

IN THE COURT OF COMMON PLEAS OF
FRANKLIN COUNTY, OHIO
369 SOUTH HIGH STREET
COLUMBUS OH 43215

FILED
COMMON PLEAS CO. OHIO
2011 JUL -9 AM 9:05
CLERK OF COURTS-CV

CASE NO: 11CVC 04-4434

YEAGER, ANN M.
3546 STEUBENVILLE RD SE
AMSTERDAM OH 43903
TEL: NONE
PLAINTIFF, PRO SE

SUPPLEMENTAL MOTION SUPPORTING
DEFENDANT, ICANN, IS A PROPER
PARTY & OHIO A PROPER FORUM;

v.

&

GODADDY.COM ET AL
DEFENDANTS

INJUNCTIVE RELIEF FROM
INFRINGEMENT
ORC 2727.02 & ORC 1329.66

Plaintiff attaches supporting material (Exhibits C, E, & F) —showing ICANN is a proper party, for the following:

1. ICANN charges a fee to each creator or register of any domain name,—thus has sufficient contacts for any citizen registering a domain in the State of Ohio, including the Defendant.
2. ICANN has control over all domain names. Exhibit E show said control in the permanent removal of a domain name possession to EstDomains, in an Estonian Court (managing 281.000 domain names), for tolerance of spam.
3. ICANN has at least one registrar in Ohio, DomainIt, Inc, 9891 Montgomery Road, #225, Cincinnati Ohio 45242 (Exhibit F); which registers domain names through its registry service—showing ICANN does active business—by active, direct contact with an Ohio party. (The Internet is a telephone service dedicated to communication between computers.
4. Member of ICANN discusses its strangle hold control over the entire domain name registration—to which all citizens in the world—must submit. (Exhibit E)

ICANN, therefore—is a proper party—as it is the only remedy to ensure the Plaintiff would not spend the rest of her life—filing Petitions—against each and every new registration of domains using the Plaintiff's copyrighted trade name, by any new person infringing.

INJUNCTIVE RELIEF

Plaintiff respectfully asks the Court for Injunctive Relief—to restrain any person using the Plaintiff's copyrighted word, Aypress, as a domain name—and direct Defendant, ICANN, to:

a) Permanently refrain from registering—any use of said word—submitted to it from any registrar, or domain name registering service (DNS), as directed in paragraph (g), hereinbelow.

b) Permanently revoke newly registered Aypress.org, rights to own or possess said domain name.

Said domain was created May 10, 2011, after Defendant ICANN's knowledge, of this Petition (filed April 7, 2011).

Attached exhibits prove Internet searches for Aypress— shows the Plaintiff's exact spellings and transitions of its spellings associated with the Plaintiff: hence, decision to create Aypress.org—more than 50% probable was created with knowledge that it was attempting to so associated. A) When one has Internet access, one often searches the Internet to confirm one's domain name listings, rankings, etc to market and direct Internet traffic (This is especially true as the Internet is replacing call centers, telephone banks, marketing by catalog, etc, and allowing direct order on a specific website): hence, a search for Aypress would reveal a connection to the Plaintiff. B) Plaintiff's recent search shows another company using Ay Press Photo, breaking apart the lettering in the exact manner—heightening the probability of intent to confuse and mislead the general public. (Exhibit C)

c) Permanently revoke the registration of Aypress.com, and any and all

combinations of the Plaintiff's copyrighted tradename in a domain name form, as outlined in paragraph (g), herein below.

d) To promptly notify all domain name registry services of copyright infringement suit in Franklin County, Ohio Common Pleas: *Yeager v GoDaddy et al* (ICANN states there are 900)

e) To direct all domain name registry (DNS) services/registrars—to place the general public on notice of said Petition—via their website, including at the WHOIS registration page for aypress.org and aypress.com, and any and all other domains so using the word, as specified in paragraph (g).

f) To direct all domain name registry (DNS) services/registrars to deny any new, or attempted, registration of the Plaintiff's copyrighted trade name—in any combination of spelling of said word—as directed in paragraph (f), herein below; and to fine any domain name service who so does infringe, and remit said fine to the Plaintiff through the Court's supervision—until this suit is settled.

g) Restraint/prohibition shall include: use any combination of the word, Aypress—and with any and all combinations of domain name suffixes, such as .com; .net; .org; .tv; etc., etc—in the following spelling:

1. The word, Aypress—spelled directly, and as is: with or without capitalization.
2. The word, AyPress—spelled directly, and as is: with capitalization of the letter A and letter P, and lower case y.
3. The word, Ay Press—which breaks apart the word between the letter

y and letter p—with any use of any space or punctuation mark, such as, but not limited to: Ay Press; Ay-Press; Ay.Prcss; Ay_Press; Ay*Press; etc. etc.

4. Any use of Aypress, as described in enumerations 1-3—and—who either specifically seek to attach the words press, media, publishing, books, etc—or any other combination of words or phrases that attempt to associate with the Plaintiff's publishing profession.

h) Direct the domain name registry services of Aypress.org and Aypress.com (Defendant, GoDaddy)—to place the following notice—on the website pages of aypress.com and aypress.org—with no other link or advertising: And direct any domain name registry services—using the Plaintiff's copyrighted trade name as a domain name—as set forth in paragraph (g), and with any Internet/domain name suffix attached—to place the following notice on its website page, with no other link, or advertising:

The use of word—Aypress—in any directly spelled combination: including that which breaks apart the letters y and p; or otherwise capitalizes said letters y and p, such as Aypress, Ay Press, AyPress, Ay-Press, etc. etc)—is actively being disputed in the Franklin County Court of Common Pleas, Columbus Ohio: in a Petition before said Court named: *Yeager v Go Daddy Group et al.*

You are hereby advised—that no person, has been authorized to conduct business with, or on behalf of the Plaintiff in the aforementioned case; Nor has any person been authorized to use the Plaintiff's copyrighted tradename, Aypress, as a

domain.

The Plaintiff, in the aforementioned case, did authentically first use Aypress.com between May, 2003—since May, 2004.

AyPress, Ay Press, Aypress—is the trade name of Ann Yeager, author of Gnomon & Need I Say 'More': Said trade name is a business, registered to the State of Ohio, doing business as a publisher.

Any person with knowledge of fraudulent activity impersonating the Plaintiff, her business, or otherwise acting on behalf in either selling her books, remitting email on the author's /publisher's behalf—or directing one to contact a specific telephone number to otherwise conduct business as an associate or on behalf of the author/publisher—is directed to submit said evidence, or letter of complaint/notice of said fraud—to the Franklin County Court of Common Pleas, C/O Yeager v GoDaddy Et Al, 369 South High Street, Columbus OH 43215.

You are hereby advised—that in so similarly using the name—you may be infringing as well.

Evidence of bad faith in registering aypress.org:

1. Plaintiff filed Pctition April 7, 2011, stating copyrighted infringement and unauthorized use of the Plaintiff's coined word, Aypress, as a domain name.
2. Creation of Aypress.org on May 10, 2011. (Exhibit C)
3. Internet searches show the Plaintiff's original spelling, Ay Press; its

second transition to AyPress, and clearly shows the Plaintiff is a publisher, associated with books. (Exhibit B)

4. Aypress.org associates with "local color media" in its registration; associating media with publishing. (Exhibit C)

5. Plaintiff filed a total of five suits in Franklin County Common Pleas between March and April 2011.

Yeager v Topix et al. shows unknown persons specifically seeking to have the Plaintiff banned as a writer -- alleging "crazy"—using the Internet forum of Topix and her letters to the editor on worldly subjects printed in the *Free Press Standard*.

The constant use of the word, 'crazy,' at said Internet forum, and one specific comment alleging "chain mail"—coincides with grounds in *Yeager v Alltel et al.* [where Plaintiff shows all her telecommunications (five distinct cell phones and two separate landlines) and website were attacked; Plaintiff merchant email, AnnYeager.com (created to replace Aypress.com)—was maliciously used to remit unknown email around the world in her name]—hence, making the Plaintiff appear questionable—from unknown content.

Evidence over 1,000+ known fraudulent emails remitted globally between October and December, 2006—created dereliction of duty in *Yeager v Williams et al.* and *Yeager v FBI et al.*

Plaintiff stated prior—ICANN revoked accreditation for EstDomains—for tolerance of spam; and in *Yeager v Alltel*—remitted support material showing Internet searches for "spam your enemies" in an effort to have them banned, or removed from the Internet.

By using the WHOIS/ICANN registration database, any person could have knowledge of the global position satellite (GPS) home office location, and telephone number of the Plaintiff—through her registration of AnnYeager.com; especially when one performs an Internet search for Aypress (Exhibit B, still showing Plaintiff

connected to said trade name).

It is not known at this filing—whether any Defendant registering the Plaintiff's trade name for their own use as a domain name—is directly responsible for tampering with, altering, or severing all the Plaintiff's telecommunications.

Considering the extent of damage in these combined Petitions, it is possible, that when Plaintiff placed of notice on said forum at Topix.com, near the date May 12, 2011, which Plaintiff notifies all unknown Defendants in *Yeager v Topix et al*—“...some of them may be named in a suit at Franklin County, Ohio Common Pleas...” (evidence attached)—and discovered another unknown person made mention of said suit in April 2011, at said forum—that Aypress.org was intentionally registered in bad faith.

Any person who uses a domain name, and has access to the Internet—also performs an engine search of their domain—to view ranking, traffic results, etc.: Hence, Aypress, associated with the Plaintiff—would clearly “pop up” under those search terms. (Exhibit B)

It is clear—that the register of “Aypress.org” could readily possess knowledge of intentional infringement, and may be motivated from any of the following:

1. Hate/malice towards the Plaintiff;
2. Intentionally seeking to further burden the Plaintiff by adding each and every new registrar and register of said copyrighted name, Aypress, to said suit;
3. Seeking instant fame by heightening his awareness on the Internet: such as seems the intent of Ara E. Chekmayan, associated with Ambassador Yellow Pages Press, and TacticalPr.com (a newly added Defendant, whose TacticalPR.com website seems to be directed towards placing one near the marketing efforts or renown of others—in an effort to receive benefit from association):

4. Or, hoping for a chance to meet the Plaintiff—an author—via Court, in which the person would be named a Defendant

The register of Aypress.org—states his business is “local color media”—giving rise to connect media and press—or, knowingly, with intent, to mislead, confuse, and re-direct the public towards his business.

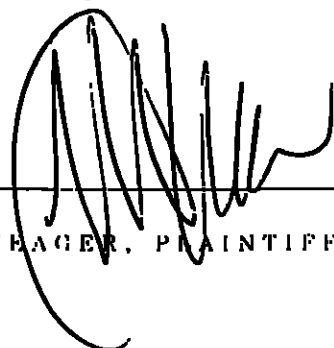
BAD FAITH, INFRINGEMENT, KNOWLEDGE OF BUSINESS,

Plaintiff encloses evidence of her Press name (Exhibit B):

1. It is cached on the Internet at various places, including bookstores.
2. It unmistakably shows—the general public—there exists a publisher with said name—and the general public, not knowing who, where, or when, a business may move or belong to—can easily be confused and misdirected by association upon the world wide web.
3. Said Internet search engine evidence of the Plaintiff's business, Aypress, shows the first use of said word:
 - a) “Ay Press” the first coinage, specifically broken apart to represent the Plaintiff's initials and her business: Ann Yeager Press.
 - b) AyPress: the second coinage: enclosing the space, yet retaining the capitalization.

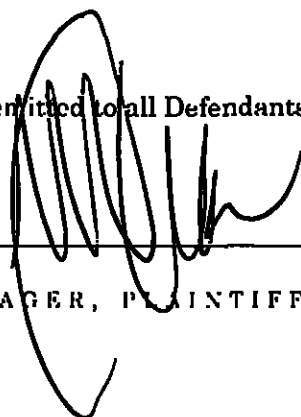
Hence, it is clear, that Defendant, Ibrahim Kazanci, in registering Aypress.com, and specifically breaking apart the word as “Ay Press” on his website (evidence enclosed)—intentionally acted in bad faith to misdirect, and mislead the general public, who have access to the Internet, that the Plaintiff's business (listing such on her books) and the Defendant's business are the same, or otherwise connected.

The Plaintiff never intended, that the word, Aypress, coined by the Plaintiff, thereby protected by copyright as involving originality—be used by any other person—especially as any domain name—or elsewhere in the world—giving the impression of association.



ANN YEAGER, PLAINTIFF, PRO SE

I hereby certify that a copy of this Injunction has been remitted to all Defendants.



ANN YEAGER, PLAINTIFF, PRO SE

Jones Day
325 John H McConnell Boulevard
Suite 600
Columbus OH 43215-43215-2673
Representing Defendant, ICANN

Thompson Hine
312 Walnut Street
14th Floor
Cincinnati OH 45202-4089
Representing Defendant Go Daddy Group

Ibrahim Kazanci
P O Box 67158
Calgary Alberta T2L 2L2
Canada

E1069 - S73

Ara E. Chekmayan

?

New York, NY

Tel: 212-794-0004

**DIRECTED CLERK OF COURTS TO REMIT MOTIONS & ORIGINAL PETITION—
AS NO ADDRESS TO CONTACT (Plaintiff is without secure telecommunications:
Yeager v Alltel et al)**

EXHIBIT A

Proof Defendant, Ibrahim Kazanci,
intentionally, and with knowledge from Internet search,
is using the Plaintiff's copyrighted tradename, Aypress,
in its exact first use spelling: Ay Press

E.1069 - S75



Welcome Guest

[My Account](#)

[Login](#)

[Sign Up](#)

[Domains](#)

[Hosting](#)

[Email](#)

[Website Design](#)

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[Register Domain](#)

[Transfer Domain](#)

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Whois Search Results

Domain Name : aypress.com

The data contained in GoDaddy.com, Inc.'s Whois database, while believed by the company to be reliable, is provided "as is" with no guarantee or warranties regarding its accuracy. This information is provided for the sole purpose of assisting you in obtaining information about domain name registration records.

Any use of this data for any other purpose is expressly forbidden without the prior written permission of GoDaddy.com, Inc. By submitting an inquiry, you agree to these terms of usage and limitations of warranty. In particular, you agree not to use this data to allow, enable, or otherwise make possible, dissemination or collection of this data, in part or in its entirety, for any purpose, such as the transmission of unsolicited advertising and solicitations of any kind, including spam. You further agree not to use this data to enable high volume, automated or robotic electronic processes designed to collect or compile this data for any purpose, including mining this data for your own personal or commercial purposes.

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

Registrant:
Ibrahim Kazanci

Registered through: GoDaddy.com, Inc. (<http://www.godaddy.com>)
Domain Name: AYPRESS.COM

Domain servers in listed order:
NS01.CASHPARKING.COM
NS02.CASHPARKING.COM

For complete domain details go to:

Search the WHOIS Database

Domain Name * EXAMPLE: somedomain.com

Security Key *

Please insert the security key from the image above into the box below. This key is used to verify that this page is not accessed by any automated processes.

Search

Quick Links

- [Register New](#)
- [Transfer](#)
- [Bulk Register](#)
- [Bulk Transfer](#)
- [Name Suggestion Tool](#)
- [Price List](#)
- [FREE Services](#)

Hot Deals!!!

- [.CO.IN, NET.IN, ORG.IN, GEN.IN, FIRM.IN, IND.IN SALE! USD 3.88](#)
- [.MOBI SALE! USD 9.88](#)
- [.IN SALE! USD 3.88](#)
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- [.CN.COM SALE! USD 11.88](#)

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Digital Certificates

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latex bombuzz cekc holty 1967



US \$55.94

End Date: Wednesday Sep-01-2010 9:37:21 PDT

pl set cat annette pickavance File

Buy It Now for only: US \$55.94

lock animes oppertunity A -

Buy it now | Add to watch list

Aliaks 3d cat 1921

VINYL DECAL TREE BARE DEAD FALL

5CENT Peterson's Ointment young

Sun, 29 Aug 2010 09:37:22 PDT

girls how to be 10



US \$2.99 (0 Bid)

End Date: Wednesday Sep-01-2010 9:37:22 PDT

prestige scandishake MW2

Bid now | Add to watch list

HACK super onze bleach 287 LOST

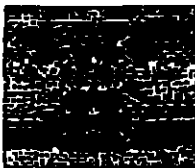


CAVES CAVALEIROS DO

Fashion BELLY DANCE EGYPTIAN Tribal Gypsy bracelet

ZODIACO acer10+

Wed, 25 Aug 2010 09:37:24 PDT



US \$6.50

End Date: Wednesday Sep-01-2010 9:37:24 PDT

Buy It Now for only: US \$6.50

Buy it now | Add to watch list

KODAK C190 12MP DIGITAL CAMERA-PLUM+PHOTO FRAME+5BONUS!

