

# Research on Online Business Models Infringing Intellectual Property Rights - Phase 2

Suspected trade mark infringing e-shops utilising previously used domain names



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## Foreword

To coincide with the launch of the Intellectual Property Crime Coordinated Coalition (IPC3) at Europol, the EUIPO published the Phase 1 report concerning online business models infringing intellectual property.

The report delivered an overview of the myriad of different ways intellectual property is infringed commercially online and presented a completely new way of identifying, dissecting, analysing and presenting such business models. It has been widely quoted in regard to online infringing business models.

The present study builds on the initial findings and looks further into information of the extensive use being made by suspected infringers of intellectual property of domain names that were once used by famous people, organisations, foreign embassies, commercial businesses and many others.

This phenomenon was first reported by a Danish cybercrime expert who found that a large number of previously used domain names under the Danish domain .dk were being systematically re-registered by suspected infringers of trade marks.

The idea was to take advantage of the popularity of such domain names to attract traffic to new e-shops marketing suspected trade mark infringing goods. Immediately after the domain names became available for re-registration, the suspected infringers acquired them and shortly afterwards activated an e-shop.

The EUIPO set out to discover if the practice identified in Denmark was also used in other European countries with mature e-commerce sectors. Sweden, Germany, the United Kingdom and Spain were selected for the research and this report is the result.

The findings are eye-opening and show that the practice identified in Denmark also exists in the four selected countries to an even higher degree than could have been expected.



Having analysed 40 case examples in detail, the research also seems to indicate that what on the surface seems like thousands of unrelated e-shops are likely to be one or a few businesses marketing suspected trade mark infringing goods to European consumers.

This new report provides further evidence of the scale of the problem of commercial online intellectual property infringements and reinforces the case for cooperation at the EU level to bring it under control.

António CAMPINOS

**EUIPO** Executive Director

## Executive Summary

In 2015, the European Union Intellectual Property Office (EUIPO), through the European Observatory on Infringements of Intellectual Property Rights, commissioned a research study on online business models used to infringe intellectual property rights (IPRs). The initiative was created as an independent data-driven study that would assess and analyse how online IPR infringements on a commercial scale worked, were financed, how they generated profits for their operators, what kind of content they disseminated and how large their user bases were.

The study should provide policymakers, civil society and private businesses with enhanced understanding about the situation. At the same time, it should help to identify and better understand the range of responses required to tackle the challenges of large-scale online IPR infringements.

It was envisaged that the study would be divided into two phases:

- Phase 1, a qualitative study aiming to provide an overview of the different business models used to infringe IPR online;
- Phase 2, a quantitative study, where one or more important specific business models and strategies would be researched in detail.

The Phase 1 report was published on 12 July 2016 and is available on the EUIPO website<sup>1</sup>.

During the research in Phase 1, a recent study carried out in Denmark² focusing on a detected pattern of a specific use of the domain name system (DNS) taking place on the Danish country code top level domain (ccTLD). dk was identified. The study arose from suggestions made in the media about e-shops suspected of infringing trade marks that were emerging online, but seen as individual and unaffiliated e-shops. The aim of the Danish study was to identify if there was a pattern or structure behind the setting up of these e-shops. By analysing re-registration of previously used domain names, it was possible to determine that e-shops suspected of marketing trade mark infringing goods were being set up using domain names that had previously been used to various online purposes. When the domain names were available for re-registration the entities operating the e-shops would systematically re-register the domain names and shortly after set up e-shops marketing goods that were suspected of infringing upon the trade marks of others. It was characteristic that the prior use of the domain names was completely unrelated to the goods being marketed on the suspected e-shops. There were examples of domain names previously used by politicians, foreign embassies, commercial businesses and many other domain name registrants.

<sup>1</sup> https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document\_library/observatory/resources/Research\_on\_Online\_Business\_Models\_IBM/Research\_on\_Online\_Business\_Models\_IBM\_en.pdf.

<sup>2</sup> The research, which had been undertaken by the Danish cybercrime specialist Henrik Bjørner, is available here: http://cybercrime.eu/analysis/analysing-registration-of-previously-used-danish-domain-names/.



For the period between October 2014 and October 2015, there were 566.dk domains that were re-registered by suspected infringers of trade marks immediately after the domain names had been given up by their previous registrants and became available for re-registration.<sup>3</sup>

The research carried out covered only the Danish ccTLD .dk, but the activities identified indicated that it was likely that the same activity was also applied by suspected trade mark infringers in other European countries. Based on this the EUIPO decided to look further into this specific issue in Phase 2 of the research project, focusing on four European countries with large e-commerce sectors. Under these criteria, Sweden, which as a Scandinavian country would be assumed comparable with Denmark, Germany and the United Kingdom, which have very well-developed and large e-commerce sectors, and a country with a large e-commerce sector in southern Europe, Spain, were selected.

The overall goal of the e-shop analysis was to detect e-shops marketing suspected trade mark infringing goods. To achieve this, an automated process was developed, where each domain name passed through a set of analytical modules to classify the website as either suspected of trade mark infringing or not. These analytical modules served specific purposes to facilitate information gathering and content analysis.

At the time of the analysis, the situation in Sweden, Germany, the United Kingdom and Spain has shown the following.

The current research has clearly shown that the same phenomenon previously documented in Denmark, also occurs in Sweden, Germany, the United Kingdom and Spain.

<sup>3</sup> Please note that this information has been extracted from the Danish study previously mentioned

ccTLD	Sweden .se	Germany .de	United Kingdom .uk	Spain .es	Total
Period of analysis	8-10 December 2016	23 November – 6 December 2016	26 January– 10 February 2017	10–11 January 2017	
Total number of detected active domain names under the ccTLD resolving to an active website	1 259 990	11 057 426	8 158 245	1 047 780	21 523 441
Total number of detected e-shops using a domain name under the ccTLD	33 212	208 939	224 154	49 147	515 452
Total number of detected e-shops suspected of infringing the trade marks of others using a domain name under the ccTLD	1 '	6 066 (2.9 % of total number of e-shops)	14 182 (6.3 % of total number of e-shops)	4 461 (9.1 % of total number of e-shops)	27 870 (5.41 % of total number of e-shops)
Total number of detected e-shops suspected of infringing the trade marks of others using a domain name under the ccTLD where the domain name had been previously used by another registrant	·	4 864 (80.2 % of suspected e-shops)	10 081 (71.1 % of suspected e-shops)	3 612 (81.0 % of suspected e-shops)	21 001 (75.35 % of suspected e-shops)



The research detected 27 870 e-shops suspected of marketing trade mark infringing goods in Sweden, Germany, the United Kingdom and Spain. It was found that 21 001 of these e-shops (75.35 %) were detected using domain names that had previously been used to direct internet traffic to websites that have no relation to their prior use.

Based on the research, it must be considered likely that the same also occurs in other European countries with well-developed e-commerce sectors.

The analysis of the 27 870 e-shops suspected of marketing trade mark infringing goods in Sweden, Germany, the United Kingdom and Spain has identified a number of patterns in the set-up of the e-shops. These include:

- product category: shoes are the product category mainly affected in 67.5 % of the suspected e-shops and clothes are the product category mainly affected in 20.6 %4;
- main brand affected: the brand most harmed was detected as the brand mainly affected on 18 % of the suspected e-shops, while the second most harmed was detected as the brand mainly affected on 11.9 % of the suspected e-shops;
- software used: 94.6 % of the detected suspected e-shops used the same specific e-commerce software:
- registrars: 40.78 % of the detected suspected e-shops in Sweden and the United Kingdom were registered through the same registrar;
- name servers: 21.3 % of the detected suspected e-shops used the same name server;
- hosting country: 25.9 % of the suspected e-shops had the hosting provider located in Turkey, 19.3 % in the Netherlands, and 18.3 % in the United States.

It is noteworthy that the two main product categories match the main product categories identified by Eurostat in the general survey into online purchases: http://ec.europa.eu/eurostat/statistics-explained/index.php/E-commerce\_statistics\_for\_individuals.

The activity of the previous websites run under the domain names used is very varied, but can be divided into:

- 1. public institutions, international organisations and interest groups
- 2. financial sector
- 3. news, media and information websites
- 4. other businesses
- 5. political debate and propaganda
- 6. voluntary work
- 7. cultural and religious websites
- 8. private associations
- 9. famous people and fan clubs
- 10.adult and dating websites.

During the research, 40 e-shops were analysed in depth. The case studies can be found in the Annex to the report.

#### Domain001

In the Domain001se case study the prior use of the domain name was to direct internet traffic to a Swedish language website with information from the European Parliament to the Swedish public.

#### Domain007

In the Domain007de case study the prior use of the domain name was to direct internet traffic to a German language website with information about a ballet school.

#### Domain010

In the Domain010co.uk case study the prior use of the domain name was to direct internet traffic to an English language website with information about a local escort service.

### Domain003

In the Domain003es case study the prior use of the domain name was to direct internet traffic to a Spanish language website with information about cancer and related treatments



There was no correlation between the previous use of the domain name and the current sales of products found in any of the 40 case studies that were carried out. Even if the domain was previously used for the marketing of goods, the current e-shops were marketing a different type of product at the time of analysis.

The case studies indicate that the sole reason for re-registration of the domain names is to benefit from the popularity of the website that was previously identified by the domain name. The benefits would include search engine indexing, published reviews of services and/or products and links from other websites that have not yet taken the current use into consideration.

Initially, the e-shops seem unrelated individual businesses. However the analysis of the e-shops and the case studies have identified different commonalities regarding product categories and brands offered in the suspected e-shops in their website technology, as well as use of specific registrars and name servers, and in the countries of origin of the hosting provider.

Looking at the structure of the business practice and having analysed 40 case studies in detail, another result emerging from the research is that a high degree of affiliation between the e-shops is likely. The research seems to indicate that what on the surface seems like thousands of unrelated e-shops are likely to be one or a few businesses marketing trade mark infringing goods to European consumers.

The findings of the report are interesting for the law enforcement community and internet intermediaries as well as trade mark holders and consumers, to understand the scale and the traits of this business model applied in a number of EU Member States.

## 2. Abbreviations

B2B	Business-to-business
B2C	Business-to-consumer
ccTLD	Country code top level domain
DENIC	.de Network Information Centre of Germany
DNS	Domain name system
EU	European Union
EUIPO	European Union Intellectual Property Office
GBP	Pound sterling
GmbH	Gesellschaft mit beschränkter Haftung/Company with limited liability in Germany, Austria, Switzerland and Liechtenstein
gTLD	Generic top level domain
HTML Hyper Text Markup Language	
ICANN Internet Corporation for Assigned Names and Number	
IIS	Swedish Internet Infrastructure Foundation
IP	Internet protocol
IPR	Intellectual Property Rights
ISO	International Organisation for Standardization
MINETUR	Office under the Ministry of Industry, Energy and Tourism of Spain
RED.ES	Office under the Ministry of Industry, Energy and Tourism of Spain that manages .es domains.
SEK	Swedish krona
TLD	Top level domain
TOR	Terms of reference
UK	United Kingdom
US	United States
USD	United States dollars
VAT	Value Added Tax



## Introduction

## 3.1. Background

Iln 2015, the European Union Intellectual Property Office (EUIPO), through the European Observatory on Infringements of Intellectual Property Rights, commissioned a research study on online business models used to infringe intellectual property rights (IPRs). The initiative was created as an independent data-driven study that would assess and analyse how online IPR infringements on a commercial scale worked, were financed, how they generated profits for their operators, what kind of content they disseminated and how large their user bases were.

The study should provide policymakers, civil society and private businesses with enhanced understanding about the situation. At the same time, it should help to identify and better understand the range of responses required to tackle the challenges of large-scale online IPR infringements.

It was envisaged that the study would be divided into two phases:

- Phase 1, a qualitative study aiming to provide an overview of the different business models used to infringe IPR online;
- Phase 2, a quantitative study, where one or more important specific business models and strategies would be researched in detail.

During the execution<sup>4</sup> of Phase 1, materials on business activities that were considered susceptible to IPR infringement were collected and processed.

Based on the materials collected on business models in general and online business models in particular, an analytical method was developed to identify, dissect, analyse and describe any current or future IPR-infringing business model in the online environment.

The analytical method was applied to 27 concrete online business models that were identified during the execution of the Phase 1 research.

The report was published on 12 July 2016 and is available on the EUIPO website<sup>5</sup>.

In accordance with the framework contract between the EUIPO and Deloitte Advisory S.L. Spain, the task of performing Phase 1 was awarded to Deloitte Advisory S.L. Spain in cooperation with Danish IT forensic investigation expert, Michael Lund, DBI, and Danish attorney-at-law, Knud Wallberg, PhD.

https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document\_library/observatory/resources/Research\_on\_Online\_ Business\_Models\_IBM/Research\_on\_Online\_Business\_Models\_IBM\_en.pdf.

During the research in Phase 1, the team identified a recent study carried out in Denmark<sup>6</sup> focusing on a detected pattern of a specific use of the domain name system (DNS) taking place on the Danish ccTLD .dk. The study arose from suggestions made in the media about e-shops suspected of infringing trade marks that were emerging online, but seen as individual and unaffiliated e-shops. The aim of the Danish study was to identify if there was a pattern or structure behind the setting up of these e-shops. By analysing re-registration of previously used domain names, it was possible to determine that e-shops suspected of marketing trade mark infringing goods were being set up using domain names that had previously been used for various online purposes. When the domain names were available for re-registration, the entities operating the e-shops would systematically re-register the domain names and shortly after set up e-shops marketing goods that were suspected of infringing the trade marks of others. It was characteristic that the prior use of the domain names was completely unrelated to the goods being marketed on the suspected e-shops. There were examples of domain names previously used by politicians, foreign embassies, commercial businesses and many other domain name registrants.

The figures extracted from the Danish study mentioned show that for the period between October 2014 and October 2015, there were 566 .dk domains that were re-registered by suspected infringers of trade marks immediately after the domain names had been given up by their previous registrants and became available for re-registration.

The research carried out covered only the Danish ccTLD .dk, but the activities identified indicated that it was likely that the same activity was also undertaken by suspected trade mark infringers in other European countries. Based on this, the EUIPO decided to look further into this specific issue in Phase 2 of the research project, focusing on four European countries with large e-commerce sectors7. Under these criteria, Sweden, which as a Scandinavian country would be assumed comparable to Denmark, Germany and the United Kingdom, which have very well developed and large e-commerce sectors, and a country with a large e-commerce sector in southern Europe, Spain, were selected.

The task of performing Phase 2 was awarded to Deloitte Advisory S.L. (Spain), in cooperation with a Danish IT forensic investigation expert, Michael Lund, and a Danish specialist in cybercrime, Henrik Bjørner.

<sup>6</sup> The research, which had been conducted by the Danish cybercrime specialist Henrik Bjørner, is available here: http://cybercrime. eu/analysis/analysing-registration-of-previously-used-danish-domain-names/.

Phase 2 has been carried out following the finding that the domains had a prior use and were re-registered by the operators to create e-shops that infringe trade mark rights; however, the algorithm developed in both studies is different, since they have different objectives and the results are not comparable with each other. The Danish study detected the affiliation between suspected Danish e-shops, while the Phase 2 objective is to understand how these operators work in different European countries.





In the initial methodology, it was expected to obtain information from the national domain name registries about previously used domain names that had been re-registered within a period of 12 months after the end of the previous use, followed by an analysis of the current use of those domain names. However, after initial contact with the registries, it was concluded that due to technical reasons and data protection issues, the registries would not be able to provide the required data.

Consequently, a new methodology was devised, which incorporated the use of lists — as complete as possible — of currently registered domain names from each of the four ccTLDs. The current use of each of the domains was then analysed for suspected marketing of trade mark infringing products.

This change in methodology meant a large increase in the number of websites that had to be analysed, but offered a more complete analysis covering nearly all active domain names in each of the four selected ccTLDs. The methodology applied therefore also differed significantly from the Danish study.

## 3.2. Scope and methodology

## 1. Scope

The scope of Phase 2 includes the following elements:

- detection and analysis of e-shops susceptible of infringing the trade mark rights of others;
- analysis of utilisation of previously used domain names to direct internet traffic to such e-shops;
- analysis of the possible affiliation between the e-shops;
- analysis of the resilience against enforcement action of the e-shops;
- drafting of a research study report describing the applied methodology and presenting the findings from the research.

The overall purpose of the Phase 2 research was to enhance the level of understanding about the ways the DNS is used to direct internet traffic to e-shops marketing goods susceptible of trade mark infringement, how these e-shops function and are affiliated and how they react to enforcement action, and thereby to provide policymakers, enforcers, civil society and private businesses with new knowledge. At the same time, it was also the purpose to provide a basis for subsequent identification of possible responses to tackle the challenge of commercial scale online trade mark infringements more effectively.

#### 2. Data acquisition methodology

After it was decided to analyse Sweden, Germany, the United Kingdom and Spain, lists of domains under the ccTLDs of the four countries were obtained.

For Sweden, a complete list of registered domain names was publicly available through the website of the Swedish domain name registry, IIS.

For Germany, the United Kingdom and Spain, a list of domain names was obtained for each ccTLD from a commercial provider. These commercial domain name lists were considered sufficiently representable as they covered a large percentage of the domain names under the relevant ccTLD8.

The numbers of suspected e-shops have been calculated based on these commercial lists — as the numbers of registered domain names are higher still — the number of suspected e shops could only be even higher than those detected in this study.

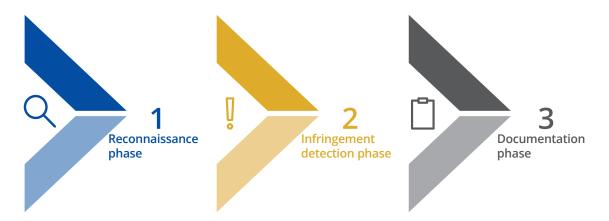


#### 3. Website analysis

The overall goal of the e-shop analysis was to detect e-shops marketing suspected trade mark infringing goods. To achieve this on the large scale needed, an automated process was developed, where each domain name, and connected publicly available website would pass through a set of analytical modules to finally establish a threshold score, classifying the website as either suspected of trade mark infringing or not. Specific findings and results are based on a 'snapshot' from the day of crawling.

The analytical modules used in the process each served specific purposes to facilitate information gathering and content analysis.

The demanding and complicated process of analysing several million domain names and related websites can be divided into three main phases:



#### 1. Reconnaissance phase

The purpose of the initial phase was to determine which domain names were actively connected to a website. If that was the case, information from the active website was gathered. This included metadata9, website source code10 and other technical information, which was then used in the following phase<sup>11</sup>.

#### 2. Infringement detection phase

During this phase, the website information collected was passed through a set of technical modules aiming to detect e-shop infrastructure and specific source code characteristics that indicate an e-shop suspected of marketing trade mark infringing goods. This would include, inter alia, unusual price tags, massive discounts across all products, lack of proper company

Metadata refers to HTML elements that display information about the web page that contains such elements.

<sup>10</sup> Source code is the source of a computer program. It contains declarations, instructions, functions, loops and other statements, which act as instructions for the program on how to function.

<sup>11</sup> If a domain redirected to another TLD e.g. .com or .eu, it was not included in the analysis. If a domain redirected to another domain with the same country extension, only the end domain of the redirection was included in the analysis.

information and specific recurrent website structure. A proprietary algorithm then calculated a score based on the cumulative results from each module. The score level determined whether a website was considered a suspected trade mark infringing e-shop or not<sup>12</sup>.

### 3. Documentation phase

This phase aimed to collect and generate the relevant documentation about the detected suspected trade mark infringing e-shops. A visual copy of the website<sup>13</sup>, current Whois<sup>14</sup> and hosting information<sup>15</sup> were among the details that were documented for each e-shop.

Based on the analysis, 40 concrete case studies were carried out. The case studies can be found in the Annex to this report.

The present report incorporates a no-name policy regarding domain names, brands, companies, registrars, hosting providers, etc. Therefore, the specific names are replaced by symbolic names such as Domain001-se and Brand 000001.

### 4. Structure of website analysis

The complete analysis of each country was divided into 17 different sections that identified different data from each e-shop. The data covered technical data, domain registration data and e-shop content data. This structure supported generation of statistics, visualisation and pattern recognition.

<sup>12</sup> All findings in this analysis are based on website content/data.

<sup>13</sup> Screenshots were taken of each suspected e-shop.

<sup>14</sup> The domain name registrant at the time of the analysis.

<sup>15</sup> Information about the hosting country, software used, etc.



Category	Description
Detected e shops within the domains analysed	The total number of identified e-shops contrasted with the total number of active websites in the ccTLD.
Suspected e shops within the domains analysed	The total number of e-shops suspected of infringing trade marks of others contrasted with the total number of analysed active websites in the ccTLD.
Suspected e shops within the total of the e-shops analysed	E-shops suspected of infringing trade marks contrasted with the total identified e-shops in the ccTLD.
Available currencies used for payments	Payment currencies available on the website through the e shops currency selector.
Communication form	Information about the sources available on the contact page to contact the entity responsible for operating the e-shop.
Software used by e-shops	Software used by the e-shop.
Hosting information	The hosting of the e-shop, ranging from the city where the hosting is located to geolocation information.
HTML Language tag	HTML language tab on the e-shop.
Affected brand information	Brands affected by the marketing of suspected trade mark infringing products. An algorithm was used to analyse the front page of the e-shop (page title, description, keywords and the product displayed) and to detect the brand names affected.
Name server	The name server used by an e-shop.
Spectrum of products offered	Analysis of the number of products offered by the e-shop by using the onsite search feature.
Previous versions of website	Identification of archived versions of previous websites using the domain name in question.
Web server software	Software applied by the web server.
Whois information	Information extracted from publicly available Whois records.
Whois record changes	Month and year when the domain name Whois record was last changed.
Current domain registration	The year the domain name was last registered.
Domain name expiry	Year the current domain name registration expires

#### 5. Case studies and prior use analysis

As previously described, Phase 1 provided an overview of the different business models used for online IPR infringements. During its execution, an analytical method was developed to identify, dissect, analyse, describe and present any IPR-infringing business model in the online environment. The method comprised of two main tools, namely a Taxonomic Matrix', which systematically identifies and presents the main characteristics of suspected IPR-infringing business models and a 'Business Model Canvas' describing the specific features of each analysed online business model.

The following canvas template was used to describe and illustrate each identified business model.

- 1. **Digital Platform**: description of the digital platform used, including information about whether the platform is on the open internet or on Darknet and whether the services are freely accessible or access is restricted.
- 2. **Products and Services**: description of what is actually offered by the business, such as IPRinfringing products or access to copyright protected works, including an indication of the variety, quality and availability as well as the pricing.
- 3. Involved IP-right(s): identification of which IPRs are affected by the commercial activity.
- 4. **Identification of the Infringer**: an indication of whether the name and contact information of the operator of the business is immediately available, including Whois information for the involved domain name.
- 5. Revenue Sources: a description of the revenue sources, including how revenue is obtained through direct sale, sales commission, subscription, pay-per-click, advertisement, donation or fraud. Payment options in fiat as well as virtual currencies are also identified.
- 6. Customer Relations: elements concerning the customer relations of the business such as accessibility, login features, delivery and shipment features and return/refund policies. It is indicated whether the business model seems deceptive or non-deceptive towards its immediate customers.
- 7. Resilience Against Enforcement Action: an indication of whether the provided service is subject to extra-judicial enforcement, such as notice-and takedown complaints. It is further indicated whether the provider of the service has indicated that they have taken steps to counteract possible enforcement actions.
- 8. Marketing Channels and Internet Traffic Features: description of the business activities marketed, the use of legal as well as illegal internet traffic redirection, participation in advertising networks or affiliate programs, and use of unsolicited marketing such as phishing emails.
- 9. Customer Incentives: an indication of which initiatives the business has in place to retain and increase their customer base.



