, Inc. v. The PC Help Group, Inc.* WIPO Case No. D2004-1010 (January 25, 2005).

Respondent's website indicates that it offers "Full Feature Hosting" and "Domain Registration" services. *See* Annex 6. The disputed domain resolves to a website promoting Atlantic Building Systems, a company that appears to no longer exist. *See* Annex 7. Nevertheless, Respondent maintains the domain without connection to a legitimate offering of goods or services connected therewith, to the detriment of Complainant, its offering of goods and services

in connection with its “steelbuilding.com” domain and related mark, and its customers.

Therefore, because Respondent does not offer any goods or services in connection with the disputed domain, the burden is on Respondent to explain its use of the domain.

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

Paragraph 4(b) of the Policy enumerates four circumstances that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith. These circumstances are non-inclusive, and several other indicators of bad faith have been established in previous panel decisions.

Paragraph 4(b)(i) states that “circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name[.]”

Respondent does not offer any goods or services in connection with the domain “steelbuildings.com” and all circumstances point to the fact that the business it purports to promote, Atlantic Building Systems, does not exist. First, the US trademark for “Atlantic Building Systems” was abandoned on May 18, 2004—nearly ten years ago. *See* Annex 8. Second, the US trademark for “Steel Buildings dot com” was abandoned on April 23, 2004. *See* Annex 9. Therefore, Respondent has registered and is using the disputed domain in bad faith because it has no connection to the steel buildings business. The only other conceivable explanation for Respondent’s use is that it is using this domain in an attempt to effectuate a transfer for higher than out-of-pocket costs.

Alternatively, Respondent’s bad faith use of the disputed domain can be inferred from its continued use of the disputed domain without connection to any offering of related goods or services to the detriment of Complainant and its customers and potential customers. “Keeping a domain name unused and inactive can be a form of bad faith.” *Deutsche Kreditbank AG v. DKB Data Services (USA), Inc.* D2009-1084 (WIPO Sept. 30, 2009). “In this case, the Respondent is dissolved or has never existed, and there is no evidence indicating that the Respondent is using or is preparing to use the disputed domain name in good faith.” *Id.* “This leads to the conclusion that the Respondent has registered the disputed domain name in bad faith.” *Id.*

Similarly here, there is no evidence that Respondent is using or preparing to use the disputed domain in good faith. Indeed, there is no evidence that Bradshaw has ever sold steel buildings in any capacity. If, in fact, Bradshaw registered this domain on behalf of another entity, that entity either never existed or ceased to exist. While the disputed domain does resolve to a website, upon information and belief, that website is not monitored and promotes a business that either never existed or no longer exists.

For these reasons, the Complainant has met its burden under Paragraph 4(b) of the Policy.

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 name 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 domain name holders' address, as shown for the registration of the domain name in the concerned registrar's Whois database at the time of the submission of the Complaint to the Center.

X. Other Legal Proceedings

(Rules, Paragraph 3(b)(xi))

- [16.] None.

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 Respondents and Registrant-in-Interest on 1/27/2014 by the following methods in accordance with paragraph 2(b) of the Uniform Dispute Resolution Policy Rules:

RESPONDENT

By Certified Mail to:

Bradshaw Consulting, Inc.
440 West Roberts Dr.,
Mt. Zion, Illinois,
62549.

- [18.] A copy of this Complaint has been sent or transmitted to the concerned registrar(s) on January 27, 2014:

By Certified Mail to:

Enom.com
5808 Lake Washington Blvd. NE, Ste. 300
Kirkland, Washington, USA

By Email to:
legal@enom.com

- [19.] This Complaint is submitted to the Center in electronic form only, including annexes, in the appropriate format pursuant to the Supplemental Rules, Annex E.

XII. Payment

(Rules, Paragraph 19; Supplemental Rules Paragraph 9, Annex D)

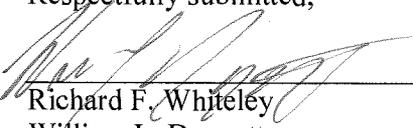
- [20.] As required by the Rules and Supplemental Rules, payment in the amount of USD \$1,500 (one-thousand, five-hundred U.S. dollars) will be made by wire transfer or check by February 6, 2014.

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, (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,


Richard F. Whiteley
William L. Doggett
Bracewell & Giuliani LLP
P.O. Box 61389
Houston, Texas 77208-1389
Phone: (713) 221-1377
Fax: (713) 221-2185
Attorneys for NCI Group, Inc.