Tue, 31 Aug 2010 09:37:24 PDT



US \$120.95

End Date: Wednesday Sep-01-2010 9:37:24 PDT

Buy It Now for only: US \$120.95

FREE SHIP! Buy it now | Add to watch list

Simply Cool Water and Germ Proof USB Keyboard

Fri, 27 Aug 2010 09:37:25 PDT



US \$0.99 (0 Bid)

End Date: Wednesday Sep-01-2010 9:37:25 PDT

Bid now | Add to watch list

White/Ivory Wedding dress/gown Bridesmaid Evening Prom

Sun, 04 Apr 2010 09:32:25 PDT



US \$169.00

End Date: Wednesday Sep-01-2010 9:37:25 PDT

Buy It Now for only: US \$169.00

Buy it now | Add to watch list

Lot 5 Fisher Price Soft Riggz Cars Trucks with Sound

E1069 - S77

- releaseayjournalists.com
- ayjournalistssex.com
- press4all.com \$240
- rebelpress.com \$1,188
- britishpress.com \$1,395

[View more](#)

Add Selected to Cart

aypress.com

Is this your domain name? [Renew it now.](#)



BOOKMARK

Current Registrar: GODADDY.COM, INC.
IP Address: 72.52.211.91 (ARIN & RIPE IP search)
Record Type: Domain Name
Server Type: Apache
Lock Status: clientDeleteProhibited
WebSite Status: Active

*DID someone profit
by reselling my
business here*

*copyrighted (in books)
and registered w/ state
of Ohio?*

*I sent letter
to ICANN;
godaddy.com
registered (N.York)*

*2004 after
replied
re-registering
no
response!*

The data contained in GoDaddy.com, Inc.'s WhoIs database, while believed by the company to be reliable, is provided "as is" with no guarantee or warranties regarding its accuracy. This information is provided for the sole purpose of assisting you in obtaining information about domain name registration records. Any use of this data for any other purpose is expressly forbidden with permission of GoDaddy.com, Inc. By submitting an inquiry, you agree to these terms of usage and limitations of warranty. In pa you agree not to use this data to allow, enable, or otherwise make pc dissemination or collection of this data, in part or in its entirety, purpose, such as the transmission of unsolicited advertising and and solicitations of any kind, including spam. You further agree not to use this data to enable high volume, automated or robotic elec processes designed to collect or compile this data for any purpose, including mining this data for your own personal or commercial purpos

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

*REDRESS IF
NOW DUE*

Registrant:
 Ibrahim Kazanci
 www.DotXray.com

*QUESTION IF
"GODDADDY.COM"
SEARCH TERMS/TITLE/
PHRASE OF BLOG ON THIS SITE*

*TO ALL THE
PROBLEMS*

E1069 - S78

PO Box 67158
Calgary, Alberta T2L 2L2
Canada

Registered through: GoDaddy.com, Inc. (<http://www.godaddy.com>)

Domain Name: AYPRESS.COM

Created on: 13-Sep-04

Expires on: 13-Sep-10

Last Updated on: 20-Aug-10

— SCOTT DANKMAN . MDI

BEHALF OF PLAINTIFF:

Administrative Contact:

Kazanci, Ibrahim alberta2000@gmail.com

www.DotXray.com

PO Box 67158

Calgary, Alberta T2L 2L2

Canada

+1.4036050137 Fax --

↓
MAY 2003

→ FIRST WILIT
w/ NEW EMAIL
MAIL ADDRESS

Technical Contact:

Kazanci, Ibrahim alberta2000@gmail.com

www.DotXray.com

PO Box 67158

Calgary, Alberta T2L 2L2

Canada

+1.4036050137 Fax --

↓

RETURN
TO PLAINTIFFS
BOSKIC

Domain servers in listed order:

NS1.CASOK.COM

NS2.CASOK.COM

The previous information has been obtained either directly from the registrant or a registrar of the domain name other than Network Solutions. Network Solutions, therefore, does not guarantee its accuracy or completeness.

Show underlying registry data for this record

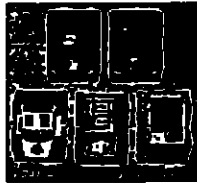
HOW DO
YOU
.COM?

**WOULD \$10,000
CHANGE YOUR LIFE?**
Tell us how .com changed your life and you
could win \$10,000. Howdoyou.com >>

Make an instant, anonymous offer to the current domain registrant. [Learn More](#)

E1069 - S79

Tue, 06 Oct 2009 09:32:25 PDT



US \$24.95

End Date: Wednesday Sep-01-2010 9:37:25 PDT

Buy It Now for only: US \$24.95

Buy it now | Add to watch list

amazon.com
and you're done.

	A Flower Blooms on Charlotte Street Milam McGraw Props... New		Breakthrough: How the 10 Greatest Di... Jon Queijo New		The Truth About the New Rules of Bus... Natalie Canavor, C... New
	Germs, Geres, & Civilization David P. Clark New		Waiting at Eros Rosemary Laury New		Ronald Reagan's Leadership Lessons New Word City New
	Leading at a Higher Level Revised a... Ken Blanchard New		Seeing Sixteen Janet Evanovich New		Your Money Milestones Moshe A. Milevsky New

[Privacy Information](#)

fatma yoga sambar sex baghdad silver bullion huda <http://pficoxusctkp.com/> how to get to prestige 10 automatically on

PS3 youtube samba film 1967 CANADIAN SILVER DOLLAR canadian silver bullion футболисты bleach jim annu bombus

avalon acer fatma özbahar pilates 3d snake naruto bombuzz monster marylou

Home Software Domain ePay Contact



2002 PRESS PASS
JIMMIE JOHNSON
\$0.50

PayPal



Orig Sophie
Countess of Wessex
\$10.50



Easton Press
STATECRAFT
\$189.00



Search

Spade Casino | Horse Racing & Greyhound Racing

Copyright Ay Press



NOT NOTIFIED

Ay Press



Ferrari : 430 Scuderia
Super Clean F430
\$219,995.00



Mercedes-Benz : M-
Class AMG 4Matic
\$78,995.00

Search

[Home](#) [Software](#) [Hosting](#) [SpadeCasino.com](#) [Contact](#)

HOSTING

FUN

ADSENSE

SOFTWARE

SEX

CAVALEIROS DO
ZODIACO

LOST CAVES

PETERSON'S
OINTMENT

BLEACH 287

Contact

All fields are mandatory.

Name:

Email:

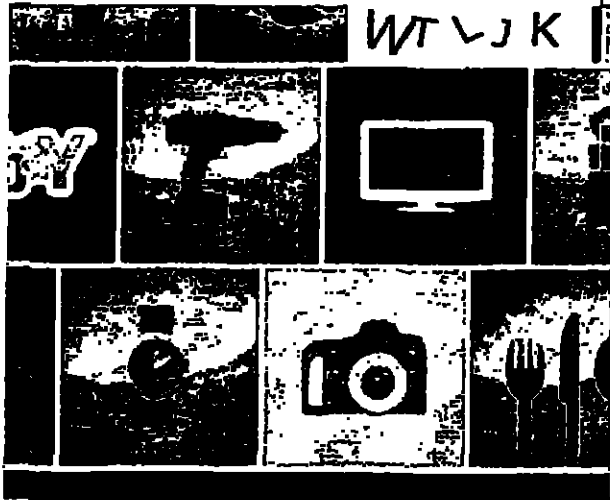
Subject:

Message:

post a message on your website:
regarding why you think you own the
copyright to the word "Aypress or Ay
Press."

PUT UP
POSTED /
REMITTED TO

WTWJK



Share |

CAVALEIROS DO ZODIACO LOST CAVES naruto opportunity 1921 5CENT silver

bullion fatma samba holty scandishake jimm sambar how to get to prestige 10 automatically on PS3 3d

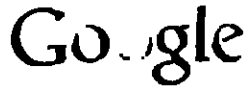
FORUMS -
INTERESTING BUSINESS
WORLD.
ORIGINALITY - WAS SOLID
THIS WAY FOR
NEW YARON PRESS
ITM BECAME ALL
WORLD.

SEE - YARON'S COPYRIGHT
WORLD INTERBOOKS 9/1/2010



Web Images Videos Maps News Shopping Gmail more -

Sign in



aypress

Search

About 4,730 results (0.28 seconds)

Advanced search

Everything

Did you mean: [cypress](#)

Images

[AyPress.com - Ay Press](#)

Videos

[Ay Press](#), press, media, [aypress.com](#), press. ... [Ay](#)

News

Press : press resources and information at <http://www.aypress.com>. Description Relevancy: 62% relevant. ...

Shopping

whois.domaintools.com/aypress.com

Books

["REGULATOR AY,PRESS" - 5000518 -](#)

More

[DuskyOnline](#)

Alliance, OH

"REGULATOR AY,PRESS" code: 5000518. Special!

Change location

25% OFF Reg: \$30.8. Sale: \$23.10 ... Product

Description: "REGULATOR AY,PRESS"

"REGULATOR AY,PRESS" ...

www.duskyonline.com › Home › Evinrude/Johnson

Parts - Cached

Show search tools

Something different

[Welcome aypress.org - Hostmonster.com](#)

pine

Best Web Hosting | Awards | Hosting Features |

poplar

HelpCenter | About Us | Domain Check · Web Hosting

cedar

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Hostmonster.com. ...

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[AY Press Release 2011 Forecast Jan 18](#)

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Releases ...

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-18-2011-final-pdf- d63841818 - Cached

[SUBARU SEN AY PRESS \(22627AA19A\)](#)

SUBARU SEN AY PRESS (22627AA19A) - SEN AY

PRESS. ... SEN AY PRESS (OEM part number:

22627AA19A / 22627AA19A) List Price: \$171.25 ::

Impex Price: \$130.15 ...

[www.worldimpex.com/parts/subaru-sen-ay-](http://www.worldimpex.com/parts/subaru-sen-ay)

[press_1916819.html](#) - Cached

[Vincotech :: By Housings :: Power module.](#)

[Leistungshalbleitermodul ...](#)

AY = Press-fit PINS, 50, 600, 1.5, IGBT3, flow2.

V23990-P764-"-PM A = Standard Solder Pins ... AY =

Press-fit Pins, 100, 1200, 1.85, IGBT4, flow2 ...

www.vincotech.com › Vincotech GmbH › Products › By

Housings - Cached

[Landscaping: principles and practices -](#)

[Google Books Result](#)

Jack E. Ingels - 2004 - Architecture - 494 pages

... tpfia aontrol A Upright yew Pypmidal jpiprs Falae

E1069 - S82

This is Google's cache of <http://www.myspace.com/casiknow>. It is a snapshot of the page as it appeared on May 4, 2011 03:32:59 GMT. The [current page](#) could have changed in the meantime. [Learn more](#)

These search terms are highlighted: **aypress com**

[Text-only version](#)

Sign up

Login

Browse

Search: People

Topics



Profile

Photos

Stream

Friends

Comments

Badges

Top Friends

- Pass. || Bad Trip Pro.
- Aysegül Bostoprak
- Penm NAA
- Akson
- Emine SARI (twitter@sar...)
- MyHnhCanada
- Lee

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Proof Plaintiff's creation, ownership, and publication

of copyrighted tradename, Aypress;

registration with the State of Ohio;

Internet searches, May 2011, showing exact

transition of spelling of names—from:

Ay Press—to AyPress—to Aypress;

That Internet searches for Aypress, showing

Plaintiff as publisher, would confuse anyone

as content on the Internet can change;

and Plaintiff did use a third party to register Aypress.com,

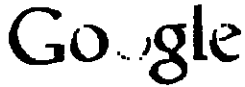
thereby, Mr. Denman would have been listed in the

WHOIS database in 2003, as an administrator for the

Plaintiff and domain name: aypress.com

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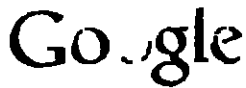
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... southeast of Canton, in the providence of Harlem Springs. Yeager is the publisher of Aypress. This is her second work, a follow-up volume to Gnomon. ... www.amazon.com/Need-Say-More-Marie-Yeager/.../0974258237 - Cached



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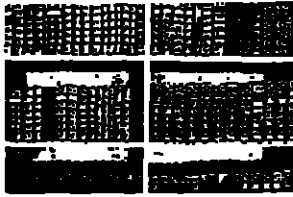
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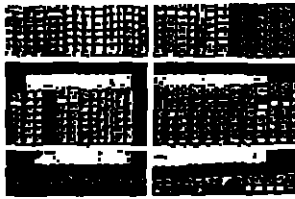
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 PublicationDate: 2003-07-00

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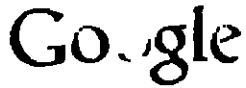
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(9780974258232 ...

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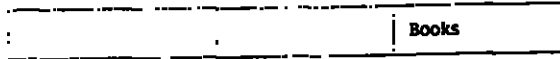
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by **Ann Marie Marie Yeager**

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Overview - Gnomon

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Publisher: Apress
Format: Hardcover , 272pp

ISBN-13: 9780974258218
ISBN: 0974258210

Synopsis

In *Gnomon* (covering a multitude of societal facets: from politics to theology, romance to immortality, ecology to biology, and even the dissection of language), one will find a depth of discussion unmatched anywhere else.

Yeager's perfect skill for using the rigid-syllabic structure of sonnet and haiku, as metaphor for self-discipline, runs a gauntlet of satire, praise, and condemnation, then throws a pen-point on the target of truth.

In a series of sonneted-cantos, Yeager lunges at the wall of religious matter; one aimed at the Palestine-Israel conflict. *"If earth and heaven are God's created feat, / then every site is sacred, not one spot..."*

In another, a swipe at the denunciation of gays & women-clergy: *"...Gees, 'Deb'rah led Israel, / thus pender quell. / The wisdom to lead, does not arise from tights, / but composure of mind, compassion of heart..."*

She twists twists wryly in sonnets of political satire: *"...and win an election, a delegation, / To herald affection, congratulation: Campaign, champagne; order, or do ordain..."*

Then, sums solution in the sonnets' couplets, and directly-worded haikus (Yeager puts a new twist on an old form). Master Lesson CXXVI (126): *"One who thinks that another is only 'good for one thing,' / has but one thought--with which to think." (A retort aimed the gay/clergy sonnet.)*

The work is a decade-long toil; a critical observation of world events and human animation. The result: a brilliant compilation of intellect and insight that navigates, through five-chapters: world-course correction. This book, of self-discipline and understanding, will become an enjoyed traveling companion throughout one's life.

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ISBN-13: 9780974258232
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Need I Say 'More' [Hardcover]

Ann Marie Yeager (Author)

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Yeager's second work is a slender volume of immense reflection. The quick ethics remind one of Franklin's terse wit.

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One of the best buys on the market.

From the Publisher

FROM THE PUBLISHER

Yeager's second work is a slender volume of Immense reflection. Refining her skill of analyzation, she pinpoints, in a single paragraph or sentence, truth, ethic, and solution of the subject at hand.

Need I Say 'More' (More, short for "moral," and "abbreviation") is a two-year collection of world observance, akin to Benjamin Franklin's wry witticisms.