Based on this methodology, 40 case studies related to e-shops suspected of marketing trade mark infringing goods have been conducted as part of Phase 2.

The analysis detected 27 870 e-shops suspected of marketing trade mark infringing goods in Sweden, Germany, the United Kingdom and Spain. Of these e-shops, it was possible to determine that 75.35 % had previously been used for purposes unrelated to the current e-shop. It has not been possible to detect prior use for 24.65 %, due to either a lack of historical information or because the domain name was not previously registered.

By further analysis of these e-shops, the prior use can be divided into these 10 main categories:

- 1. Public, international and interest organisations
- 2. Financial sector
- 3. News, media and information websites
- 4. Other businesses
- 5. Political debate and propaganda
- 6. Voluntary work
- 7. Cultural and religious websites
- 8. Private associations
- 9. Famous people and fan clubs
- 10. Adult and dating websites.

The 40 case studies were selected from the pool of suspected infringing e-shops with a different prior use and include examples from all 10 main categories and all four ccTLDs.

The following are examples of case study summaries<sup>16</sup> representing the different prior use categories:

- In the Domain001-se<sup>17</sup> case study, the prior use of the domain name was to direct internet traffic to a Swedish language website with information from the European Parliament to the Swedish public.
- In the Domain002-se case study, the prior use of the domain name was to direct internet traffic to a Swedish language website with information about a financial interest group, focusing on a specific Swedish bank.
- In the Domain003-es case study, the prior use of the domain name was to direct internet traffic to a Spanish language website with information about cancer and related treatments.
- In the Domain004-de case study, the prior use of the domain name was to direct internet traffic to a German language website with information from a dental practice.

<sup>16</sup> Further information about the case studies can be found in Annex1. Case studies.

<sup>17</sup> The domain names have been anonymised due to the no-name policy.

- In the Domain005-es case study, the prior use of the domain name was to direct internet traffic to a Spanish language website with information about a political group.
- In the Domain006-de case study, the prior use of the domain name was to direct internet traffic to a German language website with information about voluntary firefighters.
- In the Domain007-de case study, the prior use of the domain name was to direct internet traffic to a German language website with information about a ballet school.
- In the Domain008-es case study, the prior use of the domain name was to direct internet traffic to a Spanish language website with information about a local badminton club.
- In the Domain009-co-uk case study, the prior use of the domain name was to direct internet traffic to an English language website with information about a famous rugby player.
- In the Domain010-co-uk case study, the prior use of the domain name was to direct internet traffic to an English language website with information about a local escort service.

In all of these examples, the domain names at the time of analysis directed internet traffic to e-shops suspected of marketing trade mark infringing goods.

There was no correlation between the previous use of the domain name and the current sales of products in any of the 40 case studies that were carried out. Even if the domain had

previously been used for marketing goods, the current e-shops were marketing a different type of product at the time of analysis.

The case studies indicate that the sole reason for re-registration of the domain names is to benefit from the popularity of the website that was previously identified by the domain name. The benefits would include search engine indexing, published reviews of services and/or products and links from other websites that had not yet taken the current use into consideration.

## 3.3. Domain name system

The Domain name system (DNS) is the protocol on the internet that turns comprehensible website names for humans, such as euipo.europa.eu, into machine-readable internet addresses called 'IP addresses', such as 109,232,208,230. These allow the users to connect to the destination web server where the website content is hosted.

The DNS service is indispensable to the functioning of the internet, as DNS failure will make a website unreachable unless the user knows the IP address of the website's hosting provider.

According to the latest report of CENTR (Council of European National Top-Level Domain Registries)<sup>18</sup>, the first quarter of 2017 closed with approximately 311 million domain name registrations across all TLDs of the world.

<sup>18</sup> https://www.centr.org/statistics-centr/quarterly-reports.html.



The two categories of Top Level Domains (TLDs) are generic Top Level Domains (gTLDs) and country code Top Level Domains (ccTLDs). There are currently more than 2 000 active gTLDs including .com, .net, .org, .info, .xyz, .blog and .app. A ccTLD is connected to a specific country. In accordance with a publication of Nominet<sup>19</sup>, the largest ccTLDs in March 2016 were:

Tokelau	China	Germany	UK	Netherlands
	*:			
.tk	.cn	.de	.uk	.nl
31 311 498	16 810 737	16 054 043	10 706 506	5 602 486
Russia	Brazil	Australia	France	Italy
		*		
.ru	.br	.au	.fr	.it
5 074 320	3 730 643	3 011 250	2 944 404	2 886 673

Regarding the domain registration process, on a general basis, the registrant<sup>20</sup> checks the availability of the desired domain, and then provides personal data and pays a registrar<sup>21</sup> for the domain name purchase. This request is approved by the registry<sup>22</sup>. In addition to registering the domain name, the registrant needs to have the domain listed in name servers<sup>23</sup>, making the domain reachable on the internet. The registrant is responsible for hiring a hosting service for the domain. These kinds of services are offered by hosting service providers, also known as HSPs<sup>24</sup>.

The domain name registry for the Swedish .se ccTLD is IIS<sup>25</sup>. In December 2016, the Swedish ccTLD comprised approximately 1.4 million<sup>26</sup> domains.

The domain name registry for the German .de ccTLD is DENIC<sup>27</sup>. In September 2016, the German ccTLD comprised approximately 16 million domains<sup>28</sup>.

<sup>19</sup> https://www.nominet.uk/mapping-the-online-world/.

<sup>20</sup> The registrant is the individual who wants to register a domain.

<sup>21</sup> The registrar is an organisation or commercial entity accredited by ICANN and certified by the registry in charge of managing domain names and selling them to the public.

<sup>22</sup> A registry is an organisation that manages domain name registration and maintains all administrative data. They control the policies of domain name allocation and work with registrars to sell domain names.

<sup>23</sup> A name server is a specialised server that translates text into IP addresses and makes it possible to access a website by typing the

<sup>24</sup> A hosting service provider (HSP) provides and serves resources to individuals and organisations for hosting their websites. They offer hardware, software, storage, network and/or their combined solutions to enable web hosting services.

<sup>25</sup> https://www.iis.se/.

<sup>26</sup> https://www.iis.se/english/about-iis/.

<sup>27</sup> https://www.denic.de/en/.

<sup>28</sup> https://www.denic.de/en/.

The domain name registry for the United Kingdom .uk ccTLD is Nominet<sup>29</sup>. In August 2016, the United Kingdom ccTLD comprised approximately 10.6 million domains<sup>30</sup>.

The domain name registry for the Spanish .es ccTLD is Red.es<sup>31</sup>. In October 2016, the Spanish ccTLD comprised approximately 1.8 million domains<sup>32</sup>.

## 3.4. Current e-commerce landscape

Electronic commerce or e-commerce covers any type of commercial transaction that involves the transfer of information across the internet, including different types of business-tobusiness (B2B) and business-to-consumer (B2C) services. B2C e-commerce allows businesses to market goods and services electronically to consumers with few barriers of time or distance. The analysis carried out in this report targets B2C e-shops that market physical goods to consumers primarily in Sweden, Germany, the United Kingdom and Spain.

The statistics in this chapter come from the Eurostat 2016 survey into information and communication technology usage in households and by individuals<sup>33</sup>.

'Two thirds of internet users in the 12 months prior to the survey (hereafter referred as "internet users") made online purchases in the same period. Overall, the share of e-shoppers in internet users is growing, with the highest proportions being found in the 16-24 and 25-54 age groups (68 % and 69 % respectively).

The proportion of e-shoppers varied considerably across Member States, ranging from 18 % of internet users in Romania to 87 % in the United Kingdom.

The most popular type of goods and services purchased online in the EU was clothes and sport goods (61 % of e-buyers), followed by travel and holiday accommodation (52 %). E shoppers aged 16-24 were the top age group when it came to clothes and sports goods purchases (69 %), those aged 25-54 in buying household goods (49 %) and the older age group (55-74) in online purchases of travel and holiday accommodation (57 %).

In terms of frequency, the highest proportion of e-shoppers made purchases in the three months prior to the survey only once or twice (35 %). In terms of amount spent, the highest proportion of e-buyers (40 %) bought goods or services for a total of €100-499.

32 % of e-buyers purchased from other EU Member States, compared with 25 % in 2012.'

'Main statistical findings', Eurostat

<sup>29</sup> http://www.nominet.uk/about/.

<sup>30</sup> https://www.nominet.uk/registry-services/why-nominet/.

<sup>31</sup> http://www.red.es/redes/en/guienes-somos.html.

<sup>32</sup> http://www.dominios.es/dominios/en/todo-lo-que-necesitas-saber/estadisticas.

<sup>33</sup> http://ec.europa.eu/eurostat/statistics-explained/index.php/E-commerce\_statistics\_for\_individuals.



For Sweden, it was found that 95 % of the population had used the internet within the last 12 months. It was found that 76 % had made online purchases in the same period.

For Germany, the numbers were a little lower as it was found that 91 % had used the internet and 74 % had made online purchases.

In the United Kingdom, 95 % had used the internet and 83 % had made online purchases.

In Spain, 81 % had used the internet and 41 % had made online purchases.

## 4. Core Analysis

#### 4.1. Sweden

#### 1. Overview

The analysis was carried out in the period from 8 to 10 December 2016.

The total number of .se domain names at the time of analysis was 1 386 391. Out of these, 1 259 990 connected to an active website.

During the analysis, a total of 33 212 e-shops marketing goods was detected.

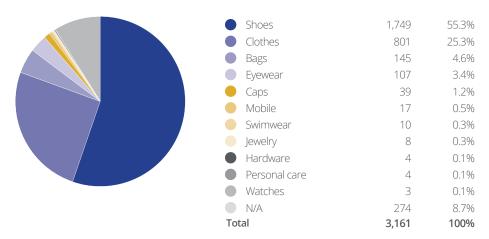
Out of these 33 212 e-shops, 3 161 (9.5 %) were suspected of marketing trade mark infringing goods.

Of these 3 161 e-shops in Sweden, 2 444 were (77.3 %) connected to a domain name that had previously been used for a different purpose from the current e-shop.

## 2. Suspected trade mark infringements

The analysis shows that the main product category affected<sup>34</sup> by the suspected trade mark infringing marketing was 'Shoes', with a total percentage of 55.3 % (1 749 suspected e-shops). The second largest product category affected was 'Clothes', with a total percentage of 25.3 % (801 suspected e-shops)<sup>35</sup>.

## Main Product Category



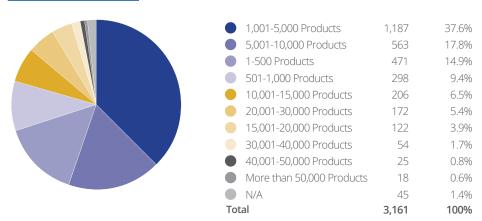
<sup>34</sup> This analysis shows the main product category affected in each domain analysed. In the pages that contain many different categories, the main category is the one with the highest percentage of products offered.

<sup>35</sup> It was not possible to determine the main product category affected for 274 e-shops.



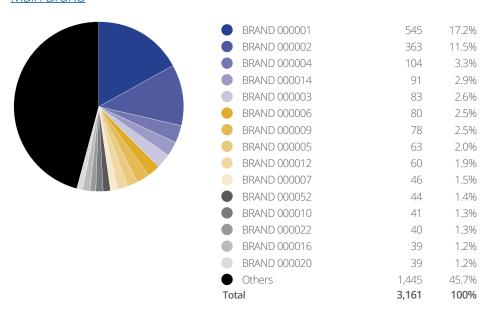
The data shows that there were 1 187 suspected e-shops<sup>36</sup> (37.6 % of the total of suspected e-shops) that offered between 1 001 and 5 000 different products. Altogether, 563 suspected e-shops (17.8 % of the total of suspected e-shops) offered between 5 001 and 10 000 different products<sup>37</sup>.

### Number of Products



The brands<sup>38</sup> mainly affected were Brand 000001 and Brand 000002. There are 545 suspected e-shops (17.2 %) where the brand mainly affected is Brand 000001. In 363 suspected e-shops (11.5 %), the brand mainly affected is Brand 000002.

#### Main Brand



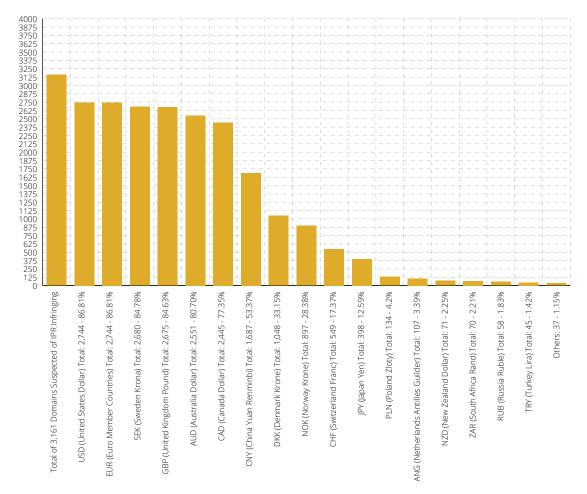
<sup>36</sup> The number of products on each e-shop was detected by using the on-site search feature.

It was not possible to determine the number of products offered for 45 e-shops.

<sup>38</sup> This analysis shows the main brand affected in each domain analysed. In the pages that contain many different brands, the main brand is the one with the highest percentage of branded products offered.

Regarding the currencies available<sup>39</sup> in the payment module of the website<sup>40</sup>, 86.81 % of the suspected e-shops accept USD, 86.81 % accept EUR, 84.78 % accept SEK and 84.63 % accept GBP<sup>41</sup>.

Available Payment Currencies
Payment currencies available on the website through the 'currency selector'



<sup>39</sup> Available payment currencies are based on the currency selector on each domain.

<sup>40</sup> ISO 4217 currency codes — http://publications.europa.eu/code/en/en-5000700.htm.

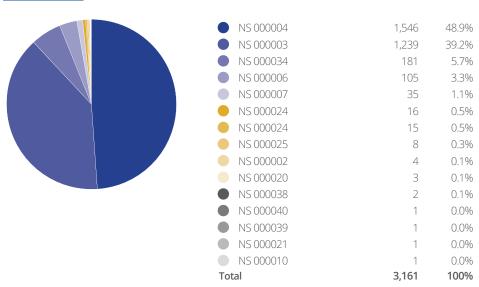
Due to the automatised process, the payment method in each suspected e-shop could not be determined. Through the 40 case studies it has been possible to determine that for those 40 e-shops analysed, the main payment options are Visa, MasterCard and PayPal.



### 3. Website technology and network information

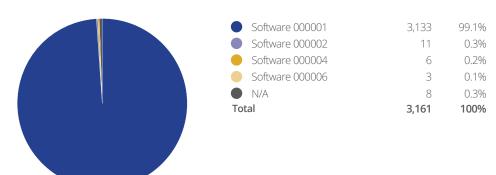
The analysis showed that 1 546 suspected e-shops (48.9 %) used name server<sup>42</sup> NS 000004. The second most used name server was NS 000003, with 1 239 suspected e-shops (39.2 %).





The main 'e-shop software' used is Software 000001. A total of 3 133 suspected e shops (99.1 %) were programmed with this software<sup>44</sup>.

## E-commerce Software

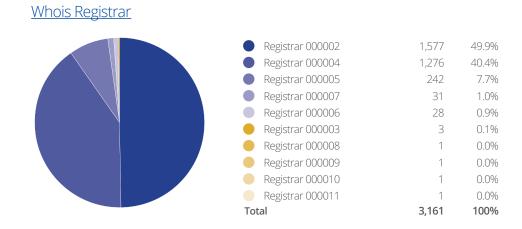


<sup>42</sup> A name server is a specialised server that translates text into IP addresses and makes it possible to access a website by typing the domain name.

<sup>43</sup> Software applied by the web server.

<sup>44</sup> It was not possible to determine the software used for 8 e-shops.

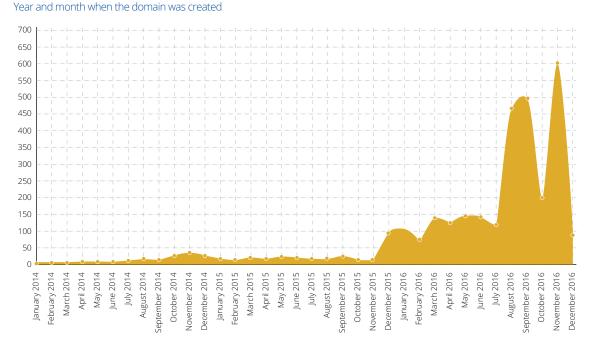
Regarding the registrar, 1 577 suspected e-shops were registered through Registrar 000002 (49.9 %). In total, 1 276 suspected e-shops (40.4 %) were registered through Registrar 000004.



## 4. Domain name registration

Altogether, 2 728 domain names (86.3 %) used to direct internet traffic to the e-shops were registered within the last year, particularly a few months before the analysis.

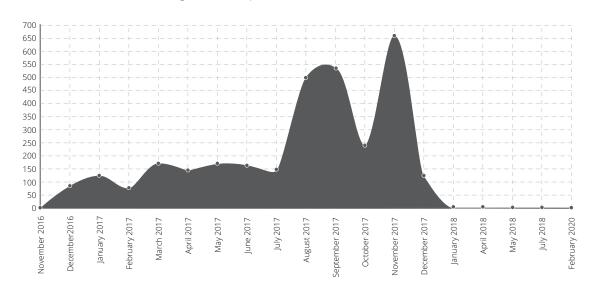
## Year/Month the Domain Was Created





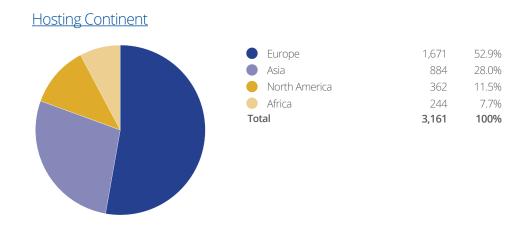
The creation and expiry is similar but 12 months later. There is a minor percentage of domain names that were already re-registered by the current user in the last years.

## Year/Month the Domain Expires Year and month when the domain registration will expire



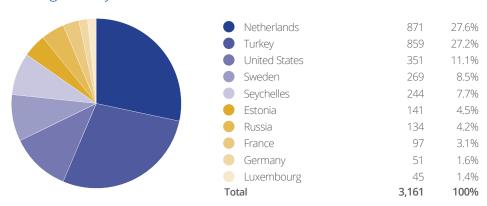
## 5. E-shop hosting

Regarding the continent of origin, 1 671 (52.9 %) suspected e-shops were hosted at IP addresses in Europe.



The analysis shows that 871 suspected e-shops (27.6 %) used hosting providers in the Netherlands, and 859 suspected e-shops (27.2 %) used hosting providers in Turkey.

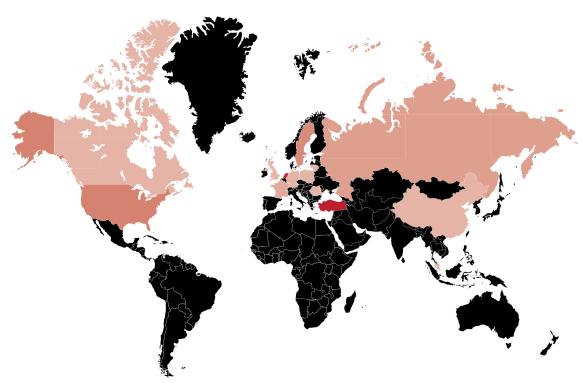
## **Hosting Country**





The following map shows the main countries where the IP addresses of the suspected e shops are hosted.

## Hosting Country - Heatmap - World

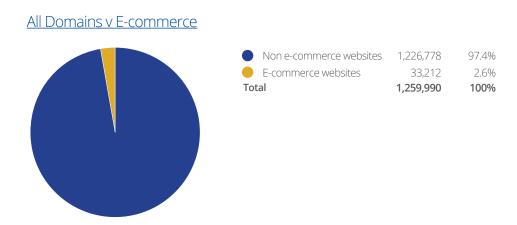


\*No website hosted in the countries coloured in black.

- Between 1 & 59 websites is hosted
- Between 59 & 118 websites is hosted
- Between 118 & 177 websites is hosted
- Between 177 & 236 websites is hosted
- Between 236 & 295 websites is hosted
- Between 295 & 354 websites is hosted
- Between 354 & 413 websites is hosted
- Between 413 & 472 websites is hosted
- Between 472 & 531 websites is hosted
- Between 531 & 590 websites is hosted
- Between 590 & 649 websites is hosted
- Between 649 & 708 websites is hosted
- Detween 649 & 700 websites is nosted
- Between 708 & 767 websites is hostedBetween 767 & 826 websites is hosted
- Between 826 & 885 websites is hosted

### 6. Impact on e-commerce sector

For Sweden, a total of 1 259 990 domain names were analysed, of which 33 212 domains (2.6 %) were directing internet traffic to an e-shop marketing goods.



In the analysis 3 161 domains directed internet traffic to e-shops suspected of marketing trade mark infringing goods, which was 0.3 % of all analysed domains and 9.5 % of the total number of e-shops.

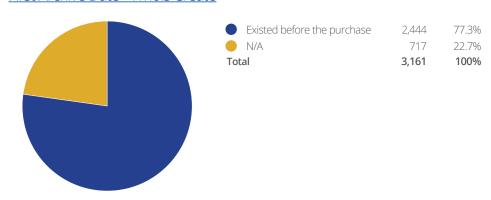




### 7. Prior use analysis

Of 3 161 suspected e-shops in Sweden, 2 444 (77.3 %) applied domain names that were previously used to direct internet traffic to a website with content that was different from the current e-shop suspected of marketing trade mark infringing goods<sup>45</sup>.

## First Archive Date - Whois Create



## 4.2. Germany

#### 1. Overview

The analysis was carried out in the period from 23 November to 6 December 2016.

The total number of .de domain names at the time of analysis was 16 750 153. Out of these, 11 057 426 connected to an active website.

During the analysis, 208 939 e-shops marketing goods were detected.

Out of these 208 939 e-shops, 6 066 (2.9 %) were suspected of marketing trade mark infringing goods.

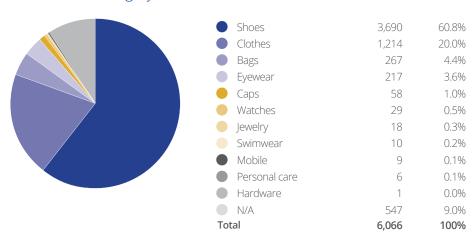
Of these 6 066 e-shops in Germany, 4 864 (80.18 %) were connected to a domain name that had previously been used for a different purpose from the current e-shop.

<sup>45</sup> This analysis consists of automated verification of known prior use of each domain name before the establishment of the suspected infringing e-shop. The analysis used information recorded in the WayBack Machine: www.archive.org. During the analysis, it was found that it was not possible to determine any prior use of the domain name for 22.7% of the suspected e-shops, due to the lack of any WayBack Machine entry or inconsistency of this information.

### 2. Suspected trade mark infringements

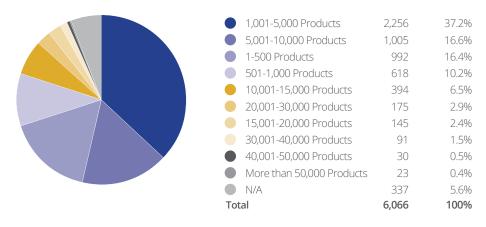
The analysis shows that the main product category affected<sup>46</sup> by the suspected trade mark infringing marketing was 'Shoes', with a total percentage of 60.8 % (3 690 suspected e-shops). The second largest product category affected was 'Clothes', with a total percentage of 20.0 % (1 214 suspected e-shops)<sup>47</sup>.