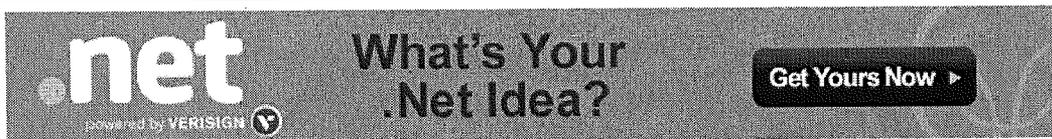
Date: January 27, 2014

XIV. List of Annexes

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

1. eNom.com WHOIS search for www.steelbuildings.com
2. eNom.com domain name dispute policy
3. Complainant's domain name registration
4. Complainant's current U.S. registrations from U.S.P.T.O. website
5. Printout from www.steelbuilding.com [accessed January 27, 2014] showing Complainant uses its domain name to promote and facilitate its e-commerce business selling pre-engineered metal building systems.
6. Printout from <http://www.bradshawconsulting.com/services.php> [accessed January 27, 2014]
7. Printout from www.steelbuildings.com [accessed January 27, 2014]
8. U.S. registration for "Atlantic Building Systems" from U.S.P.T.O. website
9. U.S. registration for "Steel Building dot com" from U.S.P.T.O. website

ANNEX 1



Whois Lookup for steelbuildings.com

Transfer this Domain | Backorder this Domain | Make an Offer

Buy Related Domains:

- NerveBuildings.com As low as \$15.00
- IronBuildings.com As low as \$15.00
- SteelsBuildings.com As low as \$15.00
- NerveBuilding.com As low as \$15.00
- NerveHouses.com As low as \$15.00

Buy Premium Domains:

8+1 9

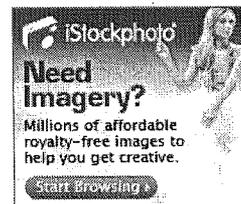
Search WHOIS for another Domain

Domain Name: STEELBUILDINGS.COM
 Registry Domain ID: NA
 Registrar WHOIS Server: WHOIS.ENOM.COM
 Registrar URL: WWW.ENOM.COM
 Update Date: 2013-12-01 09:40:11Z
 Creation Date: 1999-03-01 05:00:00Z
 Registrar Registration Expiration Date: 2014-12-30 22:11:00Z
 Registrar: ENOM, INC.
 Registrar IANA ID: 48
 Registrar Abuse Contact Email: ABUSE@ENOM.COM
 Registrar Abuse Contact Phone: +1.4252744500
 Domain Status: OK
 Registry Registrant ID:
 Registrant Name: DERRICK BRADSHAW
 Registrant Organization: BRADSHAW CONSULTING INC
 Registrant Street: 440 WEST ROBERTS DRIVE
 Registrant Street:
 Registrant City: MT ZION
 Registrant State/Province: IL
 Registrant Postal Code: 62549
 Registrant Country: US
 Registrant Phone: +1.2178646485
 Registrant Phone Ext:
 Registrant Fax: +1.2178646350
 Registrant Fax Ext:
 Registrant Email: DOMAINSERVICE@BRADSHAWCONSULTING.COM
 Registry Admin ID:
 Admin Name: DERRICK BRADSHAW
 Admin Organization: BRADSHAW CONSULTING INC
 Admin Street: 440 WEST ROBERTS DRIVE
 Admin Street:
 Admin City: MT ZION
 Admin State/Province: IL
 Admin Postal Code: 62549
 Admin Country: US
 Admin Phone: +1.2178646485
 Admin Phone Ext:
 Admin Fax: +1.2178646350
 Admin Fax Ext:
 Admin Email: DOMAINSERVICE@BRADSHAWCONSULTING.COM
 Registry Tech ID:
 Tech Name: DERRICK BRADSHAW
 Tech Organization: BRADSHAW CONSULTING INC
 Tech Street: 440 WEST ROBERTS DRIVE
 Tech Street:
 Tech City: MT ZION



Related Extensions

- steelbuildings.net
- steelbuildings.org
- steelbuildings.me
- steelbuildings.info
- steelbuildings.mobi
- steelbuildings.biz
- steelbuildings.tv
- steelbuildings.cc
- steelbuildings.co
- steelbuildings.asia



Tech State/Province: IL
 Tech Postal Code: 62549
 Tech Country: US
 Tech Phone: +1.2178646485
 Tech Phone Ext:
 Tech Fax: +1.2178646350
 Tech Fax Ext:
 Tech Email: DOMAINSERVICE@BRADSHAWCONSULTING.COM
 Name Server: NS3.HOSTEXA.COM
 Name Server: NS4.HOSTEXA.COM
 DNSSEC:UNSigned
 URL of the ICANN WHOIS Data Problem Reporting System:
 HTTP://WDPRS.INTERNIC.NET/
 >>> Last update of WHOIS database:01 DEC 2013 01:40:14 <<<

The data in this whois database is provided to you for information purposes only, that is, to assist you in obtaining information about or related to a domain name registration record. We make this information available "as is," and do not guarantee its accuracy. By submitting a whois query, you agree that you will use this data only for lawful purposes and that, under no circumstances will you use this data to: (1) enable high volume, automated, electronic processes that stress or load this whois database system providing you this information; or (2) allow, enable, or otherwise support the transmission of mass unsolicited, commercial advertising or solicitations via direct mail, electronic mail, or by telephone. The compilation, repackaging, dissemination or other use of this data is expressly prohibited without prior written consent from us.

