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04-18-2008 08:24 AM #1

 **GeorgeK** is online
now **TheBest.com**
Join Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065

Exclamation Verizon sues Navigation Catalyst Systems


Verizon has sued Navigation Catalyst Systems:
http://dockets.justia.com/docket/cou...ase_id-413394/

I've not downloaded the statement of claim yet, but if someone does, please post a link to it (no need for folks to pay the PACER fees more than once).

[George Kirikos](#) - (416) 588-0269

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04-18-2008 10:35 AM #2

 **DNBlogger** is offline
Registered User
Join Date: Jan 2005
Location: Lost
Posts: 2,334

What are these companies:
Navigation Catalyst Systems, Inc. and Basic Fusion, Inc.
What kind of domains they own?

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04-18-2008 10:47 AM #3

 **GeorgeK** is online
now **TheBest.com**
Join Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065


<http://www.navigationcatalyst.com/about/about.php>

They own a lot of typo domains, that were figured out by using the new.net plugin.

[George Kirikos](#) - (416) 588-0269

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04-18-2008 09:37 PM #4

 **subg** is offline
Registered User
Join Date: Sep 2004
Posts: 3,313

They are in California.
I was told Basic fusion is a GoDaddy reseller account they own.
They are pretty much screwed. They own tons of hard core TM's. These days you can't do that in the US. Not good press for avoiding the Snow bill.

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05-04-2008 04:25 AM #5

 **GeorgeK** is online
now **TheBest.com**
Join Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065


I took a few minutes to download the docket in this case, and posted the relevant materials at:
<http://www.loffs.org/verizon-v-navcatsys-et-al/>

Exhibit 7 is pretty amazing.

[George Kirikos](#) - (416) 588-0269

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05-04-2008 04:37 AM #6

 **safesys** is offline
Registered User
Join Date: Sep 2002
Location: Wales (UK)
Posts: 24,759

wow - and people wonder why the powers that be are gunning for domainers.

When using google for counts - use double quotes for *usage* counts for multiword terms and set "match type" to "exact" for all *search volume* lookups. [Click here for more info](#)

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05-04-2008 04:50 AM #7

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URL Trends Domain Valuation
Addme.com SEO Tool
Above Domain Parking Ma

Showcase Selection ?

gamesway.com
titleforum.com
erbusiness.com
xxcnn.com
www.europavacations...
assassinator.info
shopbabys.com
ladybiz.com
seoassistance.org
apuff.com



GeorgeK is online

now
TheBest.comJoin Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065

Does anyone know how many domains Navigation Catalyst Systems owns in total? I would think they are one of the largest domain name registrants in the world.

[George Kirikos](#) - (416) 588-0269

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05-04-2008 04:57 AM

#8

Rob is offline
Hail PostleJoin Date: Mar 2003
Location: Behind your curtains
Posts: 4,793

Originally posted by GeorgeK

I took a few minutes to download the docket in this case, and posted the relevant materials at:

<http://www.loffs.org/verizon-v-navcatsys-et-al/>

Exhibit 7 is pretty amazing.

there is so much crap in there it's unbelievable. Notice no microsoft domains though

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05-04-2008 05:07 AM

#9



GeorgeK is online

now
TheBest.comJoin Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065

Originally posted by subg

I was told Basic fusion is a GoDaddy reseller account they own.

Paragraph 8 of the complaint alleges that Basic Fusion is an ICANN-accredited registrar, and this appears to be true given they appear at:

<http://www.internic.net/registrars/registrar-813.html>

Registrar Contact Information

Basic Fusion, Inc.
2101 Rosecrans Avenue Suite 2000 El Segundo, California 90245
United States
1-310-647-6000
info@basicfusion.com

Although the WHOIS for basicfusion.com currently shows a NYC address:

<http://whois.domaintools.com/basicfusion.com>

and the IP address that the website is hosted on is 216.108.243.26, owned by Vendare Media Group, which appears to have renamed itself to Connexus:

<http://www.vendaregroup.com/>
<http://www.connexuscorp.com/>

Some of Navigation Catalyst's generic domains can be seen at:

<http://www.firstlook.com/domain-portfolio>

Our large portfolio of highly targeted domains reaches over 60 million users each month, connecting them with relevant information and providers. All of the traffic to our properties is organic; the vast majority coming from users bypassing a search engine and typing the URL directly into the address bar.