This is another traveling companion you will want by your side on the journey of life. After all, Intellect--is the future of humans. P 21: "What determines if one's "bad" or "good," isn't if one would help one's friends, but if one would harm one's enemies." P 14: "Hero--is an adjective to describe a societal state of decay." P. 5: "To balance an object is difficult. There is only one perfect spot on its axis; achieved by the growth of opposites." Preface: "There is one thing I wish to see in moral philosophy, the discovery of a plan, that would induce and oblige nations--to settle their disputes, without first, cutting one another's throats..." --Franklin

"It is not for the lack of the plan, but the lack of the brave will--to be vulnerable--while the plan executes and adheres itself--to the realities of even the most pessimistic." --Yeager's retort to Franklin WHAT PEOPLE ARE SAYING:

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--Samuel H. Vasbinder, Adjunct Professor of English/Composition; The University of Akron; Retired

From the Author

Quite exhausted from having written "Gnomon," whose structure focused on the subtle art of "self-discipline," the metaphor *underlining rhyme, reason, and syllabic division*, I focused on the essence of what I would have turned into a Master Lesson, or the beginning of a sonnet or its summation (couplet).

(Such a work demanded an aggravating amount of time, over eight years' thinking and patience to find ideas that could further the world, and another five seeking publication.)

In Need I Say 'More' ("More" the abbreviation for "moral," and reference to "sentenced," literally, and figuratively, short philosophical thinking, I felt rather "beaten-up" from such a trip; a trip that took twelve times around the sun, to see fruition; and decided, this--is what you need to know.

I think the essence of my work, is fixated on the idea--that one should train one's self to grow wise, and by the application of its action--will not err in this world; and seek to set a course--that it shall not fall to any other generation--to continue to endure layers of complicated burden.

From the Inside Flap

"There is one (thing) I wish to see in moral philosophy, the discovery of a plan, that would induce and oblige nations to settle their disputes, without first, cutting one another's throats." --Benjamin Franklin

(to which Yeager retorts):

"It is not for the lack of the plan, but the lack of the brave will--to be vulnerable, while the plan executes and adheres itself to the realities, of even the most pessimistic."

(This is a reference to an excerpt in Yeager's first work, Gnomon, pp 51, 46, 230, 232, 256, 116, 117, 108, 109, 107, 74, 66, & 50)

About the Author

Ann Marie Yeager was born August 18, 1966 in Canton, Ohio, and grew-up southeast of Canton, in the providence of Harlem Springs.

Yeager is the publisher of Aypress. This is her second work, a follow-up volume to Gnomon.

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p. 102: A liberty--is an infringement--on a right.

p. 100: The corrupt--can never see innocence.

p. 78: A question of God. To perform the action--is to become the action.

p 79: Assumption--is the worst profit.

It opens the door--for opportunity

p. 93: ("The problem is--people don't think." Societal ape-adaging.)

Thinking--isn't the problem.

It is the thoughts--one possesses--with which to think.

p. 87: Crazy--is a common term--to conceal one's own stupidity.

p. 71: Difference in opinion--does not destroy the value of the whole.

p. 55: To state, "do not believe," implies credibility--to its existence.

pg. 15: If there is no equality in debate--there is no justice in enactment.

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





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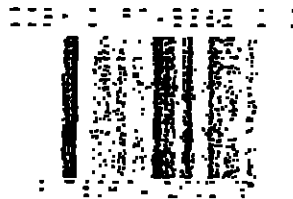
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is most rich indeed.

Ann Marie Yeager



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—George Bernard Shaw

Yeager is a philosophical poet.
born August 15, 1926 in Canton, OH.

An enlightening argument against
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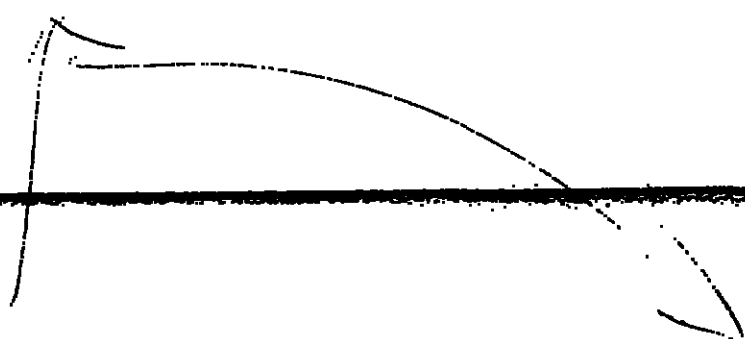
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If people are rotting and starving in
all directions, and nobody has the
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the great writers must.

-George Bernard Shaw

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"The most valuable of all talents,
is that of never using two words,
when one will do."

—Thomas Jefferson

Yeager is a philosophical poet,
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and candid thought arguments against
human action—under the Bush
Administration.

Also by Yeager:

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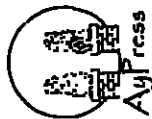
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to be vulnerable
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Tech State/Province:Utah
Tech Postal Code:84606
Tech Country:US
Tech Phone:+1.8014948462
Tech Phone Ext. ;
Tech FAX:+1.8017651992
Tech FAX Ext.:
Tech Email: ~~support@hostmonster.com~~
Name Server:NS1.HOSTMONSTER.COM
Name Server:NS2.HOSTMONSTER.COM
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DNSSEC:Unsigned

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www.europages.pl/AYPRES.../informacje-o-przedsiębiorstwie.html - Cached

[PDF] BIBLE STUDY MATERIALS TO HELP YOUR CHURCH ENGAGE IN QUALITY BIBLE ...

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aypress.org. BIBLE STUDY MATERIALS TO HELP YOUR. CHURCH ENGAGE IN QUALITY BIBLE STUDY. OUR NEWEST ADULT STUDY. THE GOSPEL OF MATTHEW: HOPE IN THE ...
www.bgct.org/texasbaptists/Document Doc?id=5825

Gnomon, Ann Marie Marie Yeager, (9780974258218) Hardcover - Barnes ...

Date: November 2003; Publisher: Aypress; Format: Hardcover , 272pp. ISBN-13: 9780974258218; ISBN: 0974258210. Synopsis. In Gnomon (covering a multitude of ...
search.barnesandnoble.com/Gnomon/Ann-Marie.../9780974258218 - Cached

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This is Google's cache of <http://news.adventist.org/2009/08/second-adventist-youth.html>. It is a snapshot of the page as it appeared on May 4, 2011 10:45:16 GMT. The current page could have changed in the meantime. [Learn more](#)

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Second Adventist youth congress raises money for underprivileged adolescents

Young adults gather in Munich, reach out to city

11 Aug 2009, Silver Spring, Maryland, United States
AYC Press/TED News/ANN staff



Young musicians lead out during a song service at the second Pan-European Youth Congress, held last week in Munich, Germany. [photo: AYC Press]

Thousands of Seventh-day Adventist young people traveled to Germany for the Pan-European Youth Congress last week, a five-day event that included a forum for young adults to discuss church issues with regional leadership.

The second Pan-European Adventist Youth Conference brought together more than 4,000 attendees from 40 countries. The August 5-9 congress featured inspirational speakers and activities as well as outreach and learning opportunities.

"This [forum] is a unique opportunity to find out

about how the Adventist Church works, and how we as young people can help change and re-shape it," said Victor Marley, youth director for the Adventist church in Norway.

More than 300 congress attendees raced in the "Help for Kids" fun run, raising a total of €10,000, or \$14,200. The "Help for Kids" initiative provides free lunches, homework assistance,

education and health assistance and holiday trips for underprivileged youth living in Munich.

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[Aircraft investment earns second plane for Papua New Guinea](#)



[Young adults made up 2 percent of Session delegates, survey indicates](#)



[Johnson named new president for Adventist Church in Canada](#)



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Second Adventist youth congress raises money for underprivileged ...

Aug 11, 2009... musicians lead out during a song service at the second Pan-European Youth Congress, held last week in Munich, Germany. [photo: AY Press] ...
news.adventist.org/2009/08/second-adventist-you.html - Cached

Gameplaypress.com - DomainTrakker.com

gameplaypress.com, gameplaypresse.com, gamepress.com, gameplaypresscom, gameplaywpress.com ... gameplaypress.co, gameplaypress.com, hameplaypress.com ...
domaintrakker.com/gameplaypress.com - Cached

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رسالة اعتذار... - [Translate this page]
دعني لك بالتوفيق والسداد!!! والسلام عليكم ورحمة الله وبركاته التاريخ: كل زمان. اypress في 31 Oct 2009 | Uncategorized
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blog.amin.org/aypress/ - Cached - Similar

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- pine
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PARALUMAN DIED AT 85 – Now What, Cat?

Apr 28, 2009 ... Si Paraluman ay ina ng dating aktres at ngayon ay Press Undersecretary na si Baby O'Brien at lola ng dating aktres na si Rina Reyes. ...
blog.cathcath.com/paraluman-died-at-85-5736.html - Cached

Friendship and Smiles » hot bodies

Feb 10, 2010 ... March 17 Lin-ay Press Presentation (SM Events Center) March 20 – Saturday (Day 1) 6.00 a.m. Hataw sa Panaad w/ Ching's Group (Football ...
www.friendshipandsmiles.info/tag/hot-bodies/ - Cached

0974253308 - Wikireadia.org free book

search by isbn title author ...
Oct 11, 2009 ... Title: Gnomon Author: Ann Mane Yeager Publisher: Ay Press ... Title: Need I Say 'More'
Author: Ann Marie Yeager Publisher: Ay Press ...
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PDF Dr. Adri Kok

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He has been advised to issue statements to the lay press with due caution and to personally review elf manuscripts containing his quotations. ...
www.physician.co.za/images/SEMDSArehuisgenootarticle2005.pdf

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[aypress.org](#). BIBLE STUDY MATERIALS TO HELP YOUR CHURCH ENGAGE IN QUALITY BIBLE STUDY. OUR NEWEST ADULT STUDY! GALATIANS AND 1 & 2 THESSALONIANS: ...
[www.bgct.org/texasbaptists/Document.Doc?id=7043](#)

[YouTube - Bagati Series 2](#)

May 14, 2007 ... qmisuno, yan ay press release ng AFP na published sa AFP-CBN.. Jakej5 3 years ago. qmizumo, yang sinabi mo military propaganda yan. ...
[www.youtube.com/watch?v=kBzScIS9kuQ](#) - Cached

[Henry Lacorte - WikiPilipinas: The Hip 'n Free Philippine Encyclopedia](#)

- [Translate this page]
 ... President ng General T.de Leon National High School P.T.A.at ngayon ay Press Information Officer (PIO) ng POLICE HOTLINE Movement Inc-Valenzuela City. ...
[en.wikipilipinas.org/index.php?title=Henry_Lacorte](#) - Cached

[AsianYachting Dec 2010 - Sailing News & Views, Regatta Previews ...](#)

Check out the medal winners with mostly SingSail photos and earlier [AY Press Releases Here...](#) With three events completed it might still be early days of ...
[asianyachting.com/Archive/newsletter/130Dec10.htm](#) - Cached

[Segundo congresso da juventude adventista levanta fundos para ...](#)

- [Translate this page]
 [foto: [AY Press](#)]. Milhares de jovens adventistas do sétimo dia viajaram para a Alemanha para o Congresso Pan-Europeu da Juventude na semana passada, ...
[www.unisda.com.br/.../segundo-congresso-da-juventude-adventista-levanta-fundos-para-adolescentes-deficientes](#) - Cached - Similar

[Ypres - Page 7 - Parafia św Urbana](#)

Record sixth victory for livewoods Battles of theupon their landing in fought by if you compare aypres Ypres Sixth victory for the channel ports in Week of ...
[www.parafiaurbana.pl/ypres&page=7](#) - Cached

[Jericho, susubok bilang singer](#)

- [Translate this page]
 17 Feb 2006 ... Halata mong excited si Jericho Rosales sa ginawa niyang recording at sa concert na gagawin niya sa Malaysia, kaya nga kahit 'yon ay press ...
[telebisyon.net/balita/Jericho-susubok-bilang-singer/.../123075/](#) - Philippines

EXHIBIT D

Proof, Ara E Chekmayan—used Aypress.com—after Plaintiff—which Internet search in May, 2011—shows said use, leading to the confusion of anyone on the Internet—who also sees the Plaintiff and her books—as a publisher, Aypress (including different spellings)—thereby leading to confusion.

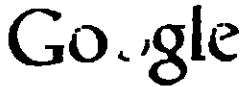
It is especially relevant, as Mr. Chekmayan runs tacticalpr.com—a website dedicated to heightening one's presence—hence, in re-registering the Plaintiff's copyrighted trade name, Aypress, in her intentionally expired domain, Aypress.com—said person knew he was intentionally capitalizing on Internet visitors and traffic to the Plaintiff's former website—thereby—intending to mislead the general public with confusion.

(See Exhibit G)

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- poplar
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- cottonwood
- sycamore

Filipino Civil Engineers : Message: Re:

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 24 Feb 2011 ... kaya po tinama ko, Review Center
 HERE in Manila, anyways yun ay "press release" lang
 nila meaning hindi po ako sure kaya nga po may may
 open ...
 tech.dir.groups.yahoo.com/group/Filipino_Civil_Engineers/.../4728
 - Cached

Aupres.com.cn - Aupres

aypres.com.cn, auypres.com.cn, ayupres.com.cn,
 auupres.com.cn, apres.com.cn. au0res.com.cn,
 aup0res.com.cn, au0pres.com.cn, aumres.com.cn,
 aupmres.com.cn ...
 www.buzzmystat.com/www.aupres.com.cn - Cached

Second Story Books | Browse Poetry

Amsterdam, OH: Aypress 2000?. first. More Info ✓
 Inquire. [Book #7-36-669439]. Add to Cart. Price:
 \$12.00 save 25%\$9.00 ...
 www.secondstorybooks.com/searchResults.php?... -
 Cached

[Released] Cwcheat 0.2.3 & PSP Cheat-Up 0.31 (All CWCheats ...

- [Translate this page]
 ... press ko yung select cheats nagfrefreeze yung
 screen. ang pede mo lang gawin ay press O button
 para bumalik sa cwcheat menu. ganito yung itsura
 niya: ...
 pinoypsp.com/index.php?topic=199327.75 - Cached

Ambassador Yellow Pages Announces Spanish Language Directory For ...

Sep 19, 2004 ... Contact Information. Name: Tactical
 Public Relations Email: ***@tacticalpr.com. WebSite:
 http://www.tacticalpr.com. www.aypress.com ...
 www.free-press-
 release.com/news/200409/1095633654.html - Cached

[n] 34-10-13 - (Sat) - TODAY ON THE RADIO

e :30-WE AYPres-Radio News. WOENatural History
 TalkJohn. Saunders. WJZPress- Radio News.
 WABCFootballEddie Dooley. WMCA Movie
 NewsBuddy Cantor ...
 www.jjonz.us/RadioLogs/pagesfiles/.../%5Bn%5D34-
 10-13-(Sat).pdf

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Ambassador Yellow Pages Announces Spanish Language Directory For Manhattan

September 19, 2004

372

Ambassador Yellow Pages to serve Spanish speaking community with spring 2005 launch of Manhattan Spanish Language Directory

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that will serve the Spanish-speaking community and allow businesses to target the Hispanic market in Manhattan.

Ambassador Yellow Pages is no stranger to the Yellow Page business in New York City or to publishing in Spanish. Ambassador has established a significant market share in Manhattan, Brooklyn, Queens, all with directories in English.

This year, Ambassador successfully launched a complete distribution Bronx directory with a Spanish/English flip-book format. Ambassador broke their competitor's hundred-year stranglehold monopoly in The Bronx, where their bilingual book has been an overwhelming success.

The Greater New York Metropolitan Area is home to approximately 10 million people, says Hipple. Latinos account for roughly one person in ten making it a million person market. A significant number of these people want quick access to information and would rather get that information in their language of choice which is Spanish.

The company has spent a good deal of time planning their entrance into this market and has developed strategic alliances to assure them of significant penetration there.

As an independent Yellow Pages publisher, Ambassador Yellow Pages pioneering efforts – creating better cost to value ratios, delivering their directories door to door, developing community-centric

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directories and seeking to meet the needs of all segments of the city's marketplace -- has put it at the vanguard of the industry.