We reserve the right to modify these terms at any time. By submitting this query, you agree to abide by these terms.

Version 6.3 4/3/2002.

steelbuildings.com is a domain name registered by DERRICK BRADSHAW. The site is based in MT ZION, IL, US. This domain does not appear to have registrar lock enabled.

Page rank, back links or indexed pages information is not available for www.steelbuildings.com. Inexpensive business listings setup through eNom can help websites to build backlinks, and to generate organic search engine referrals.

For additional information about www.steelbuildings.com, users are encouraged to contact DERRICK BRADSHAW for items pertaining to the registrant. For administrative issues, please email DERRICK BRADSHAW or call +1.2178646485. Items of a technical nature should be directed to DERRICK BRADSHAW via email or by calling +1.2178646485.

Search for a domain in the WHOIS database

- Private Registration
- Public Registration
- Register a Domain
- Transfer a Domain

ANNEX 2

1 (425) 274-4500

Register A Domain

New TLDs

Domains

Hosting

Email

Security

Optimization

Resellers

My

Register

Transfer

Whois

Uniform Domain Name Dispute Resolution Policy

(As Approved by ICANN on October 24, 1999
and implemented by eNom, Inc., on December 1, 1999)

1. Purpose. This Uniform Domain Name Dispute Resolution Policy (the "Policy") has been adopted by the Internet Corporation for Assigned Names and Numbers ("ICANN"), is incorporated by reference into your Registration Agreement, and sets forth the terms and conditions in connection with a dispute between you and any party other than us (the registrar) over the registration and use of an Internet domain name registered by you. Proceedings under Paragraph 4 of this Policy will be conducted according to the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules of Procedure"), which are available at <http://www.icann.org/udrp/udrp-rules-24oct99.htm>, and the selected administrative-dispute-resolution service provider's supplemental rules.

2. Your Representations. By applying to register a domain name, or by asking us to maintain or renew a domain name registration, you hereby represent and warrant to us that (a) the statements that you made in your Registration Agreement are complete and accurate; (b) to your knowledge, the registration of the domain name will not infringe upon or otherwise violate the rights of any third party; (c) you are not registering the domain name for an unlawful purpose; and (d) you will not knowingly use the domain name in violation of any applicable laws or regulations. It is your responsibility to determine whether your domain name registration infringes or violates someone else's rights.

3. Cancellations, Transfers, and Changes. We will cancel, transfer or otherwise make changes to domain name registrations under the following circumstances:

- a. subject to the provisions of Paragraph 8, our receipt of written or appropriate electronic instructions from you or your authorized agent to take such action;
- b. our receipt of an order from a court or arbitral tribunal, in each case of competent jurisdiction, requiring such action; and/or
- c. our receipt of a decision of an Administrative Panel requiring such action in any administrative proceeding to which you were a party and which was conducted under this Policy or a later version of this Policy adopted by ICANN. (See Paragraph 4(i) and (k) below.)

We may also cancel, transfer or otherwise make changes to a domain name registration in accordance with the terms of your Registration Agreement or other legal requirements.

4. Mandatory Administrative Proceeding.

This Paragraph sets forth the type of disputes for which you are required to submit to a mandatory administrative proceeding. These proceedings will be conducted before one of the administrative-dispute-resolution service providers listed at <http://www.icann.org/udrp/approved-providers.htm> (each, a "Provider").

a. Applicable Disputes. You are required to submit to a mandatory administrative proceeding in the event that a third party (a "complainant") asserts to the applicable Provider, in compliance with the Rules of Procedure, that

- (i) your domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) you have no rights or legitimate interests in respect of the domain name; and
- (iii) your domain name has been registered and is being used in bad faith.

In the administrative proceeding, the complainant must prove that each of these three elements are present.

b. Evidence of Registration and Use in Bad Faith. For the purposes of Paragraph 4(a)(iii), the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

- (i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or
- (ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or
- (iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, you have intentionally attempted to attract,

Questions? Call sales at

1 (425) 274-4500

Or try our

Help Center

Visit our Help Center where you can get simple and quick product support.

for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.

c. How to Demonstrate Your Rights to and Legitimate Interests in the Domain Name in Responding to a Complaint. When you receive a complaint, you should refer to Paragraph 5 of the Rules of Procedure in determining how your response should be prepared. Any of the following circumstances, in particular but without limitation, if found by the Panel to be proved based on its evaluation of all evidence presented, shall demonstrate your rights or legitimate interests to the domain name for purposes of Paragraph 4(a)(ii):

