

World Trademark Review Daily

US and EU join forces to seize domain names
International - Hogan Lovells International LLP

Counterfeiting
Domain names

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The [United States Immigration and Customs Enforcement](#) (ICE) and the [European Police Office](#) (Europol), together with local law enforcement agencies from Belgium, Denmark, France, Romania and the United Kingdom, have joined forces to seize 132 domain names that were pointing to websites allegedly selling counterfeit and pirated goods.

Domain name seizures are part of an ongoing initiative in the United States, known as 'Operation In Our Sites', launched in June 2010 against online counterfeiting and piracy. Since then, US officials have seized 1,529 domain names pointing to websites allegedly selling a wide range of counterfeit goods, including pharmaceuticals, sportswear, clothing, shoes, handbags and jewellery, as well as pirated movies, music and software.

For the past three years, seizures have been strategically planned to coincide with 'Cyber Monday', the Monday following Thanksgiving, which is traditionally one of the biggest online shopping days of the year in the United States. In 2010 the operation, known as 'Project Cyber Monday', resulted in the seizure of 82 domain names and another 150 in 2011.

More recently, in November 2012 'Project Cyber Monday 3' resulted in the seizure of 101 domain names (and also one arrest) by US law enforcement officials, bringing the total number of seized domain names to 1,630 since the operation first launched (other rounds of domain name seizures have also taken place throughout the year).

To begin the seizure of a domain name, US law enforcement officials make undercover purchases from websites suspected of selling counterfeit or pirated goods, following leads from different rights holders. Upon confirmation by the rights holders that the goods are counterfeit or pirated, law enforcement officials then obtain an order to seize the domain name from a federal judge.

In addition, given that counterfeiting and piracy is a problem of global reach and that the United States generally only has jurisdiction to seize domain names registered under '.com' and other top-level domains (TLDs) where the registry is based in the United States, authorities in the United States have now teamed up with European law enforcement officials to coordinate the seizure of other domain names in an initiative known as 'Project Transatlantic'. As a result, 31 domain names under TLDs such as '.be' (Belgium), '.eu' (European Union), '.dk' (Denmark), '.fr' (France), '.ro' (Romania) and '.uk' (United Kingdom) were also seized with the help of European authorities during the 2012 'Project Cyber Monday 3' operation.

The domain names seized as part of 'Project Cyber Monday 3' are currently in custody of the respective government authorities involved in the operation. Whilst details of the specific domain names seized have yet to be released, internet users visiting a website to which a seized domain name was previously pointing can expect to be redirected to a page with a banner notifying them of the seizure and providing information about trademark and copyright infringement. It is thought that the seizure banner has received more than 110 million individual views since 'Operation In Our Sites' was launched.

The press release issued by ICE on November 26 2012 is available [here](#).

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