

Brand Protection on the Web: Tackling a Growing Problem.

In little more than a decade, the World Wide Web has fundamentally transformed both communication and commerce. Today, virtually anyone can establish a Web presence or use existing sites to promote, merchandise and sell their products and services to a global market, from anywhere in the world. This transformation has leveled the playing field and opened a new door of opportunity for legitimate businesses of all kinds. But the Web's power and accessibility has also opened the door to a range of significant new threats to brand owners.

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Trademark infringement and misuse are old problems. But in today's online age, brand owners face the challenge of policing their marks across the estimated 200 billion pages that make up the Web. Adding to the challenge is the fact that the Web is continuously changing and expanding.

The problem lies in the Web's power to enable instant global dissemination of information and images on a shoestring budget. This power greatly magnifies some age-old threats to trademarks—and creates some new ones, as well.

COMMON ONLINE THREATS

The Web presents a number of threats that can significantly impact your brand equity, including the following common problems:

Brand infringement—The technology of the Web makes using trademarks without authorization easier than ever. In addition to improperly using brand names, offenders can actually copy your trademark designs and product images and “paste” them into their own websites with ease. Money-making infringing duplications can occur in all types of Web content, including video-sharing sites like YouTube. This co-opting of trademarks and brands, extremely common on the Web, can lead to brands becoming generic or diluted. Worse yet, your trademark can appear just about anywhere—including on adult content sites—creating confusion or a negative association with your brand.

Grey market and counterfeit product sales—Another growing problem is the online marketing of “grey market” products (authentic products sold without authorization outside the normal distribution channels) and counterfeit or “knock-off” products. Grey market and counterfeit products have been sold on city street corners and out of the backs of vans in parking lots for decades. But the Web takes the problem to a whole, new level, offering the shady characters selling these goods easy access to a global marketplace. Plus, it enables them to create confusion over the authenticity of such products—often using trademarks, marketing materials and images taken directly from the brand owner's own Website. Common examples run the gamut, from sporting goods, jewelry and handbags to unauthorized repair manuals duplicated on CD-ROM and sold under well-known trademarks. In addition to siphoning off sales from legitimate channels, counterfeit and grey market sales can damage your brand equity.

The Web Has Met Its Match
Revolutionizing Web-based Trademark Research

Online auctions—Nowhere is the problem of grey market and counterfeit products more visible than on the many popular online auction sites. These sites provide a ready-made marketplace with extremely low barriers to entry; just about anyone can register and begin selling goods in a matter of minutes. As auction sites have become more popular—and more profitable for sellers—the problem of grey market and counterfeit products on online auction sites has grown by leaps and bounds. In fact, Tiffany & Company has estimated that 75% of the jewelry items it purchased on eBay® sold under its trademark name were fakes.* Adding to the problem is the fact that sophisticated sellers can present products online in a way that appears very genuine.

Domain names—Another new threat is posed by domain names that are similar to your brand name or incorporate elements of your brand or trademark. This includes domain names with spellings similar to your own, or with the same spelling and a different domain suffix (e.g. “.net” instead of “.com”). At best, these domain names cause confusion. At worst, they intentionally divert people searching for your Website, sometimes for the express purpose of disparaging a well-known brand. In the Internet age, a domain name can be a critical part of your brand equity—one that demands protection. With literally thousands of new domains registered every day, monitoring this threat is a challenging task.

Protecting your brand demands that you proactively monitor the Web to identify what's really happening to your brand online.

The variety of threats to your brand posed by the Web is virtually unlimited and continually evolving. No one is immune; the threat extends to all types of intellectual property, a fact dramatically demonstrated by the increasing trend of unauthorized use of video clips and music on sites like YouTube. And what you don't know can really hurt your brand and your company.

How can brand owners protect their valuable brands against today's emerging online threats? These days, protecting your brand demands that

you proactively monitor the Web to identify what's really happening to your brand online. But with literally hundreds of millions of Web pages that are changing constantly, finding the most critical, relevant instances of trademark misuse, abuse and infringement is a monumental task. For many who have tried to do it themselves, the prospect can be overwhelming.

TRUST THE EXPERTS

Monitoring the Web for the most relevant instances of “brand abuse” takes specialized expertise, techniques and technologies most Web users just don't possess. At Thomson CompuMark, we have a dedicated team of Online Brand Protection Experts with special training in how to identify and prioritize the most relevant potential infringements. This enables clients to assess the most critical findings quickly and efficiently, helping them respond rapidly to the most important threats, without wasting time on cases they are unlikely to follow up on.

Using specialized techniques and tools, our Online Brand Protection Team delivers a manageable list of findings, ranked according to their criticality. Sites are ranked according to their traffic, how many other sites link to the site and other factors. Each result is ranked with a percentage figure showing how closely the offending site matches the search criteria.

Thomson CompuMark online brand protection services are completely customized to each client's needs. For example, certain Websites (such as authorized resellers' sites) can be excluded from searches to optimize efficiency and reduce the number of results clients have to review. Our services are designed to save you time and maximize your efficiency—helping you avoid the problem of “information overload.”

Trusting your online brand protection to Thomson CompuMark offers you the peace of mind that comes from knowing experts are doing the work of uncovering potential brand threats—helping you avoid unexpected surprises, while freeing up your own time to focus on what you do best.

A COMPREHENSIVE SOLUTION

At Thomson CompuMark, we recognized early on the threat to brands posed by the Web. To counter that threat, we've invested significant professional and technical resources to create the industry's most robust and comprehensive online brand protection solution. Our services address the full range of Web-based brand threats, helping identify and stop brand infringements across the Internet. Our solution includes:

Web Monitoring Service offers a cost-effective solution for monitoring the Web to protect your brand from infringement, misuse and abuse on the Internet. We police the Web—including media content sites like YouTube—alerting you to inappropriate, unauthorized, generic, or fraudulent uses of your trademark, brand or company name. So you can respond quickly to protect your brand equity. Enjoy the convenience of secure online access to reports, with email alerts when new reports are posted. Our Premium Web Monitoring Service option even provides WHOIS information, when available, enabling you to identify the owner quickly and easily, and respond rapidly by efficiently generating a cease and desist notification letter.

Web Auction Monitoring Service that helps protect your product from unauthorized, grey market and counterfeit sales on the Internet. We monitor a number of major Web auction sites, alerting you to sales that could harm your business and your brand. So you can respond quickly to shut down unauthorized product sales. Access reports online and click on any citation to go directly to the auction in question. Support for automated eBay Verified Rights Owner (VeRO) functionality allows you to generate a request to shut down an eBay auction quickly and easily.

Domain Name Watch Service that searches a vast collection of domain names to identify confusingly similar Internet domain names. As domain names become increasingly critical to brand equity, this Thomson CompuMark service offers an easy, convenient way for assessing potential problems. Thomson CompuMark also offers a variety of Common Law Watch Packages, which combine our Common Law and Business Name data with our Domain Name Coverage.

Monitoring the Web for the most relevant instances of “brand abuse” takes specialized expertise techniques, and technologies that most Web users just don't possess.

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The explosive growth of the Web has presented brand owners and intellectual property professionals with tremendous, new opportunities—and significant, new challenges. By leveraging Thomson CompuMark's industry-leading Web trademark protection expertise and solutions, they can continue to reap the business opportunities of the Web, while effectively and efficiently countering potential brand threats.

To learn more about Thomson CompuMark's Brand Protection Services, contact us today at (800) 692-8833.

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