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## Help Crash the Hijackers

**I**T'S estimated that some nine million Americans will have their identities stolen this year, many with the Web as the unwitting accomplice. That is, of course, a very big number and a very big problem. So big, in fact, it nearly obscures an analogous crime.

It's also one perpetrated via the Web. This time, its victims are companies, and the villains go by names like typosquatters. And the crime? It's known as brandjacking.

That name might be amusing if it didn't ruin so many marketers' hard work. And that, dear reader, is frightfully easy: All a perpetrator has to do is register a misspelled version of your brand name and build a bogus Web site for it. Then he places ads on the site and profits from the pay-per-click traffic revenue that should be yours. And while he's busy siphoning off your revenue, your confused customers end up on a misleading or unsavory page they associate with *your* brand.

Scared yet? My company's data show that cybersquatting surged by 33% last year. But plenty of essays have already been written to warn brand managers that there's a big bad world out there on the Web. So today, I've got a different message to impart: one of advocacy. Cyberthieves are increasingly being shut down by vigilant brands



*By Frederick Felman*

**Vigilant brands are shutting down cyberthieves. Why aren't you joining them?**

that have decided to fight back. Good for them, right? Well, it's time *you* join them, too.

Historically, cybersquatters have gone after the giants like Dell, Microsoft and Verizon. In recent months, however, those turned out to be the wrong fights to pick. Each of those giants decided to fight back; not with programmers, but with lawyers.

In October, Dell sued three domain registrars (companies that register Internet domain names), charging that their cybersquatting amounted to counterfeiting. Dell alleged that these registrars sampled or "tasted" over 1,000 domain names that were "confusingly similar" to Dell's own terminology.

According to the filing, the defendants orchestrated a chain of events in which one claimed "dellfinancialservices.com" as a domain for five days, then let it lapse. Within minutes, the second registrar picked it up and, in another few days, relinquished it. The third registrar snatched it up a day later. That serial practice, known as "domain

kiting," takes advantage of the five-day grace period that the Internet Corp. for Assigned Names and Numbers (ICANN) provides to prospective Web site owners before they must pay the domain registration fee.

The registrars allegedly acted for themselves instead of on behalf of customers. Needless to say, they themselves collected the pay-per-click revenue during that grace period as well.

Microsoft sent its legions of lawyers on the march, too. In late 2007, it hauled RedRegister into court, claiming it registered domain names "confusingly similar" to Microsoft's own marks. How similar? Try "windowslivecare.com," and "msnmesnnger.com." It doesn't take a genius to see where the registrar was going with those.

Meanwhile, Verizon sued Internet REIT for registering or using names that were identical or—here we go again—"confusingly similar" to its trademark. That suit was settled in December.

While it might be gratifying to see what a deep-pocketed brand's legal department can do to cyberthieves, those thieves know that there are easier pickin's out there.

Say, for instance, *your* brand.

Still, I said that my message was a positive one, and it is: According to our research, domain kiting and pay-per-click abuses declined in the fourth quarter of 2007. Kiting declined by 14% while the related abuse, pay-per-click advertising, fell by 47%.

However, these declines were fueled by the vigilance of brandholders. That means marketing—not just legal—has to keep an eye out. And that, of course, means you.

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