## Main Product Category



The data shows that there were 2 256 e-shops<sup>48</sup> (37.2 % of the total of suspected e shops) that offered between 1 001 and 5 000 different products. Altogether, 1 005 e shops (16.6 % of the total of suspected e-shops) offered between 5 001 and 10 000 different products<sup>49</sup>.

### Number of Products



<sup>46</sup> This analysis shows the main product category affected in each domain analysed. In the pages that contain many different categories, the main category is the one with the highest percentage of products offered

<sup>47</sup> It was not possible to determine the main product category affected for 547 e-shops.

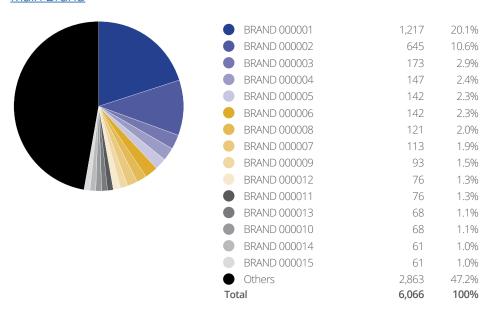
<sup>48</sup> The number of products on each e shop was detected by using the on-site search feature.

<sup>49</sup> It was not possible to determine the number of products offered for 337 e-shops.



The most brands<sup>50</sup> mainly affected were Brand 000001 and Brand 000002. There are 1 217 suspected e-shops (20.1 %) where the brand mainly affected is Brand 000001. In 645 suspected e-shops (10.6 %), the brand mainly affected is Brand 000002.

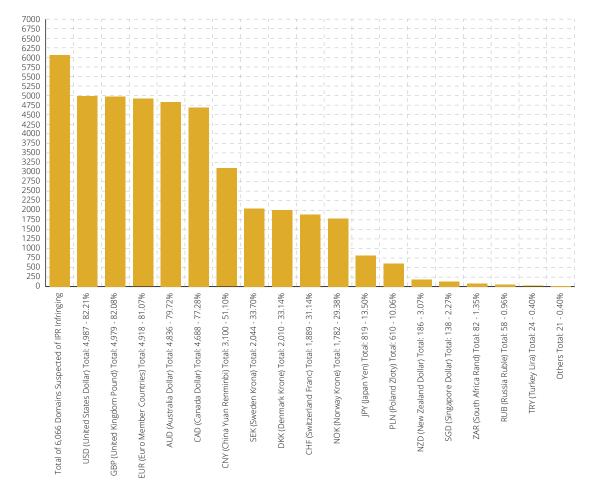
# Main Brand



<sup>50</sup> This analysis shows the main brand affected in each domain analysed. In the pages that contain many different brands, the main brand is the one with the highest percentage of branded products offered.

Regarding the currencies<sup>51</sup> available in the payment module of the website<sup>52</sup>, 82.21 % of the suspected e-shops accept USD, 82.08 % accept GBP, 81.07 % accept EUR and 79.72 % accept AUD<sup>53</sup>.

Available Payment Currencies
Payment currencies available on the website through the 'currency selector'



<sup>51</sup> Available payment currencies are based on the currency selector on each domain.

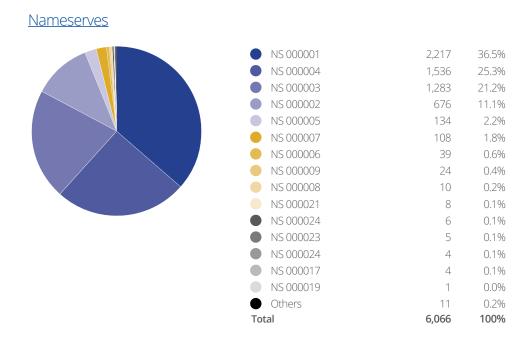
<sup>52</sup> ISO 4217 currency codes — http://publications.europa.eu/code/en/en-5000700.htm.

<sup>53</sup> Due to the automatised process, the payment method in each e-shop could not be determined. Through the 40 case studies it has been possible to determine that for those 40 e-shops analysed, the main payment options are Visa, MasterCard and PayPal.

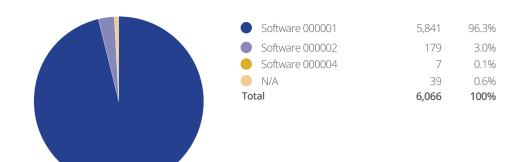


# 3. Website technology and network information<sup>54</sup>

The analysis showed that 2 217 suspected e-shops (38.5 %) used name server<sup>55</sup> NS 000001. The second and third most used name servers were NS 000004 with 1 538 suspected e-shops (25.3 %) and NS 000003 with 1 283 suspected e-shops (21.2 %).



The main 'e-shop software'56 used is Software 000001. A total of 5 841 suspected e shops (96.3 %) used this software<sup>57</sup>.



E-commerce Software

<sup>54</sup> It was not possible to extract information about registrars used in Germany.

<sup>55</sup> A name server is a specialised server that translates text into IP addresses and makes it possible to access a website by typing the domain name.

<sup>56</sup> Software applied by the web server.

<sup>57</sup> It was not possible to determine the software used for 39 e shops.

It has not been possible to indicate the domain name registrars from freely available sources due to certain limitations in the use of WHOIS information for the ccTLD .de.

#### 4. Domain name registration

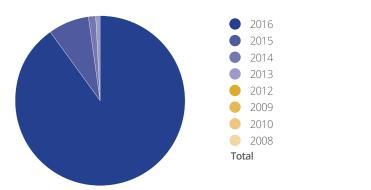
German domain name registration works in a different way from the other countries analysed. These domain names do not expire after an established period of time nor do they have a creation date that is publicly available.

The main data extracted for the German domain names registration was the date when the domain changed.

Additionally<sup>58</sup>, a further analysis has been carried out regarding these domain names, and it can be stated that 80.18 % of these e-shops were registered and used for other purposes prior to their current use.

The year when most domain names directing internet traffic to the suspected e-shops changed was 2016.

# Whois Record Changes



5,465	90.1%
462	7.6%
95	1.6%
35	0.6%
3	0.0%
2	0.0%
2	0.0%
2	0.0%
6,066	100%

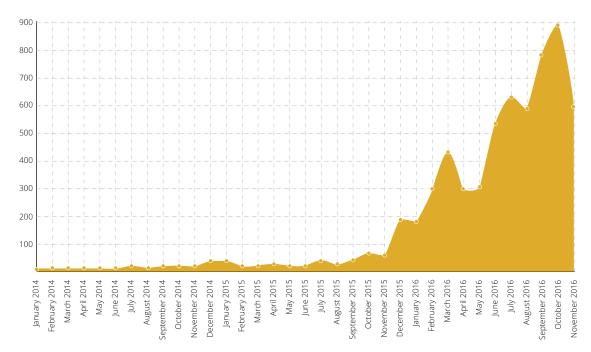
<sup>58</sup> This analysis is presented under 7. 'Prior use analysis'.



Altogether, 5 465 domain names (90.01 %) used to direct internet traffic to the e-shops were registered within the last year, particularly a few months before the analysis.

# Year/Month the Domain Was Created

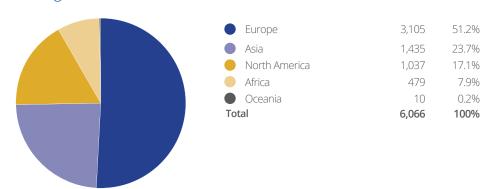
Year and month when the domain was created



# 5. E-shop hosting

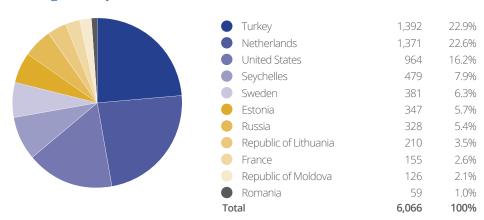
Regarding the continent of origin,  $3\,105$  ( $51.2\,\%$ ) suspected e-shops were hosted at IP addresses hosted in Europe.





The data shows that 1 392 suspected e-shops (22.9 %) used hosting providers in Turkey, and 859 suspected e-shops (27.2 %) used hosting providers in the Netherlands.

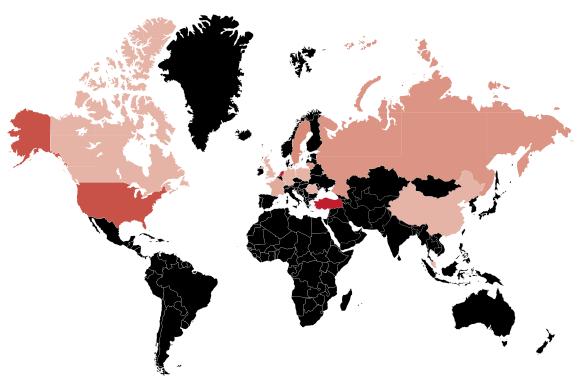
# **Hosting Country**





The following map shows the main countries where the IP addresses of the suspected e shops are hosted.

# Hosting Country - Heatmap - World



\*No website hosted in the countries coloured in black.

- Between 1 & 93 websites is hosted
- Between 93 & 186 websites is hosted
- Between 186 & 279 websites is hosted
- Between 279 & 372 websites is hosted
- Between 372 & 465 websites is hosted
- Between 465 & 558 websites is hosted
- Between 558 & 651 websites is hosted
- Between 651 & 744 websites is hosted
- Between 744 & 837 websites is hosted
- Between 837 & 930 websites is hosted
- Between 930 & 1023 websites is hosted
- Between 1023 & 1116 websites is hosted
- Detween 1025 & 1110 websites is hosted
- Between 1116 & 1209 websites is hosted
- Between 1209 & 1302 websites is hosted
- Between 1302 & 1395 websites is hosted

#### 6. Impact on e-commerce sector

For Germany, a total of 11 057 426 domain names were analysed, of which 208 939 domains (1.9 %) were directing internet traffic to an e-shop marketing goods.



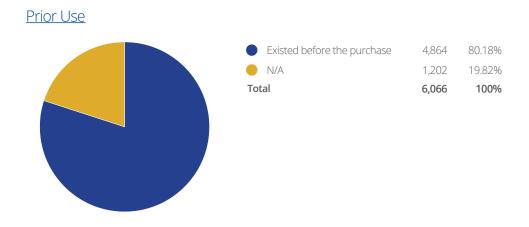
In the analysis, 6 066 domains directed internet traffic to e-shops suspected of marketing trade mark infringing goods. That was 0.1 % of all analysed domains and 2.9 % of the total number of e-shops.





#### 7. Prior use analysis

In Germany<sup>59</sup>, of 6 066 suspected e-shops, 4 864 (80.18 %) applied domain names that were previously used to direct internet traffic to a website with content that was different from the current e-shop suspected of marketing trade mark infringing goods.



# 4.3. United Kingdom

#### 1. Overview

The analysis was carried out in the period from 26 January to 10 February 2017.

The total number of .uk domain names at the time of the analysis was 10 888 258. Out of these, 8 158 245 connected to an active website.

During the analysis, 224 154 e-shops marketing goods were detected.

Out of these 224 154 e-shops, 14 182 (6.3 %) were suspected of marketing trade mark infringing goods.

Of these 14 182 e-shops in the United Kingdom, 10 081 (71.1 %) were connected to a domain name that had previously been used for a different purpose from the current e shop.

#### 2. Suspected trade mark infringements

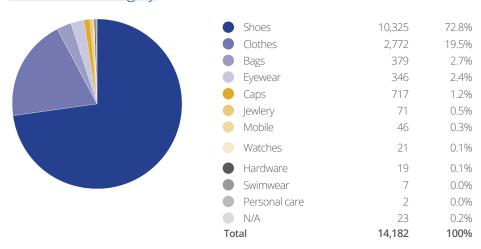
The analysis shows that the main product category affected by the suspected trade mark infringing marketing was 'Shoes', with a total percentage of 72.8 % (10 325 suspected e-shops).

<sup>59</sup> This analysis consists of manual verification of known prior use of each domain name before the establishment of the suspected infringing e-shop. The analysis used information recorded in the WayBack Machine: www.archive.org. During the analysis, it was found that it was not possible to determine any prior use of the domain name for 19.82 % of the suspected e-shops, due to the lack of any WayBack Machine entry or inconsistency of this information.

<sup>60</sup> This analysis shows the main product category affected in each domain analysed. In the pages that contain many different categories, the main category is the one with the highest percentage products offered

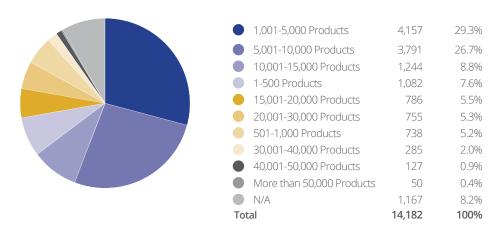
The second largest product category affected was 'Clothes', with a total percentage of 19.5 % (2 772 suspected e-shops)<sup>61</sup>.





The data shows that there were 4 157 suspected e-shops<sup>62</sup> (29.3 % of the total of suspected e-shops), which offered between 1 001 and 5 000 different products. 3 791 suspected e-shops (26.7 % of the total of suspected e-shops) offered between 5 001 and 10 000 different products<sup>63</sup>.

### **Number of Products**



<sup>61</sup> It was not possible to determine the main product category affected for 23 e-shops.

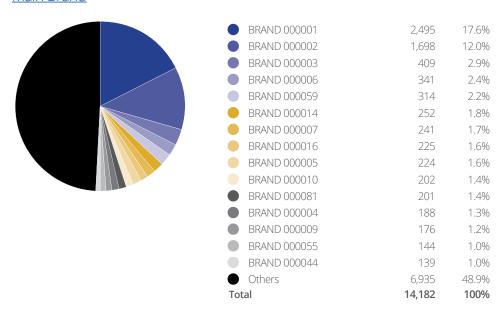
<sup>62</sup> The number of products on each e-shop has been detected by using the on-site search feature.

<sup>63</sup> It was not possible to determine the number of products offered for 1 167 e-shops.



The brands<sup>64</sup> mainly affected were Brand 000001 and Brand 000002. There are 2 495 suspected e-shops (17.6 %) where the brand mainly affected is Brand 000001. In 1 696 suspected e-shops (12 %), the brand mainly affected is Brand 000002.

# Main Brand

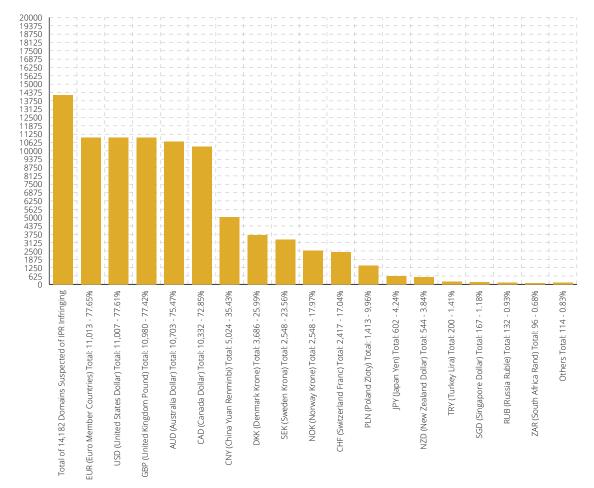


<sup>64</sup> This analysis shows the main brand affected in each domain analysed. In the pages that contain many different brands, the main brand is the one with the highest percentage of branded products offered.

Regarding the currencies<sup>65</sup> available in the payment module of the website<sup>66</sup>, 77.65 % of the suspected e-shops accept EUR, 77.61 % accept USD, 77.42 % accept GBP and 75.47 % accept AUD<sup>67</sup>.

# <u> Available Payment Currencies</u>

Payment currencies available on the website through the 'currency selector'



<sup>65</sup> Available payment currencies are based on the currency selector on each domain.

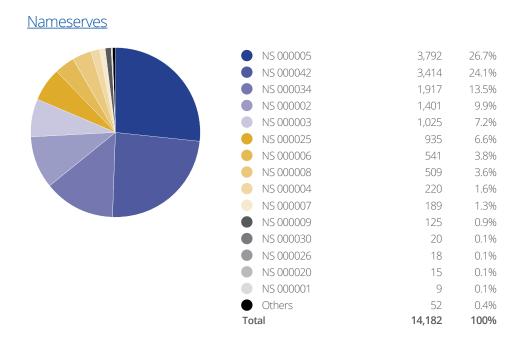
<sup>66</sup> ISO 4217 currency codes — http://publications.europa.eu/code/en/en-5000700.htm.

Due to the automatised process, the payment method in each e-shop could not be determined. Through the 40 case studies it has been possible to determine that for those 40 e-shops analysed, the main payment options are Visa, MasterCard and PayPal.



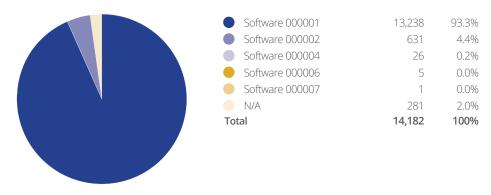
### 3. Website technology and network information

The analysis showed that 3 792 suspected e-shops (26.7 %) used name server<sup>68</sup> NS 000005. The second most used name server was NS 000042, with 3 414 suspected e-shops (24.1 %).



The main 'e-shop software' used is Software 000001. A total of 13 238 suspected e shops (93.3 %) used this software<sup>70</sup>.





<sup>68</sup> A name server is a specialised server that translates text into IP addresses and makes it possible to access a website by typing the

<sup>69</sup> Software applied by the web server.

<sup>70</sup> It was not possible to determine the software used for 281 e-shops.

Regarding the registrar, 7 555 suspected e-shops from the United Kingdom domains analysed were registered through Registrar 000012 (53.3 %). There were 4 696 suspected e-shops (33.1 %) registered through Registrar 000013.



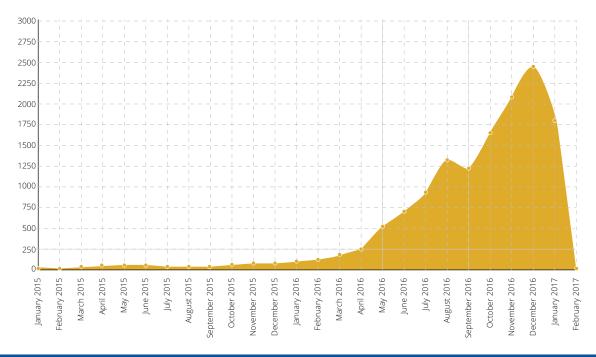


# 4. Domain name registration

Altogether, 11 744 domain names (82.8 %) used to direct internet traffic to e shops were registered within the last year, particularly a few months before the analysis.

# Year/Month the Domain Was Created

Year and month when the domain was created

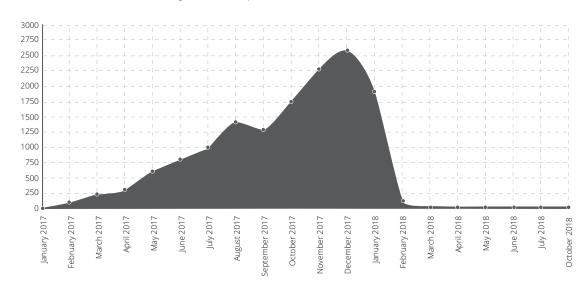




The creation and expiry is similar but 12 months later. There is a minor percentage of the domain names that were already re-registered by the current user in the last few years.

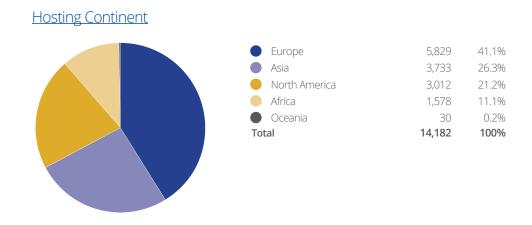
# Year/Month the Domain Expires

Year and month when the domain registration will expire



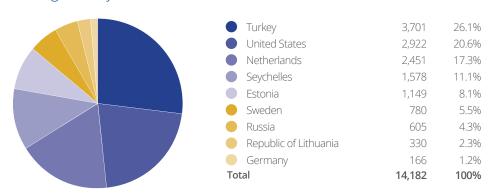
# 5. E-shop hosting

Regarding the continent of origin, 5 829 (41.1 %) suspected e-shops were hosted at IP addresses in Europe.



The analysis shows that 3 701 suspected e-shops (26.1 %) used hosting providers in Turkey.

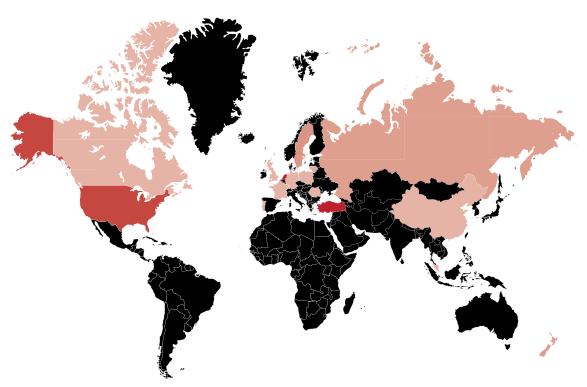
# **Hosting Country**





The following map shows the main countries where the IP addresses of the suspected e shops are hosted.

# Hosting Country - Heatmap - World



\*No website hosted in the countries coloured in black.

- Between 1 & 247 websites is hosted
- Between 247 & 494 websites is hosted
- Between 494 & 741 websites is hosted
- Between 741 & 988 websites is hosted
- Between 988 & 1235 websites is hosted
- Between 1235 & 1482 websites is hosted
- Between 1482 & 1729 websites is hosted
- Between 1729 & 1976 websites is hosted
- Between 1976 & 2223 websites is hosted
- Between 2223 & 2470 websites is hosted
- Between 2470 & 2717 websites is hosted
- Between 2717 & 2964 websites is hosted
- Between 2964 & 3211 websites is hosted
- Between 3211 & 3458 websites is hosted
- Between 3458 & 3705 websites is hosted

### 6. Impact on e-commerce sector

For the United Kingdom, a total of 7 934 091 domain names were analysed, of which 224 154 domain names (2.7%) were directing internet traffic to an e-shop marketing goods.





In the analysis, 6 066 domain names directed internet traffic to e-shops suspected of marketing trade mark infringing goods. That was 0.1 % of all domain names analysed and 2.9 % of the total number of e-shops.

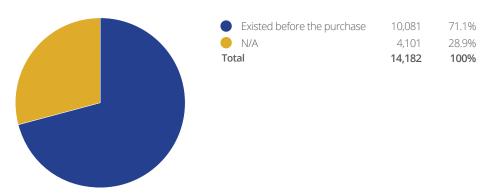




### 7. Prior use analysis

Of 14 182 suspected e-shops in the United Kingdom, 10 081 (71.1 %) applied domain names that were previously used to direct internet traffic to a website with content that was different from the current e-shop suspected of marketing trade mark infringing goods<sup>71</sup>.





# 4.4. Spain

#### 1. Overview

The analysis was carried out in the period between 10 and 11 January 2017.

The total number of .es domain names at the time of the analysis was 1 113  $619^{72}$ . Out of these, 1 047 780 connected to an active website.

During the analysis a total of 49 147 e-shops marketing goods were detected.

Out of these 49 147 e-shops, 4 461 (9.1 %) were suspected of marketing trade mark infringing goods.

Of these 4 461 e-shops in Spain, 3 612 (81 %) were connected to a domain name that had previously been used for a different purpose from the current e-shop.

