

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

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DANIEL JURIN, an Individual,

CASE NO. 2:09 cv 03065 MCE KJM

Plaintiff,

vs.

GOOGLE, INC.

Defendant.

EXHIBIT

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What is Google's AdWords and AdSense trademark policy?

Google recognizes the importance of trademarks. Our [AdWords Terms and Conditions](#) with advertisers prohibit intellectual property infringement by advertisers. Advertisers are responsible for the keywords they choose to generate advertisements and the text that they choose to use in those advertisements.

Google takes allegations of trademark infringement very seriously and, as a courtesy, we investigate matters raised by trademark owners. Trademarks are territorial and apply only to certain goods or services. Therefore, different parties can own the same mark in different countries or different industries. Accordingly, in processing complaints, Google will ask the trademark owner for information regarding where the mark is valid and for what goods or services. Please note the following about our complaint process:

- The trademark owner doesn't need to be a Google AdWords advertiser in order to send a complaint.
- Any such investigation will only affect ads served on or by Google.
- Google's trademark policy does not apply to search results. Our investigations only apply to sponsored links. For trademark concerns about websites that appear in Google search results, the trademark owner should contact the site owner directly.
- In the case of an AdSense for Domains trademark complaint, an investigation will affect only the participation of the domain name in question in our AdSense for Domains program.
- Because Google is not a third-party arbiter, we encourage trademark owners to resolve their disputes directly with the advertisers, particularly because the advertisers may have similar ads running via other advertising programs.

AdWords Trademark Policies in Sponsored Links

Below, you can find information on our trademark complaint procedure across different regions as well as on our advertiser authorization procedure.

[I see an unauthorized ad using my trademark. What is Google's trademark policy?](#)

Depending on the regions in which you have trademark rights, we may investigate the use of trademarks in ad text only or in ad text and keywords.

- Please note the regions we will investigate ad text only. **We will not disable keywords in response to a trademark complaint.** Furthermore, our investigation will only affect ads served on or by Google.

[Regions in which we investigate use in ad text only](#)

- In the U.S., we allow some ads to show with a trademark in ad text if the ad is from a reseller or from an informational site. However, if our investigation finds that the advertiser is using the trademark in the ad text in a manner which is competitive, critical, or negative, we will require the advertiser to remove the trademark and prevent them from using it in similar ad text in the future. [Learn more about our U.S. trademark policy.](#)
- Outside the U.S., if our investigation finds that the advertiser is using the trademark in ad text, we will require the advertiser to remove the trademark and prevent them from using it in ad text in the future.
- Google is dedicated to providing relevant advertising to our users, advertisers, and publishers alike. Accordingly, our trademark policy not to investigate the use of trademarks as keywords in the regions listed above aims to provide users with choices relevant to their keywords. At the same time, we investigate trademark violations in ad text, both as a courtesy to the trademark owner and to ensure that ads are clear to users.

- In certain regions, we may investigate use of trademarks in ad text, in keywords, or in both ad text and keywords.

[Regions in which we investigate use in both ad text and keywords](#)

- When we receive a complaint from a trademark owner, our review is limited to ensuring that the advertisements at issue are not using a term corresponding to the trademarked term in the ad text or as a keyword. If they are, we will require the advertiser to remove the trademarked term from the ad text or keyword list and will prevent the advertiser from using the trademarked term in the future. Any such investigation will only affect ads served on or by Google.
- We do not take any action in situations where an advertisement is being triggered by non-trademarked terms even though the search query contains a trademarked term. This occurrence stems from the fact that Google allows advertisers to use a broad matching system to target their ads. For example, if an advertiser has selected the keyword "shoes," that advertiser's ad will appear when a user enters the word "shoes" as a search query, regardless of other search terms that may be used. So, the ad would show if the user entered any of the following search queries: "tennis shoes," "red shoes," or "Nike shoes." This system eliminates the need for the advertiser to specify each of the myriad different search query combinations that are relevant to their ad.

How do I file a trademark complaint?

Trademark owners may submit either a specific or general trademark complaint. A specific complaint means that we will investigate a trademark term(s) in specific advertisements only. The trademark owner is required to provide the exact URLs in question and we will not investigate the trademark in any other advertisements. A general complaint means that we will investigate the trademark in all relevant advertisements. The trademark owner does not need to provide the specific URLs in question. However, if there are specific advertisers that are authorized to use the trademark(s), the trademark owner is required to provide the corresponding customer ID(s) or login email(s).

If you have concerns about the use of your trademark in AdWords ads or keywords showing in a region listed above, [file a trademark complaint](#). If your complaint concerns use of your trademark in multiple regions, please send us one complaint with ownership information for your trademark in these regions. We'll follow the appropriate procedure for each region submitted in your complaint.

I have previously filed a trademark complaint, but now I want to allow an advertiser use my trademark. What is Google's trademark authorization policy?

AdWords Counterfeit Goods Complaint in Sponsored Links

A Google advertiser is selling counterfeit goods. What is Google's Counterfeit Goods policy?

AdSense for Domains Trademark Policy

A parked domain is serving AdSense ads, and the domain name is using my trademark or variation thereof. What is Google's AdSense for Domains trademark policy?

Was this information helpful?

Yes No

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