



Defending Corporate Identity Online



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Agenda

- **Iron Mountain – Overview**
- **Current Online Challenges / Environment**
- **Online Crime & Punishment**
- **Common Forms of Online Threats**
 - Domain Name
 - Counterfeit Goods
 - Channel Management
- **Closing Remarks**
- **Questions & Answers**

Iron Mountain – A Global Organization With Local Reach

At a Glance:

- Dedicated focus since 1951
- Over 850 Locations in 26 Countries
- NYSE listed – IRM
- #763 on the Fortune 1000 list
- Clients include 75% of the Fortune 1000



Iron Mountain Services

- Records Management
- Health Information Management
- Document Management
- Energy Data Services
- Film & Sound Archive

- Off-Site Tape Vaulting
- Disaster Recovery Support Services

- Secure Shredding
- Compliant Shredding Programs



- E-Records Management
- Data Restoration
- E-Discovery & Litigation Support

- Domain Name Management & Trademark Enforcement
- Technology Escrow
- PC & Server Data Protection
- E-Mail Continuity

- DataDefense
- Decru Encryption Services

Current Online Challenges

- **Unauthorized use of trademarks**
- **Sale of counterfeit goods**
- **Brand exploitation**
- **Increased difficulty in managing online distribution channel**



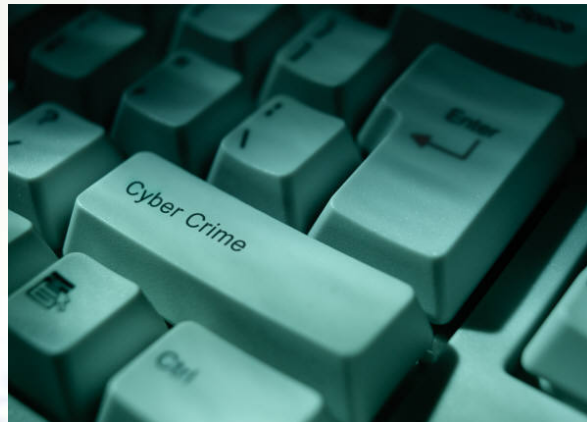
Current Online Environment

- **Barriers-to-entry for establishing online presence are low**
 - Easy to establish a professional-looking website
 - Easy to copy trademarks, images and text from legitimate websites
 - Easy to “hide in plain sight”
 - Difficult to track infringements
 - Easy to confuse customers due to the high quality of digital copies



Online Threats Present Challenges to Legitimate Companies That...

- ...rely on strong product or corporate brand
- ...manufacture products that are sold online
- ...experience reduced sales when website traffic declines