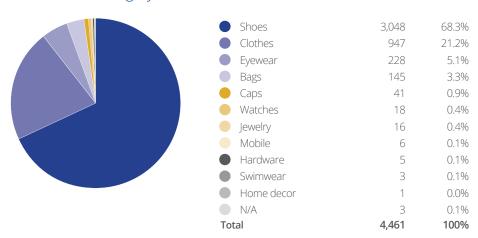
<sup>71</sup> This analysis consists of automated verification of known prior use of each domain name before the establishment of the suspected infringing e-shop. The analysis used information recorded in the WayBack Machine: www.archive.org. During the analysis, it was found that it was not possible to determine any prior use of the domain name for 28.9% of the suspected e-shops, due to the lack of any WayBack Machine entry or inconsistency of this information.

<sup>72</sup> This is the number of domains contained in the purchased list; it represents around 60 % of the Spanish domains. If all domain names had been available in that list, the figure of suspected e-shops would probably have been even higher than the numbers given.

### 2. Suspected trade mark infringements

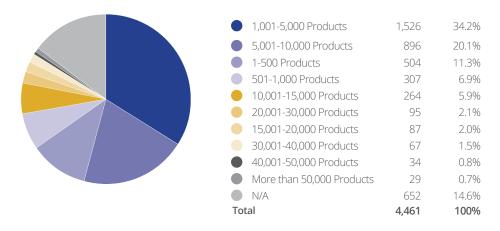
The analysis shows that the main product category affected<sup>73</sup> by the suspected trade mark infringing marketing was 'Shoes', with a total percentage of 68.3 % (3 048 suspected e-shops). The second largest product category affected was 'Clothes', with a total percentage of 21.2 % (947 suspected e-shops)74.





The data shows that there were 1 526 suspected e-shops<sup>75</sup> (34.2 % of the total of suspected e-shops) that offered between 1 001 and 5 000 different products. Altogether, 896 suspected e-shops (20.1 % of the total of the suspected e-shops) offered between 5 001 and 10 000 different products<sup>76</sup>.

#### Number of Products



<sup>73</sup> This analysis shows the main product category affected in each domain analysed. In the pages that contain many different categories, the main category is the one with the highest percentage of products offered.

<sup>74</sup> It was not possible to determine the main product category affected for 3 e-shops.

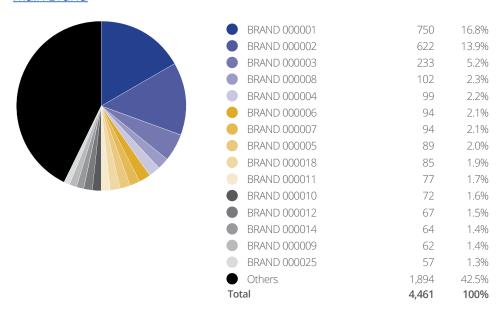
<sup>75</sup> The number of products on each e shop has been detected by using the on-site search feature.

<sup>76</sup> It was not possible to determine the number of products offered for 652 e-shops.



The brands<sup>77</sup> mainly affected were Brand 000001 and Brand 000002. There are 750 suspected e-shops (16.8 %) where the brand mainly affected is Brand 000001. The brand mainly affected is Brand 000002 in 622 suspected e-shops (13.9 %) Brand 000002.

# **Main Brand**

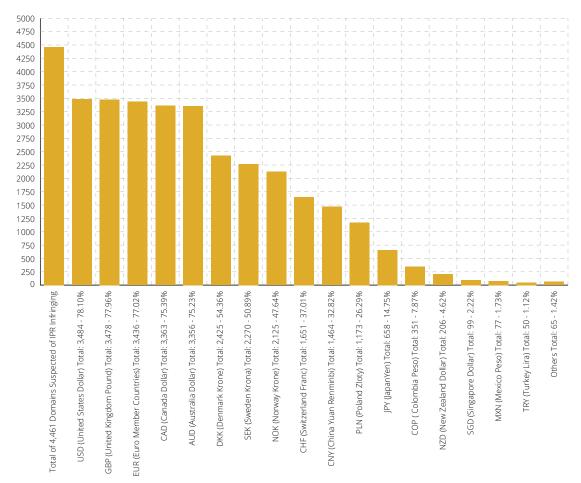


<sup>77</sup> This analysis shows the main brand affected in each domain analysed. In the pages that contain many different brands, the main brand is the one with the highest percentage of branded products offered.

Regarding the currencies<sup>78</sup> available in the payment module of the website<sup>79</sup>, 78.10 % of the suspected e-shops accept USD, 77.96 % accept GBP, 77.02 % accept EUR and 75.39 % accept CAD<sup>80</sup>.

#### <u> Available Payment Currencies</u>

Payment currencies available on the website through the 'currency selector'



<sup>78</sup> Available payment currencies are based on the currency selector on each domain.

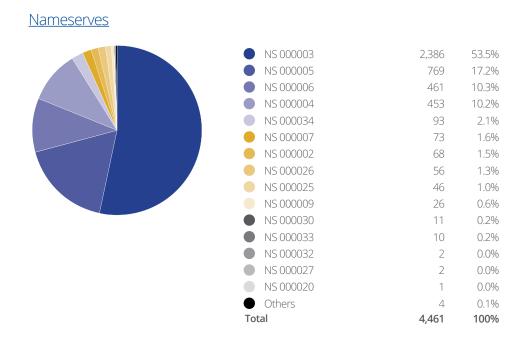
<sup>79</sup> ISO 4217 currency codes — http://publications.europa.eu/code/en/en-5000700.htm.

<sup>80</sup> Due to the automatised process, the payment method in each e-shop could not be determined. Through the 40 case studies it has been possible to determine that for those 40 e-shops analysed, the main payment options are Visa, MasterCard and PayPal.

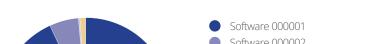


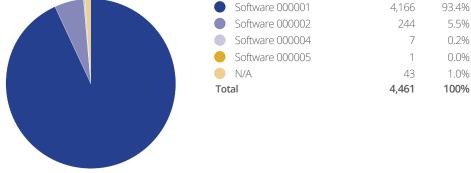
# 3. Website technology and network information81

The analysis showed that 2 386 suspected e-shops (53.5 %) used name server<sup>82</sup> NS 000003. The second, third and fourth most used name server were NS 000005 with 769 suspected e shops (17.2 %), NS 000006 with 461 suspected e-shops (10.3 %) and NS 000004 with 453 suspected e-shops (10.2 %).



The main 'e-shop software'83 used is Software 000001. A total of 4 461 suspected e shops (93.4 %) used this software<sup>84</sup>.





<sup>81</sup> It was not possible to extract the information about registrars used in Spain.

E-commerce Software

<sup>82</sup> A name server is a specialised server that translates text into IP addresses and makes it possible to access a website by typing the domain name.

<sup>83</sup> Software applied by the web server.

<sup>84</sup> It was not possible to determine the software used for 43 e-shops.

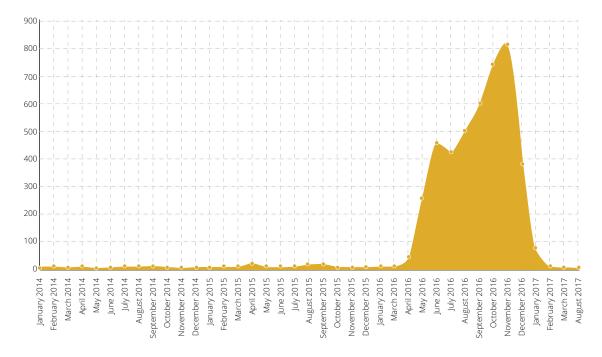
It has not been possible to indicate the domain name registrars from freely available sources, as that information is not available in the WHOIS information for ccTLD .es.

# 4. Domain name registration

Altogether, 4 214 domain names (94.5 %) used to direct internet traffic to the e-shops were registered within the last year, particularly a few months before the analysis.

# Year/Month the Domain Was Created

Year and month when the domain was created

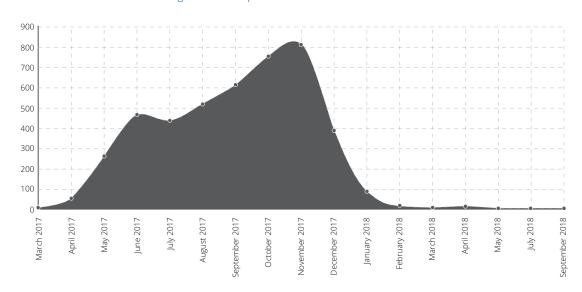




The creation and expiry is similar but 12 months later. There is a minor percentage of domain names that were already re-registered by the current user in the last few years.

# Year/Month the Domain Expires

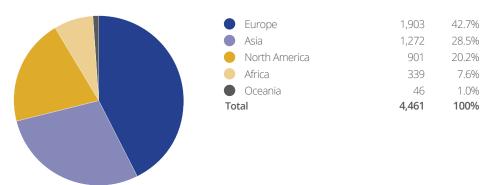
Year and month when the domain registration will expire



# 5. E-shop hosting

Regarding the continent of origin, 1 903 (42.7 %) suspected e-shops were hosted at IP addresses in Europe.





The analysis shows that 1 260 suspected e-shops (28.2 %) used hosting providers in Turkey.

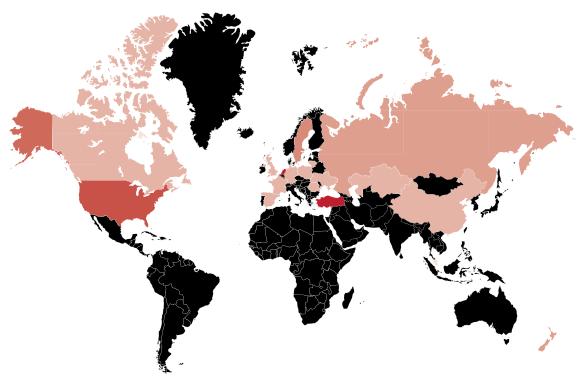
# **Hosting Country**





The following map shows the main countries where the IP addresses of the suspected e shops are hosted.

# Hosting Country - Heatmap - World



\*No website hosted in the countries coloured in black.

- Between 1 & 247 websites is hosted
- Between 247 & 494 websites is hosted
- Between 494 & 741 websites is hosted
- Between 741 & 988 websites is hosted
- Between 988 & 1235 websites is hosted
- Between 1235 & 1482 websites is hosted
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- Between 2223 & 2470 websites is hosted
- Between 2470 & 2717 websites is hosted
- Between 2717 & 2964 websites is hosted
- Between 2964 & 3211 websites is hosted
- Between 3211 & 3458 websites is hosted
- Between 3458 & 3705 websites is hosted

# 6. Impact on e-commerce sector

For Spain, a total of 1 047 780 domain names were analysed, of which 49 147 domains (4.7 %) were directing internet traffic to an e-shop marketing goods.



In the analysis, 4 461 domain names directed internet traffic to e-shops suspected of marketing trade mark infringing goods. That was 0.4 % of all domain names analysed, and 9.1 % of the total number of e-shops.

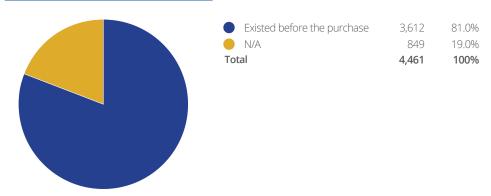




# 7. Prior use analysis

Of 4 461 suspected e-shops in Spain, 3 612 (81 %) applied domain names that were previously used to direct internet traffic to a website with content that was different from the current e-shop suspected of marketing trade mark infringing goods<sup>85</sup>.

# First Archive Date - Whois Create



<sup>85</sup> This analysis consists of automated verification of known prior use of each domain name before the establishment of the suspected infringing e-shop. The analysis used information recorded in the WayBack Machine: www.archive.org. During the analysis, it was found that it was not possible to determine any prior use of the domain name for 19% of the suspected e-shops, due to the lack of any WayBack Machine entry or inconsistency of this information.

# 5. Patterns

# 5.1. Patterns for each country

During the analysis, the following patterns for each country have been identified.

#### 1. Sweden

- 1) Product category:
  - 55.3 % of suspected e-shops offer shoes.
  - 25.3 % of suspected e-shops offer clothes.
- 2) Number of products:
  - 37.6 % of suspected e-shops offer 1 001-5 000 products.
  - 17.8 % of suspected e-shops offer 5 001-10 000 products.
- 3) Main brand affected:
  - 17.2 % of suspected e-shops with Brand 000001 as brand mainly affected.
  - 11.5 % of suspected e-shops with Brand 000002 as brand mainly affected.
- 4) Name server:
  - 48.9 % of suspected e-shops use NS 000004 as name server.
  - 39.2 % of suspected e-shops use NS 000003 as name server.
- 5) E shop software:
  - 99.1 % of suspected e-shops are programmed to use Software 000001.
- 6) Domain name registrar:
  - 49.9 % of suspected e-shops were registered through Registrar 000002.
  - 40.4 % of suspected e-shops were registered through Registrar 000004.
- 7) Time of domain name registration:
  - 86.3 % of suspected e-shops were re-registered in 2016.
- 8) Hosting provider:
  - 27.6 % of suspected e-shops are hosted in the Netherlands.
  - 27.2 % of suspected e-shops are hosted in Turkey.
  - 11.1 % of suspected e-shops are hosted in the United States.
- 9) Prior use:
  - 77.3 % of suspected e-shops were created with different purposes.



#### 2. Germany

- 1) Product category:
  - 60 % of suspected e-shops offer shoes.
  - 20 % of suspected e-shops offer clothes.
- 2) Number of products:
  - 37.2 % of suspected e-shops offer 1 001-5,000 products.
  - 16.6 % of suspected e shops offer 5 001-10 000 products.
- 3) Main brand affected:
  - 20.1 % of suspected e-shops with Brand 000001 as brand mainly affected.
  - 10.6 % of suspected e-shops with Brand 000002 as brand mainly affected.
- 4) Name server:
  - 38.5 % of suspected e-shops use NS 000001 as name server.
  - 25.3 % of suspected e-shops use NS 000004 as name server.
- 5) E-shop software:
  - 96.3 % of suspected e-shops are programmed to use Software 000001.
- 6) Domain name registrar:

It has not been possible to indicate the domain name registrars from freely available sources due to certain limitations in the use of WHOIS information for the ccTLD .de.

- 7) Time of domain name registration:
  - 90.1 % of suspected e-shops were re-registered in 2016.
- 8) Hosting provider:
  - 22.9 % of suspected e-shops are hosted in Turkey.
  - 22.6 % of suspected e-shops are hosted in the Netherlands.
  - 16.2 % of suspected e-shops are hosted in the United States.
- 9) Prior use:
  - 88.89 % of suspected e-shops were created with different purposes.

#### 3. The United Kingdom

- 1) Product category:
  - 72.8 % of suspected e-shops offer shoes.
  - 19.5 % of suspected e-shops offer clothes.
- 2) Number of products:
  - 29.3 % of suspected e-shops offer 1 001-5 000 products.
  - 26.7 % of suspected e-shops offer 5 001-10 000 products.
- 3) Main brand affected:
  - 17.6 % of suspected e-shops with Brand 000001 as brand mainly affected.
  - 12 % of suspected e-shops with Brand 000002 as brand mainly affected.
- 4) Name server:
  - 26.7 % of suspected e-shops use NS 000005 as name server.
  - 24.1 % of suspected e-shops use NS 000042 as name server.
- 5) E shop software:
  - 93.3 % of suspected e-shops are programmed to use Software 000001.
- 6) Domain name registrar:
  - 53.3 % of suspected e-shops were registered through Registrar 000012.
  - 33.1 % of suspected e-shops were registered through Registrar 000013.
- 7) Time of domain name registration:
  - 82.8 % of suspected e-shops were re-registered in 2016.
- 8) Hosting provider:
  - 26.1 % of suspected e-shops are hosted in Turkey.
  - 20.6 % of suspected e-shops are hosted in the United States.
  - 17.3 % of suspected e-shops are hosted in the Netherlands.
- 9) Prior use:
  - 71.1 % of suspected e-shops were created with different purposes.



#### 4. Spain

- 1) Product category:
  - 68.3 % of suspected e-shops offer shoes.
  - 21.2 % of suspected e-shops offer clothes.
- 2) Number of products:
  - 34.2 % of suspected e-shops offer 1 001-5 000 products.
  - 20.1 % of suspected e-shops offer 5 001-10 000 products.
- 3) Main brand affected:
  - 16.8 % of suspected e-shops with Brand 000001 as brand mainly affected.
  - 13.9 % of suspected e-shops with Brand 000001 as brand mainly affected.
- 4) Name server:
  - 53.5 % of suspected e-shops use NS 000003 as name server.
  - 17.2 % of suspected e-shops use NS 000005 as name server.
- 5) E-shop software:
  - 93.4 % of suspected e-shops are programmed to use Software 000001.
- 6) Domain name registrar:

It has not been possible to indicate the domain name registrars from freely available sources, as that information is not available in the WHOIS information for ccTLD .es.

- 7) Time of domain name registration:
  - 94.5 % of suspected e-shops were re-registered in 2016.
- 8) Hosting provider:
  - 28.2 % of suspected e-shops are hosted in Turkey.
  - 19.2 % of suspected e-shops are hosted in the United States.
  - 15.1 % of suspected e-shops are hosted in the Netherlands.
- 9) Prior use:
  - 81 % of suspected e-shops were created with different purposes.

	Sweden	Germany	United Kingdom	Spain
Product category offered in suspected e shops	Shoes (55.3 %) Clothes (25.3 %)	Shoes (60.8 %) Clothes (20 %)	Shoes (72.8 %) Clothes (19.5 %)	Shoes (68.3 %) Clothes (21.2 %)
Number of products offered in suspected e shops	1 001-5 000 (37.6 %) 5 001-10 000 (17.8 %)	1 001-5 000 (37.2 %) 5 001-10 000 (16.6 %)	1 001-5 000 (29.3 %) 5 001-10 000 (26.7 %)	1 001-5 000 (34.2 %) 5 001-10 000 (20.1 %)
Brands mainly affected by trade mark infringements	Brand 000001 (17.2 %) Brand 000002 (11.5 %)	Brand 000001 (20.1 %) Brand 000002 (10.6 %)	Brand 000001 (17.6 %) Brand 000002 (12 %)	Brand 000001 (16.8 %) Brand 000002 (13.9 %)
Name server	NS 000004 (48.9 %) NS 000003 (39.2 %)	NS 000001 (38.5 %) NS 000004 (25.3 %)	NS 000005 (26.7 %) NS 000042 (24.1 %)	NS 000003 (53.5 %) NS 000005 (17.2 %)
E shop software	Software 000001 (99.1 %)	Software 000001 (96.3 %)	Software 000001 (93.3 %)	Software 000001 (93.4 %)
Domain name registrar	Registrar 000002 (49.9 %) Registrar 000004 (40.4 %)	N/A <sup>86</sup>	Registrar 00001 (53.3 %) Registrar 000013 (33.1 %)	N/A <sup>87</sup>
Year of domain name registration	2016 (86.3 %)	2016 (90.1 %)	2016 (82.8 %)	2016 (94.5 %)
Country of hosting provider	Netherlands (27.6 %) Turkey (27.2 %) United States (11.1 %)	Turkey (22.9 %) Netherlands (22.6 %) United States (16.2 %)	Turkey (26.1 %) United States (20.6 %) Netherlands (17.3 %)	Turkey (28.2 %) United States (19.2 %) Netherlands (15.1 %)
Prior use	Existed before (77.3 %)	Existed before (80.18 %)	Existed before (71.1 %)	Existed before (81 %)

<sup>86</sup> It has not been possible to indicate the domain name registrars from freely available sources due to certain limitations in the use of WHOIS

information for ccTLD .de.

87 It has not been possible to indicate the domain name registrars from freely available sources as that information is not available in the WHOIS information for ccTLD .es.



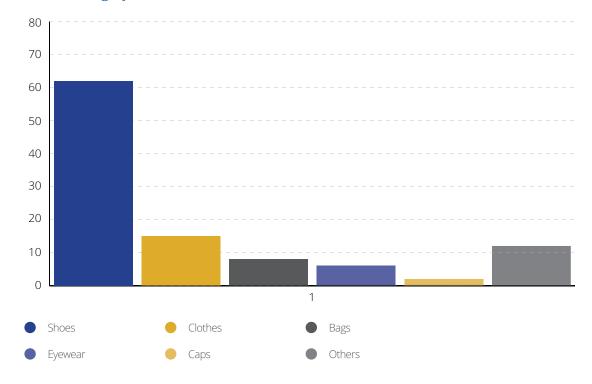
# 5.2. Overall patterns

The research has identified different patterns across all of the four countries.

# 1. Main product categories

Regarding the product categories mainly affected<sup>88</sup> by the suspected infringements, shoes is the category mainly affected in 67.5 % of the suspected e-shops and clothes is the category mainly affected in 20.6 %.

# **Product Category**



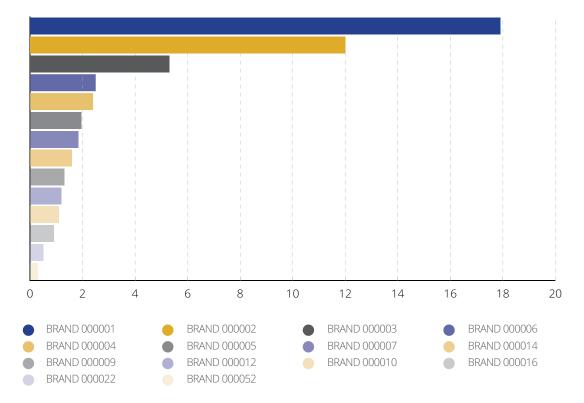
<sup>88</sup> This analysis shows the main product category affected in each domain analysed. In the pages that contain many different categories, the main category is the one with the highest percentage of products offered.

It is noteworthy that the two main product categories match the main product categories identified in the general survey on online purchases by Eurostat as e commerce most purchased products.

#### 2. Main brands affected

Regarding the brands mainly affected<sup>89</sup> by the suspected infringements, Brand 000001 is the brand mainly affected in 18 % of the suspected e-shops and Brand 000002 is the brand mainly affected in 11.9 %.

#### **Brand**

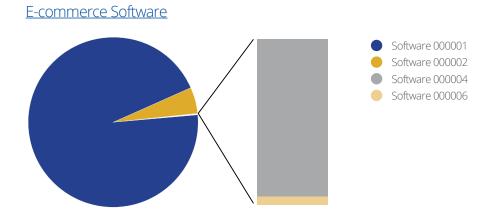


<sup>89</sup> This analysis shows the main brand affected in each domain analysed. In the e-shops that contain many different brands, the main brand is the one with the highest percentage of branded products offered.



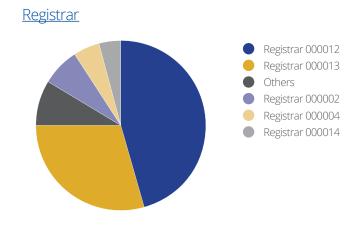
### 3. E-commerce software

Regarding e-commerce software, almost all (94.6 %) the suspected e-shops use Software 000001 as their e-commerce software.



### 4. Domain name registrars90

Of the domain names directing internet traffic to the suspected e-shops in Sweden and the United Kingdom, 7 555 were registered through Registrar 000012 (40.78 %). In total, 4 696 suspected e-shops (25.35 %) were registered through Registrar 000013.

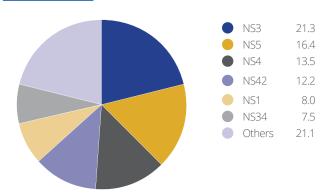


<sup>90</sup> It has not been possible to indicate the domain name registrars from freely available sources due to certain limitations in the use of WHOIS information for the ccTLD .de. It has not been possible to indicate the domain name registrars from freely available sources, as that information is not available in the WHOIS information for ccTLD .es.

### 5. Name servers

Of the domain names directing internet traffic to the suspected e-shops, 21.3 % use NS 000003<sup>91</sup> as a name server.





