

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AMERICAN DIABETES ASSOCIATION,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	Civil Action No.
	:	
ADS MEDICAL SERVICES, LLC	:	
and AMERICAN DIABETES	:	
SERVICES, INC.	:	<u>COMPLAINT</u>
	:	
Defendants.	:	

Plaintiff American Diabetes Association, by and through its attorneys, and as and for its Complaint, avers as follows:

1. This civil action asserts claims for trademark infringement, false designation of origin, cyberpiracy and unfair competition arising under the Lanham Act, as amended, 15 U.S.C. §§ 1051 et seq., and the common laws of the Commonwealth of Pennsylvania. The amount in controversy exclusive of interests and costs exceeds the sum or value of \$75,000.

2. This Court has jurisdiction over the claims Plaintiff is asserting under 15 U.S.C. § 1121, 28 U.S.C. §§ 1331, 1332(a) and (b), 1338(a) and (b), and 1367(a).

3. Plaintiff American Diabetes Association is an Ohio non-profit corporation, having places of business throughout the country, including at 150 Monument Road, Bala Cynwyd, PA.

4. On information and belief, ADS Medical Services, LLC is a Florida limited liability corporation, having a place of business at 951 Broken Sound Parkway NW Suite 250, Boca Raton FL 33487.

5. On information and belief, American Diabetes Services, Inc. is a Florida corporation, having a place of business at 951 Broken Sound Parkway NW Suite 250, Boca Raton FL 33487.

6. On information and belief, Defendant ADS Medical Services, LLC: is the parent company to Defendant American Diabetes Services, Inc.; controls and operates Defendant American Diabetes Services, Inc.; and has materially participated in and is responsible for the acts of Defendant American Diabetes Services, Inc.

7. On further information and belief, Defendant American Diabetes Services, Inc. is the alter-ego and agent of Defendant ADS Medical Services, LLC.

8. On information and belief, Defendant ADS Medical Services, LLC and Defendant American Diabetes Services, Inc. are doing business in this judicial district and are carrying out the acts and causing the injury complained of herein in this judicial district. Defendants operate a Web site designed to solicit purchases from anywhere in the United States, including this Commonwealth, and Defendants have interacted with residents

of this Commonwealth and have sold and shipped products under the infringing trademark AMERICAN DIABETES and AMERICAN DIABETES SERVICES into this judicial district.

COUNT I -- TRADEMARK INFRINGEMENT

9. As a cause of action and ground for relief, Plaintiff alleges trademark infringement by Defendants under § 32(1) of the Lanham Act, 15 U.S.C. 1114(1), and at common law, and incorporates ¶¶ (1) through (8) of the Complaint as a part of this count.

10. Since 1940, long prior to the acts complained of herein, Plaintiff has used the name and mark AMERICAN DIABETES ASSOCIATION in connection with advocacy, education, support and research funding services in the field of diabetes prevention, cure and management and in the advertising, marketing and rendering of the same in interstate commerce.

11. Plaintiff is the largest, longest existing and best known organization in the United States that specializes in providing diabetes advocacy, education, support and research funding services and is well known among the general public as the leading charitable organization in the diabetes field.

12. Plaintiff's services rendered under the name and mark AMERICAN DIABETES ASSOCIATION, which are recognized in this

Commonwealth and the United States to be of the highest quality, are offered and rendered in interstate commerce.

13. From 1940 to the present, Plaintiff's advertising and promotion of services under the name and mark AMERICAN DIABETES ASSOCIATION have been and are significant. Plaintiff has a long history of marketing its services in a variety of media, including the Internet, via its Web site located at URL <http://www.diabetes.org>, wherein its name and mark AMERICAN DIABETES ASSOCIATION has been prominently been displayed and featured since 1996. Such extensive promotional efforts have created a nexus in the public's mind between Plaintiff's name and mark AMERICAN DIABETES ASSOCIATION and the services provided by Plaintiff.

14. From 1940 to the present, Plaintiff has engaged in substantially exclusive use of the name and mark AMERICAN DIABETES ASSOCIATION.

15. As a result of such substantial advertising and promotion under the mark AMERICAN DIABETES ASSOCIATION and the maintenance of premium quality standards relating thereto, and the substantially exclusive use of said mark by Plaintiff, the mark AMERICAN DIABETES ASSOCIATION has become widely and favorably recognized by the general consuming public of this Commonwealth and the United States, as a distinctive indication

of the origin of the services of Plaintiff. The mark AMERICAN DIABETES ASSOCIATION has become unique and is identified by the general public solely with Plaintiff and its services. The mark AMERICAN DIABETES ASSOCIATION has become an extremely valuable symbol of Plaintiff, its reputation and goodwill.