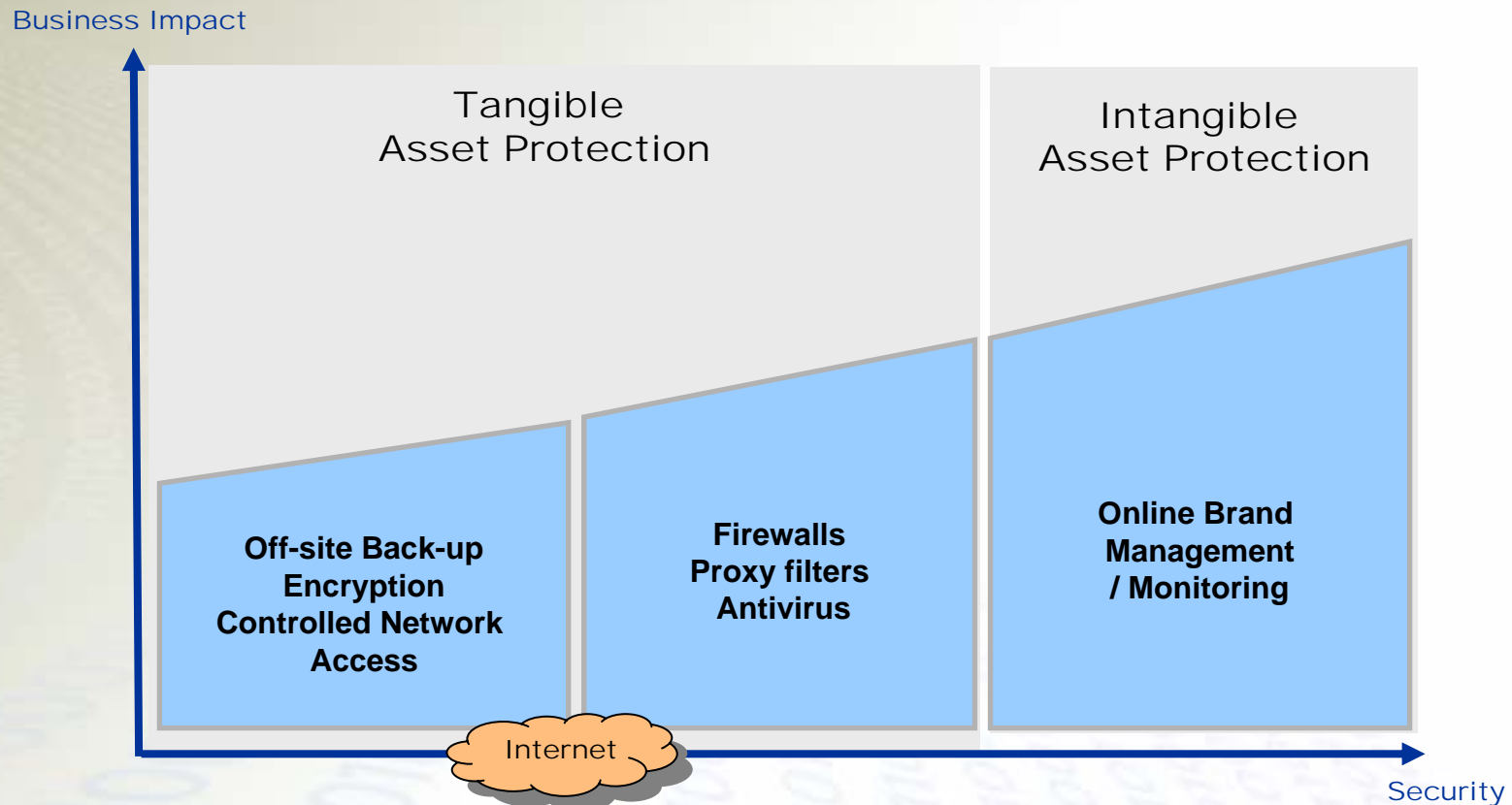


Online Crime & Punishment

- There are laws, but no enforcement
 - Online crime laws are weak and rarely enforced
 - Penalties are minimal
 - Global reach of the Internet is vast
 - Perpetrators are too many
 - The threat is constant



Security – The Next Frontier



Common Forms of Online Threats

- **Trademark and Brand Infringement**
 - **Domain Name**
 - Commercial sites (e.g., offensive content or competing companies)
 - Domain name monetization (e.g., click-through advertising)
 - Unhappy consumer sites (e.g., xxx-sucks.com) (*generally, protected*)
 - **Sale of Counterfeit Goods in Auction Sites**
 - **Logo, Text, and Meta Tag Use in Commercial Sites**
 - Stopping unauthorized parties from using your trademarks
 - Managing partners' use of logos and trademarks
 - Protecting against “Google bombing”

Typical Domain Name Online Threats

- **Domain name monetization**

- Revenue from text advertising on monetized websites totaled \$400–\$600 million in 2005 and could reach up to \$1 billion by 2007, according to Susquehanna Financial Group
- Tasting/Taste Testing
- Certain jurisdictions are more permissive of this activity than others

- **Commercial sites**

- Designed to drive traffic to a website rather than through it

- **Information on arbitration can be found online**

- World Intellectual Property Organization (WIPO): in Geneva, WIPO administers 23 international treaties dealing with different aspects of intellectual property protection, including domain name arbitration
 - Results: <http://arbiter.wipo.int/domains/search/index.html>

Addressing Domain Name Online Threats

- **Automated Filters**

- Domain name monetization “wait & see”
 - For high-traffic websites, consider waiting five days after domains are registered to see if the registrant abandons domains.
- Streamlined trademark infringement query
 - In an active domain name query for a large hardware company, over 50,000 domain names were found that included the company’s trademark.
 - *After crawling associated web pages to (a) determine whether the site is active and (b) whether it includes relevant terms (e.g., notebook, desktop, server, the company’s name as a stand-alone word), the list was reduced to 2,140 entries, and over half those websites were parked.*

Addressing Domain Name Online Threats

- **Action Prioritization**

HIGH	<ul style="list-style-type: none">• Multiple infringing sites run by a single party• Sites with offensive content• Sites designed to draw away business
MEDIUM	<ul style="list-style-type: none">• Monetized sites with infringing domain names
LOW	<ul style="list-style-type: none">• Infringing domain names that are registered but don't have websites

Taking Action Against Domain Name Online Threats

- **UDRP Filings**

- Easier, since it does not require identifying the owner of the website.
 - In UDRP filings, showing a pattern of abuse and having registered your domain names as trademarks can be helpful.
 - If handled internally, UDRP filings rarely cost more than several thousand dollars.