<sup>91</sup> NS 000003 refers to a Name server located in the Netherlands. NS 000005, NS 000001 and NS 000004 refer to Name servers located in the United States. NS 0000034 refers to a Name server located in China. NS 0000042 refers to a Name server located in the United Kingdom.



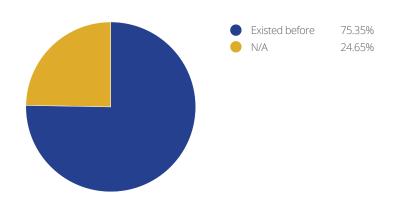
### 6. Country of hosting provider

The analysis has detected that the hosting provider of 25.9 % of the suspected e-shops is located in in Turkey, and that the hosting provider for 19.3 % of the suspected e shops is in the Netherlands, while the hosting provider of 18.3 % of the suspected e shops is in the United States.



### 7. Prior use analysis

The analysis showed that 75.35 % of the suspected e-shops detected across the four countries analysed were created with different purposes from the current e-shop suspected of marketing infringing trade mark goods<sup>92</sup>.



<sup>92</sup> The website prior use could not be determined for 24.65 %, due to lack of information regarding the first archive date.

### 8. Patterns detected in the case studies

The above patterns are clearly reflected in the case studies, for example<sup>93</sup>:

- In the Domain009-se case study, the prior use of the domain name was to direct internet traffic to a Swedish language website for a famous Swedish poet and writer. The website is suspected of selling non-genuine branded shoes; the main brand affected is Brand 000002 and it had a total of 2 427 products for sale. The website is hosted in the Netherlands and it was re-registered in 2016. The name server used is NS 000034 and the software used is Software 000001.
- In the Domain008-de case study, the prior use of the domain name was to direct internet traffic to a German language website for an international motorcycle club in Regensburg, Germany. The website is suspected of selling non-genuine branded shoes and clothes; the main brand affected in Brand 000003 and it had a total of 4 051 products for sale. The website is hosted in Turkey and it was re-registered in 2016. The name server used is NS 000004 and the software used is Software 000001.
- In the Domain003-co-uk case study, the prior use of the domain name was to direct internet traffic to an English language website with information for the town of Buckingham, where local business owners could advertise and local news and activities could be listed for residents and visitors. The website is suspected of selling non-genuine branded shoes; the main brand affected in Brand 000002 and it had a total of 4 952 products for sale. The website is hosted in the United States and it was re-registered in 2016. The name server used is NS 000004 and the software used is Software 000001.
- In the Domain002-es case study, the prior use of the domain name was to direct internet traffic to a Spanish language website with information about a financial website, specifically offering loans to private individuals. The website is suspected of selling non-genuine branded shoes; the main brand affected is Brand 000002 and it had a total of 5 522 products for sale. The website is hosted in Turkey and it was re-registered in 2016. The name server used is NS 000003 and the software used is Software 000001.

<sup>93</sup> Further information about case studies can be found in Annex1. Case studies.



# 6. Conclusions

The main objective of Phase 2 was to identify if the outcome detected in the study of the Danish ccTLD .dk that had been referenced in the Phase 1 report also materialised at European level. The Danish research had shown that suspected infringers of the trade marks of others systematically re-registered domain names had previously directed internet traffic to popular websites unrelated to the current use.

The current research has clearly shown that the same phenomenon previously documented in Denmark is also taking place in Sweden, Germany, the United Kingdom and Spain.

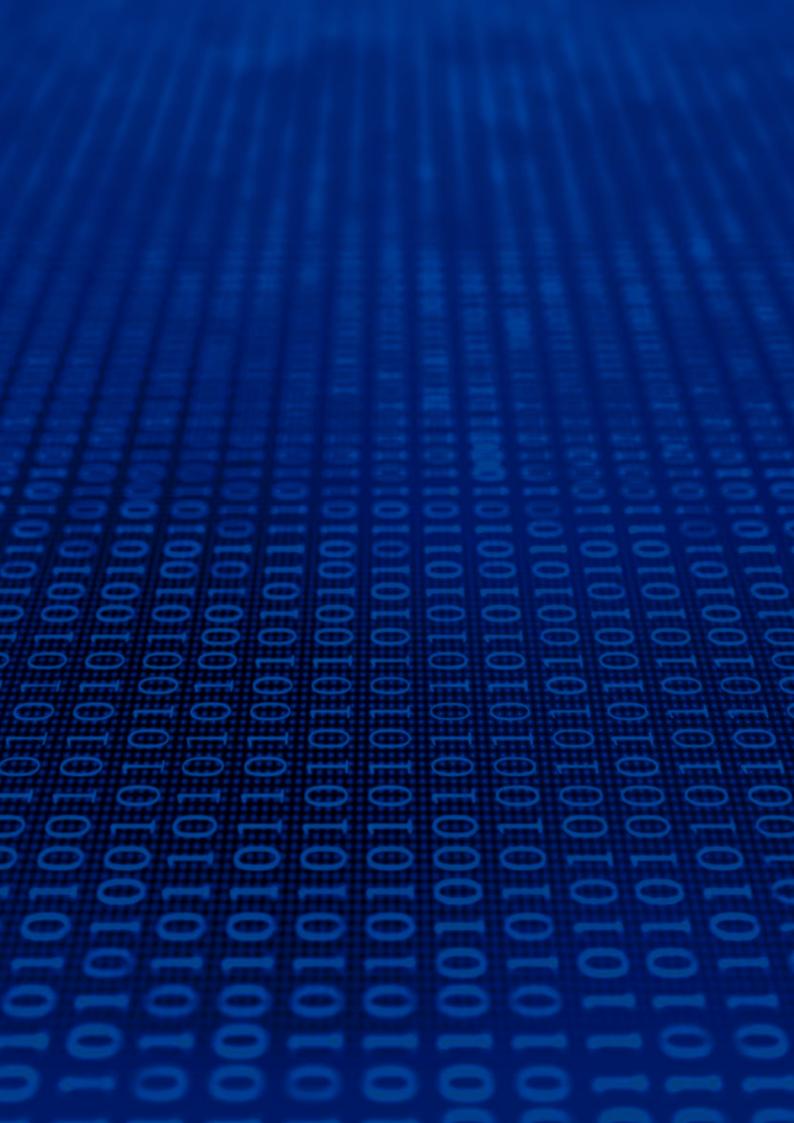
The research detected 27 870 websites suspected of marketing trade mark infringing goods in Sweden, Germany, the United Kingdom and Spain. It was found that 21 001 (75.35 %) of these e-shops were detected using domain names that had previously been used to direct internet traffic to websites that have no relation to the current use.

Based on the research, it must be considered likely that the same also occurs in other European countries with well-developed e-commerce sectors.

Initially the e-shops seem unrelated individual businesses. However the analysis of the e shops has identified various commonalities regarding product categories and brands offered in the suspected e-shops: the website technology, the use of specific registrars and name servers, and in the countries of origin of the hosting provider.

Looking at the structure of the business practice, and having analysed 40 case examples in detail, another result emerging from the research is that a high degree of affiliation between the e-shops is likely. The research seems to indicate that what on the surface seems like thousands of unrelated e-shops are likely to be one or a few businesses marketing trade mark infringing goods to European consumers.

The findings of the report are interesting for the law enforcement community and internet intermediaries, as well as trade mark holders and consumers, in order to understand the scale and traits of this business model applied in a number of EU Member States.





# Annex. Case Studies

Altogether, 40 case studies are presented below (10 from each country). The case studies have been carried out using the methodology from the Phase 1 report.

These 40 domains have been divided into ten different categories according to the prior use of the domain:

		Page
1. Public institut	ions, International Organisations and Interest Groups	81
Canvas 1 Canvas 2 Canvas 3 Canvas 4	Domain001-se Domain001-de Domain001-co-uk Domain001-es	82 83 84 85
2. Financial Sect	or	87
Canvas 1 Canvas 2 Canvas 3 Canvas 4	Domain002-se Domain002-de Domain002-co-uk Domain002-es	88 89 90 91
3. News media a	and information websites	93
Canvas 1 Canvas 2 Canvas 3 Canvas 4	Domain003-se Domain003-de Domain003-co-uk Domain003-es	94 95 96 97
4. Other busine	sses	99
Canvas 1 Canvas 2 Canvas 3 Canvas 4	Domain004-se Domain004-de Domain004-co-uk Domain004-es	100 101 102 103
5. Political deba	te and propaganda	105
Canvas 1 Canvas 2 Canvas 3 Canvas 4	Domain005-se Domain005-de Domain005-co-uk Domain005-es	106 107 108 109

6. Voluntary	work	111
Canvas 1 Canvas 2 Canvas 3 Canvas 4	Domain006-co-uk	112 113 114 115
7. Cultural a	and religious	117
Canvas 1 Canvas 2 Canvas 3 Canvas 4	Domain007-co-uk	118 119 120 121
8. Private as	ssociations	123
Canvas 1 Canvas 2 Canvas 3 Canvas 4	Domain008-co-uk	124 125 126 127
9. Famous p	people and fan clubs	129
Canvas 1 Canvas 2 Canvas 3 Canvas 4	Domain009-co-uk	130 131 132 133
10.Adult and	didating	135
Canvas 1 Canvas 2 Canvas 3 Canvas 4	Domain010-se Domain010-de Domain010-co-uk Domain010-es	136 137 138 139

1. Public institutions, international organisations and interest groups

### Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Swedish case study, we would analyse a case from a domain name using part of the name of a European Union

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Swedish

Business Model Summary:  An website on the open internet, selling suspected non-genuine clothes and accessories of different known brands. The website domain name, Domain001-se, appears unrelated to the products sold. Domain001-se was registered and used prior to its current	IPR Infringing Activity	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Media or Blog	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices
use. Archived versions of former websites showed it used to be an information and news website focusing on the European Parliament The first archived version of the website is from April 2004.	1 Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2
	3 Digital Content Sharing	А3	В3	C3	D3	E3	F3
	Account Access or Codes to Digital Content Sharing	A4	B4	C4	D4	E4	F4
	<b>5</b> Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5
	6 Contributing to Infringement	A6	В6	C6	D6	E6	F6

### **Digital Platform & Technology:**

#### An website on the open internet using a domain name under the country code top level domain .se. The website language is Swedish. \\ Detected e-commerce software is Software 000001. The website is hosted in Turkey. No registration information was available. Registrar used was Registrar 000004.

### **Products and Services:**

The website is suspected of selling non-genuine branded clothes and accessories. The website had a total of 2 288 products for sale. Each product is listed with images, its description and price. Prices are shown in Swedish Krona and a 50-78 % discount on retail prices is indicated.

### Involved IPR(s):

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000857.

### **Identification of Infringer:**

#### The website had a contact form without any information about persons, company name, telephone number or address as its only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard, American Express, Discover and bank transfer. Currencies: ANG, AUD, CAD, EUR, GBP, SEK and USD.

#### The website had Shipping and Returns, and Privacy Notice sections. Both sections contained descriptions in Swedish.

**Customer Relations:** 

### **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

### **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

### **Customer Incentives:**



## Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the German case study, we would analyse a case from a domain name containing the name of a serious disease and indicating a support organisation.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: German

Date of Crawling, 2016-12-08 05.42.36 CET Website language based on							TI HTML language tag. German					
Business Model Summary:  An website on the open internet selling suspected non-genuine clothes of different known brands. The website domain name, Domain001-de, appears unrelated to the products sold. Domain001-de was registered and used prior to its current use. Archived versions of	NA TITY  IPR Infringing Activity	Online Digital Platform	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	Social M Blo	- 1edia or	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devid			
former websites showed it used to be a support website for cancer patients and their relatives. The first archived version of the website is from October 2008.	1 Domain Na Identifier M	ime or Digital Misuse of IPR	A1	B1	С	1	D1	E1	F1			
	2 Physical or Product Ma	Virtual arketing	A2	B2	С	2	D2	E2	F2			
	3 Digital Cont	tent Sharing	А3	В3	С	3	D3	E3	F3			
	Account Accoun	cess or igital Content	A4	В4	С	4	D4	E4	F4			
	<b>5</b> Phishing, M Disseminat	dalware tion or Fraud	A5	B5	С	5	D5	E5	F5			
	6 Contributing to Infringement		A6	В6	C6		D6	E6	F6			
Digital Platform & Technology:	Products and Services:					Involved IPR(s):						
An website on the open internet using a domain name under the country code top level domain .de. The website language is German. Detected e-commerce software is Software 000001. The website is nosted in the Netherlands. The domain name was registered using a German identity. No registrar data available.	clothes. The Each produc	website hact is listed website hack website hack with the website hack with the website hack website hack website hack with the website hack website	ed of selling non ad a total of 13 2 with images, its d ros and a 54-58	12 products for lescription and p	sale. orice.	related	R infringement ir I to trade marks. 000153.					
Identification of Infringer:	Reveni	ue Sou	ırces:			Cus	tomer Re	lations:				
The website had a contact form without any information about persons, company name, telephone number or address, and an email address as the means of communication. Details pertaining to the email address might be used for identification. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identify. The email address was detected in use on 147 similar websites.	Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard, American Express, Discover, Diners Club, and PayPal. Currencies: AUD, CAD, CHF, DKK, EUR, GBP, NOK, SEK and USD.						bsite had no cu:	stomer service s	ections.			
Resilience Against Enforcement Action	:											
The lack of information that can identify the commercial entity behind	the website is	a resilience	e measure agains	st enforcement a	action.							
Marketing Channels and Internet Traff	ic Featu	ires:										
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purpo	ose, which	might generate t	raffic from form	er							

### **Customer Incentives:**

### Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the English case study we would analyse a domain name referring to a workers' union in a specific geographic area.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: English

Business Model Summary:  An website on the open internet selling suspected non-genuine	Online Digital	A Internet Site Controlled by	B Third Party Marketplace	C Social Media or Blog	D Gaming or Virtual World	<b>E</b> E-mail, Chatroom or	<b>F</b> Mobile Devices
smartphone cases and screen protection of different known brands. The website domain name, Domain001-co-uk, appears unrelated to the products sold. Domain001-co-uk was registered and used prior to its current use. Archived versions of former websites showed it used to be an website for a local fire brigade union. The first archived version of the website is from November 2004.	IPR Infringing Activity	Infringer				Newsgroup	
	1 Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2
	3 Digital Content Sharing	A3	В3	C3	D3	E3	F3
	Account Access or Codes to Digital Content Sharing	A4	B4	C4	D4	E4	F4
	5 Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5
	6 Contributing to Infringement	A6	B6	C6	D6	E6	F6

### **Digital Platform & Technology:**

An website on the open internet using a domain name under the country code top level domain .co-uk. The website language is English, Detected e-commerce software is Software 000001. The website is hosted in the Seychelles. The domain name was registered using a United Kingdom identity. Registrar used was Registrar 000012.

### **Products and Services:**

The website is suspected of selling non-genuine branded smartphone cases and screen protection. The website had a total of 7 824 products for sale. Each product is listed with images, its description and price. Prices are shown in pounds sterling and a 41-60 % discount on retail prices is indicated.

### Involved IPR(s):

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000170.

### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options were not available on the website. Currencies: AUD, CNY, EUR, GBP and USD.

**Customer Relations:** 

The website had a Privacy Notice and a Shipping and Returns section. Both sections contained short descriptions in English.

### **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

### **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

### **Customer Incentives:**



## Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Spanish case study we would analyse a domain name containing the name of a medical centre.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Spanish

Date of Clawling. 2010-12-08 05.42.30 CE1	Date of Crawling. 2016-12-08 05:42:36 CE1 website language based on						in HTML language tag: Spanish					
Business Model Summary:  An website on the open internet selling suspected non-genuine shoes of different known brands. The website domain name, Domain001-es, appears unrelated to the products sold. Domain001-es was registered and used prior to its current use. Archived versions			A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Media o Blog	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Device				
of former websites showed it used to be an website for a medicinal centre in the area of Toledo. The first archived version of the website is from August 2014.	1 Domain Na Identifier M	me or Digital lisuse of IPR	A1	B1	C1	D1	E1	F1				
	Physical or Virtual Product Marketing     Digital Content Sharing		A2	B2	C2	D2	E2	F2				
			АЗ	В3	C3	D3	E3	F3				
	Account Acc Codes to Di Sharing	cess or igital Content	A4	B4	C4	D4	E4	F4				
	5 Phishing, Malware Dissemination or Fraud  6 Contributing to Infringement		A5	B5	C5	D5	E5	F5				
			A6	В6	C6	D6	E6	F6				
Digital Platform & Technology:	Produc	ts and	d Services	s:	Inv	olved IPR	(s):					
An website on the open internet using a domain name under the country code top level domain .es. The website language is Spanish. Detected e-commerce software is Software 000001. The website is hosted in Estonia. There was no domain name registration information available.	shoes. The v Each produc	website had ct is listed v nown in eu	ed of selling non d a total of 7 107 with images, its d ros and a 25-30	products for sa escription and p	ile. relate orice. Bran	PR infringement ir ed to trade marks d 000120.						
Identification of Infringer:	Revenu	ue Sou	ırces:		Cu	Customer Relations:						
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.		e not availa	lirect sales of list ible on the webs id USD.		AUD, Span	vebsite had a Ship ish. The text conta Chinese yuan.						
Resilience Against Enforcement Action												
The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.												
Marketing Channels and Internet Traff												
The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.												

### **Customer Incentives:**

Suspected trade mark infringing e-shops utilising previously used dom	nain names

Research on Online Business Models Infringing Intellectual Property Rights - Phase 2

2. Financial sector

### Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Swedish case study we would analyse a case from a domain name using the name of a financial interest organisation.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Swedish

Business Model Summary:  An website on the open internet selling suspected non-genuine	Matrix Platform	A Internet Site Controlled by	B Third Party Marketplace	C Social Media or Blog	D Gaming or Virtual World	E E-mail, Chatroom or	<b>F</b> Mobile Devices
shoes of different known brands. The website domain name, Do- main002-se, appears unrelated to the products sold. Domain002-se was registered and used prior to its current use. Archived versions	IPR Infringing Activity	Infringer	Marketplace	Jiog	Virtual World	Newsgroup	
of former websites showed it used to be an website for a financial interest group, focusing on a specific Swedish bank. The first archived version of the website is from November 2011.	1 Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2
	3 Digital Content Sharing	А3	В3	C3	D3	E3	F3
	4 Account Access or Codes to Digital Content Sharing	A4	В4	C4	D4	E4	F4
	<b>5</b> Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5
	6 Contributing to Infringement	A6	В6	C6	D6	E6	F6

### **Digital Platform & Technology:**

An website on the open internet using a domain name under the country code top level domain .se. The website language is Swedish. \\ Detected e-commerce software is Software 000001. The website is hosted in Turkey. No registration information was available. Registrar used was Registrar 000004.

### **Products and Services:**

The website is suspected of selling non-genuine branded shoes. The website had a total of 1 009 products for sale. Each product is listed with images, its description and price. Prices are shown in euros and a 45-47 % discount on retail prices is indicated.

### Involved IPR(s):

**Customer Relations:** 

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000002

### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are Visa, MasterCard, American Express, and Western Union. Currencies: AUD, CAD, CNY, EUR, GBP, SEK and USD.

#### The website had Shipping and Returns and Privacy Notice sections. Both sections contained descriptions in Swedish.

### **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

### **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

### **Customer Incentives:**



## Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the German case study we would analyse a domain name indicating a financial website offering loans.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: German

Date of Crawling, 2016-12-08 05.42.36 CET Website language based on						n HTML language tag: German				
Business Model Summary:  An website on the open internet selling suspected non-genuine shoes of different known brands. The website domain name, Domain002-de, appears unrelated to the products sold. Domain002-de was registered and used prior to its current use. Archived versions of	IPR Infringing Activity	Online Digital Platform	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	Social M Blo	ledia or	<b>D</b> Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devic	
former websites showed it used to be a financial website, specifically offering financial loans to private individuals. The first archived version of the website is from May 2008.	1 Domain Na Identifier M	me or Digital lisuse of IPR	A1	B1	С	1	D1	E1	F1	
	2 Physical or Product Ma	Virtual irketing	A2	B2	C	2	D2	E2	F2	
	Account Access or Codes to Digital Content Sharing  Phishing, Malware Dissemination or Fraud		А3	В3	C	3	D3	E3	F3	
			A4	B4	C	4	D4	E4	F4	
			A5	B5	С	5	D5	E5	F5	
	6 Contributin	ig to nt	A6	В6	С	6	D6	E6	F6	
Digital Platform & Technology:	Products and Services:						Involved IPR(s):			
An website on the open internet using a domain name under the country code top level domain .de. The website language is German. Detected e-commerce software is Software 000001.The website is nosted in the Seychelles. The domain name was registered using a German identity. No registrar data available.	shoes. The v Each produc	website had ct is listed v nown in eu	ed of selling non d a total of 3 738 with images, its d ros and a 40 % o	products for sa escription and p	le. orice.	related	R infringement ir to trade marks. 000035.			
Identification of Infringer:	Reveni	ue Sou	ırces:			Customer Relations:				
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard, Delta, and PayPal. Currencies: CAD, DKK, EUR, GBP, NOK and USD.						bsite had Privac s sections. Both n.			
Resilience Against Enforcement Action	:									
The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.										
Marketing Channels and Internet Traff	ic Featu	res:								
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purpo	ose, which	might generate t	raffic from form	er					

### **Customer Incentives:**

### Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the English case we would analyse a domain name that describes a financial service to people in debt.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: English

Business Model Summary:  An website on the open internet selling suspected non-genuine shoes of different known brands. The website domain name, Domain001-co-uk, appears unrelated to the products sold. Domain001-co-uk was registered and used prior to its current use. Archived versions	IPR Infringing Activity	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Media or Blog	<b>D</b> Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices
of former websites showed it used to be a financial sector website, specifically offering help and solutions to people with financial debts. The first archived version of the website is from October 2009.	1 Domain Name or Digite Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2
	<b>3</b> Digital Content Sharing	A3	В3	C3	D3	E3	F3
	Account Access or Codes to Digital Conter Sharing	A4	B4	C4	D4	E4	F4
	5 Phishing, Malware Dissemination or Frauc	A5	B5	C5	D5	E5	F5
	6 Contributing to Infringement	A6	В6	C6	D6	E6	F6

### **Digital Platform & Technology:**

An website on the open internet using a domain name under the country code top level domain .co-uk. The website language is English. Detected e-commerce software is Software 000001. The website is hosted in Turkey. The domain name was registered using a United Kingdom identity. Registrar used was Registrar 000020.

### **Products and Services:**

The website is suspected of selling non-genuine branded shoes. The website had a total of 6 985 products for sale. Each product is listed with images, its description and price. Prices are shown in pounds sterling and a 37-63 % discount on retail prices is indicated.

### Involved IPR(s):

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 001538.

### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are PayPal, MasterCard, VISA, Maestro, and American Express. Currencies: AUD, CAD, CHF, DKK, EUR, GBP, NOK, PLN, SEK and USD.

### **Customer Relations:**

The website had a Privacy Notice and a Shipping and Returns section. Both appeared with unrelated default English text as if unedited.