(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or

(iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

d. Selection of Provider. The complainant shall select the Provider from among those approved by ICANN by submitting the complaint to that Provider. The selected Provider will administer the proceeding, except in cases of consolidation as described in Paragraph 4(f).

e. Initiation of Proceeding and Process and Appointment of Administrative Panel. The Rules of Procedure state the process for initiating and conducting a proceeding and for appointing the panel that will decide the dispute (the "Administrative Panel").

f. Consolidation. In the event of multiple disputes between you and a complainant, either you or the complainant may petition to consolidate the disputes before a single Administrative Panel. This petition shall be made to the first Administrative Panel appointed to hear a pending dispute between the parties. This Administrative Panel may consolidate before it any or all such disputes in its sole discretion, provided that the disputes being consolidated are governed by this Policy or a later version of this Policy adopted by ICANN.

g. Fees. All fees charged by a Provider in connection with any dispute before an Administrative Panel pursuant to this Policy shall be paid by the complainant, except in cases where you elect to expand the Administrative Panel from one to three panelists as provided in Paragraph 5(b)(iv) of the Rules of Procedure, in which case all fees will be split evenly by you and the complainant.

h. Our Involvement in Administrative Proceedings. We do not, and will not, participate in the administration or conduct of any proceeding before an Administrative Panel. In addition, we will not be liable as a result of any decisions rendered by the Administrative Panel.

i. Remedies. The remedies available to a complainant pursuant to any proceeding before an Administrative Panel shall be limited to requiring the cancellation of your domain name or the transfer of your domain name registration to the complainant.

j. Notification and Publication. The Provider shall notify us of any decision made by an Administrative Panel with respect to a domain name you have registered with us. All decisions under this Policy will be published in full over the Internet, except when an Administrative Panel determines in an exceptional case to redact portions of its decision.

k. Availability of Court Proceedings. The mandatory administrative proceeding requirements set forth in Paragraph 4 shall not prevent either you or the complainant from submitting the dispute to a court of competent jurisdiction for independent resolution before such mandatory administrative proceeding is commenced or after such proceeding is concluded. If an Administrative Panel decides that your domain name registration should be canceled or transferred, we will wait ten (10) business days (as observed in the location of our principal office) after we are informed by the applicable Provider of the Administrative Panel's decision before implementing that decision. We will then implement the decision unless we have received from you during that ten (10) business day period official documentation (such as a copy of a complaint, file-stamped by the clerk of the court) that you have commenced a lawsuit against the complainant in a jurisdiction to which the complainant has submitted under Paragraph 3(b)(xiii) of the Rules of Procedure. (In general, that jurisdiction is either the location of our principal office or of your address as shown in our Whois database. See Paragraphs 1 and 3(b)(xiii) of the Rules of Procedure for details.) If we receive such documentation within the ten (10) business day period, we will not implement the Administrative Panel's decision, and we will take no further action, until we receive (i) evidence satisfactory to us of a resolution between the parties; (ii) evidence satisfactory to us that your lawsuit has been dismissed or withdrawn; or (iii) a copy of an order from such court dismissing your lawsuit or ordering that you do not have the right to continue to use your domain name.

5. All Other Disputes and Litigation. All other disputes between you and any party other than us regarding your domain name registration that are not brought pursuant to the mandatory administrative proceeding provisions of Paragraph 4 shall be resolved between you and such other party through any court, arbitration or other proceeding that may be available.

6. Our Involvement in Disputes. We will not participate in any way in any dispute between you and any party other than us regarding the registration and use of your domain name. You shall not name us as a party or otherwise include us in any such proceeding. In the event that we are named as a party in any such proceeding, we reserve the right to raise any and all defenses deemed appropriate, and to take any other action necessary to defend ourselves.

7. Maintaining the Status Quo. We will not cancel, transfer, activate, deactivate, or otherwise change the status of any domain name registration under this Policy except as provided in Paragraph 3 above.

8. Transfers During a Dispute.

a. Transfers of a Domain Name to a New Holder. You may not transfer your domain name registration to another holder (i) during a pending administrative proceeding brought pursuant to Paragraph 4 or for a period of fifteen (15) business days (as observed in the location of our principal place of business) after such proceeding is concluded; or (ii) during a pending court proceeding or arbitration commenced regarding your domain name unless the party to whom the domain name registration is being transferred agrees, in writing, to be bound by the decision of the court or arbitrator. We reserve the right to cancel any transfer of a domain name registration to another holder that is made in violation of this subparagraph.

b. Changing Registrars. You may not transfer your domain name registration to another registrar during a pending administrative proceeding brought pursuant to Paragraph 4 or for a period of fifteen (15) business days (as observed in the location of our principal place of business) after such proceeding is concluded. You may transfer administration of your domain name registration to another registrar during a pending court action or arbitration, provided that the domain name you have registered with us shall continue to be subject to the proceedings commenced against you in accordance with the terms of this Policy. In the event that you transfer a domain name registration to us during the pendency of a court action or arbitration, such dispute shall remain subject to the domain name dispute policy of the registrar from which the domain name registration was transferred.

