A Winning Strategy: How the NFL Tackles Rogue Websites

- Moderator
  
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- Featured Speakers
  
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Counterfeiters’ Surprising Tactics

- Online Counterfeit Sales and Piracy is Estimated at $350B Annually and Growing at a Rate of 25% YOY

- Employ Digital Marketing Best Practices
  - Professional e-commerce sites
  - SEO experts

- Take Advantage of Consumer Shopping Behavior
  - Online deal seekers outnumber consumers looking for fakes by 20 to 1
  - 1 in 5 online bargain hunters are duped by counterfeiters
The National Football League

- One of America’s Favorite Professional Sports Leagues with over 182 Million Fans

- Super Bowl XLVII:
  - Played in New Orleans in February 2013 Between the Baltimore Ravens and the San Francisco 49ers, 164.1 Million Total Viewers
  - Broadcast in over 230 countries and territories

- Passionate Fan Base That Spans Every Age Group

- Substantial Retail Business, Including E-commerce
Protecting Fans is a Top Priority

- Fans Deserve Authentic Products and Secure Shopping Experience
- Counterfeiters Focus On and Follow the Fan Base of “Hot” Teams Throughout the NFL Season
- NFL Responsible for Protecting the Intellectual Property of the League, its Brands, and All 32 Member Clubs
- League Committed to Fighting Counterfeit Activity
Holistic Approach to Counterfeiting

- Coordinated Anti-Counterfeiting Strategy
  - NFL Legal Team
  - Third-Party Brand Protection Services and Investigators
  - Law Enforcement (IPR Center, Federal, State, Local)
  - Outside Counsel
  - Coordination with Other Brand Owners and Sports Organizations

- Monitor Digital Channels and Take Action
  - Resources Dedicated to De-listings and Cease & Desist Notices
  - Marketplace Enforcement (eBay, Craigslist, etc.)

- Escalate Enforcement
  - Litigation for repeat and non-compliant offenders
Changing Counterfeit Landscape

- New Level of Sophistication and Scale
  - Deceptive tactics: fan confusion
  - Sharp increase in number and scope of rogue websites
Rogue Websites
Level of Sophistication Demanded Large-scale Effort To Significantly Disrupt Counterfeiters’ Business
The Game Changer: Counterfeit Intelligence & Rogue Website Litigation

The Role of Counterfeit Intelligence
- Expose ‘networks’ of rogue websites
- Focus on NFL and Club domain names – deceptive cyber-squatting
- Understand scope and prioritize litigation targets

Rogue Website Litigation
- Disables large clusters of rogue websites
- Freezes counterfeiters’ payment accounts
- Permits discovery into illegal operations and fraudulent transactions

Enables Timely & Cost-Effective Removal of Rogue Websites in High Volume

Nearly 2,000 Rogue Websites Seized
Sunmei Supplemental Order

Additional 1,300 Rogue Websites Seized, Additional Orders Underway
Maximizing Litigation ROI

- Prioritize Litigation Targets
- Force Multiplier
- Aggregate and Scale Enforcement
Disrupting the Counterfeiters. Protecting Our Fans.

- Traffic Cut-off: Channels of Counterfeit Sales Curtailed
  - Thousands of infringing search results removed
  - Thousands of abusive domains seized

- Legitimate Retail Channels Rise in Search Rankings

- Marketplace De-listings
  - Counterfeit listings dropped by 96% on many marketplaces

- Continued Collaboration with Law Enforcement to Increase Focus on Ground Investigations/Seizures
Advanced Anti-counterfeiting Technology
Advanced Counterfeit Detection

Crawl → Detect → Augment → Analyze & Report

Unprecedented, In-Depth Intelligence On Rogue Websites
Machine Clustering Yields Results Not Obvious Vs. Manual Clustering

Clustering Example

Website A

Website C
Example Rogue Site Clusters

Ability to Group Sites by Their Operators
Example Rogue Site Clusters
Winning Combination for Effective & Scalable Enforcement

- Identify targets for investigation & litigation
- Make connections among rogue sites

- Prepare/file lawsuit
- Notify Payment Processors, Registries
- Freeze assets
- Service on defendants via email
- Post judgment, work with Registries & Payment Processors to disable sites & collect monies

Iterative Process To Reap Rewards Of Ongoing Enforcement Mechanism
Q&A

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Thank You!

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