### **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

### **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

### **Customer Incentives:**



## Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Spanish case we would analyse a domain name containing the name of a financial service.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Spanish

Date of crawling: 2016-12-08 05:42:36 CET			Websi	ite language b	ased on F	n HTML language tag: Spanish				
Business Model Summary:  An website on the open internet selling suspected non-genuine shoes of different known brands. The website domain name, Domain002-es, appears unrelated to the products sold. Domain002-es was registered and used prior to its current use. Archived versions of	IPR Infringing Activity	Online Digital	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Me Blog		<b>D</b> Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devic	
former websites showed it used to be an website financial website, specifically offering loans to private individuals. The first archived version of the website is from July 2008.	1 Domain Na Identifier N	ame or Digital Misuse of IPR	A1	B1	C1		D1	E1	F1	
	2 Physical or Product Ma	Virtual arketing	A2	B2	C2		D2	E2	F2	
	3 Digital Content Sharing		А3	В3	C3		D3	E3	F3	
	4 Account Ac Codes to D Sharing	cess or igital Content	A4	В4	C4		D4	E4	F4	
	<b>5</b> Phishing, N Disseminat	falware tion or Fraud	A5	B5	C5		D5	E5	F5	
	6 Contributing to Infringement		A6	В6	C6		D6	E6	F6	
Digital Platform & Technology:	Produc	cts and	d Services	s:		Involved IPR(s):				
on website on the open internet using a domain name under the country code top level domain.es. The website language is Spanish. Detected e-commerce software is Software 000001. The website is nosted in Turkey. The domain name was registered using a personal dentity. Registrar used was Registrar 000036.	shoes. The v Each produc	website had ct is listed v hown in eu	ed of selling non d a total of 5 522 with images, its d ros and a 40 % d	products for sa escription and p	le. r orice. E	elated	R infringement in I to trade marks. 000002.			
dentification of Infringer:	Reven	ue Sou	ırces:			Cus	tomer Re	lations:		
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard, and PayPal. Currencies: AUD, CAD, CHF, CNY, DKK, EUR, GBP, SEK, TRY and USD.						bsite had Privac ions sections. Bo ed to be a defau	oth sections cont	ained what	
Resilience Against Enforcement Action										
The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.										
Marketing Channels and Internet Traff	ic Featu	ıres:								
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purp	ose, which	might generate t	raffic from form	er					

### **Customer Incentives:**

Suspected trade mark infringing e-shops utilising previously used domain names	

Research on Online Business Models Infringing Intellectual Property Rights - Phase 2

3. News media and information websites

### Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Swedish case we would analyse a domain name using the name of a private individual.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Swedish

Business Model Summary:  An website on the open internet selling suspected non-genuine shoes of a well-known brand. The website domain name, Domain003-se, appears unrelated to the products sold. Domain003-se was registered and used prior to its current use. Archived versions	Matrix IPR Infringing Activity	Name or Digital Misuse of IPR A1 B2  Or Virtual Marketing A2 B2  Access or Digital Content A4 B4  Malware A5 B4	<b>B</b> Third Party Marketplace	<b>C</b> Social Media or Blog	<b>D</b> Gaming or Virtual World	<b>E</b> E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices
of former websites showed it used to be a personal website used to write informative posts about a range of different topics. The first archived version of the website is from June 2009	1 Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2
	3 Digital Content Sharing	А3	B3	C3	D3	E3	F3
	Account Access or Codes to Digital Content Sharing	A4	B4	C4	D4	E4	F4
	<b>5</b> Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5
	6 Contributing to Infringement	A6	В6	C6	D6	E6	F6

### **Digital Platform & Technology:**

An website on the open internet using a domain name under the country code top level domain .se. The website language is Swedish. \\ Detected e-commerce software is Software 000001. The website is hosted in Luxembourg. No registration information was available. Registrar used was Registrar 000002.

### **Products and Services:**

The website is suspected of selling non-genuine branded shoes. The website had a total of 756 products for sale. Each product is listed with images, its description and price. Prices are shown in Swedish krona and a 29-55 % discount on retail prices is indicated.

### Involved IPR(s):

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000001.

### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address, and an email address as the means of communication. Details pertaining to the email address might be used for identification. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. The email address was detected in use on 221 similar websites.

### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options were not available on the website. Currencies: AUD, CAD, CNY, EUR, GBP, SEK, USD and ZAR.

### The website had a Privacy Notice section without any

**Customer Relations:** 

### **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

### **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

### **Customer Incentives:**



## Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the German case we would analyse a domain name containing the name of a nature park.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: German

Date of Crawling: 2016-12-08 05:42:36 CE1			webs	ite iariguage bi	aseu oi	HTML language tag: German					
Business Model Summary:  An website on the open internet selling suspected non-genuine shoes of a well-known brand. The website domain name, Domain003-de, appears unrelated to the products sold. Domain003-de was registered and used prior to its current use. Archived versions	NAZETİT IPR Infringing Activity	Online Digital Platform	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	Social N	C Media or log	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devid		
of former websites showed it used to be an website for a German Nature Park, specifically a project focusing on agrobiodiversity. The first archived version of the website is from February 2010.	1 Domain Na Identifier M	ame or Digital Misuse of IPR	A1	B1	C	:1	D1	E1	F1		
	2 Physical or Product Ma	Virtual arketing	A2	B2	C	.2	D2	E2	F2		
	3 Digital Cont	tent Sharing	А3	В3	C	:3	D3	E3	F3		
	Account Accoun	cess or ligital Content	A4	B4	C	[4	D4	E4	F4		
	<b>5</b> Phishing, M Disseminat	Malware tion or Fraud	A5	B5	C	:5	D5	E5	F5		
	6 Contributin	ng to nt	A6	В6	C	26	D6	E6	F6		
Digital Platform & Technology:	Produc	cts and	d Services	s:		Invo	olved IPR	(s):			
An website on the open internet using a domain name under the country code top level domain .de. The website language is German. Detected e-commerce software is Software 000001.The website is nosted in Panama. The domain name was registered using a German dentity. No registrar data available.	shoes. The v product is lis	website had sted with ir n euros and	ed of selling non d a total of 295 p nages, its descrip d a 56-82 % discr	roducts for sale. otion and price. I	. Each Prices	related	R infringement ir I to trade marks. 000008.				
Identification of Infringer:	Reveni	ue Sou	ırces:			Cus	tomer Re	lations:			
The website had a contact form without any information about persons, company name, telephone number or address and an email address as the means of communication. Details pertaining to the email address might be used for identification. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. The email address was detected in use on 13 similar websites.	Revenue Sources:  Revenue comes from direct sales of listed products. Payment options were not available on the website. Currencies: AUD, CAD, EUR, GBP and USD.				Return	bsite had Privac s sections with r n was also availa	no content. A set	of FAQs in			
Resilience Against Enforcement Action	:										
The lack of information that can identify the commercial entity behind t	the website is	a resilience	e measure agains	st enforcement a	action.						
Marketing Channels and Internet Traff											
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purpo	ose, which	might generate t	raffic from form	er						

### **Customer Incentives:**

### Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the United Kingdom case we would analyse a domain name that invites people to visit a specific British city.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: English C

Social Media or

rd Party ketplace

Business Model Summary:	atit	Digital orm	Α	
An website on the open internet selling suspected non-genuine sport shoes. The website domain name, Domain003-co-uk, appears unrelated to the products sold. Domain003-co-uk was registered and used prior to its current use. Archived versions of former websites	IPR Infringing	Online Digital Platform	Internet Site Controlled by Infringer	Thi Mar
showed it used to be an information website for the town of Buck- ingham, where local business owners could advertise and local news and activities could be listed for the residents and visitors. The first archived version of the website is from January 2013.		me or Digital lisuse of IPR	A1	
	2 Physical or Product Ma		A2	
	<b>3</b> Digital Cont	tent Sharing	А3	
	Account Ac Codes to D Sharing	cess or igital Content	A4	

b	IPR Infringing Activity						
;	1 Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2
	3 Digital Content Sharing	A3	В3	C3	D3	E3	F3
	Account Access or Codes to Digital Content Sharing	A4	B4	C4	D4	E4	F4
	5 Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5
	6 Contributing to Infringement	A6	В6	C6	D6	E6	F6

	An website on the open internet using a domain name under the
ı	country code top level domain .co-uk. The website language is En-
	glish. Detected e-commerce software is Software 000001. The website
ı	is hosted in the United States. The domain name was registered us-

**Digital Platform & Technology:** 

### **Products and Services:** The website is suspected of selling non-genuine branded Adi-

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000002.

Involved IPR(s):

Mobile Devices

ing a United Kingdom identity. Registrar used was Registrar 000013.

das shoes. The website had a total of 4 952 products for sale. Each product is listed with images, its description and price. Prices are shown in pounds sterling and a 46-51 % discount on retail prices is indicated.

### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard, American Express, Maestro, Carte Bleu, Western Union and PayPal. Currencies: AUD, CAD, EUR, GBP and USD.

## **Customer Relations:**

The website had a Privacy Notice and a Shipping and Returns section. Both sections contained short descriptions in English. The Shipping and Returns section had content referring to an website name called Whatthekicks, indicating the text was either copied or reused for another website set-up.

### **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

### **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

### **Customer Incentives:**



## Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Spanish case we would analyse a domain name containing the name of a serious disease.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Spanish

5 dec 61 classing, 2010-12 00 051 12150 021		1	ne iai igaage s	asca on mini	ianguage tag.	0000c co0. spas					
Business Model Summary:  n website on the open internet selling suspected genuine shoes of ifferent known brands. The website domain name, Domain003-es, opears unrelated to the products sold. Domain003-es was regisered and used prior to its current use. Archived versions of former ebsites showed it used to be an information website about cancer	IPR Infringing Activity	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Media of Blog	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devic				
websites showed it used to be an information website about cancer and related treatments. The first archived version of the website is from June 2006.	<b>1</b> Domain Name or Digita Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1				
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2				
	3 Digital Content Sharing	А3	В3	C3	D3	E3	F3				
	Account Access or Codes to Digital Conten Sharing	A4	B4	C4	D4	E4	F4				
	5 Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5				
	6 Contributing to Infringement	A6	В6	C6	D6	E6	F6				
Digital Platform & Technology:	Products an	d Services	s:	Inv	Involved IPR(s):						
An website on the open internet using a domain name under the country code top level domain .es. The website language is Spanish. Detected e-commerce software is Software 000001. The website is hosted in the Seychelles. The domain name was registered using a personal identity. Registrar used was Registrar 000036.	The website is suspect shoes. The website had Each product is listed Prices are shown in e prices is indicated.	ad a total of 2 013 with images, its d	products for sa description and p	ale. relate orice. Brand	R infringement ir d to trade marks I 000006.						
Identification of Infringer:	Revenue So	urces:		Cus	tomer Re	elations:					
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	Revenue comes from options are VISA, Mas CAD, CNY, EUR, GBP a	terCard, and Mae			ebsite had Privac sections. Both se nish.						
Resilience Against Enforcement Action	:										
The lack of information that can identify the commercial entity behind	the website is a resiliend	ce measure again:	st enforcement	action.							
Marketing Channels and Internet Traff	ic Features:										
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purpose, which	n might generate t	traffic from form	ner							

### **Customer Incentives:**

Suspected trade mark infringing e-shops utilising previously used domai	in names

Research on Online Business Models Infringing Intellectual Property Rights - Phase 2

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	()ther	hlicinaccac
4.		businesses

### Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Swedish case we would analyse a domain name using the name of a Swedish company.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Swedish

Business Model Summary:  An website on the open internet selling suspected non-genuine shoes of a well-known brand. The website domain name, Domain004-se, appears unrelated to the products sold. Domain004-se was registered and used prior to its current use. Archived versions of	IPR Infringing Activity	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Media or Blog	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices
former websites showed it used to be a business website for a Swed- ish web design company. The first archived version of the website is from November 2013.	1 Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2
	3 Digital Content Sharing	А3	В3	С3	D3	E3	F3
	Account Access or Codes to Digital Content Sharing	A4	B4	C4	D4	E4	F4
	<b>5</b> Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5
	6 Contributing to Infringement	A6	В6	C6	D6	E6	F6

### **Digital Platform & Technology:**

An website on the open internet using a domain name under the country code top level domain. se. The website language is Swedish. Detected e-commerce software is Software 000001. The website is hosted in the Netherlands. No registration information was available. Registrar used was Registrar 000004.

### **Products and Services:**

The website is suspected of selling non-genuine branded shoes. The website had a total of 266 products for sale. Each product is listed with images, its description and price. Prices are shown in Swedish krona and the website prices appear to be inaccurate as all products are priced nearly identically and substantially higher than normal retail prices.

### Involved IPR(s):

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000014.

### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are Visa, MasterCard, and Maestro. Currencies: AUD, CAD, CHF, CNY, DKK, EUR, GBP, JPY, NOK, SEK and USD.

# The website had a Shipping and Returns section with a description in Swedish and a Privacy Notice section

**Customer Relations:** 

with a description in German.

### **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

### **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

### **Customer Incentives:**

The website seems to aim to attract customers mainly due to sales of branded goods.



## Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the German case we would analyse a domain name containing the name of a dental practice.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: German

Date of crawling: 2016-12-08 05:42:36 CET			Websi	te language b	ased on F	HTML language tag: German							
Business Model Summary:  An website on the open internet selling suspected genuine shoes of different known brands. The website domain name, Domain004-de, appears unrelated to the products sold. Domain004-de was	Watrit IPR Infringing	Online Digital Platform	A Internet Site Controlled by Infringer	B Third Party Marketplace	C Social Me Blog		D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devic				
registered and used prior to its current use. Archived versions of former websites showed it used to be a business website for a dental practice in Erfurt, Germany. The first archived version of the website is from September 2008.	Activity  1 Domain Name or Digital Identifier Misuse of IPR		A1	B1	C1		D1	E1	F1				
	2 Physical or Product Ma	Virtual arketing	A2	B2	C2	)	D2	E2	F2				
	3 Digital Con	tent Sharing	А3	B3	C3	}	D3	E3	F3				
	Account Ac Codes to D Sharing	cess or igital Content	A4	B4	C4	ļ	D4	E4	F4				
	5 Phishing, M Disseminat	falware ion or Fraud	A5	B5	C5	· )	D5	E5	F5				
	6 Contributing to Infringement A6 B6 C0						D6	E6	F6				
Digital Platform & Technology:	Produc	cts and	d Services	<b>5</b> :	ı	Invo	lved IPR	(s):					
An website on the open internet using a domain name under the country code top level domain .de. The website language is German. Detected e-commerce software is Software 000001.The website is nosted in Canada. The domain name was registered using a German dentity. No registrar data available.	shoes. The v Each produc	website had ct is listed v hown in eu	ed of selling non d a total of 12 12 with images, its d ros and a 50 % d	1 products for s escription and p	ale. r orice. E	elated	R infringement in to trade marks. 000102.						
Identification of Infringer:	Reven	ue Sou	ırces:			Cus	tomer Re	lations:	ns:				
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	Revenue Sources:  Revenue comes from direct sales of listed products. Payment options were not available on the website. Currencies: AUD, CAD, CHF, CNY, EUR, GBP and USD.						bsite had Privac s sections. Both n.						
Resilience Against Enforcement Action	:												
The lack of information that can identify the commercial entity behind t	he website is	a resilience	e measure agains	st enforcement a	action.								
Marketing Channels and Internet Traff	ic Featu	ıres:											
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purp	ose, which	might generate t	raffic from form	er								

### **Customer Incentives:**

### Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the United Kingdom case we would analyse a domain name containing the name of a car rental business.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: English

Business Model Summary:  An website on the open internet selling suspected genuine bags and clothes of different known brands. The website domain name, Domain004-co-uk, appears unrelated to the products sold. Domain004-co-uk was registered and used prior to its current use. Archived	IPR Infringing Activity	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	<b>C</b> Social Media or Blog	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices
versions of former websites showed it used to be an website related to a car rental and transfer business in Reading, UK. The first archived version of the website is from September 2015.	1 Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2
	3 Digital Content Sharing	А3	B3	С3	D3	E3	F3
	4 Account Access or Codes to Digital Content Sharing	A4	B4	C4	D4	E4	F4
	<b>5</b> Phishing Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5
	6 Contributing to Infringement	A6	B6	C6	D6	E6	F6

## Digital Platform & Technology:

An website on the open internet using a domain name under the country code top level domain .co-uk. The website language is English. Detected e-commerce software is Software 000001. The website is hosted in the United States. The domain name was registered using a United Kingdom identity. Registrar used was Registrar 000012.

### **Products and Services:**

The website is suspected of selling non-genuine branded bags and clothes. The website had a total of 31 324 products for sale. Each product is listed with images, its description and price. Prices are shown in pounds sterling and a 46-65 % discount on retail prices is indicated.

### Involved IPR(s):

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000080.

### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard, American Express, Maestro, Cirrus, and Discover Card.

### Customer Relations:

The website had a Shipping and Returns section with relevant descriptions in English.

### **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

### **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

### **Customer Incentives:**



## Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Spanish case we would analyse a domain name containing the name of an estate agent.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Spanish

Date of Crawling: 2016-12-08 05:42:36 CE1			Websi	ite iariguage bi	aseu on n	HTML language tag. Spanish						
Business Model Summary:  An website on the open internet selling suspected genuine shoes of different known brands. The website domain name, Domain004-es, appears unrelated to the products sold. Domain004-es was registered and used prior to its current use. Archived versions of former	IPR Infringing Activity	Online Digital	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Med Blog		<b>D</b> Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devic			
websites showed it used to be an website for a Spanish property portal, specifically for listing houses for sale in the area around Javea. The first archived version of the website is from June 2013.	1 Domain Na Identifier M	me or Digital lisuse of IPR	A1	B1	C1		D1	E1	F1			
	2 Physical or Product Ma	Virtual orketing	A2	B2	C2		D2	E2	F2			
	<b>3</b> Digital Cont	tent Sharing	А3	В3	C3		D3	E3	F3			
	Account Ac Codes to Di Sharing	cess or igital Content	A4	B4	C4		D4	E4	F4			
	<b>5</b> Phishing, M Disseminat	lalware ion or Fraud	A5	B5	C5		D5	E5	F5			
	6 Contributin	ig to nt	A6	B6	C6		D6	E6	F6			
Digital Platform & Technology:	Produc	ts and	d Services	s:	ı	nvo	lved IPR	(s):	s):			
An website on the open internet using a domain name under the country code top level domain .es. The website language is Spanish. Detected e-commerce software is Software 000001. The website is nosted in Turkey. The domain name was registered using a personal dentity. Registrar used was Registrar 000036.	shoes. The v Each produc	website had ct is listed v nown in eu	ed of selling non d a total of 4 082 with images, its d ros and a 56-70	products for sa escription and p	le. re orice. B	elated t		volved in this do The main brand				
Identification of Infringer:	Reveni	ue Sou	ırces:		(	Cust	omer Re	lations:	ns:			
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	Revenue Sources:  Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard, Maestro, Delta, American Express, Sagepay, and PayPal. Currencies: AUD, CAD, CHF, DKK, EUR, GBP, NOK, PLN, SEK and USD.					Returns		y Notice and Shi sections were ei ext in Spanish.				
Resilience Against Enforcement Action												
The lack of information that can identify the commercial entity behind t	he website is	a resilience	e measure agains	st enforcement a	action.							
Marketing Channels and Internet Traff	ic Featu	res:										
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purpo	ose, which	might generate t	raffic from form	er							

### **Customer Incentives:**

Research on Online Business Models Infringing Intellectual Property Rights - Phase 2 Suspected trade mark infringing e-shops utilising previously used domain names							

5.	Political debate and propaganda	

### Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Swedish case we would analyse a domain name containing the name of an estate agent.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Swedish

Business Model Summary:  An website on the open internet selling suspected genuine shoes, clothes and bags of different known brands. The website domain name, Domain005-se, appears unrelated to the products sold. Domain005-se was registered and used prior to its current use. Archived versions of former websites showed it used to be an website for a Swedish political party for senior citizens. The first archived version of the website is from August 2010.	NATION ACTIVITY	Online Digital Platform	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	<b>C</b> Social Media or Blog	<b>D</b> Gaming or Virtual World	<b>E</b> E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices
	1 Domain Na Identifier N	ame or Digital Misuse of IPR	A1	B1	C1	D1	E1	F1
	2 Physical or Product Ma	Virtual arketing	A2	B2	C2	D2	E2	F2
	<b>3</b> Digital Con	tent Sharing	А3	B3	C3	D3	E3	F3
	Account Ac Codes to D Sharing	cess or igital Content	A4	B4	C4	D4	E4	F4
	<b>5</b> Phishing, N Disseminal	Malware tion or Fraud	A5	B5	C5	D5	E5	F5
	6 Contributir	ng to	A6	В6	C6	D6	E6	F6

### **Digital Platform & Technology:**

An website on the open internet using a domain name under the country code top level domain .se. The website language is Swedish. Detected e-commerce software is Software 000001. The website is hosted in France. No registration information was available. Registrar used was Registrar 000004.

### **Products and Services:**

The website is suspected of selling non-genuine branded shoes, clothes and bags. The website had a total of 8 337 products for sale. Each product is listed with images, its description and price. Prices are shown in Swedish krona and a 58 % discount on retail prices is indicated.

### Involved IPR(s):

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000001.

### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are Visa, MasterCard, Maestro, American Express, and PayPal. Currencies: AUD, CAD, CHF, CNY, DKK, EUR, GBP, JPY, NOK, PLN, SEK and USD.

**Customer Relations:** 

The website had a Shipping and Returns section with a description in German and a Privacy Notice section with a description in Swedish.

### **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

### **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

### **Customer Incentives:**



## Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the German case we would analyse a domain name indicating a political youth organisation of the policy followed across the document, in the German case we would analyse a domain name indicating a political youth organisation of the policy followed across the document, in the German case we would analyse a domain name indicating a political youth organisation of the policy followed across the document, and the German case we would analyse a domain name indicating a political youth organisation of the policy followed across the document, and the German case we would analyse a domain name indicating a political youth organisation of the political youth organisation or the political youth organisation of the political youth organisation or the politica

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: German

Date of crawling: 2016-12-08 05:42:36 CET Website language base					ased on F	ed on HTML language tag: German						
Business Model Summary:  An website on the open internet selling suspected genuine shoes of different known brands. The website domain name, Domain005-de, appears unrelated to the products sold. Domain005-de was regis-	Natrit IPR Infringin Activity	Online Digital Platform	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Me Blog		<b>D</b> Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devic			
tered and used prior to its current use. Archived versions of former websites showed it used to be an website for a youth organisation in support of an ethnic minority in Asia. The first archived version of the website is from May 2014.	Domain Name or Digital Identifier Misuse of IPR		A1	B1	C1		D1	E1	F1			
	2 Physical or Virtual Product Marketing		A2	B2	C2	)	D2	E2	F2			
	3 Digital Content Sharing		А3	В3	C3	}	D3	E3	F3			
	Account Access or Codes to Digital Content Sharing		A4	В4	C4	ļ	D4	E4	F4			
	5 Phishing, Malware Dissemination or Fraud		A5	B5	C5	)	D5	E5	F5			
	6 Contributin	ng to nt	A6	B6	C6		D6	E6	F6			
Digital Platform & Technology: Products and Services:						Involved IPR(s):						
An website on the open internet using a domain name under the country code top level domain .de. The website language is German. Detected e-commerce software is Software 000001.The website is nosted in France. The domain name was registered using a German dentity. No registrar data available.	The website is suspected of selling non-genuine branded shoes. The website had a total of 50 174 products for sale. Each product is listed with images, its description and price. Prices are shown in euros and a 50 % discount on retail prices is indicated.					elated	R infringement in to trade marks. 000679.					
Identification of Infringer:	Reven	ue Sou	ırces:		(	Customer Relations:						
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	Revenue comes from direct sales of listed products. Payment options were not available on the website. Currencies: AUD, CAD, CHF, CNY, DKK, EUR, GBP, JPY, NOK, PLN, SEK and USD.						bsite had Privac sections in Geri		d Terms of			
Resilience Against Enforcement Action												
The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.												
Marketing Channels and Internet Traff	ic Featu	ıres:										
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purp	ose, which	might generate t	raffic from form	er							

### **Customer Incentives:**

### Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the United Kingdom case we would analyse a domain name containing the name of a political entity.

