

----- Original Message -----

From: stop_infringement@cyveillance.com

To: les@britishgasinsulation.co.uk

Sent: Thursday, June 20, 2013 6:43 PM

Subject: Unauthorized use of Centrica's trademark in domain

6/20/2013

SENT VIA EMAIL: les@britishgasinsulation.co.uk

Les

Re: Unauthorized use of Centrica's trademark in <http://www.britishgasinsulation.co.uk/>

Our File # 1.43.30

Dear Les:

Centrica, PLC ("Centrica") is the owner of the registered trademark Centrica, a mark recognized worldwide. Centrica has invested extraordinary amounts of time, energy, and money, not only in developing and establishing goodwill in these marks, but also in creating a unique association between the name and the company.

Your use and registration of the <http://www.britishgasinsulation.co.uk/> domain name is a blatant attempt to trade on the goodwill of these marks. Taking advantage of the established association between these marks and Centrica may constitute trademark infringement.

If you or your company has a relationship or an affiliation with Centrica and you believe this letter has reached you in error, it is kindly requested that you contact us to clarify this matter and prevent any further confusion.

Otherwise, we demand that 1) you immediately cease all use of the term *Centrica* on or in connection with any domain name or other electronic identifiers; and 2) you immediately transfer the domain name <http://www.britishgasinsulation.co.uk/>. Please be advised that if we do not receive your full cooperation within five (5) business days from the date of this e-mail, we may institute an UDRP proceeding and possibly take further action.

We will be monitoring your website and await your immediate response in writing.

Nothing herein shall constitute a waiver of any of Centrica PLC's rights in law or in equity, all of which are expressly reserved.

Sincerely,

Centrica, PLC

Millstream

Maidenhead Road,

Windsor

Berkshire

SL4 5GD

RESPONSE

I refer to your timely email relating to alleged trade mark infringement, which is an ideal time for me to bring everyone up to date on the saga of British Gas' infringement of my consumer rights.

The domain name www.britishgasinsulation.co.uk is about what it says it is about at the top of every page on the website. A diary of my dissatisfaction. It could not be clearer. But you already know that. As I am not involved in any trade or business either directly or indirectly via the website, it necessarily follows that I cannot be benefitting as you have suggested. The words 'British Gas Insulation' do not exist as a trademark in the UK or the EU.

A mirror website has been produced at www.cavityinsulationuk.co.uk where details of this saga will continue in the longer term. I want British Gas to get their act together quickly and provide an acceptable remedy for the serious problems which they have already acknowledged they are responsible for at my home. Once that happens they will be forgotten by me and I will focus on the wider and far more serious issue. BG can then have the britishgasinsulation.co.uk domain name at the same price I paid for it (pennies).

Ultimately I can focus on investigation of what appears to me to be endemic collusion and cover-up in the rest of the cavity wall insulation industry, blown mineral wool in particular: I do not include British Gas in the latter allegation. As far as I know British Gas first bought into the industry (Hillserve Ltd) just before my work was (allegedly) completed.

For the benefit of new people on the bcc mailing list a very brief résumé of the history can be read in the PDF file BGMS01 which is attached. That was written weeks ago for a different purpose but gives a useful outline of the situation and explains why a method-statement from British Gas is essential. Verbal agreements are less easily enforced and I have good reasons not to trust them; I have been too busy to act further in recent weeks and could not interrupt what I was doing.

I am now waiting for the final piece of this jigsaw then I can offer British Gas one last opportunity to produce a method-statement for a remedy, failing which I will have no other option than the County Court.

In the interim I contacted Saint-Gobain Isover (the mineral wool manufacturer) and they have still not supplied company information I need to address some polite technical questions. I can easily deal with that at a later date via trading standards.

There are remedial options for cavity wall insulation failure (usually applied where dampness is alleged) and I want details of those remedial options. Saint-Gobain Isover are avoiding those answers.