16. As a result of the foregoing efforts and investment, the mark AMERICAN DIABETES ASSOCIATION has become famous and distinctive in this Commonwealth and in the United States.

17. Plaintiff duly registered the mark AMERICAN DIABETES ASSOCIATION for "conducting professional, familial and patient education programs on diabetes" and "promoting treatment and alleviation of the effects of diabetes through research" in the United States Patent and Trademark Office ("USPTO") under Registration No. 1,218,650, which issued November 30, 1982.

18. Registration No. 1,218,650 is prima facie evidence of the validity the mark shown therein and Plaintiff's ownership thereof, and is constructive notice of ownership of the mark AMERICAN DIABETES ASSOCIATION by Plaintiff, all as provided by §§ 7(b) and 22 of the Lanham Act, 15 U.S.C. §§ 1057(b) and 1072. As Registration No. 1,218,650 has achieved incontestable status under § 15 of the Lanham Act, 15 U.S.C. § 1065, said registration is conclusive evidence of Plaintiff's exclusive right to use the mark 1,218,650 in commerce. A true and correct

copy of Registration No. 1,218,650 is annexed hereto as Exhibit A and made a part hereof.

19. Registration No. 1,218,650 and the mark covered thereby are valid, in full force and effect, and are owned by Plaintiff.

20. Notwithstanding Plaintiff's well-known and prior exclusive rights in the mark AMERICAN DIABETES ASSOCIATION, and long after the mark AMERICAN DIABETES ASSOCIATION had become distinctive and famous, Defendants, with constructive and actual notice of the mark AMERICAN DIABETES ASSOCIATION, have adopted and used the name and mark AMERICAN DIABETES and AMERICAN DIABETES SERVICES in this judicial district and in interstate commerce, in connection with diabetes-related goods and a mail order diabetic supply service.

21. Defendants are not associated, affiliated or connected with or authorized, endorsed or sanctioned by Plaintiff.

22. Defendants' use of AMERICAN DIABETES and AMERICAN DIABETES SERVICES in the manner hereinabove alleged was and is without the consent or authority of Plaintiff.

23. Plaintiff's mark AMERICAN DIABETES ASSOCIATION and Defendants' marks AMERICAN DIABETES and AMERICAN DIABETES SERVICES, when considered in their entireties as applied to the parties' goods and services, engender virtually identical

appearances, sounds, meanings and overall commercial impressions, such that confusion as to the source of the services offered under the respective marks is likely to result.

24. The parties' respective goods and services are highly related and they move in similar channels of trade.

25. Defendants' use of AMERICAN DIABETES and AMERICAN DIABETES SERVICES, in the manner hereinabove alleged, is likely to cause the public to believe, contrary to fact, that Defendants' goods, services and activities are sponsored, licensed and/or otherwise approved by, or are in some way connected or affiliated with Plaintiff.

26. Defendants' use of AMERICAN DIABETES and AMERICAN DIABETES SERVICES in the manner hereinabove alleged constitutes trademark infringement under § 32(1) of the Lanham Act, 15 U.S.C. § 1114(1), and at common law.

27. The protection of marks associated with nonprofit organizations, such as AMERICAN DIABETES ASSOCIATION, is of particular importance because it helps ensure that charitable donations by members of the public are not misdirected. It protects the mission of organizations, like Plaintiff, from the unfair loss of vital donations that a confused donor inadvertently contributes to the unintended organization.

28. The reputation and fundraising efforts of nonprofits, like Plaintiff, also are protected against the harm caused when potential and actual charitable donors hold the nonprofit accountable for actions taken by the junior user that do not rise to the performance standards and/or quality of the senior nonprofit. AMERICAN DIABETES ASSOCIATION, a distinct organizational identity well known to the public, is extremely important to Plaintiff, and Plaintiff will have serious difficulty in raising funds and attracting members and support by reason of the damage caused to its identity by the confusingly similar use of AMERICAN DIABETES and AMERICAN DIABETES SERVICES by Defendants.