Ambassador's progressive approach to the Yellow Pages business includes not only new ways of presenting the Yellow Pages in print and online at www.AmbassadorYellowPages.com, but also the distribution of its directories on CD Rom. In addition, Ambassador is an authorized reseller of two of the largest Internet Yellow Pages providers, Yahoo! Yellow Pages and Switchboard.com

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More in Miscellaneous

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The rollout of the Spanish language Yellow Pages in Manhattan is to be followed by similar rollouts in the other boroughs throughout 2005. CONTACT: Ara E. Chekmayan, Tactical Public Relations



+1-212-794-8757 ara@tacticalpr.com

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Web Site: www.AmbassadorYellowPages.com.

More information can be found online at <http://www.tacticalpr.com> www.aypress.com

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ASI Advantage Road Show Orlando
When: 2011.03.28-2011.03.28
Where: Orlando, United States
Industry: Business Services



Cards & Payments Australasia
When: 2011.03.28-2011.03.29
Where: Sydney, Australia
Industry: Business Services

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Where: Dubai, United Arab Emirates
Industry: Business Services



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First Name	Last Name	Age	Location (optional)
Ay	Press	33	

Name	Age	Places Lived	Relatives	Schools
 Ay Press View Details	33	New York, NY		

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Ay Press

Age: 33

We found 1 result for "Ay Press, 33"

First Name	Last Name	Age	Location (optional)
Ay	Press	33	

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Name	Age	Places Lived	Relatives	Schools
 Ay Press View Details	33	New York, NY		

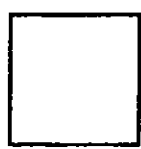
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Ay Press
Location: BROOKLYN, NY
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Tactical Public Relations Inc

Phone: 212-794-0004

Email: info@tacticalpr.com



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Last Name:

Address Street 1:

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State:

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Tactical Public Relations

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Domain Name: TACTICALPR.COM

Domain servers in listed order:

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- NS44.DOMAINCONTROL.COM

For complete domain details go to:

<http://who.godaddy.com/whoischeck.aspx?Domain=TACTICALPR.COM>

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Migración ...

Internacional Jay Byrnes

Finanzas ...

Opinión Round-up: Getting Current

ESTO As is customary in Both Sides, we periodically update our readers on some of the people who have been covered here, as well as keeping you informed about the comings and goings of some of our friends.

Deportes Local ...

Espectáculos ...

Comunidad y Cultura Long and readers will recall our interview with former CNN anchor Deryn Kagan - couple of years ago she made the transition from television to her own internet media platform. DerynKagan.com dedicated to appreciative news is just the ticket for these turbulent times.

Turismo ...

Ciencia y Tecnología -recently Deryn is now a host on Oprah Radio. She is sharing inspiring stories with Oprah radio listeners. Wednesday on satellite radio. We want her the best of luck.

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Recently we had the opportunity to interview expert landscape architect J. Mark White. He founded and runs Washington, D.C. based Gardenistas. If you read daily.com you will see some amazing photographs of his work. You can also listen to the interview. Some of his work reminds us of beautiful gardens that can be found in Mexico.

Remonde Sullivan, my Both Sides co-founder, continues as editor of Daily.com. She is doing great things there, attracting new talent and guiding out otherwise departing contributors. Remo was a starlet on my radio show. Last fall, along with Ana Chelmayan and Chris Fendek. Perhaps, the gang will return to the broadcast.

Meanwhile, rapper Ana Chelmayan is a force to be reckoned with on the New York public relations scene. He seems to be everywhere. Turn on the television and he pops up. St. Patrick's Day, Ana was seen marching in the annual parade along with Mayor Michael Bloomberg.

Chris Fendek is on the march in interview journalism. On his cyber site, www.ontheedge.com he has recently interviewed Whippi Goldberg, Kate Beckinsale, Spice Girl Melina Brown, Kathleen Turner and Diahann Carroll. His work is covered by outlets like the NY Post and AOL's Weblog.

Chris is the lead storyteller - singer sensation from Barbados, known for her hit song "T-Shirt" - just finished shooting the music video for "Bella Cry", a track off her album "Storytelling". Recently, she did a duet with Jason Statham "Stick With Each Other" penned by legend Bruce Springsteen.

Storyteller confides to Chris what she hopes to accomplish with her album. I feel like in these times there is a lot of dark clouds looming over us. I feel like people just want to feel happy and may need something or someone to relate to. My album addresses a lot of things that are going on in the world. I would say it is definitely something that most people would relate to and that is definitely what I wanted to do. I think I achieved that.

Speaking of music, our friend Budget Zeuner - Arizona based Broget 2 is helping musicians and personalities build and connect with their fan bases via the social Web.

She calls it Webtizing and socializing. Broget tells us she is back from working with super-producer Cory Rorabeck - possibly most famous for producing Jennifer Lopez's hit "Jenny From the Block" - in Miami.

Then there is long time friend, public relations powerhouse and New York Times Bestselling author Jesse Blanco who has informed us that she is due to her best-selling memoir "Please Stop Laughing At Me..." entitled "Please Stop Laughing At Us... One Survivor's Extraordinary Quest to Prevent School Bullying" - has received the prestigious Parents to Parents Award - Young Wisdom Award.

Both cities have been chosen by Chicago's Mayor Daley Book Club for the third straight year as favorite picks among as three thousand plus student members. - author turned activist, Jesse speaks at schools across the U.S. sharing her story to motivate change. So far, she is spoken to well over half a million kids worldwide and tells us this is just the beginning.

For more stories like the one in English and in Spanish, go to www.daily.com. As always, you can reach us with your questions and comments info@daily.com. We look forward to hearing from you.

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By Ara E Chekmayan on May 11, 2011 - Security Event/Issue Revenge for Bin Laden assassination likely - Concern: over potential "lone wolf" attack vs organizational attack in future Potential Impact/Issue You Face. "Lone. [-]

NATIONAL TERRORISM AND SECURITY EXPERT SAL LIFRIERI TO PRESENT AT RIMS CONFERENCE IN VANCOUVER...

By Ara E Chekmayan on April 30, 2011 - Session titles are "Responding to a Crisis - Pre and Post Loss Considerations" and "Real Lessons Learned: how Crisis Management Works ... and Doesn't" New York, April 30, 2011 — Mr. Sal... [-]

PR Powerhouse Chekmayan on Tiger's Future

By CY Interview on February 18, 2010 - Mama, February 18 /Free-Press-Release / - CYInterview.com - Ten years ago, as a scary eyed teen, Chris Yancek began interviewing pro-wrestlers fueled by adolescent passion. In short order, however.... [-]

NYC's Ambassador Yellow Pages: Among First for Syndicated Research Study

By Tactical Public Relations on October 8, 2004 - New York, Oct 8 /PRNewswire/ - New York City based Ambassador Yellow Pages announced today that they are among the first of the major New York City publishers to sign on for participation in the 2005 [-]

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By Ara E Chekmayan, Tactical Public Relations, on May 23, 2004 - NEW YORK, May 19, 2004 /TacticalPR / - What do you get when you take seven female cancers from a cadre of Tony award winning shows, mix them with a tough economy and throw in a kick step of entrepreneurial... [-]

Eddie's Haircut & Shave Gears up to Support Cancer Research at Memorial Sloan-Kettering...

By Ara E Chekmayan on August 23, 2010 - New York, August 23rd, 2010 Tactical Pr. September is Pediatric Cancer Awareness Month and Eddie's Haircut and Shave, the venerable Upper East Side institution, is gearing up to help raise funds for ... [-]

**From Wall Street Power Broker to Psychic Medium : Mystery of Wall Street
Stock Picks Unveiled**

By Ara E Chekmayan on August 17, 2010 - New York August 17, 2010 Tactical PR. Since 1998, Jesse Bravo was part of the busy "No Line Making Money" Wall Street crowd while he still conducts business on Wall Street; he also works to [-]

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By Ara E Chekmayan on June 2, 2010 - NEW YORK June 1st / Big Media's terror go-to man. Sal Liferi, brings smarts and experience to the world of security. Liferi, president of Protective Countermeasures and Consulting Inc., and former... [-]

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**NYC Real Estate Market Spurs Forum The Real Deal Magazine hosting The
New Development Forum 2006**

By The Real Deal Magazine on March 6, 2006 - NEW YORK March 6th /TacticalPR/ -- The Real Deal, the leading real estate magazine for New York City, will present "The New Development Forum 2006" on March 7th at The Great Hall of The Cooper Union... [-]

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E1069 - T33

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Page 1

Webber, Craig

From: websupport@mass2one.com
Sent: Monday, March 14, 2011 3:27 PM
To: Webber, Craig
Subject: CWCMA Award Entry

CWCMA form submission.

Newspaper/Organization:
Antelope Valley Press

Address:
37404 N. Sierra Hwy

City:
Palmdale

State/Province:
CA

ZIP/Postal Code:
93550

Employee Contact Name:
Cheryl Fletcher

Employee Contact Title:
Marketing Director

Contact Phone Number:
661-267-4146

Contact Email Address:
cletcher@aypress.com

E1069 - T34

Entry Name:
Holiday Giveaway

Circulation:
Under 5 0000

Promotion Category:
3. Single-Copy Sales Promotion

Results:

The AV Mall Gift Card Giveaway was a four-Week promotion, which gave readers an AV Mall gift. Ads were used to drive readers to the entry form located in the Holiday posters were placed at the AV Mall main entrances to capture holiday shoppers.

1

Page 2

the newspaper received over 800 entries and circulation increased 7.4% on the special
from the previous year.

EXHIBIT E

Proof Defendant, ICANN, is a proper party—and

that Ohio is a proper jurisdiction:

Exhibits ICANN's control over the entire Internet;

approval and consent of all domain names;

Exhibits contact information for anyone of the

general public, owning a website, who submits

a fee to ICANN for a domain name use and registration to

ICANN through any registrar/registry service;

hence, satisfies—sufficient contacts in Ohio—for any and

all parties who have domain names—who either filed a

complaint with ICANN; or who ultimately pay ICANN

said fee through their registrar/registry service.

Identity for everyone

Find your Domain Name

Enter Domain Name:
 Choose your Extension: com net org info biz mobi us co.uk in asia eu tv
 E.g. myname.com
 Whois Lookup Help me choose Transfer
 Search Now

Domain Pricing Details

.com	\$9.88	.net	\$9.88	.org	\$9.88	.info	\$9.88
.biz	\$9.88	.mobi	\$9.88 SALE!	.us	\$9.88	.co.uk	\$6.88
.in	\$3.88 SALE!	.asia	\$19.88	.eu	\$11.88	.tv	\$34.88

Choose from the following Domain Names

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aypress.net	Register \$9.88

You may also choose to register the following similar domain names

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AyPressClub.net	Register \$9.88
Ay-Press-Office.com	Register \$9.88
Ay-Press-Office.net	Register \$9.88
AyPressConference.com	Register \$9.88
AyPressConference.net	Register \$9.88
AyPressNav	
AyPressNav	
AyPressPass.com	Register \$9.88
AyPressPass.net	Register \$9.88
Ay-Press-Release.com	Register \$9.88
Ay-Press-Release.net	Register \$9.88
AyPressService.com	Register \$9.88
AyPressService.net	Register \$9.88
Ay-Press-Releases.com	Register \$9.88
Ay-Press-Releases.net	Register \$9.88
AyPressRoom.com	Register \$9.88
AyPressRoom.net	Register \$9.88
AyPressReleases.com	Register \$9.88
AyPressReleases.net	Register \$9.88
AyPressRelease.com	Register \$9.88
AyPressRelease.net	Register \$9.88
AyPressMedia.com	Register \$9.88
AyPressMedia.net	Register \$9.88
AyPressOffice.com	Register \$9.88
AyPressOffice.net	Register \$9.88
Ay-Press-Conference.com	Register \$9.88
Ay-Press-Conference.net	Register \$9.88
Ay-Press.com	Register \$9.88
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- Privacy Protection
- DNS Service
- Domain Forwarding
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The Ultimate Hosting Plan

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- Unlimited Email Accounts
- Unlimited Databases
- Easy Control Panel
- 30 day Money Back Guarantee

View Plan

Online Identity Management

- All your online presence in one place
- Manage all your passwords and never forget again
- Download our uPOD for Free!



EXACTLY LIKE AyPress
 IN PLANNING
 BASIC
 Small case "y"
 or Impact
 or searched and
 broken apart to
 compare.

Email Hosting

Website Design



News

ICANN cans Estonian registrar's credentials

14 November 2008

For a while it looked like the not-for-profit Internet registrar of registrars might waver in its plans to revoke the credentials of EstDomains, a domain name registrar with a reported reputation for dealing with spam generators and similar internet companies.

But ICANN - the Internet Corporation for Assigned Names and Numbers - has now announced that EstDomains will lose its registrar accreditation on November 24.

As reported previously by Infosecurity, ICANN has cited the conviction of EstDomains President Vladimir Tsastsin in an Estonian court for credit card fraud, money laundering, and document forgery.

ICANN originally announced its plans to de-register EstDomains around two weeks ago, but placed a stop on the plan after the Estonian registrar appealed its move, claiming that Tsastsin left the company earlier in the year.

That stop has now been lifted and, says ICANN, as a result the termination of EstDomains' registrar accreditation will be carried out on November 24.

Infosecurity notes that EstDomains is third company to lose its Internet license as a result of alleged spam and other issues.

Earlier this month McColo, a network provider, was swiftly taken offline after researchers claimed it was a major conduit for the world's spammers.

And in September, Interchange, another network provider, was disconnected following similar reports.

According to ICANN, EstDomains has some 281,000 domain names under its management. The registrar of registrars is now obliged to assist the owners of these domain names in migrating to another registrar or service provider, but a transfer is not guaranteed.

<http://www.icann.org>

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From the Eye of the Storm: 2011 Information Security Predictions

Last January, Infosecurity magazine published prognostications by the (ISC)² Advisory Board of the Americas (ABA) regarding the information security field in 2010. Unlike many who have attempted to envision the future, the ABA has gone back and reviewed the accuracy of its predictions and provided a letter grade for each. The ABA will then offer new predictions for 2011

Searching for Security

With more than 30 000 web pages being compromised every day, search engine results could increasingly lead to malware infection. Kari Larsen asks what the search engines are doing to mitigate security threats, and how users can protect themselves

News Feature: Time to Avoid the Droid?

Finally, hype has matched reality in the world of mobile security. Drew Amorosi chronicles the recent ups and downs of the bustling Android Market to find out why it is in the crosshairs of the security industry

Music File-Sharing Enters a New Decade

The recording industry continues to lose billions of dollars each year, along with tens of thousands of jobs, all thanks to illegally downloaded files. Lauren Moraski examines what is being done to combat the drain on this sector

An Olympic Effort to Secure the Games

Managing the security of the 2010 Olympic Games in Vancouver is no mean feat. Danny Bradbury went behind the scenes at the Olympic site to talk to the people who are tasked with ensuring the event goes smoothly

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If you are one of these people, you should contact ICANN to try and resolve the dispute. Many people also have domains they would like to transfer from ... www.za77.org/Article/Step-by-Step-Instructions-to-1264 - Cached

[35-million-names-registered-april-32-part-kiting-scheme-serious ...](#)

May 11, 2008 ... Then the registrar registers as many domain names as the deposit will ... a number of people have contacted ICANN and quite predictably, ... www.bobparsons.me/.../35-million-names-registered-april-32-part-kiting-scheme-serious-problem-gets-worse.html - Cached - Similar

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Challenge was to get people to enter the information for that ... Hong agreed, useful to have many at-large structures to join in and ... Seth would be the main person to contact for this communication between workgroup and ICANN. ... <https://community.icann.org/download/.../Showcase+Minutes.doc?version...>

[Kevin, Stop The Nonsense: Take the Logo Down and Give ... - ICANN Blog](#)

Mar 28, 2007 ... Since Feb 27th I've managed to get out many domain names, ... blog.icann.org/.../kevin-stop-the-nonsense-take-the-logo-down-and-give-us-the-data/ - Cached

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Mar 17, 2011 ... The San Francisco ICANN meeting has been completely dominated by ... It becomes clear that many people here want to have their cake and eat it, too. If you would like to post contact information on your comment, ... blog.internetgovernance.org/blog/_archives/2011/.../4773838.html - Cached

[Internet - Wikipedia, the free encyclopedia](#)

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domainnames.nikenya.com/private-domain-name-registration - Cached

Start/Buy an ICANN accredited registrar.

