



Notice of Decision

Attached is the decision of the Panel in:

**Dustin N. Diamond c/o Herro & Lamont LLC v Max Goldberg-
FA0402000237446**

Date: April 5, 2004

Decision: Claim Denied

PARTIES' RIGHTS

- Complainant's rights – If the Respondent prevailed in this UDRP action, the Complainant is not barred from seeking other relief in court as provided by law. The timeliness of such action is governed by the applicable law.
- Respondent's rights – If the Complainant prevailed and the domain name has been ordered cancelled or transferred, the Registrar will wait 10 days before taking action. Within that period, the Respondent may begin a lawsuit, in an appropriate jurisdiction, against the Complainant. The Respondent must properly notify the Registrar of such legal action. ICANN Policy ¶ 4(k).

REGISTRAR'S RESPONSIBILITIES

Upon notification of the Panel's decision, the Registrar will wait 10 days before implementing the decision. ICANN Policy ¶ 4(k). The cancellation/transfer (if ordered) will take place unless appropriate legal action is commenced against the Complainant within the 10-day period.

Official documentation (such as a copy of a complaint, file-stamped by the clerk of the court) must be sent to the Registrar to prove that legal action has been commenced. Then, the Registrar will not implement the Panel's decision, and will take no further action, until the following is received:

- (i) satisfactory evidence of a resolution between the parties;
- (ii) satisfactory evidence that the lawsuit has been dismissed or withdrawn; or
- (iii) a copy of a court order dismissing the lawsuit or ordering that the party does not have the right to continue to use the domain name.

NOTE: This document should not be construed as legal advice. If you need legal advice, consult an attorney in your jurisdiction.