With that much traffic, that's a lot of potential \$\$\$\$ that Verizon can go after if they are successful in their lawsuit.

All the examples I checked used *.dnsservers.org nameservers, which according to www.dailychanges.com has 965,861 domains using those nameservers. It's unclear how many of those names are owned by Navigation Catalyst Systems, though, since they apparently offer domain parking to others:

<http://www.firstlook.com/domain-parking>

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05-04-2008 05:12 AM

#10

subg is offline
Registered UserJoin Date: Sep 2004
Posts: 3,313

Thanks George.

Exhibit 7 is amazing.

Seems everyone else at their level has been cleaning up for the past year. What were they thinking.

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05-04-2008 05:18 AM

#11



GeorgeK is online

now
TheBest.comJoin Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065

Originally posted by Rob

there is so much crap in there it's unbelievable. Notice no microsoft domains though

Scroll down to the letter "X", where XBOX typos are featured.

They're only giving one example per letter of the alphabet, as stated in paragraph 47 of the complaint (page 12):

*Plaintiffs are informed and believe and on that basis allege that many of Defendants' Domain Names are confusingly similar to famous or distinctive trademarks owned by others. ("Confusingly Similar Domain Names"). A list detailing some of the Confusingly Similar Domain Names is attached to this Complaint as **Exhibit 5**. Notwithstanding that Defendant has targeted nearly every single famous trademark in existence, for the sake of brevity the list of **Exhibit 7** details only one famous trademark for each letter of the alphabet.*

(emphasis added) Note they mention Exhibit 5 by mistake, as they likely cut/pasted much of the text of this complaint from other similar complaints, for example, paragraph 57 in the complaint of the recent Neiman Marcus v. Ultra RPM case:

<http://www.loffs.org/neimanmarcus-v-ultrarpm/>

that got settled.

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05-04-2008 05:22 AM

#12

Chad is online
Registered UserJoin Date: Jan 2003
Posts: 1,938

Originally posted by GeorgeK

Exhibit 7 is pretty amazing.

Dayum!

Your domains are never completely worthless. They can always be used as a bad example.

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05-04-2008 05:28 AM

#13

Rob is offline
Hail PooleJoin Date: Mar 2003
Location: Behind your curtains
Posts: 4,793

Thanks George - I should have read closer. It does look like curtains for this outfit.

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05-04-2008 05:54 AM

#14



GeorgeK is online

now
TheBest.comJoin Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065

They should pray that they don't own any Vulcan Golf or Bo Jackson typos, given the aggressiveness in that case:

<http://news.justia.com/cases/feature...v03371/210005/>
<http://www.domainstate.com/showthrea...threadid=78752>[George Kirikos](#) - (416) 588-0269

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05-04-2008 06:30 AM

#15



GeorgeK is online

now
TheBest.comJoin Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065

With all those alleged Disney typos, one day Disney is going to wake up and go after a lot of people.

What's funny is that with T.R.A.F.F.I.C. coming up in a few weeks:

http://www.targetedtraffic.com/orlando_show.html

Disney could personally serve some cybersquatters, if they attend the show, right in their hotel, which is owned by Disney,

<http://www.register123.com/event/pro...D=0x4852047160>[George Kirikos](#) - (416) 588-0269

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05-04-2008 08:53 AM #16

InfoGuy InfoGuy is offline
Think Outside the Box
Join Date: Jul 2005
Location: Los Angeles / NYC
Posts: 2,999

Originally posted by GeorgeK
With all those alleged Disney typos, one day Disney is going to wake up and go after a lot of people.

Monetary penalties are inadequate punishment for those intentionally sending traffic from Disney typos to adult sites.

