PRELIMINARY RULING

On 6 June 2003 the Regional Court of Brno determined the law case of AD, the Petitioner, vs. BNS, the Respondent, and CZ.NIC, a third party, concerning the motion for a preliminary ruling, as follows:

1. The Respondent may not dispose of the rights arising from the registration of the domain name www.x+y+z.cz. In particular, the Respondent may not transfer, sell, assign, charge with other rights or terminate the domain registration, except for transferring it to the Petitioner.
2. The Respondent shall place on the website to which the domain is currently directed a text at his own costs. The text shall be in blue letters on a white ground, font size 25, in a box of 500 by 300 pixels and shall read from the top left-hand corner the following: "This domain is the subject of a litigation at the Regional Court of Brno". The above text shall be the only graphic element of any link reachable through the web page www.x+y+z.cz via a standard Internet browser.
3. Within 24 hours of the serving of this preliminary ruling, the third party, CZ.NIC, shall take all measures to prevent any person from further manipulation with the domain name, especially to prevent transfer of the domain name to another person except for the Petitioner, termination or any other intervention.
4. The third party, CZ.NIC, shall mark in the Domain Register in the usual way that the above domain is the subject of a litigation at the Regional Court of Brno and is currently blocked.
5. Within three days of the serving of this decision, the Petitioner shall pay the court costs of CZK 1,500 in duty stamps to compensate for the motion of four preliminary rulings.
6. By 30 June 2003 the Petitioner shall file an action on the merits.

In view of the fact that the Court completely satisfied the motion, which was not challenged, a justification, by virtue of the provisions of Section 169, paragraph 2, of the Civil Procedure Code, was not required.

Apart from the organization "CZ.NIC", the legal proceedings participants are denominated only by the first letters of their surnames or trademarks. The subject domains are replaced by a chain of x+y+z.cz. Whenever the decision refers to other domain names, these are replaced by different chains. Apart from the identification of participants or other persons and domain names, the text of the decision was modified to the least extent possible. Any connection between the abbreviations or symbols, and persons or domain names that actually use such abbreviations or symbols is purely coincidental.

The decision contains not only the judicial statement and its reasons, but also summarized statements from each party that represent only the legal opinion of the relevant party, rather than a conclusion, as the Court may not have dealt with these statements at all (e.g. when issuing a preliminary ruling).

The judicial statement may not be automatically applied to other cases (albeit with identical facts) and the CZ.NIC organization recommends consulting over any case with domain and legal experts.