29. Defendants' use of AMERICAN DIABETES and AMERICAN DIABETES SERVICES, as set forth above, is likely to damage and materially diminish the value of the name and mark AMERICAN DIABETES ASSOCIATION and result in Defendants unfairly benefiting and profiting from the reputation and goodwill that is represented by the name and mark AMERICAN DIABETES ASSOCIATION.

30. Defendants have been requested to cease and desist from use of AMERICAN DIABETES and AMERICAN DIABETES SERVICES. Despite the foregoing, Defendants continue to use the names and marks AMERICAN DIABETES and AMERICAN DIABETES SERVICES.

31. On information and belief, Defendants have long known of the fact that the public associates the mark AMERICAN DIABETES ASSOCIATION with the services of Plaintiff, and Defendants have sought to capitalize on the goodwill engendered by the mark AMERICAN DIABETES ASSOCIATION by adopting the striking and confusingly similar names and marks AMERICAN DIABETES and AMERICAN DIABETES SERVICES. Indeed, in addition to adopting the infringing names and marks AMERICAN DIABETES and AMERICAN DIABETES SERVICES, Defendants also have registered domain names, such as DIABETESASSOCIATION.ORG and DIABETESORG.COM, which are confusingly similar to Plaintiff's mark and web address (DIABETES.ORG).

32. Defendants have intentionally attempted to attract for commercial gain users to their AMERICAN DIABETES mail order diabetic supply service, by creating a likelihood of confusion with Plaintiff's name and mark as to the source, sponsorship, affiliation or endorsement of Defendants' commercial activities. Defendants have engaged in the aforementioned acts willfully, deliberately, in bad faith and with an entire want of care as would raise the presumption of conscious indifference to their consequences.

33. By reason of Defendants' acts alleged herein, Plaintiff has and will suffer damage to its business, reputation

and goodwill, and Defendant has and will enjoy profits to which it is otherwise not entitled, for which Plaintiff is entitled to relief at law.

34. Unless enjoined by this Court, Defendants will continue to infringe the name and mark AMERICAN DIABETES ASSOCIATION, thereby deceiving the public and causing Plaintiff immediate and irreparable injury. It would be difficult to ascertain the amount of compensation that could afford Plaintiff adequate relief for such continuing acts, and a multiplicity of judicial proceedings would be required. Plaintiff's remedy at law is not adequate to compensate it for injuries threatened.

COUNT II -- FALSE DESIGNATION OF ORIGIN

35. As a cause of action and ground for relief, Plaintiff alleges that Defendants have engaged in acts in violation of § 43(a) of the Lanham Act, 15 U.S.C. § 1125(a), and incorporates by reference ¶¶ (1) through (33) of the Complaint as a part of this count.

36. Defendants' use of AMERICAN DIABETES and AMERICAN DIABETES SERVICES in the manner hereinabove alleged constitutes a false designation of origin within the meaning of § 43(a) of the Lanham Act, 15 U.S.C. § 1125(a), which is likely to cause confusion, mistake or deception as to the source, origin,

authorization, sponsorship and/or approval of Defendant's activities.

37. The nature and probable tendency and effect of Defendants' use of AMERICAN DIABETES and AMERICAN DIABETES SERVICES in the manner hereinabove alleged is to enable Defendants to confuse or deceive the public by misrepresenting the services offered for sale and rendered under said name and mark as sponsored, licensed and/or otherwise approved by, or are in some way connected or affiliated with Plaintiff. Such conduct constitutes a false designation of origin in violation of § 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

38. Defendants' actions have been conducted intentionally and willfully, with the express intent to cause confusion and mistake, to deceive and mislead the purchasing public, to trade upon the high quality reputation of Plaintiff and to improperly appropriate to itself the valuable trademark rights of Plaintiff.

COUNT III -- CYBERPIRACY

39. As a cause of action and ground for relief, Plaintiff alleges cyberpiracy by Defendants under § 43(d) of the Lanham Act, 15 U.S.C. 1125(d), and incorporate ¶¶ (1) through (37) of the Complaint as a part of this count.

40. Defendants have registered the domain name AMERICANDIABETES.COM for use in connection with their Web site in bad faith and with an intent to profit from Plaintiff's name and mark AMERICAN DIABETES ASSOCIATION. A true copy of the GoDaddy.com WHOIS record for the AMERICANDIABETES.COM domain name is annexed hereto as Exhibit B and made a part hereof.

41. Defendants' domain name is identical to Plaintiff's name and mark in its use of the dominant term AMERICAN DIABETES and is confusingly similar to Plaintiff's name and mark AMERICAN DIABETES ASSOCIATION.