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05-04-2008 09:11 AM #17

subguy subguy is offline
Registered User
Join Date: Sep 2004
Posts: 3,313

Originally posted by InfoGuy
Monetary penalties are inadequate punishment for those intentionally sending traffic from Disney typos to adult sites.

Agreed.

I expect some sort of special legislation to address this specific type of squatting in the next year.

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05-04-2008 10:50 AM #18

atlas atlas is offline
Moderator
Join Date: Oct 2007
Posts: 1,750

Originally posted by GeorgeK
They own a lot of typo domains, that were figured out by using the new.net plugin.

What's the new.net plugin? Googling it, it looks like spyware?

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05-04-2008 11:24 AM #19

GeorgeK GeorgeK is offline
TheBest.com
Join Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065

new.net was an attempt to add pseudo-TLDs at the top level, like .shop, .xxx, etc. without ICANN approval, see: <http://new.net/>

They partnered with some ISPs and also had a plug-in to enable domains like example.shop to work (they would really be under example.shop.new.net for the rest of the internet not using the plug-in or using those ISPs).

[George Kirikos](#) - (416) 588-0269

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05-04-2008 12:01 PM #20

atlas atlas is offline
Moderator
Join Date: Oct 2007
Posts: 1,750

Thanks! But what does that have to do with figuring out typo domains?

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05-04-2008 12:46 PM #21

ILikeInfo LikeInfo is offline
I'm Insane
Join Date: Nov 2002
Posts: 14,883

Originally posted by atlas
Thanks! But what does that have to do with figuring out typo domains?

I think this is what he's referring to:
[http://domainstate.com/showthread.ph...ation+Catalyst](http://domainstate.com/showthread.php...ation+Catalyst)

Registry Wildcard Catalyst

Registry Wildcard Catalyst (RWC) provides fully customized, branded solutions that enable top-level domain (TLD) zone administrators to assist, and generate revenue from, Internet users who attempt to reach a nonexistent domain name with their TLD zone. (The right-most label in a domain name, such as .com or .net, is referred to as its TLD. Registry operators are responsible for operating each TLD.)

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Addme.com SEO Tool
URL Trends Domain Valuation
Above Domain Parking Ma

Showcase Selection ?

tradeaccount.com
rosiehuntingtonwhite...
domainerlounge.com
cloudystore.com
rockla.com
apneatreatments.net
bestlawyers.me
40cent.com
cowburps.com
ucake.com

Instead of viewing "page not found" error messages, RWC delivers relevant, content-rich, consistent search experiences to Internet users. TLD administrators realize revenue through paid search results and other revenue-generating opportunities that are displayed on navigation assistance pages. Registry customers can also generate additional revenue from domain name registrations initiated from these pages or any products or services a registry may be interested in promoting. Like Domain Name Catalyst, NCS offers its RWC solution, including development of fully customized pages, at no upfront cost to registries.

ie typo interception via the New.Net plug in.

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05-04-2008 01:00 PM

#22

 atlas is offline
Moderator

Join Date: Oct 2007
Posts: 1,750

Thanks! That makes it clear.

Reply With Quote

05-04-2008 01:15 PM

#23



GeorgeK is offline
TheBest.com

Join Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065

Originally posted by atlas

Thanks! But what does that have to do with figuring out typo domains?

Back before domain tasting was rampant, it was hard to detect which domains would get traffic. new.net would be able to see which domains were popular as their plug-in or the ISPs they worked with would see every attempt to resolve a domain name. If a particular domain was profitable but unregistered, they'd be able to see this.

[George Kirikos](#) - (416) 588-0269

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05-04-2008 01:53 PM

#24



LikeInfo is offline
I'm Insane

Join Date: Nov 2002
Posts: 14,883

Originally posted by GeorgeK

Back before domain tasting was rampant, it was hard to detect which domains would get traffic. new.net would be able to see which domains were popular as their plug-in or the ISPs they worked with would see every attempt to resolve a domain name. If a particular domain was profitable but unregistered, they'd be able to see this.