9. Policy Modifications.

We reserve the right to modify this Policy at any time with the permission of ICANN. We will post our revised Policy at www.enom.com/drp.asp at least thirty (30) calendar days before it becomes effective. Unless this Policy has already been invoked by the submission of a complaint to a Provider, in which event the version of the Policy in effect at the time it was invoked will apply to you until the dispute is over, all such changes will be binding upon you with respect to any domain name registration dispute, whether the dispute arose before, on or after the effective date of our change. In the event that you object to a change in this Policy, your sole remedy is to cancel your domain name registration with us, provided that you will not be entitled to a refund of any fees you paid to us. The revised Policy will apply to you until you cancel your domain name registration.

Questions? Call sales at
1 (425) 274-4500

Or try our
Help Center

*Visit our Help Center where you can get
simple and quick product support.*

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// WHOIS Lookup

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ANNEX 3

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- [Search](#)
- [Renew](#)
- [Transfer](#)
- [Features](#)
- [Private Registration](#)
- [Protect](#)
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WHOIS Results for steelbuilding.com

Available domain names similar to steelbuilding.com

Available Extensions

- [steelbuilding.mobi](#)
- [steelbuilding.im](#)
- [steelbuilding.xxx](#)

Available Domains

- [houstonsteelbuilding.com](#)
- [steelconstructioncompany.com](#)
- [metalconstructioncompany.com](#)
- [steelbuildingblocks.com](#)

Premium Resale Domains

- [steelbuilding.net](#) **\$15,000**
- [steelbuildingexperts.com](#) **\$3,688**
- [houstonsteelbuildings.com](#) **\$488**
- [flatrolledsteel.com](#) **\$449**
- [metalbuildingblocks.com](#)
- [steelconstructionblocks.com](#)
- [businesssteelbuilding.com](#)
- [steelbuildingbusiness.com](#)
- [metalconstructionblocks.com](#)
- [businesssteelconstruction.com](#)
- [steelbuildingkit.com](#) **\$21,000**
- [steelbuildingmaterial.com](#) **\$3,888**
- [texasbuilding.com](#) **\$2,349**

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steelbuilding.com

Is this your domain name? [Renew it now.](#)

Domain Name: STEELBUILDING.COM
Registry Domain ID:
Registrar WHOIS Server: whois.networksolutions.com
Registrar URL: http://www.networksolutions.com/en_US/
Updated Date: 2010-03-08T00:00:00Z
Creation Date: 1997-07-03T00:00:00Z
Registrar Registration Expiration Date: 2014-07-02T00:00:00Z
Registrar: NETWORK SOLUTIONS, LLC.
Registrar IANA ID: 2
Registrar Abuse Contact Email: abuse@web.com
Registrar Abuse Contact Phone: 800-333-7680
Reseller:
Domain Status: clientTransferProhibited
Registry Registrant ID:
Registrant Name: NCI Group, Inc.
Registrant Organization: NCI Group, Inc.
Registrant Street: 10943 N. Sam Houston Parkway West
Registrant City: Houston
Registrant State/Province: TX
Registrant Postal Code: 77064
Registrant Country: US
Registrant Phone: (281) 897-7788
Registrant Phone Ext:
Registrant Fax:
Registrant Fax Ext:
Registrant Email:
Registry Admin ID:
Admin Name: Young, Pat
Admin Organization:
Admin Street: 10943 N Sam Houston Parkway W
Admin City: Houston
Admin State/Province: TX
Admin Postal Code: 77064
Admin Country: US
Admin Phone: 281-897-7788
Admin Phone Ext:

Admin Fax:
Admin Fax Ext:
Admin Email: domainreg@ncilp.com
Registry Tech ID:
Tech Name: Prior, Quintin
Tech Organization:
Tech Street: 10943 N. Sam Houston Parkway West
Tech City: Houston
Tech State/Province: TX
Tech Postal Code: 77064
Tech Country: US
Tech Phone: (281) 897-7788
Tech Phone Ext:
Tech Fax: (281) 897-9647
Tech Fax Ext:
Tech Email: domainreg@ncilp.com
Name Server: NS9.WORLDDNIC.COM
Name Server: NS10.WORLDDNIC.COM
DNSSEC: not signed
URL of the ICANN WHOIS Data Problem Reporting System: <http://wdprs.internic.net/>
>>> Last update of whois database: Mon, 27 Jan 2014 17:41:26 UTC <<<

The data in Networksolutions.com's WHOIS database is provided to you by Networksolutions.com for information purposes only, that is, to assist you in obtaining information about or related to a domain name registration record. Networksolutions.com makes this information available "as is," and does not guarantee its accuracy. By submitting a WHOIS query, you agree that you will use this data only for lawful purposes and that, under no circumstances will you use this data to: (1) allow, enable, or otherwise support the transmission of mass unsolicited, commercial advertising or solicitations via direct mail, electronic mail, or by telephone; or (2) enable high volume, automated, electronic processes that apply to Networksolutions.com (or its systems). The compilation, repackaging, dissemination or other use of this data is expressly prohibited without the prior written consent of Networksolutions.com. Networksolutions.com reserves the right to modify these terms at any time. By submitting this query, you agree to abide by these terms.