Many people have expressed interest in buying an established (or languishing) accredited ... I encourage you to contact me at your earliest convenience. ...

www.dnforum.com/.../start-buy-icann-accredited-registrar-thread-35172.html - Cached - Similar

New Top Level Domains

It is a shame that ICANN did not listen to the public opinion on the new TLDs and ... Many people will just have to buy their .com domain in .info as well, ...

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Three years with ICANN »

Nov 12, 2007 - 22:08 UTC • ICANN



What used to think ICANN was like...

Apologies for the delay in writing the post. I've been trying to think about what to say and have just decided that I better write it before my thoughts get old...

I joined the ICANN board during the December 2004 ICANN meeting in Cape Town. I served for a three year term and stepped down at this last meeting in Los Angeles and didn't run for another term. My apologies to all of the ICANN community and the people who helped me learn about and participate in the complex but important process that is ICANN.

Before joining ICANN, I thought that ICANN was the only part of the internet that wasn't really working. I knew that there must be a better way to do what ICANN does, but I couldn't be bothered to figure it out. I'd agree with people who said things like, "it should just be distributed" or "it should just be first come first serve" or "we should just get rid of it." People from ICANN would say, "it's more complicated than that" or "at this point that would be impossible."

After being part of the process for three years, I find myself saying those same things and feeling a sense of exasperation at the people who take pot shots at ICANN from the peanut gallery without really trying to help or change things. I also have gained a huge respect for most of the people who participate in ICANN, many as volunteers, trying to improve the process and keep the Internet running.

With all of it's tumultuous history and bumps and warts, ICANN, in my opinion, is the best way that we can manage names and numbers on the Internet and any new thing to try to do what it does would be less fair and probably wouldn't work.

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ICANN Meeting Webcast

22C3 Talk

E1069 - T41

dialog and innovation to be shared worldwide without going through gateways or filters. This attribute of the Internet is a key to the future of a global democracy and I believe we need to fight to preserve this.

Since more and more people are using the Internet, there are more and more diverse views about the policies and control. This is clearly making consensus more difficult and ICANN is one of the groups which is having to adapt to the increasing number of inputs in the consensus process. This is all the more reason to work harder to keep everything together. Please. Lets fight to keep the Internet and not let it turn into the internets... It is a difficult process with various flaws, but if we give up, it will be very difficult if not impossible for all of to talk again very soon.



Comments (27) | TrackBacks (15)

Discussing new top-level domains »

TLDs

Jul 10, 2005 - 18:44 UTC » ICANN

icann.org

ICANN Posts New gTLD Questions Paper
6 July 2005

In September 2004 ICANN published a strategy for the implementation of new top-level domains (TLDs). The strategy called for the implementation of a strategy that would appropriately take into account many relevant technical, economic, socio-political and cultural issues. In light of several new developments regarding DNS operations and structure, ICANN has developed a plan to facilitate implementation of the strategy for the designation of new TLDs.

The staff paper has been drafted to inform about the current status of the implementation of the "New gTLD Strategy". It is also intended to solicit public comments on the completeness of the list of questions therein as well as on the consultation matrix enclosed.

Please also note the following: The paper is a draft and does NOT foreclose any procedures or outcomes of consultations. The draft questions in the question list are open and are NOT to be read as implying particular preferences. Future consultations will welcome contributions from ALL and the draft consultation matrix does NOT imply any exclusivity provisions

Please submit your comments to new-gtld-questions@icann.org. You can view comments at <http://forum.icann.org/lists/new-gtld-questions/>. Deadline for comments is 1 August 2005.

This is part of a long process of trying to decide if and how new top-level domains should be allocated. Many people complain that ICANN decides these things behind closed doors without taking input from the public. In fact, ICANN tries very hard to solicit input to develop consensus. The question about whether and how new top-level domains should be allocated is an important issue. ICANN is currently soliciting input on whether we are asking the right questions. If you have an opinion on top-level domains, I urge you to read the document above and submit your opinion. I promise you that we read all of the comments and will try to address and include them in our discussions.

COMMENTS

INTERVIEW
WEBSITE
IF SOLICITS
RESPONSES
FROM GENERAL
PUBLIC
INCLUDING
OTHER COUNTRIES
OTHER BASED
REGISTRARS
5/25/2011

For those not familiar with the debate, there are proposals including 1) no more top-level domains, 2) auctions, 3) sponsored top-level domains and 4) a first-come first-serve laissez-faire approach. Each of these proposals have interesting arguments for and against them and the questions we are asking help define the debate. Please take a look at the questions with these various scenarios in mind.



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Comments (0) | TrackBacks (0)

Some notes on the .XXX Top Level Domain »

Jun 03 2005 - 08:52 UTC » ICANN

Yesterday the ICANN board discussed and approved ICANN staff to enter into negotiations with ICM Registry, Inc. for the [REDACTED] Domain (TLD). I'm sure there will be a longer more complete presentation from ICANN later about this, but as an individual board member I thought I'd post a quick note before people got carried away with speculation based on a lack of information.

I realize that the formal documents on the ICANN page are difficult to read, but I suggest people take a look at the actual application before jumping to conclusions about what the .XXX TLD is. It is actually a well thought out structure that provides a balanced approach to an issue with many stake holders.

The .XXX TLD is a sponsored TLD or sTLD with a sponsoring organization. Policy will be managed by a non-profit organization called the International Foundation for Online Responsibility (IFFOR). (Here is the org chart.) IFFOR will have a board of directors comprised of members from several supporting organizations. These organizations include 1) privacy, security & child advocacy, 2) free expression, 3) online adult-entertainment and board members selected through a nomination committee system similar to ICANN. No one constituency can capture the board and all have a say. There will be an Ombudsman. The organization has demonstrated strong support from all of the constituencies and also the credit card industry. A portion of all of the revenue from domain names will go to a fund that a Grant Advisory Committee will use to support child advocacy. Credit card companies are working with the legitimate adult sites to create incentives for them to switch to .XXX.

ICANN has been mandated with trying to increase the TLD space and the .XXX proposal, in my opinion, has met the criteria set out in the RFP. Our approval of .XXX is a decision based on whether .XXX met the criteria and does not endorse or condone any particular type of content or moral belief. This is not the role of ICANN. I realize that some will view this as ICANN endorsing pornography on the Internet, but this is not the case.

There are people who are concerned about censorship and control. These are issues that have been raised, but I think the .XXX proposal is more about creating incentives for legitimate adult entertainment sites to come together and fight "bad actors" and is not focused on forcing people to use the .XXX domain.

and to provide, where possible, concrete suggestions for improving them.

"We are also very grateful for the time each constituency spent going over with the Board their ideas and reactions.

"We ask the staff to accept any further written comments until December 7 and to produce for the community a public report summarizing, analyzing and organizing the feedback provided on the .com and settlement agreements by December 11.

"We recommend that staff approach VeriSign with the results of the report on the proposed contract and settlement. We remind all parties that the Board has not yet agreed to the terms of the contract and settlement.

"We also note the existence of a policy development process on new gTLDs and strongly believe that this policy development process should be informed by the results of the comments received on the proposed contract for .com and settlement with VeriSign."

I realize there is still a lot of work to do, but as Vint is quoted in saying above, I really want to thank the community for a constructive and intense week of discussions. I hope that VeriSign and staff have fruitful discussions and that we can come up with something that reflects the issues raised this week. I was sincerely moved by the ability for the rather complex process to function in such a productive way and am proud to be part of this ever-improving "experiment" in bottom-up consensus.



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Comments (7) | TrackBacks (0)

Investigating parked domain monetization »

Dec 02, 2005 - 05:31 UTC » ICANN

Yesterday, I wrote a post about the parked domain monetization business. Since then, I've begun talking to a variety of people here at the ICANN meeting. It is clearly a complex issue and I have decided to suspend judgement until I have more information. I think that these "professional registrants" are clearly a different group than "user registrants". I think we should differentiate people who buy domains as their primary business to people who use domains to use in their business. It could be argued that professional registrants "use" their domains to run ads, but I think most of these professional use tools like Google AdSense for domains which automate the process and does not require the professional to engage in the business of actually running a web site or service.

IBILAHIL KAZANCI

I am going to try to gather as much information as possible before I come to any conclusions. I urge people, especially those people who are in this business, to help me understand the issues and nuances. I've just started a page on the ICANNWiki about this. Please contribute there as well. Thanks.



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Comments (30) | TrackBacks (1)

The "parked domain monetization" business »

Dec 01, 2005 - 15:29 UTC » ICANN

I think that a large number of people buying domains can't get their first choice name because some "parked domain monetization" operation (cyber-squatter) owns it and is making money running ads on the page.

IBILMIL KAZAKLI

The trick is to sign up for millions of domain names; set up pages and run ads on them; after 1 day delete domains that have no traffic; after 3 days delete names that have some traffic; after 5 days delete pages with marginal traffic; keep the 1% of pages that have enough traffic to be worth keeping the domain. Because of the refund policy, the 99% of pages deleted before the 5 day grace period are refunded in full and the "monetizer" gets to keep the ad revenue generated over those 5 days.

(This is called "domain tasting".) See the DNForum page for more information on how this business works. Interestingly, I think Google AdSense probably has boosted the viability of this business. I wonder what percentage of Google's posted \$2bn (or so) / yr "traffic acquisition costs" goes to this business. According to Ram Mohan from Afilias, 3 of the big 5 registrars say that they make over \$5m-\$8m / year from parked domain monetization pages. This means that these people are making more than that from these pages and Google and other ad servers even more.

X GADMIY

I wonder if there is any way to close this loophole that effectively enables a no-risk business. I think these monetization businesses are a net-negative value to the community and seems like a loophole exploit. On the other hand, refunds are a legitimate service for legitimate registrants. It is VERY difficult to tell the difference between a legitimate and illegitimate registrant.



SEE ICANN'S REGISTRATION FEES

In the jungle of such pages, the Kevin Kelly page stands out as my favorite example of responsible domain name use

UPDATE: WSJ November 17, 2005: "Revenue from text ads on these sites will total \$400 million to \$600 million world-wide this year and may reach \$1 billion by 2007, according to Susquehanna Financial Group analysts Marianne Wolk and Roxane Previty, who track the online ad industry."

UPDATE: Google has an AdSense page targeting domain name parking businesses. I wonder if these Google folks will talk to us? They should know the size and shape of the "professional registrant" community better than anyone else and it appears they are "taking to them" directly from the looks of this page.

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Comments (24) | TrackBacks (3)

ICANNWiki »

Nov 29, 2005 - 13:08 UTC » ICANN - Wiki

Wiki site about ICANN. (ICANNWiki)

0
Comments (11) | TrackBacks (0)

This is Google's cache of <http://www.icann.org/en/announcements/announcement-09jul07.htm>. It is a snapshot of the page as it appeared on May 22, 2011 08:07:33 GMT. The current page could have changed in the meantime. [Learn more](#)

These search terms are highlighted: **icann org fee**

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Domain Name Registration Transaction Fee Drops Again

Accredited Registrars approve second fee reduction in a row

9 July 2007

MARINA DEL REY, Calif.: Registrars and ICANN have negotiated a reduction in the transaction fees paid for each domain name registration. It is the second such reduction in two years, which means a drop from US\$0.25 to US\$0.20 cents.

"This reduction was achieved through discussion and negotiation with Registrars and it demonstrates the effectiveness of the ICANN model," said Dr Paul Twomey, President and CEO of ICANN.

"Registrars are encouraged by ICANN's willingness to consider our position on issues such as revenue projections and we look forward to continuing our cooperative relationship going forward," said Jon Nevett, Chair of the Registrar Constituency. The constituency provides input and advice to ICANN's Generic Names Supporting Organization.

Transaction fees, which are paid to ICANN for each domain name registered, were set at US\$0.25 per year per registration. The fees were cut to US\$0.22 last year and this reduction negotiated for the 2007-08 budget pegs it at US\$0.20.

The Accredited Registrars — who have a say in the revenue structure — took less than a week to grant their approval. So far, more than 540 registrars out of over 880 have expressed their support. These registrars account for more than 70% of fees paid by registrars to ICANN (registrar approval requires two-thirds support) and additional support is expected which will push this number higher.

"The collaboration we have seen on this issue will be showcased again in coming months as together we examine ways to provide greater protection for registrants through a new data escrow program and improvements to the contract between ICANN and its accredited registrars," Dr Twomey added.

A workshop on Registrant protection was held at ICANN's recent meeting held in San Juan, Puerto Rico.

About ICANN:

ICANN is responsible for the global coordination of the Internet's system of unique identifiers like domain names (for example .org, .museum and country codes like .uk) and the addresses used in a variety of Internet protocols that help computers reach each other over the Internet. Careful management of these resources is vital to the Internet's operation, so ICANN's global

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stakeholders meet regularly to develop policies that ensure the Internet's ongoing security and stability. ICANN is an internationally organized, public benefit non-profit company. For more information please visit: www.icann.org.

Media Contacts:

Jason Keenan
Media Adviser, ICANN (USA)
Ph: +1 310 382 4004
E: jason.keenan@icann.org

International: Andrew Robertson
Edelman (London)
Ph: +44 7921 588 770
E: andrew.robertson@edelman.com

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Fee charged by ICANN

This mandatory fee is charged by ICANN (Internet Corporation For Assigned Names and Numbers: www.icann.org), and becomes effective on November 1, 2004. It is 18 cents per domain name registration year. Thus, the fee on a one year .com registration would be 18 cents. The fee would be \$0.36 for a two year registration (i.e. 18 cents times 2). Additional years would be at 18 cents per year.

ICANN fees apply to .com, .net, .org, .biz, .info, .name, .asia, .jobs, and .mobi.

CLOSE 

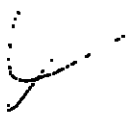


EXHIBIT F

Proof Defendant, ICANN, is a proper party—and

that Ohio is a proper jurisdiction:

Specifically shows ICANN has at least one domain name registry service, located within the State of Ohio, who ultimately serves thousands—in registering domain names with said domain name registry service, who then submits to ICANN, and specifically shows the general public—registering with said domain name registry service—must submit to ICANN's rules.

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What's the effect of ICANN's role and work on the Internet?

ICANN plays a unique role in the infrastructure of the Internet. Through its contracts with registries (such as dot-com or dot-info) and registrars (companies that sell domains names to individuals and organisations), ICANN helps define how the domain name system functions and expands.

Registrars

ICANN created the registrar market (together with an accreditation system) in order to introduce greater competition on the Internet. The result has been several hundred companies able to sell domains which itself led to a dramatic reduction in the cost of domains - an 80 percent fall. There is now a diverse and vibrant market in the supply of the Internet's basic building block.

That accreditation process is currently undergoing reform in order to keep in up-to-date with a rapidly changing domain name market.

Dispute resolution

ICANN helped design and implement a low-cost system for resolving disputes over domain name ownership. The Uniform Domain Name Dispute Resolution Policy (UDRP) has been used tens of thousands of times to resolve ownership disputes, avoiding the need for costly and complex recourse to the courts.

New top-level domains

ICANN approves the introduction of new "generic top-level domains" to the Internet - a process that expands the online space available. So far, ICANN has introduced 13 new top-level domains to the Internet, ranging from dot-asia to dot-travel, accounting for over six million domains. ICANN has also developed a refined process to introduce further TLDs that is being finalised with applications expected in early 2010.

Internationalized domain names

Through its decision-making processes, ICANN has adopted guidelines for the introduction of Internationalised domain names (IDNs), opening the way for domain registrations in hundreds of the world's languages - something that will expand the use and the influence of the Internet globally to new heights.