Or put another way, domain tasting is the result of the individual, gains access to this data versus those who have network infrastructure methods for monitoring such data.

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05-06-2008 11:46 PM

#25



jberryhill is offline
Philadelphia Lawyer

Join Date: Aug 2003
Posts: 535

domain tasting is the result of the individual, gains access to this data versus those who have network infrastructure methods for monitoring such data.

...and then getting sued by a company which is in the business of monetizing error traffic at the ISP level.

These suits are simply jousting matches between two different gangs of pirates.

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05-07-2008 04:46 AM

#26



LikeInfo is offline
I'm Insane

Join Date: Nov 2002
Posts: 14,883

Originally posted by jberryhill

...and then getting sued by a company which is in the business of monetizing error traffic at the ISP level.

These suits are simply jousting matches between *two different gangs of pirates.*

And then condemned by a third gang of pirates:

<http://www.cadna.org/en/members.html>

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05-26-2008 10:47 PM

#27



GeorgeK is offline
TheBest.com

Join Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065

I just updated the page at:

<http://www.loffs.org/verizon-v-navcatsys-et-al/>

with the Answer and Counterclaim, filed on May 15th. Attorney Brett Lewis is representing Navigation Catalyst Systems and Basic Fusion.

[George Kirikos](#) - (416) 588-0269

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05-26-2008 11:01 PM

#28



GeorgeK
TheBest.com
GeorgeK is offline
Join Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065

The counterclaim begins at the bottom of page 12, and involves Verizon's DNS wildcarding monetization, claiming that they infringe upon the TMs that Navigation Catalyst Systems owns or licenses.

[George Kirikos](#) - (416) 588-0269

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05-26-2008 11:07 PM

#29



snoopy
Registered User
Snoopy is offline
Join Date: Sep 2002
Location: .com.au
Posts: 11,060

Would be interesting to see this go to trial given the wildcarding claims against Verizon. I think New.net would be pretty stuffed as far as Verizon's allegations go though. Only be the counterclaim that would be contentious in my view.

[GamesRoom.com](#), [Possum.com](#), [Arithmetic.com](#) on greatdomains auction, low reserves, priced to sell!

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05-26-2008 11:16 PM

#30



subg
Registered User
subg is offline
Join Date: Sep 2004
Posts: 3,313

There is a bull in the room and it seems NavCat is waving a red flag.

At best they have 100k x each Verizon name they need to settle. At worst Verizon could drop the case and refile as a class action getting all the other victims on board. Thousands of names x 100k each. That would probably put NavCat under.

A quick search through google:

<http://www.google.com/search?hl=en&...talyst&spell=1>

Shows they know better, so a judge would have no sympathy.

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05-26-2008 11:29 PM #31



snoopy is offline
Registered User
Join Date: Sep 2002
Location: .com.au
Posts: 11,060

Originally posted by subg

At best they have 100k x each Verizon name they need to settle. At worst Verizon could drop the case and refile as a class action getting all the other victims on board. Thousands of names x 100k each. That would probably put NavCat under.

Surely 100k per name is a worst case scenario for them rather than best case? I don't see why Verizon would consider dropping a case only to refile it as something that is likely far more difficult to win, surely that would cost Verizon a heap of money to do and embarrass their lawyers? (in terms of wasting a whole lot of money on a dropped case).

GamesRoom.com, Possum.com, Arithmetic.com on greatdomains auction, low reserves, priced to sell!

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Above Domain Parking Ma
URL Trends Domain Valuation

Showcase Selection ?

fertilityservices.in...
experienceindia.co.i...
britishindustry.co.u...
www.mmcp.com
mesotheliomaz.com
muzicomsta.com
charlotte.us
fitfilm.com
my-bama.com
airtrafficcontroller...

05-27-2008 05:44 PM #32

Globalise is offline
Registered User
Send a message via ICQ to Globalise
Join Date: Jul 2003
Location: Western Australia
Posts: 169

Originally posted by jberryhill

These suits are simply jousting matches between two different gangs of pirates.

Or knights on horseback floating around in the ocean firing cannons at each other?