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[Make Offer](#)

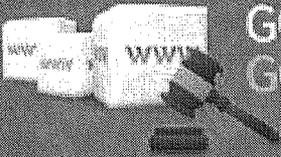
Search Again

Search again here...

Search by either

- Domain Name e.g. networksolutions.com
- IP Address e.g. 205.178.187.13

[Search](#)



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STEELBUILDING.COM

Word Mark	STEELBUILDING.COM
Goods and Services	IC 035. US 100 101 102. G & S: COMPUTERIZED ONLINE RETAIL SERVICES IN THE FIELD OF PRE-ENGINEERED METAL BUILDINGS AND ROOFING SYSTEMS. FIRST USE: 20000601. FIRST USE IN COMMERCE: 20000929
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Trademark Search Facility Classification Code	LETTER-3-OR-MORE COM Combination of three or more letters as part of the mark NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks
Serial Number	78680792
Filing Date	July 28, 2005
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	February 10, 2009
Registration	3612444

Number

Registration Date

April 28, 2009

Owner

(REGISTRANT) NCI GROUP INC. CORPORATION NEVADA 10943 N. SAM HOUSTON PARKWAY WEST HOUSTON TEXAS 77064

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of Record

Michael M. Zadrozny

Type of Mark

SERVICE MARK

Register

PRINCIPAL-2(F)

Live/Dead Indicator

LIVE

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NEXT LIST FIRST DOC PREV DOC NEXT DOC LAST DOC

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Start List At: OR Jump to record: **Record 3 out of 5**

TSDR ASSIGN Status TTAB Status (Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark	STEELBUILDING.COM THE FUTURE OF METAL BUILDINGS
Goods and Services	IC 035. US 100 101 102. G & S: COMPUTERIZED ON-LINE RETAIL SERVICES IN THE FIELD OF PRE-ENGINEERED STEEL BUILDINGS AND ROOFING SYSTEMS. FIRST USE: 20000601. FIRST USE IN COMMERCE: 20000929
Mark Drawing Code	(1) TYPED DRAWING
Trademark Search Facility Classification Code	LETTER-3-OR-MORE COM Combination of three or more letters as part of the mark NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks
Serial Number	76280390
Filing Date	July 3, 2001
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	May 13, 2008
Registration Number	3474327
Registration Date	July 29, 2008
Owner	(REGISTRANT) STEELBUILDING ACQUISITION, INC. CORPORATION DELAWARE 10943 NORTH SAM HOUSTON PARKWAY WES HOUSTON TEXAS 77064 (LAST LISTED OWNER) NCI GROUP INC. CORPORATION NEVADA 10943 N. SAM HOUSTON PARKWAY WEST HOUSTON TEXAS 77064

Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Michael M. Zadrozny
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "METAL BUILDINGS" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL-2(F)-IN PART
Live/Dead Indicator LIVE
Distinctiveness Limitation Statement as to "STEELBUILDING.COM"

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STEELBUILDING.COM

Word Mark	STEELBUILDING.COM
Goods and Services	IC 035. US 100 101 102. G & S: COMPUTERIZED ON-LINE RETAIL SERVICES IN THE FIELD OF PRE-ENGINEERED STEEL BUILDINGS AND ROOFING SYSTEMS. FIRST USE: 20000601. FIRST USE IN COMMERCE: 20000929
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	07.07.25 - Domes; Loading platforms; Solar panels
Trademark Search Facility Classification Code	ART-07.07 Exteriors and Exterior parts of dwelling BLDG-AND-SCEN A type of building or a type of scenery NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks SHAPES-MISC Miscellaneous shaped designs
Serial Number	76280389
Filing Date	July 3, 2001
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	June 24, 2008
Registration Number	3497466

Registration Date September 9, 2008

Owner (REGISTRANT) STEELBUILDING ACQUISITION, INC. CORPORATION DELAWARE 10943 NORTH SAM HOUSTON PARKWAY WES HOUSTON TEXAS 77064

(LAST LISTED OWNER) NCI GROUP INC. CORPORATION NEVADA 10943 N. SAM HOUSTON PARKWAY WEST HOUSTON TEXAS 77064

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Michael M. Zadrozny

Description of Mark The mark consists in part of a stylized depiction of a roof and the top of a bolt. The stippling in the drawing does not indicate color.