42. On information and belief, Defendants did not register AMERICANDIABETES.COM for any noncommercial or fair use in a Web site accessible under said domain name. Rather, Defendants intentionally have sought to create a confusingly similar domain name that opportunistically exploits and trades upon the recognition, reputation, and goodwill represented by Plaintiff's name and mark AMERICAN DIABETES ASSOCIATION.

43. Defendants were aware of the prior rights of Plaintiff in and to the name and mark AMERICAN DIABETES ASSOCIATION at the time of their registration of AMERICANDIABETES.COM, and Defendants' registration and use of the domain name AMERICANDIABETES.COM have been committed willfully, deliberately

and with an entire want of care as would raise the presumption of conscious indifference to their consequences.

COUNT IV -- UNFAIR COMPETITION

44. As a cause of action and ground for relief, Plaintiff alleges that Defendants has engaged in acts of unfair competition at common law, and incorporates by reference ¶¶ (1) through (42) of the Complaint as a part of this count.

45. By virtue of Defendants' acts, hereinabove pleaded, Defendants have engaged in conduct which is contrary to honest, industrial and commercial practice, and thus, has engaged in unfair competition, in violation of the common law of the Commonwealth of Pennsylvania.

46. Defendants' acts, hereinabove pleaded, are calculated to procuring an unfair competitive advantage by misappropriating the valuable goodwill developed by Plaintiff at substantial effort and expense and represented by the distinctiveness of the name and mark AMERICAN DIABETES ASSOCIATION.

47. Defendants have engaged in the aforementioned acts willfully and deliberately and with full knowledge of the name and mark AMERICAN DIABETES ASSOCIATION and Plaintiff's rights therein.

48. Defendants will continue to compete unfairly unless restrained by this Court. As a result of Defendants' unfair

competition, Plaintiff will be unable to control the reputation represented by the mark AMERICAN DIABETES ASSOCIATION and will sustain still further damages in an amount difficult to ascertain.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully pray that:

1. The Court enter judgment that:
 - a. Defendants have infringed the mark AMERICAN DIABETES ASSOCIATION under § 32(1) of the Lanham Act, 15 U.S.C. § 1114(1), and at common law;
 - b. Defendants have violated § 43(a) of the Lanham Act, 15 U.S.C. § 1125(a);
 - c. Defendants have violated § 43(d) of the Lanham Act, 15 U.S.C. § 1125(d);
 - d. Defendants have engaged in unfair competition at common law.

2. Defendants and each of their respective agents, employees, servants, attorneys, successors and assigns, and all others in privity or acting in concert therewith, be preliminarily and permanently enjoined from:

- a. Using the trademark AMERICAN DIABETES ASSOCIATION, AMERICAN DIABETES and/or any other confusingly similar designation, alone or in

combination with other words, phrases, symbols or designs, as a trademark, trade name, domain name component, or otherwise to market, advertise or identify Defendants' activities or services;

- b. Otherwise infringing the mark AMERICAN DIABETES ASSOCIATION;
- c. Unfairly competing with Plaintiff in any manner whatsoever, or otherwise injuring its business reputation in the manner complained of herein; and
- d. Engaging in assignments or transfers, formation of new entities or associations or utilization of any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth in sub-paragraphs (a) through (c) above.

3. Defendants be ordered to transfer the registration of the domain name AMERICANDIABETES.COM to Plaintiff.

4. The Court order that all labels, signs, prints, packages, wrappers, receptacles, advertisements and computer and/or electronic files in the possession of Defendant, bearing the mark AMERICAN DIABETES ASSOCIATION, AMERICAN DIABETES SERVICES, AMERICAN DIABETES, AMERICANDIABETES.COM or any reproduction, counterfeit, copy, or colorable imitation thereof,

and all plates, molds, matrices, and other means of making or reproducing the same, be delivered up and destroyed.

5. Defendants be required, within thirty (30) days after service of judgment, to file with this Court and serve upon Plaintiff's counsel, a written report, under oath, setting forth in detail the manner in which they have complied with the Judgment.

6. Defendants be directed to pay to Plaintiff compensatory damages in an amount to be determined at trial for the injuries sustained by Plaintiff in consequence of the acts complained of herein and that such damages be trebled because of the willful acts described herein.

7. Defendants be required to account for and pay to Plaintiff all profits realized by it as the result of the acts complained of herein.