- **Also Consider:**

- Contacting the web hosting provider
- Contacting the provider of ads served by the website (if monetized)
- Litigation

Typical Counterfeit Online Threat

- **Most Frequent Manufacturer Concerns**
 - Counterfeit products
 - Image on website may be of authentic product, even when good is fake
 - Similar products with unlawful comparisons to drive search results
 - Use of copyrighted images
- **Most Frequent Challenges**
 - Determining who are the big offenders
 - Archiving and tracking all activity, particularly given auction turnover
 - Corresponding effectively with eBay to remove auctions

Counterfeit Goods - In the News



Tiffany and eBay Clash Over Sales of Fake Goods

New York Law Journal, August 19, 2004 (Image from The Economist, July 1, 2004)

“Tiffany also bought 186 pieces of jewelry described as original Tiffany goods a few months ago and found that only 5 percent of the items were genuine, the complaint said.”

WIRED NEWS

Diesels Are the New Heroin

Wired News, June 19, 2006

“The traveler in Thailand is no longer sticking baggies of smack up his crack and praying for a short-fingered customs official; he's hawking designer knockoffs on auction sites like eBay.”



Patrick Conlon

WSJ.com THE WALL STREET JOURNAL ONLINE

What Happens When an eBay Steal Is a Fake

We Sought Redress From Site
And Sellers After Our Fendi,
Gucci, Tiffany Proved Faux

By LORETTA CHAO

June 29, 2006; Page D1

Addressing Counterfeit Online Threats

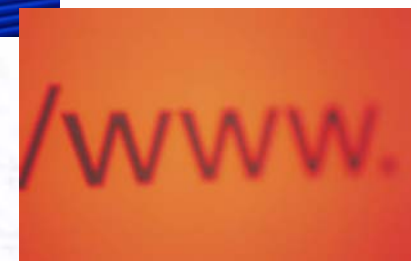
- **eBay offers the Verified Rights Owner (“VeRO”) program**
 - Permits manufacturers to report potentially infringing auctions to eBay and receive seller information
 - Most manufacturers are satisfied with eBay’s actions *following* requests made through the VeRO system
 - However, manufactures are less satisfied with their ability to identify sellers of counterfeit goods through eBay, as VeRO offers:
 - No sophisticated search process with alarms and/or priorities
 - No access to older auctions

Addressing Counterfeit Online Threats

- **Time-savings automated search tool**
 - Continuous monitoring of eBay for potentially infringing auctions
 - Automated e-mail preparation to VeRO
 - Auction tracking by sellers

Typical Online Channel Management Challenge

- Rampant Unauthorized Usage of...
 - Logos
 - Trademarks
 - Product offerings



Addressing Online Channel Management

- **Authorized or Subsidiary Websites**
 - Use of existing channels for communications
- **Unauthorized Websites**
 - Unless an owned trademark (or variant) is used in the domain name of the infringing website, a UDRP process is not possible
 - Therefore, one must positively identify the owner of the website
 - Owner(s) of websites that perform actual commerce activities are often among the easiest to positively identify
 - Once ownership has been established, more standard methods of enforcement can be used:
 - Cease and Desist Letters
 - Litigation

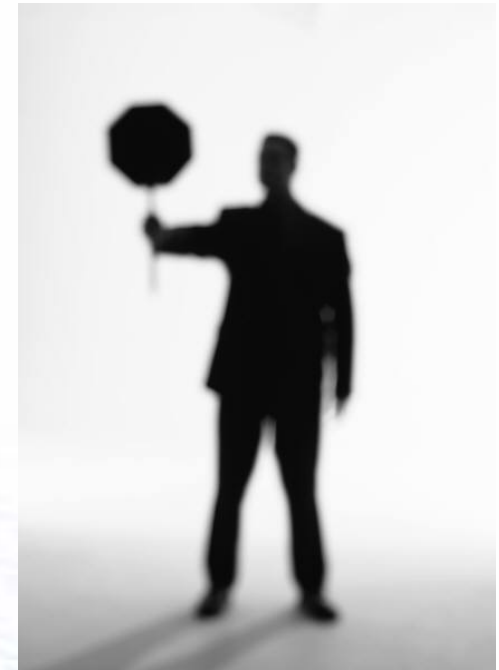
Online Infringements Impact Business

Loss of confidence in product

Loss of business

Loss of brand value

Higher pay-per-click costs



Protecting Online Corporate Identity

Traditional Approach

- **Web Search**
 - Manual, inconsistent effort
 - Insufficient in policing worldwide use of trademarks and sales channels