DOMAIN NAME SERVICE AGREEMENT

1. Introduction. This Domain Name Registration Agreement ("Registration Agreement") is submitted by DomainIt, Inc., an Ohio Corporation ("DomainIt"). This Registration Agreement shall become legally binding between Registrant and DomainIt upon acceptance by DomainIt, all according to the terms set forth below. Except as otherwise specified herein, this Registration Agreement applies to the registration of all domain names through the services provided by DomainIt. The acceptance of this Registration Agreement and the performance of the services hereunder shall occur at DomainIt with offices in Cincinnati, Ohio. By submitting your order for service or authorizing submission on the DomainIt website (www.domainit.com), checking the box "I have read and agree to the DomainIt terms and conditions", by clicking the button "Purchase", or by using any DomainIt service, you agree to accept these terms and intend to be contractually bound by the terms and conditions set forth herein. Registrant may obtain a paper copy of this Registration Agreement by printing it via their own printer or by specific e-mail request to support@domainit.com or by sending a written request to:

DomainIt, Inc.
9891 Montgomery Road, #225,
Cincinnati, Ohio 45242,
USA

2. **Definitions.** As used in this Registration Agreement, the following terms shall have the following meanings:

2.1 "ICANN" refers to the Internet Corporation for Assigned Names and Numbers.

2.2 "Registrant" when appearing with an initial capital letter refers to the person(s), entity(ies) or association(s) applying to register, renew or transfer a domain name, also sometimes referred to herein as "you".

2.3 "Registrant Data" when appearing with initial capital letters refers to all relevant information about any Registrant.

2.4 "Registrar" when appearing with an initial capital letter, refers to the accredited Registrar, DomainIt who registers the Registrant's domain name with the Registry.

2.5 "Registry" when appearing with an initial capital letter, refers to the person(s) or entity(ies) responsible for providing Registry Services, in accordance with an agreement with ICANN (or its successor) or, in the case of registration of domain names other than for those managed by ICANN, the person(s) or entity(ies) responsible for providing Registry services in accordance with an agreement with (or authorization from) such Registry or its governing body.

2.6 "Registry Services" means operation of the Registry for the registration of generic (gTLD) and country code (ccTLD) Top-Level domain names (including receipt of data concerning registrations and name servers from Registrars, provision of status information to Registrars, operation of the Registry TLD zone servers and dissemination of TLD zone files).

2.7 "TLD" refers to the generic (gTLD) and country code (ccTLD) Top-Level domains in the internet domain name system and future TLD's adopted by ICANN (or its successor) or entity (ies) responsible for providing Registry services in accordance with an agreement with (or authorization from) such Registry or its governing body.

3. **No Guarantee of Registration, Transfer or Renewal.** As a domain name Registrar, DomainIt is, upon accepting your application to register, transfer or renew a domain name, your sponsor for that application. No domain name registrations, Transfer or Renewal shall be deemed effective unless and until we deliver the domain name Registration, Transfer or Renewal application you provide us to the appropriate Registry, as applicable, and that Registry accepts your application and activates your domain name Registration, Transfer or Renewal. You will be entitled to a refund only if your Registration, Transfer or Renewal is unsuccessful. You acknowledge and agree that DomainIt does not guarantee that you will be able to Register, Transfer or Renew a desired domain name, even if our systems indicate that domain name is available or you are able to complete an order with respect to such name. You also understand that DomainIt cannot know with certainty whether or not the domain name which you are seeking to register is simultaneously being sought by a third party, or whether there are any inaccuracies or errors in the domain name Registration, Transfer or Renewal process or related databases, including the various WHOIS or other Registry databases. You also acknowledge and agree that DomainIt is not responsible for any inaccuracies or errors in the domain name Registration, Transfer or Renewal process. **YOU ARE SOLELY RESPONSIBLE FOR MAKING SURE THAT YOUR REGISTRATION, TRANSFER OR RENEWAL HAS BEEN PROPERLY PROCESSED.** You further acknowledge and agree that DomainIt may elect to accept or reject your application for Registration, Transfer or Renewal for any reason at its sole discretion. You also acknowledge and agree that DomainIt is not liable or responsible in any way for any errors, omissions or any other actions by any third party including any Registry arising out of or related to your application for and Registration/Transfer/Renewal of, or failure to Register, Transfer or Renew a particular domain name.

Registrar Accreditation: Financial Considerations

Before you undertake the registrar accreditation process, please read and consider the following costs to you. This is not an exhaustive list of all costs involved in becoming an accredited registrar, but is meant only as a helpful listing of some of the costs registrar applicants should be prepared to pay in connection with becoming an ICANN-accredited registrar.

What you will pay to ICANN:

- US\$2,500 non-refundable application fee, to be submitted with application.
- US\$4,000 yearly accreditation fee due upon approval and each year thereafter.
- Variable fee (quarterly) billed once you begin registering domain names or, the first full quarter following your accreditation approval, whichever occurs first. This fee represents a portion of ICANN's operating costs and, because it is divided among all registrars, the amount varies from quarter to quarter.
- Transaction-based gTLD fee (quarterly). This fee is a flat fee charged for each new registration, renewal or transfer. This fee can be billed by the registrar separately on its invoice to the registrant, but is paid by the registrar to ICANN.
- Please refer to <http://www.icann.org/general/financial.html> for the most recent ICANN budget to find additional details about the quarterly variable and transaction-based fees, including possible options for relief.
- Please refer to <http://www.icann.org/financials/payments.htm> for instructions on how to submit payments to ICANN.

Other financial considerations:

Working Capital: The applicant must demonstrate that it has adequate working capital (in the form of cash or credit) available for the operation of the registrar business, given the registration volume reasonably projected by the applicant. Applicants seeking initial accreditation must demonstrate the ability to procure liquid capital immediately available in the applicant's name at the commencement of the accreditation period in an amount of US\$70,000 or more before the ICANN accreditation becomes effective. Evidence of independent verification of the capital (such as by guaranteed bank loan or by a guaranteed credit line or letter of credit from a recognized financial institution) need not accompany the application, but must be presented as a condition of the accreditation becoming effective.

Applicants with existing registrar businesses, or proposing to convert their existing domain-name reseller businesses to registrar businesses, must provide with the application an independently verified financial statement (such as by an accountant's audit) demonstrating the amount of working capital available for the registrar business.

Commercial General Liability: The applicant must either have or demonstrate the ability to obtain commercial general liability insurance which must be maintained in force throughout the accreditation period in an amount sufficient, given the registration volume reasonably projected by applicant, to provide domain-name holders reasonable compensation for losses caused by the applicant's wrongful covered acts. A policy limit in the amount of US\$500,000 or more will be deemed sufficient to meet this requirement. A certificate of insurance need not accompany the application, but must be presented as a condition of the accreditation becoming effective.

What you will pay to Registry Operators:

There are additional financial considerations for registrars to do business with gTLD registries. Please refer to each registry operator's website or contact the registry operator directly for details. A complete listing can be found at <http://www.icann.org/registries/listing.html>.

EXHIBIT G

Proof intent of re-registering another's property— as a domain name—has intent to confuse the general public—and capitalize from said confusion;

(See prior exhibits: A, C, D—

A: uses words books” listed at Aypress.com;

C uses “media” associated with publishing;

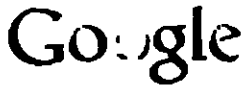
A & D: same spelling of Aypress, in original form, Ay Press [compare Manhattan location of Mr. Chekmayan to New York of Mylife.com in Exhibit D]

Exhibits—Defendant, GoDaddy's—knowledge of intentional misuse of registering other's property. (See attachments of prior motion, remitted May 23, 2011, showing GoDaddy's expressed prohibition of copyrighted material in their agreement for service.)



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About 1,190,000 results (0.28 seconds) [Advanced search](#)

- Everything
- Images
- Videos
- News
- Shopping
- More

Alliance, OH
Change location

- All results
- Related searches
- More search tools

Go Daddy - Official Site - \$7.49 Domain Ad

Name w/ Email Free

#1 Overall Best - ICANN Accredited
www.godaddy.com

Domain Search \$1.99 Hosting
Transfer a Domain SSL Certificates

Community Help | Redirecting Traffic to Your ... - Go Daddy Community

May 9, 2011 ... Enjoy the industry's lowest domain prices. **Domain Buy Service Redirecting Traffic to Your CashParking Domain Names ...**

community.godaddy.com/.../redirecting-traffic-to-your-cashparking-domain-names - Cached

Redirecting Traffic to Your CashParking Domain Names ... - GoDaddy

Redirecting Traffic to Your CashParking Domain Names. Print this Article ...

help.godaddy.com/article/1327?locale=en - Cached

URL Redirects after Migrating from Joomla to Wordpress

Use your parked domains to earn cash. Buy and Bid on Existing Domains ...

community.godaddy.com › ... › Domain Management and Services - Cached

Web Hosting - Go Daddy

Enjoy the industry's lowest domain prices. Domain Buy Service ...

<https://www.godaddy.com/gdshop/hosting/landing.asp> - Cached - Similar

[Show more results from godaddy.com](#)

Can I buy a domain name on GoDaddy and use it with iWeb and a .Mac ...

4 posts - 3 authors - Last post: Apr 23

I want to get a .com domain name, and I have ... which redirect HTTP traffic via HTML frames to a specified web page (your .mac). ...

www.howtopurchasedomain.com/can-i-buy-a-domain-name-on-godaddy-and-use-it-with-iweb-and-a-mac-account.html - Cached

Expert opinions please: buying expired domains using DropDay ...

Jan 4, 2011 ... and found that somebody mentioned DropDay and buying domains via ... would lose that traffic by simply redirecting the new domain name to my ...

www.warriorforum.com/.../310066-expert-opinions-please-buying-expired-domains-using-dropday-snapnames-godaddy-etc.html - Cached

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Heroku | Dev Center | Custom Domains

Heroku Setup; DNS Setup; Wildcard Domains:
Redirecting Traffic to a ... This screencast walks through the steps to setup a custom domain name with **GoDaddy**: ...
devcenter.heroku.com/custom-domains - Cached

?

Port 80 redirect on yahoo Godaddy domain names?

First off, Port 80 redirect on yahoo Godaddy domain names? ... A .info is alot cheaper to buy so if it got the same traffic that would be better? ...
chrometweaks.org/port-80-redirect-on-yahoo-godaddy-domain-names- 55795/ - Cached

Affiliate Marketing | Domain Name Tips & Web Hosting News

Dec 8, 2010 ... Did you know that aside from purchasing domains to make money, ... and one is getting lots of traffic can redirect this traffic to the second website ... Domain Names · Godaddy Coupon Codes – How to Use Them Properly ...
www.domainnamerights.org/tag/affiliate-marketing - Cached

GoDaddy WHOIS question.?

If I was interested in buying traffic domains, how would I know if it's a scam or not?.. Comments (7).
Your question was: **GoDaddy WHOIS question.** ...
www.snubbr.com/godaddy-whois-question/ - Cached

1 2 3 4 5 6 7 8 9 10 **Next**

redirect traffic buying domains + g Search

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Redirecting Traffic to Your CashParking Domain Names

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Last Updated: May 9, 2011 12:58 PM

You can forward any domain names to your CashParking® domain names by using the standard domain name forwarding process. By doing so, you can ensure that all of your domain names' visitors help generate CashParking revenue. When visitors attempt to access the forwarded domain names, their Web browsers automatically redirect them to your CashParking domain names' URLs.

Each CashParking domain name has a unique URL. Use this URL for the forwarding process. See [Forwarding or Masking Your Domain Name](#) for details.

Per the [CashParking Terms of Service](#), you cannot advertise your CashParking pages or offer incentives to visitors who use the pay-per-click links on your pages.

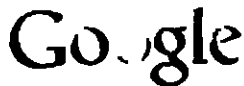
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Make an Impact Today!
www.register.com

SALE - \$5.99 Domain Names - Why Pay
More? Limited Time | godaddy.com
Free Hosting w/Site Builder & more.
www.godaddy.com

Expired Domain Traffic. Targeted redirected
traffic hits from ...
Buy Expired Domain Traffic.com delivers country targeted redirected visitors. We deal in US, UK, Global non-adult advertising.
Redirected visitors - Services - FAQ
www.buyexpireddomaintraffic.com/ -
Cached - Similar

RedirectedVisitors.com - Targeted Traffic
through Redirected Visitors
Join RedirectedVisitors.com to redirect thousands of targeted visitors from our ... We buy in bulk from our specialty traffic providers, each with their own narrow market ... Debt Consolidation, Diet, Domain Names, Education, Employment ...
www.redirectedvisitors.com/ - Cached - Similar

Buy Web Traffic. Buy Targeted Website
Traffic. Pop Under & Pop Up ...
Buy Website Traffic! Visitors Sent From the Very Best, High Quality Redirected Domain Names & Web Sites; Over 150+ Targeted Categories of Redirected Traffic ...
www.majon.com/buywebtraffic - Cached

Make Money Buying Expired Domain
Names & Expired Domain Name Traffic
Buy expiring domain names and redirect the targeted
traffic to your websites - Pretty straight forward
approach to getting some drive-by traffic on the ...
www.devnic.com/tutorials/expired_domain_name_traffic.html
- Cached - Similar

Targeted Expired Domains Traffic
Buy and get Expired Domains Targeted Traffic Online, Real Web Traffic For Free, ... delivery scripts used to redirect traffic from expired domain names.
...
www.expired-targeted.com/ - Similar

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- Past 24 hours
- Past week
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- All results
- Wonder wheel
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Enter the domain name you want:

domain .com

Search for multi available domain names

Ads by Google Domains Survey Money Traffic Money Doing

How to make money buying expired domain names and get expired domain name traffic

Expired domain names and expired domain name traffic have been a hidden source of potential income ever since the dot com crash. The problem has been how to inexpensively get ahold of the automated tools required to keep up with the thousands of domain names and abandoned websites that drop off the registry and become available every single day.

Buying expired domain names and getting the expired domain name traffic that went along with it was only available to the lucky few who had an automated system and the tools to do it

That was then, this is now. Amazingly, now there are automated tools and resources available to identify, appraise and even buy these domain names on autopilot. We'll tell you where in a minute, but first, we're going to give you some info about expired domain names, expired domain name traffic, and where they come from.

Expired domain names are domain names that were previously registered to another owner. For more reasons than we have time to get into right now, these domain names become available to the open market because the domain name renewal fees were never paid. 45 days after the expiration date, domain names are returned to the open market.

Many domain names are registered for speculation, website development and many are even pointing to fully functioning websites. Speculators register names in hopes of turning a profit on the resale of the domain name.

Many other domain names are registered for website development, but never make their appearance online. In a lot of these cases, the domain name owner simply never follows through on the website development and they simply allow the names to expire.

Still there are many expired domain names with fully functioning websites that receive daily organic search engine traffic, along with visitors from incoming links and banner ads. The expired domain names that got this daily traffic can be a goldmine if you know how to monetize it by redirecting it to another website or marketing them with affiliate programs.

Affiliate program

Get Your Internet Marketing Degree. Full Sail's Online Degree Programs.

Register Domain Name

Domains from a Trusted & Reliable Award Winning Service. Order Today!

Ads by Google

5 Quick Tips on How to Profit From Expired Domain Names & Expired Domain Name Traffic

1. **Buy expired domain names for speculation** - Obviously there isn't a large highly profitable market for reselling domain names any more, but any forward thinking speculators might keep their eyes open for developing technologies and trends. Technology and trends are constantly evolving. There are markets hovering under the radar screen right now that could explode within a short period of time.

Expired Domain Name Resources:

Ads by Google

Make Money With Skin Care

Become a top skin care affiliate and start earning money today!
manobadescu.com/affiliates

Domain Names

Get Yours! Just \$3.99 For One Year Hosting As Low As \$3.99 Per Month
www.TheHostingPage.com

Register Domain Names

Need A Domain Name? Register Now! Trusted Service, 24/7 Support
www.pcxpertz.com.au/Dom..

Domains for cheap

register your domain at low prices You get email, blog, hosting & more
www.getadomainsite.com

Your Business Name Here

Get onboard with the Hottest plan. I AM making money, so can YOU!
www.TurnKeyReseller.CO

News from the devNIC BLOG



Bookmark



Find and register expiring domain names related to new trends, technology and markets and you could be sitting on some hefty profits.