Type of Mark SERVICE MARK

Register PRINCIPAL-2(F)-IN PART

Live/Dead Indicator LIVE

Distinctiveness Limitation Statement as to "steelbuilding.com"

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ANNEX 5

STEELBUILDING.COM

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Password

login

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- Commercial Buildings
- Mini-Storage Buildings
- Portable Storage
- Guard Booths and Kiosks
- Special Quote
- Clearance Items

Building Systems

Buying from Us

- Overview | Quality | Value
- Convenience | Security
- Quote Checklist

Project Planning

- Overall | Do's and Don'ts
- Designing | Ordering
- Processing | Delivery

Framing

- Overview | Features
- Specifications | Frame Types
- Roof Pitch | Roof Extensions

Panels & Trim

- Specifications | Panel Profiles
- Panel Options | Liner Panels
- Base Conditions | Trim & Gutter

Accessories

- Insulation | Fiberglass
- Reflective Foil | Walk Doors
- Windows | Ventilation

Mini-Storage Buildings

Guard Booths & Kiosks

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Convenience

You'll enjoy the ease, simplicity and speed of doing business online

Security

We will support you with years of experience in steel buildings, a library of information, effective security systems and outstanding customer service

Get started on designing your custom steel buildings!

Design, Price, and Buy Steel Buildings Online

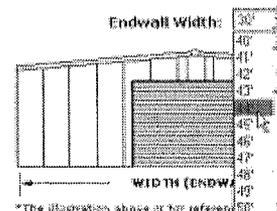
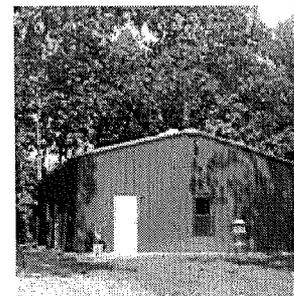
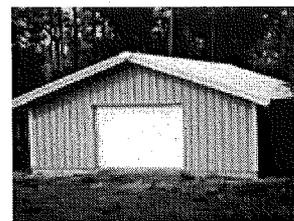
STEELBUILDING.COM was the first and still is the only true e-commerce supplier of residential and commercial metal buildings. Although some others claim to have Internet pricing and sales, none really do. Their online quotes are only estimates, and you won't see the real prices until they fax or mail you a written contract. Only STEELBUILDING.COM lets you design your agricultural or commercial steel buildings, create your final contract and buy it online for the price you see on your computer screen.

At STEELBUILDING.COM, you are in control. You have full command of our state-of-the-art design and pricing system, which gives you a wide range of design options, shows you accurate, delivered prices, allows you to generate fully itemized purchase orders, lets you save your quotes for later review or editing and helps you get exactly the industrial, agricultural or commercial steel buildings you need at a price you can afford. Listed below is an overview of its capabilities (also see the section on designing):

Steel Building Sizes

(online design and pricing)*

Minimum Width	30'
Maximum Width	100'
Width Increment	1'
Minimum Length	30'
Maximum Length	150'
Minimum Eave Height	10'
Maximum Eave Height	20'
Minimum Bay Spacing	15'
Maximum Bay Spacing	30'
Minimum Roof Pitch	1:12"
Maximum Roof Pitch	4:12"

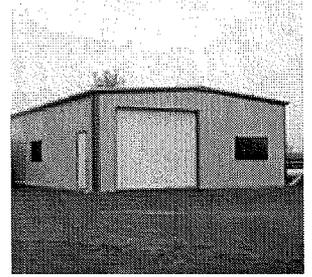


Minimum Square Footage 900

Maximum Square Footage 15,000

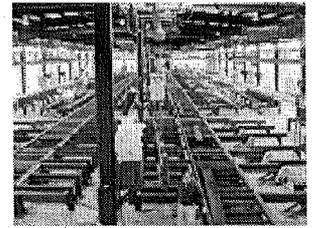
Custom Design for Features for Steel Buildings (online design and pricing)*

- Specify framed opening locations
- Add window sub frames
- Add purlin extensions 1' to 6'
- Add sidewall canopies 1' to 6'
- Add full or partial height interior liners
- Add gutters and downspouts
- Choose from 6 base options



Steel Building Codes (online design and pricing)*

- IBC 2000, 2003, 2006
- BOCA 1999
- SBC 1999
- UBC 1997
- ASCE 1998
- MBMA 1996
- CBC 2001 (California)
- CSBC 2000 (Connecticut)
- FBC 2001 (Florida)
- IBC 2000 (Indiana)
- KBC 2003 (Kentucky)
- MSC 1993 (Massachusetts)
- MBC 2000 (Michigan)
- NYSBC 2003 (New York)
- NCBC 2000 (North Carolina)
- OBBC 2002 (Ohio)
- RISBC 1996 (Rhode Island)
- WISC 2002 (Wisconsin)



Build Location: Dillon, SC

Below are the published minimum code requirements for Dillon, SC.