Cutting-edge Approach

- **Sophisticated Online Monitoring Tool**
 - 24x7 automated monitoring protection and enforcement activity
 - Web crawling
 - Targeted data retrieval
 - Sophisticated analysis
 - Real-time information

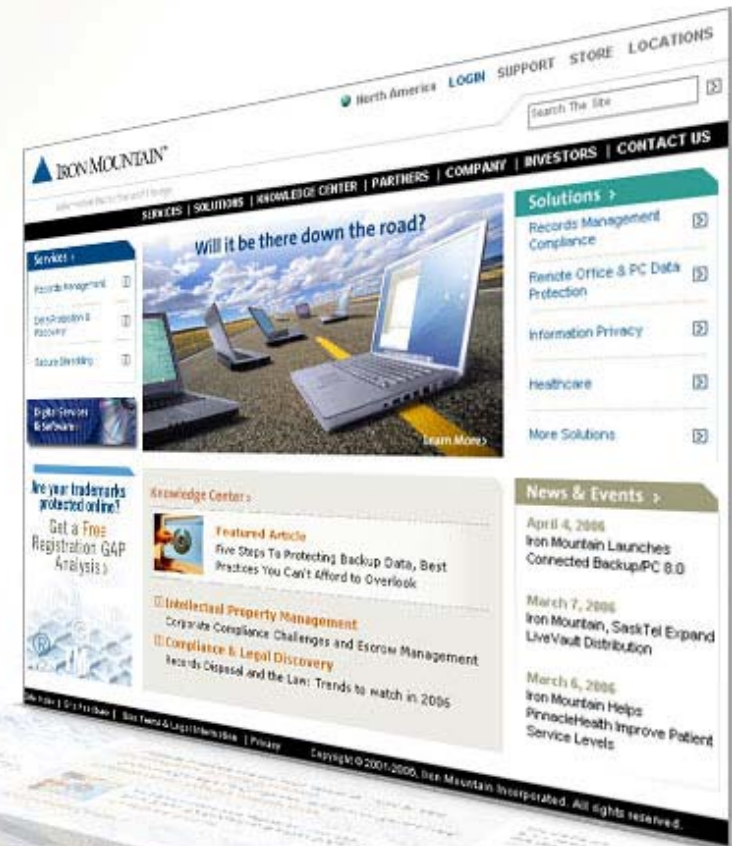
Domain Name Records Management

- **Registration, Management, & Enforcement Services**
 - Custom Projects and Expert Consulting
- **Reduce time, costs and risks associated with managing domain name records**
 - Audit, validate, consolidate, modify, register, manage and protect domain name records across multiple corporate cost centers, domain registrars and registries
 - Protect, promote and manage your company's key names in top country-specific Internet markets
- **Personal service and web tools**
 - Dedicated and experienced Client Service Managers
 - Iron Mountain Connect™ Domain Name Center saves time and effort, providing single point of access to portfolio
- **Accredited by ICANN, EURid and country-specific registries**
- **41,000+ domain names under management**



Online Brand Enforcement Services

- **Maintain Brand Purity**
 - Uncover unauthorized use of your brands and trademarks
- **Avoid Loss of Revenues**
 - Control unauthorized or pirated commerce
- **Take Action**
 - Watch for infringing registrations and stop them through Cease & Desist letters and/or Dispute Resolution options



Thank You!



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Questions & Answers

- **Iron Mountain's Services**

- **Online Intellectual Property Protection Services:**

- <http://www.ironmountain.com/ipm/dns/enforce.asp>

- **Domain Names Management Services:**

- <http://www.ironmountain.com/ipm/dns/manage.asp>

- **Domain Names Registration Services:**

- <http://www.ironmountain.com/ipm/dns/register.asp>

- **Domain Names Implementation Services:**

- <http://www.ironmountain.com/ipm/dns/implement.asp>

- **All participants will receive a copy of this presentation via email**

- **For more information:** david.strouse@ironmountain.com

- **Thank you!**