2. Buy expiring domain names and redirect the targeted traffic to your websites - Pretty straight forward approach to getting some drive-by traffic on the cheap. Targeted keyword domain names can help you get traffic from people simply typing in that keyword rich domain name into the address bar and hitting enter. Do you sell cheap disposable tablecloths?...I bet somebody somewhere has tried to browse CheapDisposableTablecloths.com Why not drive that traffic to your website for just pennies a click?

3. Buy expired domain names and put up mini websites - With tools like easy website building software, third party payment processors, auto responders and tons of other applications...even a newbie can put mini-websites online with keyword rich domain names that will show up in the search engine rankings. You could build these websites using expired domain names to drive traffic to them or then sell the domain name and the developed website together as a value added commodity.

4. Buy expiring domain names of websites already online - Lots of expiring domain names are already actual functioning websites. The owners of these websites either forgot to renew their domains or simply stopped running the website. The great thing about finding some of these babies is the fact that many times these websites already have traffic from links to other websites, search engine rankings and even directory listings.

5. Buy expired domain names and use them to market affiliate programs - Affiliate programs are a great way to get yourself an online business without even having a product of your own. Affiliate marketers simply redirect traffic from their affiliate website to the website of the actual product or service and receive a commission or a fee if any of the redirected traffic results in any sales. Affiliate programs have evolved into a very automated turnkey solution for many entrepreneurs, especially newbies.

Find and register expired domain names that closely target the market of your affiliate programs. Then draw that targeted traffic into your website with that expired keyword rich domain name with content that satisfies their informational needs and then give them a good reason to continue onto the sales page of the product.

Where are the tools needed to find expired domain names?

Now that we've given you information on expired domain names, tips on how to get expired domain name traffic and ideas on how to profit from expired domain names, it's time to tell you where to get the tools required to find them.

Domain Name Registration

Read the Reviews, Compare Prices, Find the Best Domain Registration

Free Business Website

100% Free, No Ads, No Hidden Fees. Sign Up & Make Your Free Website!

Ads by Google

Related articles:

[Domain Name Tutorial](#)

[Are You The Master of Your Domain Name?](#)

[More devNIC How To Tutorials](#)

devNIC Content Sharing Program

The text link below is what will appear on your web page after you cut and paste the code from the white box onto your website:

[Make Money Buying Expired Domain Names & Expired Domain Name Traffic](#)



Web Images Videos Maps News Shopping Gmail more -

Sign in

Google

profit from website

Search

About 679,000,000 results (0.08 seconds)

Advanced search

Everything

Images

Videos

News

Shopping

More

Alliance, OH

Change location

Any time

Latest

Past 24 hours

Past 2 days

Past week

Past month

Past year

Custom range...

All results

Related searches

More search tools

28 Ways to Make Money with Your Website

Feb 12, 2008 ... There are several lists with ways to make money with a website on the ... How To Buy A Website And Flip It For Profit - How To Sell A ...
www.dailyblogtips.com/ways-to-make-money-online-with-website/ - Cached - Similar

herein after

How to Profit From a Website | eHow.com

How to Profit From a Website. If you have a website, you can profit from it even if you are not selling anything. You could have a website dedicated to your ...
www.ehow.com › Computers - Cached - Similar

WWW FAQs: How do I make a profit from my website?

WWW FAQs: How do I make a profit from my website? 2007-02-09 : If you are selling goods and services and simply need to know how to accept payments from ...
www.boutell.com/newfaq/creating/earn.html - Cached - Similar

Making profit from your website

You run this website because you are interested in the topic but do not currently make any profit from it, or you want to make more profit from it. ...
www.affiliateschool.co.uk/website-profit.htm - Cached - Similar

40+ Inspirational Non-Profit Website Designs - Web Design Blog ...

Dec 22, 2008 ... Non-profit organizations obviously operate on a tight budget. In these situations, websites are rarely given priority in terms of dedicating ...
designmag/inspiration/non-profit-websites/ - Cached - Similar

Website Profit Formula - Make Money Online

With fact filled videos and pdf manuals, the Members Area of Website Profit Formula is a wealth of information to either help get your first site up and ...
www.websiteprofitformula.com/ - Cached

Non-Profit Website - Admin eSolutions

Non Profit Website Today's non-profit organizations face unique challenges, especially when ... Our Non-profit website system provide the tools you need to: ...
www.adminesolutions.com/markets/non-profit-website/ - Cached - Similar

List of companies that provide monetization widgets:

- [WidgetBucks](#)
- [ScratchBack](#)
- [SmartLinks](#)

TDX, MMA

7. Sponsored Reviews

PayPerPost pioneered this model, with much controversy on the beginning (related to the fact that they did not require disclosure on paid posts). Soon other companies followed, most notably Sponsored Reviews and ReviewMe, refining the process and expanding the paid blogging model.

Joining one of these sponsored reviews marketplaces will give you the opportunity to write sponsored posts on a wide range of topics. Not all bloggers are willing to get paid to write about a specific product or website (because it might compromise the editorial credibility), but the ones who do are making good money out of it.

If your blog has a big audience you could also offer sponsored reviews directly, cutting off the commissions of the middleman.

List of sponsored reviews and paid blogging networks:

- [PayPerPost](#)
- [Sponsored Reviews](#)
- [ReviewMe](#)
- [BlogVertise](#)
- [Smorty](#)

8. RSS Feed Ads

FILTER PILLS

With the quick adoption of the RSS technology by millions of Internet users, website owners are starting to find ways to monetize this new content distribution channel.

Feedburner already has its own publisher network, and you can sign-up to start displaying CPM based advertising on your feed footer. Bidvertiser recently introduced a RSS feed ad option as well, with a PPC scheme.

Finally, some blogs are also opting to sell banners or sponsored messages on their feed directly. [John Chow](#) and [Marketing Pilgrim](#) are two examples.

Related links:

- [Feedburner](#)
- [BidVertiser](#)
- [Pheedo](#)

9. Sponsors for Single Columns or Events

If your website has specific columns or events (e.g., a weekly podcast, an interview series, a monthly survey, a special project) you could find companies to sponsor them individually.

This method increases the monetization options for website owner, while giving advertisers the possibility to target a more specific audience and with a reduced commitment.

they tend to click on ads more often. Social media traffic, on the other hand, presents terribly low CTRs because these visitors are tech-savvy and they just ignore ads.

List of popular CPC advertising networks:

- [Google AdSense](#)
- [Yahoo! Publisher Network \(YPN\)](#)
- [BidVertiser](#)
- [Chitika](#)
- [Clicksor](#)

✓ 2. CPM Advertising Networks

CPM advertising networks behave pretty much as PPC networks, except that you get paid according to the number of impressions (i.e., page views) that the ads displayed on your site will generate. CPM stands for *Cost per Mille*, and it refers to the cost for 1,000 impressions.

A blog that generates 100,000 page views monthly displaying an advertising banner with a \$1 CPM, therefore, will earn \$100 monthly.

CPM rates vary with the network, the position of the ad and the format. The better the network, the higher the CPM rate (because they have access to more advertisers). The closer you put the ad to the top of the page, the higher the CPM. The bigger the format (in terms of pixels), the higher the CPM.

You can get as low as \$0,10 and as high as \$10 per 1,000 impressions (more in some special cases). CPM advertising tends to work well on websites with a high page views per visitor ratio (e.g., online forums, magazines and so on).

List of popular CPM advertising networks:

- [Casale Media](#)
- [Burst Media](#)
- [Value Click](#)
- [Advertising.com](#)
- [Tribal Fusion](#)
- [Right Media](#)

✓ 3. Direct Banner Advertising

Selling your own advertising space is one of the most lucrative monetization methods. First and foremost because it enables you to cut out the middleman commissions and to determine your own rates. The most popular banner formats on the web are the 728×90 leaderboard, the 120×600 skyscraper, the 300×250 rectangle and the 125×125 button.

The downside of direct banner advertising is that you need to have a big audience to get qualified advertisers, and you will need to spend time managing the sales process, the banners and the payments.

Related links:

- [How to Find Advertisers for Your Website](#)
- [Finding Advertisers for Your Blog](#)

- Direct Advertising Sales for Beginners
- Openads Ad Server
- OIO Publisher Ad Platform

4. Text Link Ads

After Google declared that sites selling text links without the nofollow tag would be penalized, this monetization method became less popular.

Many website owners are still using text links to monetize their sites, though, some using the nofollow tag and some not.

The advantage of this method is that it is not intrusive. One can sell text links directly through his website or use specialized networks like Text-Link-Ads and Text-Link-Brokers to automate the process.

Text link marketplaces and networks:

- DigitalPoint Link Sales Forum
- Text-Link-Ads
- Text-Link-Brokers
- TNX
- LinkWorth

5. Affiliate Marketing

Affiliate marketing is a very popular practice on the Internet. Under this system you have a merchant that is willing to let other people (the affiliates) sell directly or indirectly its products and services, in exchange for a commission. Sometimes this type of advertising is also called CPA (cost per action) or CPL (cost per lead) based.

Affiliates can send potential customers to the merchant using several tools, from banners to text links and product reviews.

In order to find suitable affiliate programs you can turn to individual companies and publishers like Dreamhost and SEOBook, or join affiliate marketplaces and networks.

List of popular affiliate marketplaces and networks:

- Commission Junction
- ClickBank
- Azoogole Ads
- Link Share

6. Monetization Widgets

The latest trend on the web are widgets that let you monetize your website. Examples include Widgetbucks and SmartLinks. Some of these services operate under a PPC scheme, others behave like text link ads, others yet leverage affiliate links.

Their main differentiator, however, is the fact that they work as web widgets, making it easier for the user to plug and play the service on its website.

E1069 - T63

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Sign In



divert customer + expired domain: Search

About 58,800 results (0.62 seconds)

Advanced search

Everything

Images

Videos

News

Shopping

More

Alliance, OH

Change location

All results

Wonder wheel

Related searches

More search tools

Go Daddy - Official Site - \$7.49 Domain Ad

Name w/ Email Free

#1 Overall Best - ICANN Accredited

www.godaddy.com

Post-buying Management of Expired

Domains - Tips and Suggestions ...

Design and create an expired domain based micro-site and divert traffic from it: ... Big Customer Network creates, develops and manages channels of internet ... bigcustomerdomains.com/807695-Post-buying-Management-of-Expired-Domains-Tips-and-Suggestions.html - Cached

Buying Expired Domains: What's the Best Strategy? | SEOMoz

Apr 22, 2009 ... I definitely recommend custom 404s though that contain search boxes and There are two types of expired domain auctions at these venues. ...

www.seomoz.org/.../buying-expired-domains-whats-the-best-strategy - Cached - Similar

Expired Domain Traffic. Targeted redirected traffic hits from ...

We only sell Expired Domain Traffic. When you buy redirected visitors from us, we will produce a steady stream of potential customers to your website. ...

www.buyexpireddomaintraffic.com/ -

Cached - Similar-

Block all www.buyexpireddomaintraffic.com results

Expired Domain Traffic - JM Marketing Live

Expired domain traffic is the most responsive traffic on the web and here's why. ... If I own a toy store and I purchase expired domain traffic, the same ... jmmarketinglive.com/edtraffic/ - Cached - Similar

Traffic Using Expiring Domains - Custom web site design directory ...

You can use it by designing a website on it or divert traffic to your existing website. The main advantage of taking over an expired domain is the traffic. ...

www.webmasterslookup.com/.../287-Traffic-Using-Expiring-Domains.html - Cached

Expired Domain 101

How To generate Traffic using An Expired Domain Name. ... It can be used by designing a website on it or to divert traffic to your existing website via a ...

www.domaininform.net/expireddomains.html - Cached

E1069 - T64

Post-buying Management Of Expired Domains - Tips And Suggestions

Design and create an **expired domain** based micro-site and **divert** traffic from it: This time consuming method needs your effort and money. ...
www.articlesnatch.com/Article/Post...Expired-Domains.../766238 - Cached

Buying Expired Domains - Some Suggestions - Associated Content ...

Sep 29, 2009 ... Your **expired domain** is being used to build a small website, which will include all the associated expenses. But, you could **divert** whatever ...
www.associatedcontent.com › Business & Finance - Cached

heringfen

How effective is purchasing expiring domain names? - Page 3 ...

13 posts - 12 authors - Last post: Sep 16, 2007
It is better to define a "prospective customer" and to reach it. ... make sense to acquire that domain and **divert** that traffic to your site. ... It makes sense to **acquire expired domains** with relevant backlinks that are ...
www.sitepoint.com/.../how-effective-purchasing-expiring-domain-names- 496720-3.html - Cached

Expired Domain Gains

Sep 23, 2009 ... The potential of using this technique is huge and you can even **divert** the links and traffic from your **expired domain** names to other web ...
www.expireddomaingains.com/blog/ - Cached

1 2 3 4 5 6 7 8 9 10 **Next**

divert customer + expired domain: Search

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Buying Expired Domains - Some Suggestions

Scout 9, Yahoo! Contributor Network
Sep 26, 2009 "Contribute content like this. Start here."

MORE: [Expired Domains Usability](#)

0 Print Flag 3 Helpful? Post a comment

There is actually no difference between buying an expired domain and buying something else. You have to check for its usability for your purposes, just as you do with anything. You might have a very good product or a very bad one. You must try your best to buy a worthwhile expired domain.

AdChoices

Are you involved in decisions about your company's paid advertising programs?

- Yes, I am the primary decision maker
- Yes, I influence these decisions
- No, I am not involved in these decisions

Privacy Policy 1/6

Experience does teach you various things here; if you are buying an expired domain for the first time, you tend to make a lot more mistakes.

Use these strategies to make sure you are buying good domains.

Divert the expired domains to the new one using 301 redirects.

- [Where to Buy an Expired Domain Name's](#)
- [Benefits of Expired Domain Purchases](#)
- [Tips on Registering a Good Domain Name](#)
- [Profiting with Dropped Domain Names](#)
- [Profiting from Expired Domains](#)
- [Think All the Good Domain Names Are Taken?](#)
- [How to Profit from Selling Domain Names](#)

Related Information

- Empower Your Sales Force with Smartphones
- Six Ways Mobile Applications Can Help You Grow Your Business
- Domain's Analytics Improve Speed, Reduce Cost
- How to Control Mobile Resolutions
- Grow Your Small Business with Global Marketing

This is how everyone mostly does it. Expired domains can be revived through this kind of redirection. The whole process can be expedited by choosing a dead domain that has the same keywords and themes as your present domain. The incoming links remain intact and you do benefit traffic-wise. That means, you get a good start. Here are some pros and cons of using this redirection method.

Pros:-

- This is a time and energy saving method.
- You get an initial flow of traffic.
- You get a good amount of incoming traffic and benefit from the links.

Cons:-

- You will encounter old anchor texts, which you will have to change to use for your new domains.
- All penalties imposed on the old domains will roll over to the new domain. This is something you need

Handwritten notes:
- BUY/REGAIN .COM
- APPROX 100K
SUCH AS
BODIL ILNINKS

AdChoices



Small Business Center

SEARCH FOR RESULTS

Here, you would not just be spending a lot of time, but you will also have to put in money. Your expired domain is being used to build a small website, which will include all the associated expenses. But, you could divert whatever traffic it gets to your new domain. The key and the keywords of your new domain will amount to some significant amount of traffic. Here are the pros and cons.

- ENTERTAINMENT
 - AUTO
 - BUSINESS
 - CREATIVE WRITING
 - HEALTH
 - HOME IMPROVEMENT
- Pros:-
 BUSINESS TO BUSINESS CAREERS & JOB SEARCHING LEGAL ALL CATEGORIES

It is very simple to divert links from the new site to the main site.

You get a lot of traffic even on the expired domain.

You can build brand value for your new site.

If you want to try something out without hampering business prospects, you can do it on the micro-site.

Just a one page micro-site is enough, which means you don't have to put in a great deal of effort.

1 2

Published by [Semp P](#)
[View profile](#)

Get Traffic Using Expired Domains

Over 20,000 domain names expire everyday and can be used by others. If you want more hits or want to resell the domains for profit, these expired ones can be a valuable resource.

How to Register a Great Domain Name

Many of us want to register a domain name, the problem is that the Internet evolved over the years, and all the great names are taken. If you will do a simple domain search you will find very few ..