8. Pursuant to § 35(d) of the Lanham Act, 15 U.S.C. § 1117(d), Defendants be required to pay statutory damages in the amount to be determined, but estimated to be \$100,000.

9. Defendants be required to pay to Plaintiff both the costs of this action and the reasonable attorneys' fees incurred by Plaintiff.

10. Defendants be required to pay pre- and post-judgment interest according to law.

11. The Court award any punitive and exemplary damages against Defendant and in favor of Plaintiff.

12. Plaintiff be granted such other, different and additional relief as this Court deems equitable and proper.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

Dated: June 13, 2012

By /MPokotilow/
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EXHIBIT A

Int. Cls.: 41 and 42

Prior U.S. Cls.: 100 and 107

United States Patent and Trademark Office

Reg. No. 1,218,650

Registered Nov. 30, 1982

SERVICE MARK
Principal Register

AMERICAN DIABETES ASSOCIATION

American Diabetes Association, Inc. (Ohio
corporation)
2 Park Ave.
New York, N.Y. 10022

For: CONDUCTING PROFESSIONAL, FA-
MILIAL AND PATIENT EDUCATION PRO-
GRAMS ON DIABETES, in CLASS 41 (U.S. Cl.
107).

First use Aug. 27, 1940; in commerce Aug. 27,
1940.

For: PROMOTING TREATMENT AND AL-
LEVIATION OF THE EFFECTS OF DIABETES
THROUGH RESEARCH, in CLASS 42 (U.S. Cl.
100).

First use Aug. 27, 1940; in commerce Aug. 27,
1940.

Owner of U.S. Reg. No. 1,024,912.
Sec. 2(f).

Ser. No. 300,883, filed Mar. 12, 1981.

EDWARD NELSON, Examining Attorney

EXHIBIT B

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WHOIS search results for:
AMERICANDIABETES.COM
 (Registered)

Is this your domain?
 Add hosting, email and more.

Want to buy this domain?
 Get it with our Domain Buy service.

The data contained in GoDaddy.com, LLC's WHOIS database, while believed by the company to be reliable, is provided "as is" with no guarantee or warranties regarding its accuracy. This information is provided for the sole purpose of assisting you in obtaining information about domain name registration records. Any use of this data for any other purpose is expressly forbidden without the prior written permission of GoDaddy.com, LLC. By submitting an inquiry, you agree to these terms of usage and limitations of warranty. In particular, you agree not to use this data to allow, enable, or otherwise make possible, dissemination or collection of this data, in part or in its entirety, for any purpose, such as the transmission of unsolicited advertising and solicitations of any kind, including spam. You further agree not to use this data to enable high volume, automated or robotic electronic processes designed to collect or compile this data for any purpose, including mining this data for your own personal or commercial purposes.

Please note: the registrant of the domain name is specified in the "registrant" field. In most cases, GoDaddy.com, LLC is not the registrant of domain names listed in this database.

Registrant:
 American Diabetes Services, INC.

951 Broken Sound Pkwy Ste 250
 Boca Raton, Florida 33487
 United States

Registered through: GoDaddy.com, LLC (<http://www.godaddy.com>)
 Domain Name: AMERICANDIABETES.COM
 Created on: 14-Mar-99
 Expires on: 13-Mar-15
 Last Updated on: 29-Aug-11

Administrative Contact:
 McKay, John bsacks@americandiabetes.com
 American Diabetes Services, INC.
 951 Broken Sound Pkwy Ste 250
 Boca Raton, Florida 33487
 United States
 +1.5612370000

Technical Contact:
 McKay, John bsacks@americandiabetes.com
 American Diabetes Services, INC.
 951 Broken Sound Pkwy Ste 250
 Boca Raton, Florida 33487
 United States
 +1.5612370000

Domain servers in listed order:
 NS1.WEBHOSTINGHUB.COM
 NS2.WEBHOSTINGHUB.COM

Registry Status: clientDeleteProhibited
 Registry Status: clientRenewProhibited
 Registry Status: clientTransferProhibited
 Registry Status: clientUpdateProhibited

[See Underlying Registry Data](#)
[Report Invalid Whois](#)

NameMatch Recommendations

GoDaddy.com NameMatch has found similar domain names related to your search. Registering multiple domain names may help protect your online brand and enable you to capture more Web traffic, which you can then direct to your primary domain.

