Case 5:03-cv-05340-JF Document 237-6

Filed 12/26/2006

Page 1 of 6

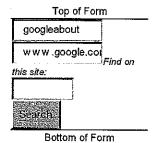
EXHIBIT E

Google

More Google: Contact Us

<u>Home</u>

About Google



Google provides space for advertisements via its AdWords advertising program. We also provide a domain parking service, including space for advertisements, via its AdSense for Domains program.

We have two separate trademark complaint procedures for these programs:

- (1) AdWords Trademark Complaint Procedure
 - a. US and Canada
 - b. Outside US and Canada
- (2) AdSense for Domains Trademark Complaint Procedure

Click on the links above to access the relevant complaint procedure.



©2005 Google - <u>Home</u> - <u>All About Google</u> - <u>We're Hiring</u> - <u>Site</u> <u>Map</u>

AdWords Trademark Complaint Procedure

As a provider of space for advertisements, please note that Google is not in a position to arbitrate trademark disputes between the advertisers and trademark owners. As stated in our <u>Terms and Conditions</u>, the advertisers themselves are responsible for the keywords and ad content that they choose to use. Accordingly, we encourage trademark owners to resolve their disputes directly with the advertisers, particularly because the advertisers may have similar advertisements on other sites.

As a courtesy to trademark owners, however, we are willing to perform a limited investigation of reasonable complaints. Our procedure differs depending on the country in which trademark rights exist.

Please note: The following procedure applies only to the use of terms that may be trademarks in advertisements, which are clearly marked as sponsored links on our results pages. We do not take action on objections to the use of trademarks in sites that appear in our search results, i.e., the left-side of a results page. For any such objections, please contact the site owner directly.

On this page: AdWords <u>Trademark Complaint Procedure - Trademark rights in US & Canada</u> | AdWords <u>Trademark Complaint Procedure - Trademark rights outside US & Canada</u>

AdWords Trademark Complaint Procedure – Trademark rights in US and Canada

When we receive a complaint from a trademark owner, we will only investigate whether the advertisements at issue are using terms corresponding to the trademarked term in the advertisement's content. If they are, we will require the advertiser to remove the trademarked term from the content of the ad and prevent the advertiser from using the trademarked term in ad content in the future. Please note that we will not disable keywords in response to a trademark complaint. In addition, please note that any such investigation will only affect ads served on or by Google.

If you are a trademark owner (or represent a trademark owner) and have an objection to an advertiser's use of a term corresponding to your trademark in ad content that is consistent with the foregoing, please provide the following information in a signed letter on company stationery:

- Name of Company
- 2. Contact information (including email address)
- 3. List of trademark(s) at issue and the country/countries in which it is registered. If the trademark is registered, provide the country and registration number.
- 4. The identity of the advertisement(s) at issue (via the URL stated on the bottom line of the ad or other identifying information). Please indicate if your complaint is limited to specific advertisers/advertisements or if it is a general objection to all advertisers.
- 5. If any entities are authorized to use your trademark(s) in their ad content, please list the company names and/or Google AdWords customer ID numbers.
- 6. If you are a Google AdWords customer, please provide your customer ID number so we can be sure to approve your use of the trademark(s).
- 7. Include the following statement: "I have a good faith belief that use of the trademarks described above with the advertisements described above are not authorized by the trademark owner or its agent, nor is such use otherwise permissible under law."
- 8. Include the following statement: "I represent that the information in this notification is true and correct and that I am authorized to act on behalf of the trademark owner."

9. Your signature.

Please send this written communication with the above information to the following address: Google Inc.

Attn: Google AdWords, Trademark Complaints 1600 Amphitheatre Parkway Mountain View, CA 94043

Or via fax to: 650-649-1774

Attn: Google Trademark Complaints

v. 051005

AdWords Trademark Complaint Procedure – Trademark rights outside US and Canada

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 content or as a keyword trigger. If they are, we will require the advertiser to remove the trademarked term from the ad content or keyword list and will prevent the advertiser from using the trademarked term in the future. Please note that any such investigation will only affect ads served on or by Google.

Furthermore, please be aware that 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 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 individually the many different search query combinations that are relevant to their ad.

If you are a trademark owner (or represent a trademark owner) and have an objection to an advertiser's use of a term corresponding to your trademark as a keyword or in ad text that is consistent with the foregoing, please provide the following information in a signed letter on company stationery:

- Name of Company
- 2. Contact information (including email address)
- 3. List of trademark(s) at issue and the country/countries in which it is registered. If the trademark is registered, provide the country and registration number.
- 4. The identity of the advertisement(s) at issue (via the URL stated on the bottom line of the ad or other identifying information). Please indicate if your complaint is limited to specific advertisers/advertisements or if it is a general objection to all advertisers.
- 5. Are you concerned with:
 - a. the advertisement's content, or
 - b. the keywords that trigger the advertisement, or
 - c. both?
- If certain affiliates or partners are permitted to use your trademark in their ad content, please list the company names in your letter.

- 7. Include the following statement: "I have a good faith belief that use of the trademarks described above with the advertisements described above is not authorized by the trademark owner or its agent, nor is such use otherwise permissible under law."
- 8. Include the following statement: "I represent that the information in this notification is true and correct and that I am authorized to act on behalf of the trademark owner."
- 9. Your signature.

Please send this written communication with the above information to the following address:

Google Inc.

Attn: Google AdWords, Trademark Complaints 1600 Amphitheatre Parkway Mountain View, CA 94043

Or via fax to: 1-650-649-1774 Attn: Google Trademark Complaints

v. 051005

AdSense for Domains Trademark Complaint Procedure

Through its AdSense for Domains program, Google provides domain name registrars and other holders of large numbers of inactive domain names with an opportunity to display ads and links on the parked web pages. Please note that Google is not in any way involved with the selection or registration of these domain names, and is not in a position to arbitrate trademark disputes between the registrants, our partners, and trademark owners. Accordingly, we encourage trademark owners to resolve their disputes directly with the registrants or registrars.

As a courtesy to trademark owners, however, we are willing to perform a limited investigation of reasonable complaints. Our review is limited to determining whether the domain name at issue contains a distinctive trademarked term. If it does, we will send generic – rather than targeted – links and ads to the parked domain.

If you are a trademark owner and you object to the Sponsored Links appearing on a web site served by AdSense for Domains, please send the following information via email to adsense-domains-support@google.com:

- 1. Name of Company
- 2. Contact information (including email address)
- List of trademark(s) at issue and the country/countries in which it is registered. If the trademark is registered, provide the country and registration number.
- 4. The identity of the parked domain(s) at issue.
- 5. Include the following statement: "I have a good faith belief that use of the trademarks described above with the advertisements described above are not authorized by the trademark owner or its agent, nor is such use otherwise permissible under law."
- 6. Include the following statement: "I represent that the information in this notification is true and correct and that I am authorized to act on behalf of the trademark owner."
- Your signature.

v. 041805