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05-29-2008 12:46 AM #33



jberryhill is offline
Philadelphia Lawyer
Join Date: Aug 2003
Posts: 535

Or knights on horseback floating around in the ocean firing cannons at each other?

Well, that metaphor mixing explains why I had to give up water polo after my horse drowned.

At best they have 100k x each Verizon name they need to settle. At worst Verizon could drop the case

That's not an accurate worst/best situation here. Navigaton Catalyst has filed claims against Verizon for trafficking in domain names that infringe NC's own marks.

Given that the Verizon wildcard system involves an exponentially larger number of domain typo's, the downside for Verizon is a lot deeper than it is for NC.

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05-29-2008 10:21 AM #34

gwideas is offline
Banned
Join Date: Dec 2006
Location: under a tinfoil hat
Posts: 748

are wildcard's equivalent to domains though?

Originally posted by jberryhill

Well, that metaphor mixing explains why I had to give up water polo after my horse drowned.

That's not an accurate worst/best situation here. Navigaton Catalyst has filed claims against Verizon for trafficking in domain names that infringe NC's own marks.

Given that the Verizon wildcard system involves an exponentially larger number of domain typo's, the downside for Verizon is a lot deeper than it is for NC.

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05-29-2008 10:37 AM #35



carlton is offline
Internet Real Estate
Join Date: Jun 2004
Location: USA
Posts: 2,548

Originally posted by Chad
Dayum!

Ditto that. Exhibit 7 shows unbelievable stupidity.

PremiumDomains.biz -> [blog](#) | [PremiumDomains.US](#)

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05-29-2008 10:56 AM

#36



ILikeInfo is offline
I'm Insane

Join Date: Nov 2002
Posts: 14,883

Originally posted by *gwideas*
are wildcard's equivalent to domains though?

I think ISP Network Neutrality issues are making them the same.

ISP's are arguing it's "their private network" and so it's "their traffic" even though the traffic has been paid for on both sides of their network.

In other words they have no responsibility to be neutral, they admit to intentional interception and control of user intent.

By zoning "privately" they are saying it's "their" traffic. By then monetizing a typo like a domain would I don't see how they can possibly argue they are any different than a domain name.

It's very different that say Microsoft and their browser where Microsoft can claim it's a "feature" you accept by using their software.

In the case of an ISP it's fundamental manipulation of the technical standards by which networks are expected to operate. In fact wildcard DNS is explicitly forbidden in the specs. Yes I can see and ISP saying they do not have to follow the standards, but then they admit to the intentional interception of the traffic for the purpose of monetization - They can't have it both ways. You'd likely be able to take the stats of the exhibit 7 domains and then scale then to the number of users Verizon has, and that would be low since there will be other typos as well.

I'd think the real key here is to force Verizon's monetizing logs, and relevant profits, to become public. Trademark holders can then use those logs and profits numbers for any ISP by scalling for user count and know what losses/damages to sue ISP's for.

Last edited by *ILikeInfo*; 05-29-2008 at 11:13 AM.

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05-30-2008 06:44 AM

#37



jberryhill is offline
Philadelphia Lawyer

Join Date: Aug 2003
Posts: 535

are wildcard's equivalent to domains though?

Depends on what you mean by "equivalent".

Bottom line:

I type in microsooft.com because I have a sticky "o" key. One of several things happens:

1. The domain name is registered by someone and I get a page of search links.
2. The domain name isn't registered by someone, I have a clean ISP, and a default MS explorer install, so I get a page of search links.
3. Same as 2, but I have a default Mozilla install, so I get a page of search links.
4. Same as 2, but I have Yahoo toolbar, so I get a page of search links.
5. I have Verizon/Cox/AOL as an ISP, so I get a page of search links.

Now, if "I get a page of search links" is equivalent in your mind to "I get a page of search links", then these Verizon lawsuits are just a load of crap.

No, it doesn't justify typosquatting, but I just don't get the freaking point.