Wahaita languaga hacad on HTML language tag: English

Date of crawling: 2016-12-08 05:42:36 CET	Web	Website language based on HTML language tag: English							
Business Model Summary:  An website on the open internet selling suspected genuine shoes of different known brands. The website domain name, Domain005-co-uk, appears unrelated to the products sold. Domain005-co-uk was registered and used prior to its current use. Archived versions of prior websites showed it used to be a political website, focusing on political, economic and cultural debates. The first archived version of the website is from October 2012.	Natrit National Platform Activity	A Internet Site Controlled by Infringer		C Social Media o Blog	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices		
	1 Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1		
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2		
	3 Digital Content Sharing	A3	В3	C3	D3	E3	F3		
	4 Account Access or Codes to Digital Content Sharing	A4	B4	C4	D4	E4	F4		
	<b>5</b> Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5		
	6 Contributing to Infringement	A6	В6	C6	D6	E6	F6		
Digital Platform & Technology:	Products and Services:				Involved IPR(s):				
An website on the open internet using a domain name under the country code top level domain .co-uk. The website language is En-	The website is suspected of selling non-genuine branded shoes. The website had a total of 1 086 products for sale.								

glish. Detected e-commerce software is Software 000001. The website is hosted in Sweden. The domain name was registered using a United Kingdom identity. Registrar used was Registrar 000012.

Each product is listed with images, its description and price. Prices are shown in pounds sterling and a 51-57 % discount on retail prices is indicated.

### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard. Currencies: AUD, CAD, CHF, EUR, GBP and USD.

### **Customer Relations:**

Brand 000129.

The website had a Conditions of Use section, a Privacy Notice section and a Shipping and Returns section. All sections were in English with short descriptions. The Conditions of Use section appeared to be a default text that was not edited to fit the website. The Shipping and Returns section contained details about returning headphones of a certain well-known brand, which is believed to refer to content unrelated

### **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

### **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

### **Customer Incentives:**



# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Spanish case we would analyse a domain name containing the abbreviation of a political party.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Spanish

Date of crawling: 2016-12-08 05:42:36 CET			Websi	te language b	ased on I	d on HTML language tag: Spanish				
Business Model Summary:  An website on the open internet selling suspected genuine shoes of different known brands. The website domain name, Domain005-es, appears unrelated to the products sold. Domain005-es was registered and used prior to its current use. Archived versions of former		Online Digital	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	Social Me Blog	edia or	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devic	
websites showed it used to be a political website. The first archived version of the website is from June 2013.	1 Domain Name or Digital Identifier Misuse of IPR		A1	B1	C1	ı	D1	E1	F1	
	2 Physical or Virtual Product Marketing		A2	B2	C2	<u>)</u>	D2	E2	F2	
	3 Digital Cont	tent Sharing	А3	B3	C	3	D3	E3	F3	
	Account Acc 4 Codes to Di Sharing	cess or igital Content	A4	B4	C4	1	D4	E4	F4	
	5 Phishing, Malware Dissemination or Fraud		A5	B5	C5	5	D5	E5	F5	
	6 Contributin Infringemen	ig to nt	A6	B6	C6	5	D6	E6	F6	
Digital Platform & Technology:	Produc	ts and	d Services	s:		Invo	olved IPR	(s):		
An website on the open internet using a domain name under the country code top level domain .es. The website language is Spanish. Detected e-commerce software is Software 000001. The website is nosted in the United States. The domain name was registered using a personal identity. Registrar used was Registrar 000036.	shoes. The v product is lis	website had sted with in	ed of selling non d a total of 148 p nages, its descrip d a 59-61 % disco	roducts for sale. otion and price. I	. Each Prices	The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000014.				
Identification of Infringer:	Reveni	ue Sou	ırces:			Cus	tomer Re	lations:		
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard, Maestro, American Express, and Western Union. Currencies: N/A.						website had Privacy Notice and General Condi- sections in Spanish and FAQs in English.			
Resilience Against Enforcement Action										
The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.										
Marketing Channels and Internet Traff	ic Featu	res:								
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purpo	ose, which	might generate t	raffic from form	er					

### **Customer Incentives:**

Suspected trade mark infringing e-shops utilising previously used domain names									

Research on Online Business Models Infringing Intellectual Property Rights - Phase 2

6. Voluntary work

# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Swedish case we would analyse a domain name containing the name of a South American country and indication of volunteer work

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Swedish

Business Model Summary:  An website on the open internet selling suspected genuine shoes of different known brands. The website domain name, Domain006-se, appears unrelated to the products sold. Domain006-se was registered and used prior to its current use. Archived versions of former websites showed it used to be an website about volunteering work in a South American country. The first archived version of the website is from February 2016.	Matrixt  IPR Infringing Activity	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	<b>C</b> Social Media or Blog	<b>D</b> Gaming or Virtual World	<b>E</b> E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices
	1 Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2
	3 Digital Content Sharing	А3	B3	C3	D3	E3	F3
	Account Access or Codes to Digital Content Sharing	A4	B4	C4	D4	E4	F4
	5 Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5
	6 Contributing to Infringement	A6	B6	C6	D6	E6	F6

# Digital Platform & Technology:

An website on the open internet using a domain name under the country code top level domain .se. The website language is Swedish. Detected e-commerce software is Software 000001. The website is hosted in Russia. No registration information was available. Registrar used was Registrar 000004.

### **Products and Services:**

The website is suspected of selling non-genuine branded shoes. The website had a total of 1 601 products for sale. Each product is listed with images, its description and price. Prices are shown in Swedish krona and a 50 % discount on retail prices is indicated.

### Involved IPR(s):

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000010.

#### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

#### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options were not available on the website. Currencies: AUD, CAD, CNY, EUR, GBP, SEK and USD.

# The website had Shipping and Returns and Privacy Notice sections. Both sections contained descriptions

**Customer Relations:** 

in Swedish.

# **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

# **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

#### **Customer Incentives:**



# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the German case we would analyse a domain name containing a domain name containing the name of a voluntary fire department in a specific geographic area.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: German

Date of Crawling: 2016-12-08 05:42:36 CE1			Mensi	ite iariguage ba	aseu on min	in ATML language tag. German				
Business Model Summary:  An website on the open internet selling suspected non-genuine shoes of a well-known brand. The website domain name, Domain006-de, appears unrelated to the products sold. Domain006-de	Matrix IPR Infringing	Online Digital	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Media Blog	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devi		
was registered and used prior to its current use. Archived versions of former websites showed it used to be an website for voluntary firefighters in Sunstedt, Germany. The first archived version of the website is from March 2013.	Activity  1 Domain Name or Digital Identifier Misuse of IPR		A1	B1	C1	D1	E1	F1		
	2 Physical or Product Ma	Virtual arketing	A2	B2	C2	D2	E2	F2		
	<b>3</b> Digital Conf	tent Sharing	А3	B3	C3	D3	E3	F3		
	Account Acc 4 Codes to Di Sharing	cess or igital Content	A4	B4	C4	D4	E4	F4		
	<b>5</b> Phishing, Malware Dissemination or Fraud		A5	B5	C5	D5	E5	F5		
	6 Contributin	ng to nt	A6	B6	C6	D6	E6	F6		
Digital Platform & Technology:	Produc	cts and	d Services	5:	In	olved IPR	(s):			
An website on the open internet using a domain name under the country code top level domain .de. The website language is German. Detected e-commerce software is Software 000001.The website is hosted in Lithuania. The domain name was registered using a German identity. No registrar data available.	shoes. The v product is lis	website had sted with ir	ed of selling non d a total of 362 p nages, its descrip a 62-63 % disco	roducts for sale. otion and price. F	Each relat Prices Bran	PR infringement ir ed to trade marks d 000004.				
Identification of Infringer:	Reveni	ue Sou	ırces:		Cu	Customer Relations:				
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	Revenue comes from direct sales of listed products. Payment options are Visa, MasterCard. Currencies: N/A.					e website had Privacy Notice and FAQ sections in erman, and a Shipping and Returns section in both ench and German.				
Resilience Against Enforcement Action										
The lack of information that can identify the commercial entity behind t		a resilience	measure agains	st enforcement a	action.					
Marketing Channels and Internet Traff	ic Featu	ıres:								
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purpo	ose, which	might generate t	raffic from form	er					

### **Customer Incentives:**

# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the United Kingdom case we would analyse a domain name containing the name of a voluntary organisation.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: English

Business Model Summary:  An website on the open internet selling suspected genuine shoes and clothes of different known brands. The website domain name, Domain006-co-uk, appears unrelated to the products sold. Domain006-co-uk was registered and used prior to its current use. Archived versions of former websites showed it used to be a voluntary organisation, where former inmates offered specific courses and training sessions to help others. The first archived version of the website is from March 2013.	IPR Infringing Activity	Online Digital Platform	A Internet Site Controlled by Infringer	B Third Party Marketplace	<b>C</b> Social Media or Blog	<b>D</b> Gaming or Virtual World	E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices
	1 Domain Name Identifier Misu	e or Digital suse of IPR	A1	B1	C1	D1	E1	F1
	2 Physical or Vir Product Mark	irtual keting	A2	B2	C2	D2	E2	F2
	3 Digital Conter	nt Sharing	A3	В3	C3	D3	E3	F3
	Account Acces Codes to Digit Sharing	ess or ital Content	A4	B4	C4	D4	E4	F4
	5 Phishing, Male Dissemination	lware n or Fraud	A5	B5	C5	D5	E5	F5
	6 Contributing t	to	A6	В6	C6	D6	E6	F6

# Digital Platform & Technology:

An website on the open internet using a domain name under the country code top level domain .co-uk. The website language is English. Detected e-commerce software is Software 000001. The website is hosted in Sweden. The domain name was registered using a United Kingdom identity. Registrar used was Registrar 000013.

### **Products and Services:**

The website is suspected of selling non-genuine branded shoes and clothes. The website had a total of 7 430 products for sale. Each product is listed with images, its description and price. Prices are shown in pounds sterling and a 38 % discount on retail prices is indicated.

# Involved IPR(s):

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000081.

# Identification of Infringer:

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

#### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard, and American Express. Currencies: AUD, CNY, EUR, GBP and USD.

# Customer Relations:

The website had a Shipping and Returns section containing a short description in English.

# **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

# **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

#### **Customer Incentives:**



# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Spanish case we would analyse a domain containing the name of a voluntary sports organisation.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Spanish

Date of crawling: 2016-12-08 05:42:36 CET			Webs	ite language b	ased on	d on HTML language tag: Spanish					
Business Model Summary:  An website on the open internet selling suspected genuine shoes and clothes of different known brands. The website domain name, Do-	Matrix	Online Digital Platform	A Internet Site Controlled by Infringer	B Third Party Marketplace	Social M Bl		D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devic		
main006-es, appears unrelated to the products sold. Domain006-es	IPR Infringin Activity	g	miringer					Newsgroup			
was registered and used prior to its current use. Archived versions of former websites showed it used to be an website for Olympic volunteers from Navarra, Spain. The first archived version of the website is from October 2008.	1 Domain Na Identifier N	ame or Digital Misuse of IPR	A1	B1	С	1	D1	E1	F1		
	2 Physical or Virtual Product Marketing		A2	B2	С	2	D2	E2	F2		
	<b>3</b> Digital Con	tent Sharing	А3	B3	С	3	D3	E3	F3		
	Account Ac Codes to D Sharing	cess or igital Content	A4	В4	С	4	D4	E4	F4		
	<b>5</b> Phishing, Malware Dissemination or Fraud		A5	B5	С	5	D5	E5	F5		
	6 Contributir Infringeme	ng to nt	A6	B6	С	6	D6	E6	F6		
Digital Platform & Technology:	Produc	cts and	d Services	s:		Invo	olved IPR	(s):			
An website on the open internet using a domain name under the country code top level domain .es. The website language is Spanish. Detected e-commerce software is Software 000001. The website is nosted in Turkey. There was no domain name registration information available.	shoes and o products fo description	lothes. The r sale. Each and price. I	ed of selling non e website had a t o product is listed Prices are shown ices is indicated.	otal of 11 768 I with images, its	5	The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000094.					
Identification of Infringer:	Reven	ue Sou	ırces:			Cus	tomer Re	lations:			
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard, Maestro, Discover, Cirrus, and Direct Debit. Currencies: AUD, CAD, CNY, EUR, GBP and USD.						bsite had Privac ections. Both se nish.				
Resilience Against Enforcement Action	:										
The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.											
Marketing Channels and Internet Traff	ic Featu	ıres:									
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purp	ose, which	might generate t	raffic from form	er						

### **Customer Incentives:**

Suspected trade mark infringing e-shops utilising previously used domain names									

Research on Online Business Models Infringing Intellectual Property Rights - Phase 2

7. Cultural and religious

# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Swedish case we would analyse a domain name consisting of the name of a folk music genre.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Swedish

Business Model Summary:  An website on the open internet selling suspected genuine shoes of different known brands. The website domain name, Domain007-se, appears unrelated to the products sold. Domain007-se was registered and used prior to its current use. Archived versions of former websites showed it used to be an website for a Swedish course in folk music. The first archived version of the website is from March 2005.	Matrixt  IPR Infringing Activity	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	<b>C</b> Social Media or Blog	<b>D</b> Gaming or Virtual World	<b>E</b> E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices
	Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2
	3 Digital Content Sharing	А3	B3	С3	D3	E3	F3
	Account Access or Codes to Digital Content Sharing	A4	B4	C4	D4	E4	F4
	5 Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5
	6 Contributing to Infringement	A6	B6	C6	D6	E6	F6

# **Digital Platform & Technology:**

An website on the open internet using a domain name under the country code top level domain. se. The website language is Swedish. Detected e-commerce software is Software 000001. The website is hosted in the Netherlands. No registration information was available. Registrar used was Registrar 000002.

# **Products and Services:**

The website is suspected of selling non-genuine branded shoes. The website had a total of 1 215 products for sale. Each product is listed with images, its description and price. Prices are shown in Swedish krona and a 37-40 % discount on retail prices is indicated.

### Involved IPR(s):

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000006.

# Identification of Infringer:

The website had a contact form without any information about persons, company name, telephone number or address, and an email address as the means of communication. Details pertaining to the email address might be used for identification. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identify. The email address was detected in use on 221 similar websites.

#### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are Visa, MasterCard, Discover, Bank Transfer, Western Union and PayPal. Currencies: N/A.

# The website had Shipping and Returns, Privacy Notice sections. Both sections contained descriptions in

**Customer Relations:** 

Swedish.

# **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

# **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

#### **Customer Incentives:**



# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the German case we would analyse a domain name containing the name of a ballet school.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: German

Date of Crawling: 2016-12-08 05:42:36 CE1			Websi	ite language bi	aseu on n	d on HTML language tag: German					
Business Model Summary:  An website on the open internet selling suspected genuine shoes of different known brands. The website domain name, Domain007-de, appears unrelated to the products sold. Domain007-de was registered and used prior to its current use. Archived versions of	IPR Infringing Activity	Online Digital	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Med Blog	D Gaming o Virtual Wo		<b>F</b> Mobile Devic			
former websites showed it used to be an website for a ballet school in Murnau, Germany. The first archived version of the website is from May 2011.	1 Domain Na Identifier M	me or Digital lisuse of IPR	A1	B1	C1	D1	E1	F1			
	2 Physical or Virtual Product Marketing		A2	B2	C2	D2	E2	F2			
	<b>3</b> Digital Conf	tent Sharing	А3	B3	С3	D3	E3	F3			
	Account Acc 4 Codes to Di Sharing	cess or igital Content	A4	B4	C4	D4	E4	F4			
	5 Phishing, Malware Dissemination or Fraud		A5	B5	C5	D5	E5	F5			
	6 Contributin	ig to nt	A6	B6	C6	D6	E6	F6			
Digital Platform & Technology:	Produc	cts and	d Services	5:	li	nvolved IF	PR(s):				
An website on the open internet using a domain name under the country code top level domain .de. The website language is German. Detected e-commerce software is Software 000001.The website is nosted in the Seychelles. The domain name was registered using a German identity. No registrar data available.	shoes. The v Each produc	website had ct is listed v nown in eu	ed of selling non d a total of 8 595 with images, its d ros and a 50 % d	products for sa escription and p	le. re rice. Br	The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000041.					
Identification of Infringer:	Reveni	ue Sou	ırces:		c	ustomer	Relations:				
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	options are	Visa, Maste	direct sales of list erCard, Maestro, D, CAD, CNY, EUf	Giro Pay, Klarna	and G	ne website had a : erman.	Shipping and Retur	ns section in			
Resilience Against Enforcement Action											
The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.											
Marketing Channels and Internet Traff	ic Featu	res:									
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purpo	ose, which	might generate t	raffic from form	er						

### **Customer Incentives:**

# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the United Kingdom case we would analyse a domain name containing a music genre and a musical instrument.

Wobcite language based on HTMI language tag: English

Date of crawling: 2016-12-08 05:42:36 CET	Webs	Website language based on HTML language tag: English							
An website on the open internet selling suspected non-genuine sport shoes. The website domain name, Domain007-co-uk, appears unrelated to the products sold. Domain007-co-uk was registered and used prior to its current use. Archived versions of former websites showed it used to be a cultural website, specifically for information regarding jazz trumpet playing. The first archived version of the website is from March 2001.	Matrit IPR Infringing Activity	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Media Blog	Or Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices		
	1 Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1		
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2		
	3 Digital Content Sharing	А3	В3	C3	D3	E3	F3		
	4 Account Access or Codes to Digital Content Sharing	A4	B4	C4	D4	E4	F4		
	5 Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5		
	6 Contributing to Infringement	A6	В6	C6	D6	E6	F6		
Digital Platform & Technology:	Products and Services: Involved IPR(s):								
An website on the open internet using a domain name under the	The website is suspected	nd of selling nor	-genuine brande	ad The	The IPR infringement involved in this domain is				

An website on the open internet using a domain name under the country code top level domain .co-uk. The website language is English. Detected e-commerce software is Software 000001. The website is hosted in Estonia. The domain name was registered using a United Kingdom identity. Registrar used was Registrar 000012.

The website is suspected of selling non-genuine branded sports shoes. The website had a total of 7 073 products for sale. Each product is listed with images, its description and price. Prices are shown in pounds sterling and a 66 % discount on retail prices is indicated.

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000003.

#### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

#### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard, and Maestro. Currencies: AUD, CAD, EUR, GBP and USD.

# **Customer Relations:**

The website had a Privacy Notice and a Shipping and Returns section. Both sections contained short descriptions in English.

# **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

# **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

#### **Customer Incentives:**



# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Spanish case we would analyse a domain name containing the name of a religious organisation.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Spanish

Date of Crawling. 2016-12-08 05:42:36 CE1			Mensi	ite iariguage ba	aseu on mi	THIML language (ag. Spanish			
Business Model Summary:  An website on the open internet selling suspected non-genuine shoes of a well-known brand. The website domain name, Do-	Matrix*	Online Digital Platform	A Internet Site Controlled by Infringer	B Third Party Marketplace	C Social Media Blog	D Gaming or Virtual World	E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devi	
main007-es, appears unrelated to the products sold. Domain007-es was registered and used prior to its current use. Archived versions of former websites showed it used to be an website focused on religion in the Malaga area in Spain. The first archived version of the website is from December 2011.	Activity  1 Domain Na	ame or Digital Misuse of IPR	A1	B1	C1	D1	E1	F1	
	2 Physical or Product Ma	Virtual arketing	A2	B2	C2	D2	E2	F2	
	3 Digital Cont	tent Sharing	АЗ	В3	C3	D3	E3	F3	
	Account Accoun	cess or igital Content	A4	B4	C4	D4	E4	F4	
	5 Phishing, Malware Dissemination or Fraud		A5	B5	C5	D5	E5	F5	
	6 Contributin	ng to nt	A6	B6	C6	D6	E6	F6	
Digital Platform & Technology:	Produc	cts and	d Services	5:	In	volved IPR	(s):		
An website on the open internet using a domain name under the country code top level domain .es. The website language is Spanish. Detected e-commerce software is Software 000001. The website is hosted in Panama. The domain name was registered using a personal identity. Registrar used was Registrar 000036.	shoes. The v product is lis	website had sted with ir	ed of selling non d a total of 484 p nages, its descrip d a 59 % discoun	roducts for sale. otion and price. F	Each rela Prices Bra	The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000007.			
Identification of Infringer:	Reveni	ue Sou	ırces:		C	Customer Relations:			
The website had a contact form without any information about persons, company name, telephone number or address and an email address as the means of communication. Details pertaining to the email address might be used for identification. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. The email address was detected in use on 3 similar websites.		e not availa	direct sales of list able on the webs D.			website had a Privacy Notice section without ttent and a FAQ section in Spanish.			
Resilience Against Enforcement Action									
The lack of information that can identify the commercial entity behind t	he website is	a resilience	e measure agains	st enforcement a	action.				
Marketing Channels and Internet Traff	ic Featu	ıres:							
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purpo	ose, which	might generate t	raffic from form	er				

### **Customer Incentives:**

Research on Online Business Models Infringing Intellectual Property Rights - Phase 2 Suspected trade mark infringing e-shops utilising previously used domain names

8.	Private	associations
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# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Swedish case we would analyse a domain name consisting of the abbreviation of the name of a women's gymnastics club

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Swedish

Business Model Summary:  An website on the open internet selling suspected non-genuine shoes of a well-known brand. The website domain name, Domain008-se, appears unrelated to the products sold. Domain008-se was registered and used prior to its current use. Archived versions	Matritt Region Property of Participation Pro	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Media or Blog	<b>D</b> Gaming or Virtual World	<b>E</b> E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices
of former websites showed it used to be an website for a women's gymnastics club in Norrkoping, Sweden. The first archived version of the website is from April 2013	1 Domain Name or Dig Identifier Misuse of IP	A1	B1	C1	D1	E1	F1
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2
	3 Digital Content Sharin	A3	В3	C3	D3	E3	F3
	Account Access or Codes to Digital Conto	nt A4	B4	C4	D4	E4	F4
	5 Phishing, Malware Dissemination or Frau	A5	B5	C5	D5	E5	F5
	6 Contributing to Infringement	A6	В6	C6	D6	E6	F6

# Digital Platform & Technology:

An website on the open internet using a domain name under the country code top level domain .se. The website language is Swedish. Detected e-commerce software is Software 000001. The website is hosted in Luxembourg. No registration information was available. Registrar used was Registrar 000004.

### **Products and Services:**

The website is suspected of selling non-genuine branded shoes. The website had a total of 6 329 products for sale. Each product is listed with images, its description and price. Prices are shown in euros and a 66-67 % discount on retail prices is indicated.

### Involved IPR(s):

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000001.

#### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

#### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are Visa, MasterCard, Maestro, Discover, Cirrus, and American Express. Currencies: AUD, CAD, CNY, EUR, GBP and USD.

# Customer Relations:

The website had Shipping and Returns, Privacy Notice sections. Both sections contained descriptions in Swedish.