MBMA CODE			
Code: IBC 2000	Wind: 100	Ground Snow: 10	
Live Load: 20	Roof Snow: 10	Exposure: C	
Seismic Coefficient: 0.7			

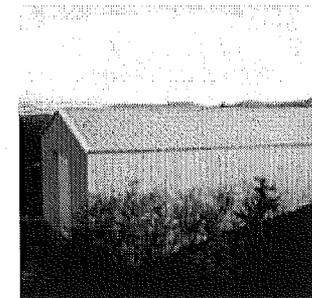
Edit Building Code/Loads

Design Loads for Steel Buildings (online design and pricing)*

- Exposures B and C
- Seismic zones 1, 2, and 3
- Live load 20 lb.
- Roof snow load 12 to 60 lb.
- Ground snow load 5 to 86 lb.
- Wind load 70 to 120 mph
- Importance factors 1.0 (IBC)

*Special Quotes for Steel Buildings

The specifications listed above only refer to STEELBUILDING.COM's unique online design and pricing system. If you're looking for metal agricultural buildings, commercial structures, or others types of steel buildings outside of its capabilities, our pricing department can quickly work up an offline quote for you. You will need to fill out and submit our online special quote form. It will allow you to specify larger or smaller dimensions, different door locations, standing-seam roofs, open wall conditions, partition walls, recessed bays, mixed bay spacings, offset ridges, single slopes, modular frames, extreme design loads, lean-tos that follow the slope of the roof (drawings may take longer to process than the standard 7-14 ship time) and other features not available for your commercial or agricultural steel buildings online. However, STEELBUILDING.COM **does not** design or produce facades, hips and valleys, mezzanines or multiple connecting buildings.





Contact Us: STEELBUILDING.COM, Inc.
2612 Gobbie | North Little Rock, AR 72114 | 800.945.6572 | info@steelbuilding.com

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- ACQUISITIONS
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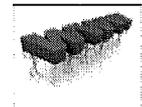
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 - services range from setting up to managing your database
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 - using C++, Perl, Unix (FreeBSD) & (RedHat), Visual Basic
- Disaster Recovery and Planning
 - make all your troubles small ones
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- Internet Presence
 - [Graphic Design and Scripting](#)
 - [SEO Services, Search Engine Optimization](#)
 - [SES Services, Search Engine Submission](#)
 - Internet Marketing
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 - computer maintenance and equipment upgrades
 - Analog/Digital Conversion (Example: Convert VHS to DVD)

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Atlantic Building Systems

Welcome to Atlantic Building Systems

Steel Buildings has gained a significant role in low rise building projects in recent years. High strength, versatility, low cost, and fast erection make Steel Buildings a popular choice for a wide range of projects.

Atlantic Building Systems has been chosen on many occasions as a result of our ability to design and engineer structures that are a step above the usual.



While we are able to provide economical pricing on ordinary buildings, our portfolio of completed projects contains schools, churches, strip malls, garages, shops, and a host of other special buildings that would be a challenge to many.

We invite you to take a few moments to review a few of the past projects. You will see by the photos in our past jobs catalog that we take great pride in our work.

Our 3D section makes it possible to comprehend the relationships of components that go together to make Steel Buildings a great tool to use in the creation of your next project. We are eager to join your team to make your next building affordable and attractive in a timely manner. Please contact us today for a free quote!

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ANNEX 8



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Word Mark ATLANTIC BUILDING SYSTEMS

Goods and Services (ABANDONED) IC 006. US 002 012 013 014 023 025 050. G & S: G006M 2/1/02 Prefabricated metal buildings; G006M 2/1/02 Prefabricated metal buildings. FIRST USE: 20000919. FIRST USE IN COMMERCE: 20000919

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 78256695

Filing Date June 1, 2003

Current Basis 1A;1B

Original Filing Basis 1A;1B

Owner (APPLICANT) John K. Morgan INDIVIDUAL UNITED STATES 260 Valley Street Ball Ground GEORGIA 30107

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator DEAD

Abandonment Date May 18, 2004

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ANNEX 9



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Steelbuildings . com

Word Mark STEELBUILDINGS DOT COM

Goods and Services (ABANDONED) IC 006. US 002 012 013 014 023 025 050. G & S: G 006 M 2/1/02 Prefabricated metal buildings; G 006 M 2/1/02 Prefabricated metal buildings. FIRST USE: 19990501. FIRST USE IN COMMERCE: 19990501

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 78248138

Filing Date May 10, 2003

Current Basis 1A;1B

Original Filing Basis 1A;1B

Owner (APPLICANT) John K. Morgan INDIVIDUAL UNITED STATES 260 Valley Street Ball Ground GEORGIA 30107

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator DEAD

Abandonment Date April 23, 2004

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