Domains available for new registration:

Similar Premium Domains	
<input type="checkbox"/> DepressionDiabetes.com	\$650.00*
<input type="checkbox"/> ChildrenDiabetes.com	\$1,899.00*
<input type="checkbox"/> DiabetesQuiz.com	\$1,499.00*
<input type="checkbox"/> AmericanGI.com	\$3,288.00*
<input type="checkbox"/> AmericanPM.com	\$2,988.00*
<input type="checkbox"/> AmericanRv.net	\$888.00*

Domains available at Go Daddy Auctions@:

<input type="checkbox"/> americanwebhotel.com Ends on: 8/11/2012 12:00:00 AM PDT	\$25,000.00*
<input type="checkbox"/> americanweboutlet.com Ends on: 8/11/2012 12:00:00 AM PDT	\$10,000.00*
<input type="checkbox"/> sugar-diabetes.com Ends on: 7/9/2012 9:05:00 AM PDT	\$499.00*
<input type="checkbox"/> austindiabetes.com Ends on: 7/7/2012 1:48:00 PM PDT	\$2,199.00*
<input type="checkbox"/> huntsvillediabestes.com Ends on: 7/7/2012 1:05:00 PM PDT	\$1,699.00*
<input type="checkbox"/> gestationaldiabetestest.com Ends on: 7/7/2012 11:41:00 AM PDT	\$625.00*

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*Plus ICANN fee of \$0.18 per domain name year.
 **.CA domain names will be registered through Go Daddy Domains Canada, Inc., a CIRA certified registrar.

Enter a domain name to search .com

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My Upgrades	Go Daddy Gear	ICANN Confirmation	Discussion Forums	Careers	iPad Application	
Account Settings	Go Daddy Mobile	Affiliates	User Groups	Marketing Opportunities	Android Application	
Customer Information	Deals of the Day	Follow & Fan Us	Submit Support Ticket	Customer Testimonials	BlackBerry Application	
Order History		Legal	Site Suggestions	Security Center	Visit GoDaddyMobile.com	
Create Account		Commercial Contests	Report Abuse	.ME Scholarship		
		Site Map	Go Daddy Scoop	Round Up for Charity	Sign Up for Special Offers	
				Inside Go Daddy	<input type="text" value="Email Address"/>	<input type="button" value="Submit"/>

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GoDaddy.com is the world's No. 1 ICANN-accredited domain name registrar for .COM, .NET, .ORG, .INFO, .BIZ and .US domain extensions. Source: RegistrarSTATS.com

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TESTED 2012 - 06 - 13

Although it often appears "WHOIS" or "Whols", the term is not an acronym. It means literally "Who is", referring to the searchable database that stores **domain information** for every URL currently registered on the Internet. Think of the WHOIS database as the "white pages" of the Internet neighborhood.

Search the **GoDaddy.com** WHOIS database whenever you want to know who a particular Web site belongs to. You may even be able to find the name and contact information of the business or individual who holds the registration on that domain. If the registration is private, specific information such as the holder's name, address, phone number and email address will be hidden from public view.

There are a number of reasons why you might want to use the **GoDaddy.com** WHOIS database:

- If you're a domainer, you might have your eye on a particular domain name(s) and want to know when it expires in the hopes of registering it yourself. You might also wish to approach the registrant with a private purchase offer.
- If you are the legal owner of a copyrighted name and you find someone else has registered a domain with that name in it, you'll want to take legal action against whoever's infringed on your rights by "cyber-squatting" on your Internet territory.
- If you come across your own original content reproduced without permission on another Web site, you may want to look up the name of the domain registrant in order to file a DMCA complaint against him or her. This federal act makes it illegal for anyone to produce or distribute another's original material on the Internet.

Law enforcement agencies use the WHOIS database to support national and international efforts including copyright protection and anti-terrorism laws. They're able to identify the registrant - or at least the host or registrar - of every domain name registered today. Legal infractions that can't be traced to an individual or business can certainly be traced to a registrar. Depending on the offense, the registrar may warn the site owner or shut down the Web site altogether.

GoDaddy.com has been active in combating Internet crime and abuse. **GoDaddy.com** lawyers have testified before the U.S. House Judiciary Subcommittee on Crime, Terrorism and Homeland Security about the rapid proliferation of illegitimate pharmacies and child pornography on the Internet. In fact, the company had a hand in the 2008 passage of the Ryan Haight Online Pharmacy Consumer Protection Act, named after a California teenager who died from an overdose of a drug he bought online.