# **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

# **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

#### **Customer Incentives:**



# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the German case we would analyse a domain name of a motorcycle club in a specific geographic area.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: German

ate of crawling: 2016-12-08 05:42:36 CET			Website language based on HTML language tag: German							
Business Model Summary:  An website on the open internet selling suspected genuine shoes and	Matrix	Online Digital Platform	A Internet Site		C Social Me	edia or	D Gaming or	E E-mail,	<b>F</b> Mobile Devi	
clothes of different known brands. The website domain name, Do- main008-de, appears unrelated to the products sold. Domain008-de was registered and used prior to its current use. Archived versions of	IPR Infringin Activity	a Onlin	Controlled by Infringer	Marketplace	Blo	g	Virtual World	Chatroom or Newsgroup		
former websites showed it used to be an website for an international motorcycle club in Regensburg, Germany. The first archived version of the website is from February 2010.	<b>1</b> Domain Na Identifier N	ame or Digital Misuse of IPR	A1	B1	C1	1	D1	E1	F1	
	2 Physical or Product Ma	2 Physical or Virtual Product Marketing		B2	C2	2	D2	E2	F2	
	<b>3</b> Digital Con	<b>3</b> Digital Content Sharing		В3	C3	3	D3	E3	F3	
	Account Ac Codes to D Sharing			B4	C4	1	D4	E4	F4	
	<b>5</b> Phishing, N Disseminat	<b>5</b> Phishing, Malware Dissemination or Fraud		B5	C5		D5	E5	F5	
	6 Contributing to Infringement		A6	В6	C6		D6	E6	F6	
Digital Platform & Technology:	Produc	cts and	d Services	s:		Involved IPR(s):				
An website on the open internet using a domain name under the country code top level domain .de. The website language is German. Detected e-commerce software is Software 000001. The website is hosted in Turkey. The domain name was registered using a German identity. No registrar data available.	shoes and of for sale. Eac	lothes. The h product i s are shown	ed of selling non website had a to is listed with ima in euros and a 4 d.	otal of 4 051 pro ges, its description	ducts on and	related	-	volved in this do The main brand		
Identification of Infringer:	Reven	ue Sou	ırces:			Customer Relations:				
The website had a contact form without any information about persons, company name, telephone number or address, and an email address as the means of communication. Details pertaining to the email address might be used for identification. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. The email address was detected in use on 81 similar websites.	Revenue comes from direct sales of listed products. Payment options are Visa, MasterCard, and Maestro. Currencies: AUD, CAD, CHF, CNY, DKK, EUR, GBP, JPY, NOK, PLN, SEK and USD.							y Notice and Shi sections had de:		
Resilience Against Enforcement Action:										
The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.					ection.					
Marketing Channels and Internet Traffic Features:										
The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.										

### **Customer Incentives:**

# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the United Kingdom case we would analyse a domain name containing the name of an educational project involving

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: English

Dute of crawling. 2010 12 00 05.42.50 CE1	11000	Website language based on Titime language tag. English						
Business Model Summary:  An website on the open internet selling suspected genuine shoes of different known brands. The website domain name, Domain008-co-uk, appears unrelated to the products sold. Domain008-co-uk was registered and used prior to its current use. Archived versions	Matrixt  IPR Infringing Activity	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Media or Blog	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices	
of former websites showed it used to be an association website, specifically for a youth programme, where young people with learning disabilities could be educated while being in the presence of dogs.  The first archived version of the website is from July 2010.	Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1	
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2	
	3 Digital Content Sharing	A3	В3	C3	D3	E3	F3	
	Account Access or Codes to Digital Content Sharing	A4	B4	C4	D4	E4	F4	
	<b>5</b> Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5	
	6 Contributing to Infringement	A6	В6	C6	D6	E6	F6	
Digital Platform & Technology:	Products and	l Services	Services: Involved IPR(s):					

An website on the open internet using a domain name under the country code top level domain .co-uk. The website language is English. Detected e-commerce software is Software 000001. The website is hosted in Canada. The domain name was registered using a United Kingdom identity. Registrar used was Registrar 000013.

The website is suspected of selling non-genuine branded shoes. The website had a total of 20 947 products for sale. Each product is listed with images, its description and price. Prices are shown in pounds sterling and a 50 % discount on retail prices is indicated.

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000466.

#### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

#### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard, Maestro, PayPal, and Sage Pay. Currencies: AUD, CAD, CNY, EUR, GBP and USD

# **Customer Relations:**

The website had a Privacy Notice and a Shipping and Returns section. Both sections contained detailed descriptions in English.

# **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

# **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

#### **Customer Incentives:**



# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Spanish case we would analyse a domain name containing the name of a badminton club.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Spanish

Date of crawling: 2016-12-08 05:42:36 CET	ate of crawling: 2016-12-08 05:42:36 CET				Website language based on HTML language tag: Spanish					
Business Model Summary:	rit	gital	Α	В	С	D	E	F		
An website on the open internet selling suspected genuine shoes and clothes of different known brands. The website domain name, Domain008-es, appears unrelated to the products sold. Domain008-es was registered and used prior to its current use. Archived versions of	NATIFITY  IPR Infringin  Activity	Online Digital	Internet Site Controlled by Infringer	Third Party Marketplace	Social Media Blog	Gaming or Virtual World	E-mail, Chatroom or Newsgroup	Mobile Devic		
former websites showed it used to be a sport website, specifically for a badminton club in the area of Santiago Compostela, Spain. The first archived version of the website is from October 2015.	1 Domain Na Identifier N	1 Domain Name or Digital Identifier Misuse of IPR		B1	C1	D1	E1	F1		
	2 Physical or Virtual Product Marketing		A2	B2	C2	D2	E2	F2		
	<b>3</b> Digital Con	<b>3</b> Digital Content Sharing		В3	C3	D3	E3	F3		
	Account Ac Codes to D Sharing	ccess or Digital Content	A4	В4	C4	D4	E4	F4		
	5 Phishing, N Disseminat	Malware tion or Fraud	A5	B5	C5	D5	E5	F5		
	6 Contributing to Infringement		A6	В6	C6	D6	E6	F6		
Digital Platform & Technology:	Produ	cts and	d Services	s:	Inv	olved IPR	(s):			
An website on the open internet using a domain name under the country code top level domain .es. The website language is Spanish. Detected e-commerce software is Software 000001. The website is hosted in the United States. There was no domain name registration information available.	shoes and of products description	clothes. The for sale. Ea and price.	ed of selling non website had an ach product is lis Prices are showr ices is indicated.	unknown numb ted with images, n in euros and a	er relat its Bran	PR infringement ir ed to trade marks d 000010.				
Identification of Infringer:	Reven	ue Sou	ırces:		Cu	Customer Relations:				
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	Revenue comes from direct sales of listed products. Payment options were not available on the website. Currencies: AUD,					The website had Privacy Notice and Shipping and Returns sections. Both sections contained descriptions in Spanish.				
Resilience Against Enforcement Action	:									
The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.										
Marketing Channels and Internet Traffic Features:										
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purp	ose, which	might generate t	raffic from form	er					

### **Customer Incentives:**

uspected trade mark infringing e-shops utilising previously used domain names							

Research on Online Business Models Infringing Intellectual Property Rights - Phase 2

9. Famous people and fan clubs

# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Swedish case we would analyse a domain consisting of the name of a Swedish writer.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Swedish

Business Model Summary:  An website on the open internet selling suspected genuine shoes of different known brands. The website domain name, Domain009-se, appears unrelated to the products sold. Domain009-se was registered and used prior to its current use. Archived versions of	Matrixt  IPR Infringing Activity	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	<b>C</b> Social Media or Blog	<b>D</b> Gaming or Virtual World	<b>E</b> E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices
former websites showed it used to be an official website for a famous Swedish poet and writer. The first archived version of the website is from February 2006.	Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2
	3 Digital Content Sharing	А3	B3	C3	D3	E3	F3
	Account Access or Codes to Digital Content Sharing	A4	B4	C4	D4	E4	F4
	5 Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5
	6 Contributing to Infringement	A6	B6	C6	D6	E6	F6

# Digital Platform & Technology:

An website on the open internet using a domain name under the country code top level domain. se. The website language is Swedish. Detected e-commerce software is Software 000001. The website is hosted in the Netherlands. No registration information was available. Registrar used was Registrar 000006.

### **Products and Services:**

The website is suspected of selling non-genuine branded shoes. The website had a total of 2 427 products for sale. Each product is listed with images, its description and price. Prices are shown in Swedish krona and a 50 % discount on retail prices is indicated.

# Involved IPR(s):

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000002.

#### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

#### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are Visa, MasterCard, Maestro, and Western Union. Currencies: ANG, AUD, CAD, DKK, EUR, GBP, NOK, SEK and USD.

# The website had a FAQ section with descriptions in

**Customer Relations:** 

# **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

# **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

### **Customer Incentives:**



# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the German case we would analyse a domain name containing the name of a popular movie action character.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: German

Date of crawling: 2016-12-08 05:42:36 CET		Webs	ite language ba	ased on HTM	n HTML language tag: German				
Business Model Summary:  An website on the open internet selling suspected non-genuine shoes of a well-known brand. The website domain name, Domain009-de, appears unrelated to the products sold. Domain009-de	IPR Infringing Activity	Online Digital Platform	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	<b>C</b> Social Media Blog	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devic	
was registered and used prior to its current use. Archived versions of former websites showed it used to be an website for fans of films featuring a specific superhero character. The first archived version of the website is from June 2012.	1 Domain Na Identifier M	ame or Digital Misuse of IPR	A1	B1	C1	D1	E1	F1	
	2 Physical or Product Ma	2 Physical or Virtual Product Marketing		B2	C2	D2	E2	F2	
	3 Digital Con	<b>3</b> Digital Content Sharing		B3	C3	D3	E3	F3	
	Account Ac Codes to D Sharing	Account Access or Codes to Digital Content Sharing		B4	C4	D4	E4	F4	
	5 Phishing, N Disseminat	Malware tion or Fraud	A5	B5	C5	D5	E5	F5	
	6 Contributing to Infringement		A6	B6	C6	D6	E6	F6	
Digital Platform & Technology:	Produc	cts and	d Services	5:	Inv	Involved IPR(s):			
An website on the open internet using a domain name under the country code top level domain .de. The website language is German. Detected e-commerce software is Software 000001. The website is hosted in Turkey. The domain name was registered using a French identity. No registrar data available.	shoes. The v product is li	website had sted with ir n euros and	ed of selling non d a total of 308 p nages, its descrip d a 59-65 % disc	roducts for sale. otion and price. F	Each relat Prices Bran	PR infringement ir ed to trade marks d 000040.			
Identification of Infringer:	Reven	ue Sou	ırces:		Cu	Customer Relations:			
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	1		direct sales of list erCard, Delta, an			website had a Ship ontent.	pping and Return	s section with	
Resilience Against Enforcement Action	:								
The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.									
Marketing Channels and Internet Traffic Features:									
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purp	ose, which	might generate t	raffic from form	er				

### **Customer Incentives:**

# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the English case we would analyse a domain name using the full name of a famous rugby player.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: English

Business Model Summary:  An website on the open internet selling suspected genuine shoes and bags and clothes of different known brands. The website domain name, Domain009-co-uk, appears unrelated to the products sold. Domain009-co-uk was registered and used prior to its current use.	IPR Infringing Activity	Online Digital Platform	A Internet Site Controlled by Infringer	B Third Party Marketplace	<b>C</b> Social Media or Blog	D Gaming or Virtual World	E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices
Archived versions of former websites showed it used to be a fan/ celebrity website for a famous rugby player. The first archived version of the website is from September 2014.	1 Domain Name or I Identifier Misuse o	Digital of IPR	A1	B1	C1	D1	E1	F1
	2 Physical or Virtual Product Marketing	ıl Ng	A2	B2	C2	D2	E2	F2
	3 Digital Content Sha	haring	A3	В3	C3	D3	E3	F3
	Account Access or Codes to Digital Co Sharing	r Content	A4	B4	C4	D4	E4	F4
	5 Phishing, Malware Dissemination or F	e Fraud	A5	B5	C5	D5	E5	F5
	6 Contributing to Infringement		A6	В6	C6	D6	E6	F6

# Digital Platform & Technology:

An website on the open internet using a domain name under the country code top level domain .co-uk. The website language is English. Detected e-commerce software is Software 000001.The website is hosted in Turkey. The domain name was registered using a United Kingdom identity. Registrar used was Registrar 000012.

# **Products and Services:**

The website is suspected of selling non-genuine branded shoes and bags and clothes. The website had a total of 54 880 products for sale. Each product is listed with images, its description and price. Prices are shown in pounds sterling and a 69 % discount on retail prices is indicated.

# Involved IPR(s):

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000420.

#### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

#### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options were not available on the website. Currencies: AUD, CAD, CNY, EUR, GBP and USD.

# Customer Relations:

The website had a Shipping and Returns section containing a short description in English.

# **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

# **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

#### **Customer Incentives:**



# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Spanish case we would analyse a domain name containing the name of a female writer.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Spanish

Date of crawling: 2016-12-08 05:42:36 CET	Websi	Website language based on HTML language tag: Spanish								
Business Model Summary:  An website on the open internet selling suspected genuine clothes of different known brands. The website domain name, Domain009-es,	Watrit*	Online Digital Platform	A Internet Site Controlled by Infringer	B Third Party Marketplace	Social M Blo	edia or	D Gaming or Virtual World	E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devic	
appears unrelated to the products sold. Domain009-es was registered and used prior to its current use. Archived versions of former websites showed it used to be an website about a famous Spanish writer. The first archived version of the website is from May 2015.	Activity  1 Domain Na	ame or Digital disuse of IPR	A1	B1	C.	1	D1	E1	F1	
	2 Physical or Product Ma	2 Physical or Virtual Product Marketing		B2	C2		D2	E2	F2	
	<b>3</b> Digital Content Sharing		АЗ	B3	C:	3	D3	E3	F3	
	Account Ac Codes to D Sharing	Account Access or Codes to Digital Content Sharing		B4	C	4	D4	E4	F4	
	5 Phishing, Malware Dissemination or Fraud		A5	B5	C5		D5	E5	F5	
	6 Contributir Infringeme	ng to nt	A6 B6 C		C	6	D6	E6	F6	
Digital Platform & Technology:	Produc	cts and	d Services	<b>5</b> :		Invo	olved IPR	(s):		
An website on the open internet using a domain name under the country code top level domain .es. The website language is Spanish. Detected e-commerce software is Software 000001. The website is hosted in Turkey. The domain name was registered using a personal identity. Registrar used was Registrar 000036.	clothes. The Each produ	e website ha ct is listed v hown in eu	ed of selling non ad a total of 4 08 with images, its d ros and a 3-40 %	8 products for s escription and p	ale. rice.	related	R infringement in I to trade marks. 000080.			
Identification of Infringer:	Reven	ue Sou	ırces:			Customer Relations:				
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard, Maestro, and Western Union. Currencies: AUD, CAD, CHF, DKK, EUR, GBP, NOK, PLN, SEK and USD.						The website had Payment, Terms and Conditions and Shipping and Tracking sections. All contained short descriptions in Spanish.			
Resilience Against Enforcement Action	:									
The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.										
Marketing Channels and Internet Traff	ic Featu	ıres:								
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purp	ose, which	might generate t	raffic from form	er					

### **Customer Incentives:**

suspected trade mark infringing e-shops utilising previously used domain names							

Research on Online Business Models Infringing Intellectual Property Rights - Phase 2

10. Adult and dating

# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Sweden case we would analyse a domain name using a domain name containing the name of a specific gender group.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Swedish

Business Model Summary:  An website on the open internet selling suspected non-genuine shoes of a well-known brand. The website domain name, Domaino10-se, appears unrelated to the products sold. Domaino10-se was registered and used prior to its current use. Archived versions of	Makirit Ooline Battor Activity	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Media or Blog	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices		
former websites showed it used to be an adult website facilitating sex chat and sex video streams. The first archived version of the website is from February 2016.	1 Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1		
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2		
	3 Digital Content Sharing	А3	В3	С3	D3	E3	F3		
	Account Access or Codes to Digital Content Sharing	A4	В4	C4	D4	E4	F4		
	<b>5</b> Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5		
	6 Contributing to	A6	В6	C6	D6	E6	F6		

# Digital Platform & Technology:

An website on the open internet using a domain name under the country code top level domain .se. The website language is Swedish. Detected e-commerce software is Software 000001. The website is hosted in the Netherlands. No registration information was available. Registrar used was Registrar 000004.

#### **Products and Services:**

The website is suspected of selling non-genuine branded shoes. The website had a total of 323 products for sale. Each product is listed with images, its description and price. Prices are shown in Swedish krona and a 47-80 % discount on retail prices is indicated.

# Involved IPR(s):

The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000001.

#### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

#### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options were not available on the website. Currencies: AUD, CAD, CHF, CNY, DKK, EUR, GBP, JPY, NOK, SEK and USD.

# The website had Shipping and Returns, Privacy Notice sections. Both sections contained descriptions in

**Customer Relations:** 

Swedish.

# **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

# **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

#### **Customer Incentives:**



# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the German case we would analyse a domain name using a domain name indicating an adult service.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: German

	Website language based on This language tag. German									
Business Model Summary:  An website on the open internet selling suspected non-genuine bags	Matrix	Online Digital Platform	A Internet Site Controlled by	B Third Party Marketplace	C Social Media Blog	D a or Gaming or Virtual World	E E-mail, Chatroom or	F Mobile Devic		
of a well-known brand. The website domain name, Domain010-de, appears unrelated to the products sold. Domain010-de was regis- tered and used prior to its current use. Archived versions of former	IPR Infringing Activity	a lo	Infringer	a.nespiaee	Jiog		Newsgroup			
websites showed it used to be an adult website, specifically about female escorts in the Madrid area of Spain. The first archived version of the website is from March 2015.	Domain Name or Digital Identifier Misuse of IPR		A1	B1	C1	D1	E1	F1		
	2 Physical or Virtual Product Marketing		A2	B2	C2	D2	E2	F2		
	<b>3</b> Digital Content Sharing		АЗ	В3	С3	D3	E3	F3		
	Account Access or Codes to Digital Content Sharing		A4	B4	C4	D4	E4	F4		
	5 Phishing, Malware Dissemination or Fraud		A5	B5	C5	D5	E5	F5		
	6 Contributing to Infringement		A6	B6	C6	D6	E6	F6		
Digital Platform & Technology:	Products and Services:					Involved IPR(s):				
An website on the open internet using a domain name under the country code top level domain .de. The website language is German. Detected e-commerce software is Software 000001.The website is hosted in Turkey. The domain name was registered using a German identity. No registrar data available.	ntry code top level domain .de. The website language is German. ected e-commerce software is Software 000001. The website is ted in Turkey. The domain name was registered using a German ntity. No registrar data available.  bags. The website had a total of 10 133 products for sale. Each product is listed with images, its description and price. Prices are shown in Swiss francs and a 59-62 % discount on retail prices is indicated.				le. rela rice. Bra	The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000267.  Customer Relations:				
Identification of Infringer:					C					
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	Revenue comes from direct sales of listed products. Payment options were not available on the website. Currencies: AUD, CAD, CHF, DKK, EUR, GBP, NOK, PLN, SEK and USD.					The website had Privacy Notice and Shipping and Returns sections. Both sections had descriptions in English.				
Resilience Against Enforcement Action										
The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.					action.					
Marketing Channels and Internet Traff	ic Featu	ıres:								
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purpo	ose, which	might generate t	raffic from form	er					

### **Customer Incentives:**

# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the United Kingdom case we would analyse a domain name indicating an adult service in a specific large British city.

Date of crawling: 2016-12-08 05:42:36 CET	Webs	Website language based on HTML language tag: English							
Business Model Summary:  An website on the open internet selling suspected genuine sandals of a specific known brand. The website domain name, Domain010-co-uk, appears unrelated to the products sold. Domain010-co-uk was registered and used prior to its current use. Archived versions of former websites showed it used to be an adult website, specifically a London escort service. The first archived version of the website is from July 2002.	Matrixt IPR Infringing Activity	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	C Social Media or Blog	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devices		
	1 Domain Name or Digital Identifier Misuse of IPR	A1	B1	C1	D1	E1	F1		
	2 Physical or Virtual Product Marketing	A2	B2	C2	D2	E2	F2		
	3 Digital Content Sharing	А3	В3	С3	D3	E3	F3		
	4 Account Access or Codes to Digital Content Sharing	A4	B4	C4	D4	E4	F4		
	<b>5</b> Phishing, Malware Dissemination or Fraud	A5	B5	C5	D5	E5	F5		
	6 Contributing to Infringement	A6	В6	C6	D6	E6	F6		
Digital Platform & Technology:	Products and	l Service	s:	Inve	olved IPR	(s):			
An website on the open internet using a domain name under the country code top level domain .co-uk. The website language is English. Detected e-commerce software is Software 000001. The website	The website is suspected sandals. The website has is listed with images, its	ad a total of 209 description an	) for sale. Each p d price. Prices ar	roduct related e Brand	The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000065.				

ı		
	An website on the open internet using a domai	n name under th
ı	and the second s	ita languaga is F

is hosted in the United States. The domain name was registered using a United States identity. Registrar used was Registrar 000022.

shown in pounds sterling and a 34 % discount on retail prices

#### **Identification of Infringer:**

The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.

#### **Revenue Sources:**

Revenue comes from direct sales of listed products. Payment options are VISA, MasterCard. Currencies: N/A.

# The website had an About Us section, a FAQ, a Privacy

**Customer Relations:** 

Notice and a Shipping and Returns section. All sections were in English with short descriptions.

# **Resilience Against Enforcement Action:**

The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.

# **Marketing Channels and Internet Traffic Features:**

The website made use of a domain name that was previously used for another purpose, which might generate traffic from former users and potentially inherit other specific network benefits.

### **Customer Incentives:**



# Online Intellectual Property Rights Infringing Business Model:

**Short Description of the Business Model** 

Due to the anonymised policy followed across the document, in the Spanish case we would analyse a domain name indicating an adult service in a large Spanish city.

Date of crawling: 2016-12-08 05:42:36 CET

Website language based on HTML language tag: Spanish

Date of Crawling: 2016-12-08 05:42:36 CE1	Website language based on HTML language tag. Spanish									
Business Model Summary:  An website on the open internet selling suspected non-genuine bags of a well-known brand. The website domain name, Domain010-es, appears unrelated to the products sold. Domain010-es was registered and used prior to its current use. Archived versions of former	IPR Infringing Activity	Online Digital	A Internet Site Controlled by Infringer	<b>B</b> Third Party Marketplace	Social M Blo	- ledia or	D Gaming or Virtual World	E E-mail, Chatroom or Newsgroup	<b>F</b> Mobile Devic	
websites showed it used to be an adult website, specifically about female escorts in the Madrid area of Spain. The first archived version of the website is from March 2015.	1 Domain Name or Digital Identifier Misuse of IPR		A1	B1	C	1	D1	E1	F1	
	2 Physical or Virtual Product Marketing		A2	B2	C2		D2	E2	F2	
	3 Digital Content Sharing		А3	B3	С3		D3	E3	F3	
	Account Access or Codes to Digital Content Sharing		A4	B4	C	4	D4	E4	F4	
	<b>5</b> Phishing, Malware Dissemination or Fraud		A5	B5	С	5	D5	E5	F5	
	6 Contributin	ig to nt	A6	B6	С	6	D6	E6	F6	
Digital Platform & Technology:	Products and Services:					Involved IPR(s):				
An website on the open internet using a domain name under the country code top level domain .es. The website language is Spanish. Detected e-commerce software is Software 000001. The website is hosted in Sweden. The domain name was registered using a personal identity. Registrar used was Registrar 000036.	The website is suspected of selling non-genuine branded bags. The website had a total of 194 products for sale. Each product is listed with images, its description and price. Prices are shown in euros and a 35 % discount on retail prices is indicated.				The IPR infringement involved in this domain is related to trade marks. The main brand affected is Brand 000021.					
Identification of Infringer:	Reveni	ue Sou	ırces:			Customer Relations:				
The website had a contact form without any information about persons, company name, telephone number or address as the only means of communication. Domain registration information is unlikely to identify the infringer, as it is suspected of having been registered using a false or stolen identity. No email address was found.	Revenue comes from direct sales of listed products. Payment options are VISA, Mastercard, and Paypal. Currencies: CAD, CNY, EUR, GBP and USD.					The we conten	bsite had a Priva t.	acy Notice sectio	n without any	
Resilience Against Enforcement Action	:									
The lack of information that can identify the commercial entity behind the website is a resilience measure against enforcement action.										
Marketing Channels and Internet Traffic Features:										
The website made use of a domain name that was previously used for users and potentially inherit other specific network benefits.	another purpo	ose, which	might generate t	raffic from form	er					

### **Customer Incentives:**

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www.euipo.europa.eu



Research on Online Business Models Infringing Intellectual Property Rights

# Phase 2

Suspected trade mark infringing websites utilising previously used domain names

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