It is now probable unfortunately that my cavities will have to be emptied first as the voids are so serious on all elevations. Evidence shown on the website is overwhelming and obvious. Some irrefutable video evidence can be seen on this page:

www.cavityinsulationuk.co.uk/thermography/therm4.htm

and qualified thermal imaging evidence can be seen on this page:

www.cavityinsulationuk.co.uk/thermography/therm2.htm

The British Board of Agrément (BBA) provided certification for the cavity wall insulation process (copy attached - WALTHERM_CWI). I first contacted the BBA a long time ago and they fobbed me off saying they cannot get involved in disputes. I never asked them to get involved. I made no mention of that whatsoever? I simply asked polite and straight forward technical questions. Now they are saying they have an established complaints procedure so they can get involved. All very confusing to lay folk but I am used to dealing with this sort of silly behaviour by misguided individuals.

Selective amnesia and prevarication is par for the course in my experience of investigating construction failures, fraud and related matters. It has characterised this whole saga, is doomed to failure and has now become rather boring, but I must press on.

Usefully the BBA has at last confirmed what I have suspected since the start of this lengthy saga, as some of you may recall. Quote: *Directional nozzles are intended to be rotated through 360 degrees*: End of quote. To understand better what the directional nozzle matter refers to, see this page: <http://www.cavityinsulationuk.co.uk/problem/process.htm#A>

That quote is hugely significant but is only a part answer for reasons which will be obvious to anyone technically qualified and familiar with the quality of evidence required by courts. The BBA are trying to forestall my efforts to fully clarify this crucial point. That will be dealt with firmly in the next few days.

As a consumer and a qualified construction professional I need precise information. The BBA must have that information. Indeed they have now acknowledged it.

The BBA has *published* a protocol for cavity wall injection work (WALTHERM_CWI) and we need equally precise information on rotation of the directional nozzle. Saying 'intended to be rotated' is not good enough. Do they mean remove and reinsert the directional nozzle two or more times in each hole or spin manually in each hole continuously (which it is not designed to do). This information is necessary for quality control purposes. That said, the directional nozzle was inserted only once briefly in each hole on my home. You will no doubt discover that is the same everywhere. *I believe that is the principal cause of voids and what is now clearly yet another national scandal seriously undermining energy conservation measures.*

The Energy Saving Trust publish a useful PDF file on cavity wall insulation.(CE252 attached) and page 8 refers to potential installation problems. There is no evidence in that document of the need to rotate the directional nozzle. Perhaps it is time they also discovered the truth and published same.

Installation operatives may be suitably trained but are they suitably paid to discourage short cuts or fraud as obviously happened at my home? Supervision is non-existent and everyone knows who should know.

The alleged trade mark infringement:

OHIM - The Office of Harmonization for the Internal Market (EU Trade Marks)

www.oami.europa.eu

At the time of writing there are 46 marks referred to which include the word 'insulation' and none of them mention British Gas.

IPO - Intellectual Property Office (UK)

www.ipo.gov.uk

At the time of writing there are 124 marks referred to which include the word 'insulation' and none of them mention British Gas.

No British Gas marks past or present contain the word insulation.

That said there is nothing to prevent British Gas from registering the complete mark although as I have said it is a bit academic anyway as I am clearly not trying to pass myself off as British Gas and would not wish to. Indeed it would be wholly counter-productive for obvious reasons. The URL (and website meta-tags) are designed to attract people to view my concerns about the subject in general.

Being a pensioner I can still get very busy on projects from time to time, but there are windows of opportunity that enable me to pursue matters such as these. Matters that will be affecting large swathes of the UK population. Indeed probably the large majority. I do not believe I am the first to discover this scandal, though I may be the first to disclose it in public.

Consumers are being short-changed, Government is being short-changed, the important cause of energy conservation is being knowingly sabotaged and the course of justice is being perverted.

We need a completely (100%) independent body carrying out random checks using thermal imaging or other means. Remember this is the United Kingdom in the twenty first century. Now the BBA has explained to me how they operate, I am immediately reminded of the nineteenth century when Gilbert and Sullivan kindly gave us The Mikado and the infamous Pooh-bah who said 'Choose your fiction and I'll endorse it'.

For a fee of course ...

Les Gradwell – July 1st 2013

CC LIST

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