I also don't get the freaking point of complaining about a tased name that never got any traffic. If I take an old t-shirt, write "Abercrombie" on it, put a price tag on it, and hang it in my basement for a week where nobody saw it, then what have I done?

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05-30-2008 06:57 AM

#38

safesys is offline
Registered User

Join Date: Sep 2002
Location: Wales (UK)
Posts: 24,759

If I take an old t-shirt, write "Abercrombie" on it, put a price tag on it, and hang it in my basement for a week where nobody saw it, then what have I done?

Doesn't it come down to intent?

I'd think a better comparison would be if you put that shirt on a market stall with a price tag on it and it didn't sell as the site is put up with the *hope* of making money from it.

When using google for counts - use double quotes for *usage* counts for multiword terms and set "match type" to "exact" for all *search volume* lookups. [Click here for more info](#)

Reply With Quote

05-30-2008 07:27 AM

#39



ILikeInfo
I'm Insane
LikeInfo is offline
Join Date: Nov 2002
Posts: 14,883

Originally posted by jberryhill
I also don't get the freaking point of complaining about a tasted name that never got any traffic. If I take an old t-shirt, write "Abercrombie" on it, put a price tag on it, and hang it in my basement for a week where nobody saw it, then what have I done?

I'm looking forward to Verizon being forced to reveal it's "Basement monetization" logs.

Originally posted by safesys
Doesn't it come down to intent?

I'd think a better comparison would be if you put that shirt on a market stall with a price tag on it and it didn't sell as the site is put up with the hope of making money from it.

Which is the same for wildcarding and monetization. However there is no "hope" involved, it's guaranteed profit.

Thus wildcarding ~ domain registration, but far better / guaranteed income if we're talking pure intent.

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06-04-2008 10:47 PM

#40



jberryhill
Philadelphia Lawyer
jberryhill is offline
Join Date: Aug 2003
Posts: 535

Doesn't it come down to intent?

Ideally, it should.

So if someone is running a domain registration system that blindly takes in a feed of character strings from search systems, ISP DNS logs, and other sources, and then proceeds to register domain names corresponding to character strings, what is the intent?

And does that intent differ from wildcarding, which provides essentially the same result real time?

The intent in both cases is "monetize traffic". The practice, in both cases, ends up monetizing a lot of trademark typos, but that is not the specific intent.

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06-04-2008 10:56 PM

#41

safesys
Registered User
safesys is offline
Join Date: Sep 2002
Location: Wales (UK)
Posts: 24,759

The intent in both cases is "monetize traffic". The practice, in both cases, ends up monetizing a lot of trademark typos, but that is not the specific intent.

I guess it's a bit like running a pawn shop and not bothering to check if goods that are brought in are stolen or not - it can be solved (at least in large part) if there is a *will* to not profit from it.

As long as they can make at least a superficial defense argument - eg it'd be too complex to do anything that'd tackle it all so they do nothing - then they get to make coin up to the point where they change policy to comply with whatever ruling gets handed down or some other change in the marketplace.

And does that intent differ from wildcarding, which provides essentially the same result real time?

I'm certainly not arguing in support of wildcarding - to me that is even more all encompassing in terms of profiting from trademarks and less upfront in terms of accountability.

It's even more mind-numbing when those engaged in it attack domainers as though they have the moral high ground.

When using google for counts - use double quotes for *usage* counts for multiword terms and set "match type" to "exact" for all *search volume* lookups. [Click here for more info](#)

Reply With Quote

06-04-2008 11:44 PM

#42



jberryhill
Philadelphia Lawyer
jberryhill is offline
Join Date: Aug 2003
Posts: 535

It's even more mind-numbing when those engaged in it attack domainers as though they have the moral high ground.

That's the part that really slays me about the entire ball of issues.

Verizon has been a criminal operation for quite some time, and are still pulling hard for immunity from prosecution.

And Dell....

http://www.cio.com/article/371313/Co...ulty_of_Fraud

Dell was found guilty on Tuesday of fraud, false advertising, deceptive business practices and abusive debt collection practices in a case brought by the New York attorney general.

When one criminal gang goes up against another, my interest in the outcome is not all that great.

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06-05-2008 12:50 AM

#43



GeorgeK
TheBest.com is offline

Join Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065

I just checked PACER, and Verizon has filed their answer to the counterclaim:

<http://www.loffs.org/verizon-v-navcatsys-et-al/>

It's a typical "technical" answer, i.e. denying most things, etc. with nothing juicy per se, except maybe the 3rd affirmative defense on page 10 (i.e. use of the Communication Decency Act), and maybe the 6th on the same page (use of First Amendment).

They could have saved a few trees by not repeating the counterclaim point by point.

Now I suppose they'll start hammering out a private settlement, and leave us all in the dark.

[George Kirikos](#) - (416) 588-0269

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06-05-2008 11:02 AM

#44



ILikeInfo
I'm Insane is offline

Join Date: Nov 2002
Posts: 14,883

I just read:

<http://domainstate.com/showthread.ph...threadid=90989>

And then this thread came to mind, and it hit me, there is actually precedence for what Verizon and ISPs are doing.

Cable companies regularly sell local advertisements that "overwrite" broadcast TV commercials. In effect I see a dangerous similarity here Not to mention ISPs being able to provide local advertising placement with far greater granularity than ever before since they know EXACTLY where you live and they know *EXACTLY* how old you are (account setup records, including SSN and having likely pulled a credit report) and when you are using the service / are awake (better than Neilson ratings).

Last edited by ILikeInfo; 06-05-2008 at 11:12 AM.

[She Who Measures](#)

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06-05-2008 04:33 PM

#45



GeorgeK
TheBest.com is offline

Join Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065

Originally posted by ILikeInfo

Cable companies regularly sell local advertisements that "overwrite" broadcast TV commercials. In effect I see a dangerous similarity here Not to mention ISPs being able to provide local advertising placement with far greater granularity than ever before since they know EXACTLY where you live and they know *EXACTLY* how old you are (account setup records, including SSN and having likely pulled a credit report) and when you are using the service / are awake (better than Neilson ratings).

Cable companies do that with the authorization of the channels they carry (i.e. they have specific agreements that let them insert a certain number of minutes per hour). Most of the ads I've seen inserted by my cable company, though, are for its own products/services.

[George Kirikos](#) - (416) 588-0269

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08-02-2008 10:07 PM #46



Dave Zan is offline
A Dam Hyper Guy
Join Date: Sep 2003
Location: Manila
Posts: 1,175

Latest decision on the dispute:
<http://www.ilrweb.com/pfdocuments/il...navigation.pdf>

Vidi, Vici, Veni!

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08-03-2008 01:20 AM #47



GeorgeK is offline
TheBest.com
Join Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065


Anyone reading Exhibit 7 (see first page of this thread) would not be surprised by this well-reasoned ruling. What's surprising is that this has not been settled, and/or that more prospective plaintiffs haven't appeared.

If this ever reaches a judges final decision, I look forward to seeing if there will be **The Mother Of All Domain Auctions** to pay for the potential damages awarded to Verizon.

[George Kirikos](#) - (416) 588-0269

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08-03-2008 01:25 AM #48




subg is offline
Registered User
Join Date: Sep 2004
Posts: 3,313

I think they have blown their chance for a bargain.

Verizon says they don't want the names. So, I wonder how long after they are dropped someone from another country will nab them.

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08-03-2008 02:13 AM #49



GeorgeK is offline
TheBest.com
Join Date: Feb 2003
Location: Toronto, Canada
Posts: 3,065

Originally posted by subg
So, I wonder how long after they are dropped someone from another country will nab them.

Or someone pretending to be from another country. I expect one day that the chickens will come home to roost for people living in one country (e.g. the USA) but pretending via fake WHOIS to be from China or India or other hard to reach jurisdictions. I think at some point the monetary incentives will exist for some plaintiff to take on the task of going through registrar records (i.e. credit cards, login IP addresses and anything else they can subpoena) to go after those who are really within their borders.

[George Kirikos](#) - (416) 588-0269

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