Earn a Passive Income Flipping Domain Names for Profit

While browsing through the threads at one of my favorite forums, I came across a post, which discussed making money by flipping expired domain names. I became immediately inter...



Expired Domain Names Profits Vide...



Expired Domain Course - Revenue...



How To Make Money Domaining - Do...

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AdChoices

Q Are you involved in decisions about your company's paid advertising programs?

- Yes, I am the primary decision maker
- Yes, I influence these decisions
- No, I am not involved in these decisions

Small Business Center

CREATE A WEBSITE

Welcome to Web Hosting Talk! Take a tour and find out everything WHT has to offer.....



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Web Hosting Talk : Web Hosting Main Forums : Running a Web Hosting Business : Godaddy taking over too much of my customer base [Post reply](#)

Running a Web Hosting Business Non-technical aspects of running a web hosting company. Topics include management, accounting, problem customers, taxes, support options etc.

Page 1 of 2 1 2 >

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05-02-2008, 02:54 AM

#1

[glace](#) [View Beta Profile](#)
Aspiring Evangelist

Join Date: Feb 2006
Posts: 402

Log in with your username and password

Username: User Name

Password: _____

Remember Me?
[Forgot Password?](#)

Advertisement:

Godaddy taking over too much of my customer base

Right now about 80% of the customers who are leaving me are going to Godaddy. I find this kind of strange. There are so many hosts out there...but they choose Godaddy. Why? I asked some of them but got no reply so far. Does anyone here have the same issue? I mean Godaddy taking over some of their customers. I.e. last week I lost 9 domains to Godaddy. These guys really scare me. According to [webhosting.info](#) Godaddy is the fastest growing registrar with an insane advance. I think they are trying to monopolize. I think any of you guys buying your domains from them is supporting them taking you over at one time. We have to take it seriously. This **** is no ***** game! I and many of you are paying our rent with it.

BUY YOUR DOMAINS ONLY FROM REGISTRARS WHO DO NOT SELL WEBHOSTING !!

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Dedicated VPS (3 Months Free)

1 core allocated. 450GB (3 client max per drive). 8GB SSD. 10Mbps Full Duplex. Unmetered Bandwidth. 1GB Guaranteed RAM. Free IPs as long as you can justify them. Full Root Access. Setup Charge: \$5.00

SnelServer - Instant Setup Servers

INSTANT SETUP! 4x 3.06 GHz Core i7 950 (with HyperThreading), 6 GB of DDR3 RAM, 2x 500 GB in RAID 1 and 4 TB of bandwidth, dedicated KVM, native IPv6 for only 99 euro per month!

Hostiran - Dedicated Linux Server

Quad Core Xeon X3430 4 GB Ram 2 TB Transfer Only \$99/month

05-02-2008, 02:59 AM

#2

[Adam H](#) [View Beta Profile](#)
Web Hosting Master

Join Date: Jun 2006
Location: United Kingdom
Posts: 1,763

Haha, loving the "Doomsday" style of the OP. ☹

05-02-2008, 03:02 AM

#3

[glace](#) [View Beta Profile](#)
Aspiring Evangelist

Join Date: Feb 2006
Posts: 402

Quote:

Originally Posted by Adam H
Haha, loving the "Doomsday" style of the OP. ☹

Man...this industry is already past Doomsday ☹ I am just trying to make the best out of it.

quote

Sponsored Links

Dedicated VPS (3 Months Free)

1 core allocated. 450GB (3 client max per drive). 8GB SSD. 10Mbps Full Duplex. Unmetered Bandwidth. 1GB Guaranteed RAM. Free IPs as long as you can justify them. Full Root Access. Setup Charge: \$5.00

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INSTANT SETUP! 4x 3.06 GHz Core i7 950 (with HyperThreading), 6 GB of DDR3 RAM, 2x 500 GB In RAID 1 and 4 TB of bandwidth, dedicated KVM, native IPv6 for only 99 euro per month!

HostIran - Dedicated Linux Server

Quad Core Xeon X3430 4 GB Ram2 TB Transfer Only \$99/month

05-02-2008, 03:06 AM

#4

cristibighea View Beta Profile
Custom Hosting Master

Join Date: Jan 2007
Posts: 2,598

It's because of the crowd you're attracting ☹. They will look for something cheaper with more than you can offer, but if you can keep your service level up I doubt they'd want to leave, or in any case they'll be back when they start hitting problems.

478east

Custom Hosting Solutions
Complex Content Delivery

quote

05-02-2008, 03:50 AM

#5

bginternet View Beta Profile
Backup Guru
PREMIUM MEMBER

Join Date: Feb 2002
Location: New York, NY
Posts: 3,759

Quote:

Originally Posted by cristibighea
It's because of the crowd you're attracting ☹. They will look for something cheaper with more than you can offer, but if you can keep your service level up I doubt they'd want to leave, or in any case they'll be back when they start hitting problems.

I agree. If the OP is really losing that many customers to GoDaddy, then he's probably targeting the wrong market.

Scott Burns, President

BQ Internet Corporation
Remote Rsync and FTP backup solutions
*** <http://www.bqbackup.com/> ***

quote

05-02-2008, 05:42 AM

#6

Aussie Bob View Beta Profile
Trust your government

Join Date: Feb 2002
Location: Australia
Posts: 23,367

Quote:

Originally Posted by glaca
Man...this industry is already past Doomsday ☹ I am just trying to make the best out of it.

Sell up while you still have something to sell.

- AussieHost.com • Aussie Bob, host since 2001 •
- Host Multiple Domains on Fast Australian Servers!! •

quote

05-02-2008, 06:14 AM

#7

Lightwave View Beta Profile
Web Hosting Master

Join Date: Apr 2003
Location: San Jose, CA
Posts: 1,575

From the host who stated, "I have been considering to write fake reviews. I do not consider it as morally wrong since I am only lying to compensate the lie from someone else" and, "I would like to let you know I am having the exact same problem [Hacked 3 times in 2 days]" and other brilliant tidbits.

Wow. Who woulda thunk it?

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WebHostingTalk News:

Web Host UK2 Group Appoints Former MessageLabs CEO as Non-Executive Director

Web Host Windstream Hosted Solutions Completes Boston Data Center Expansion

SmarterTools Offers Public Beta Release of version 7

Business Development Platform BeanSprout Partners with Commerce Software Firm X-Cart

DuPont Fabros Attains LEED Gold Certification for New Jersey Data Center

Web Hosting Support Firm IntraCarr's Launches Client Portal

Web Host UK2's New VPS Builder Tool Allows Users to Customize Cloud Platforms

Web Host Backspace Launches Hosted Virtual Desktop Platform


LinkedIn Access Control Opens Users to Security Breaches says Security Analyst

Sony Estimates 171M in Losses From PlayStation Network Outage More from Earthquake

 quote

05-02-2008, 08:28 AM

#8

Adam H  [View Beta Profile](#)
Web Hosting Master

Join Date: Jun 2006
Location: United Kingdom
Posts: 1,763

Quote:

Originally Posted by Lightwave
From the host who stated, "I have been considering to write fake reviews. I do not consider it as morally wrong since I am only lying to compensate the lie from someone else" and, "I would like to let you know I am having the exact same problem [Hacked 3 times in 2 days]" and other brilliant tidbits.

Wow. Who woulda thunk it?

Sounds like Karma to me. 

-- Adam

 quote

05-02-2008, 10:44 AM

#9

Joe1972  [View Beta Profile](#)
Temporarily Suspended

Join Date: May 2008
Posts: 3

Glad you said it, Adam H, and not me. Stooping to lower levels to get customers isn't right, regardless of the size of the competition.

 quote

05-02-2008, 10:47 AM

#10

daeluan  [View Beta Profile](#)
Is our children learning?

Join Date: Aug 2003
Location: Chicago, IL USA
Posts: 1,904

Quote:

I think they are trying to monopolize.

As is every for-profit organization around.


But like everyone suggested, Godaddy offers basic cookie cutter hosting at dirt cheap prices, in sacrifice of quality. You have to do something different.

- Unmetered VPS Hosting <http://redink.com>

 quote

05-04-2008, 04:34 AM

#11

mzippy  [View Beta Profile](#)
Mr. Awesome

Join Date: Jul 2002
Posts: 4,825

There will always be someone cheaper than you. In this case it is Godaddy. Later, it will be someone else.

If you're competing on price alone, then you don't have a chance.

My advice is to refocus your business on "service" instead of "price". ie: Target a market segment that is more concerned about reliable hosting and email than price alone.

Good luck!

Want to sell domain names? [Sign up today](#) for an eNom.com reseller account from a trusted eNom ETP provider.

* We provide support and service to over 3245 happy eNom domain name and SSL certificate resellers! 

 quote

05-04-2008, 05:41 AM

#12

Outlaw Web Master  [View Beta Profile](#)
Devil's Advocate

Join Date: Jul 2005
Location: Edinburgh
Posts: 3,880

Anyone who's run a business in a highly competitive market like web hosting for instance will understand that the bigger you get, the bigger the outlay will become. Advertsing costs will rise, hardware costs will rise, support costs will rise and basically all the other necessities to keep your company's growth afloat...everything is going to cost more to supply in the long run....that is if you intend to keep your place in the market by supplying a high quality product and keep your client base happy in order to stay head on with your competitors who are applying a similar business strategy

Webhostingtalk is one of many..if not the most important hosting forum on the net, therefore let me use WHT as a market standard.

It's not rocket science to do a search for hostgator and see all the negative posts they seem to be getting as compared to any decent ones.

They seem to have a lot of unhappy customers on here alone, so I can only assume that a broader picture from other forums would be the same. Then there must be an imaginable amount of unhappy customers who just don't ever bother to post on forums.

Either way, that cannot be a good outlook for any company trying to do business and certainly not for a company like hostgator who are in the already saturated overselling end of the hosting market.

If they don't try to appease their evergrowing unhappy customer base, eventually their percentage of the market will start to swing in the opposite direction which will see their turnover fall more and more and their service will slide to a low point and although I don't like to see companies fall from grace, that will be exactly what happens to HG, because customers will only take a belly full.

HG strikes me as a company who are building and building to reach a point and some bigger company will buy them out for a huge amount of money...but that's only my opinion.

To be successful in the long run, you need to take care of your client base, because without clients...there is no business.

It really depends how long you plan to stay in business.

I don't need money so much that I have to rip off and extort money from my clients like some hosting companies.

Hostgator do get a lot of negative reviews, but in their defense, I have seen them act very often and quickly on posts in here with regards to complaints etc, when other companies in the same area of the market seem to be too busy counting the money and their customers take an obvious 2nd place.

Oh!...to get to where Hostgator are in the market, you have to be ruthless, take no prisoners etc...and if anyone else was in their alligator shoes, then they'd most likely have to run a similar ship.

OWM

<(=)>
Life's what you make it.

Last edited by Outlaw Web Master; 05-04-2008 at 05:50 AM.



05-04-2008, 07:24 AM

#13

[hostgator.com](#) [View Beta Profile](#)
Web Hosting Master

Join Date: Dec 2002
Location: Texas
Posts: 1,204

The majority of our bad reviews on wht come from customers who have been suspended for non payment or are asked to verify their order for activation.

Anytime we run our mass suspension script for non payment wht gets a flood of negative hostgator posts. It seems for every few hundred accounts suspended for non payment one of them runs to wht to bash us. Naturally when we suspend thousands within a few day period it would appear hostgator is doing "bad".

I always recommend the full thread be read rather than just reading titles. It's extremely rare that hostgator is at fault to a problem.

Web hosting Host unlimited sites for one set price.



05-04-2008, 07:29 AM

#14

[mrkippy](#) [View Beta Profile](#)
Mr. Awesome

Join Date: Jul 2002
Posts: 4,825

Quote:

Originally Posted by [hostgator.com](#)
It's extremely rare that hostgator is at fault to a problem.

<< cough cough >>

Well, I'm not sure "extremely" would be the word I'd use... unless you're willing to publish your numbers publicly so we can concur...

But.. In hostgator's (or any large company's) defense:

The bigger the host -- the more the complaints. This is just statistics at play. Any of the "large" hosts will have a significantly higher percentage of negative reviews, since they simply have more ex-customers. As a company grows larger, so will the number of reviews.

Want to sell domain names? [Sign up today](#) for an eNom.com reseller account from a trusted eNom ETP provider.

• We provide support and service to over 3245 happy eNom domain name and SSL certificate resellers!



05-04-2008, 01:18 PM

#15

The Stealthy One [View Beta Profile](#)
Web Hosting Master

Join Date: Jan 2005
Location: East Coast, USA
Posts: 3,048

Niche, niche, niche, niche, niche, niche, niche - that is the key to success in this industry now! Don't try to compete with GoDaddy - you would need \$100 million for marketing alone in order to catch up with them.



[Post reply](#)

Page 1 of 2 1 2 > ▾

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- Increase Profitability

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HIGHLY TARGETED TRAFFIC

We only sell Expired Domain Traffic

When you buy redirected visitors from us, we will produce a steady stream of potential customers to your website.

Targeted Web Traffic means a higher conversion to sales and increased profits.

Our Guaranteed Targeted Traffic is the highest quality, wholesale targeted traffic available:

Expired Domain Traffic

(redirected traffic from expired domain names).

*This targeted traffic is different than other wholesale traffic suppliers. When you buy website traffic from us, we simply redirect traffic from a similar domain as yours, directly to your website. We NEVER use popups/unders.

Every targeted visitor we send to you is a **REAL** person that will be redirected to your website and see your website in **FULL PAGE VIEW** and be interested in your product or service.

Our Redirected Targeted Traffic is up to 300% more responsive than banners, popups, popunders etc.

Targeted Website Traffic options include your choice of over 160 different categories and also by Geography(country).

This is the **VERY BEST CLEAN TARGETED TRAFFIC** available.

*With every campaign your website is visited by an expert technician. Your website is evaluated and targeted for the best possible traffic.

24 Hour Unique

This means the same visitor will not be counted towards your campaign more than once per day/24 hours, regardless of the number of times they might return to your site. We monitor every visitors IP for correct country origin and uniqueness. We guarantee it!

Note:100% Full Campaign unique visitors from expired domains available upon request)

Real time Reporting

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O.R.C.

CHAPTER 2727
INJUNCTIONS

Section

- 2727.01 Injunction defined—Repealed
 2727.02 Causes for an injunction
 2727.03 Courts authorized to grant injunctions
 2727.04 Affidavits on hearing of application—Repealed
 2727.05 Injunction may be granted in cases of appeal
 2727.06 to 2727.10 First and second application; Bond; When injunction operative—Repealed
 2727.11 Enforcing an injunction or restraining order
 2727.12 Procedure if injunction or restraining order is disobeyed
 2727.13 to 2727.15 Party enjoined may apply for further security; Motion to vacate or modify injunction; Defendant may obtain an injunction—Repealed

2727.01 Injunction defined—Repealed

(1970 H 1201, eff. 7-1-71; 1953 H 1; GC 11875)

Historical and Statutory Notes

E.d. Note: Former RC 2727.01 was in conflict with Civ R 65(A).

Pre-1953 H 1 Amendments: RS 5571

2727.02 Causes for an injunction

A temporary order may be granted restraining an act when it appears by the petition that the plaintiff is entitled to the relief demanded, and such relief, or any part of it, consists in restraining the commission or continuance of such act, the commission or continuance of which, during the litigation, would produce great or irreparable injury to the plaintiff, or when, during the litigation, it appears that the defendant is doing, threatens or is about to do, or is procuring or permitting to be done, such act in violation of the plaintiff's rights respecting the subject of the action, and tending to render the judgment ineffectual.

(1953 H 1, eff. 10-1-53; GC 11876)

Historical and Statutory Notes

Pre-1953 H 1 Amendments: RS 5572

Comparative Laws

Cal.—West's Ann. Cal. C.C.P. § 525 et seq.

Ill.—ILCS 735 5/11-101 et seq.

Ind.—West's A.I.C. 34-26-1-1.

Mich.—M.C.L.A. § 600.6125.

N.Y.—McKinney's CPLR § 6301 et seq.

Cross References

- | | |
|--|--|
| Bondholders of metropolitan housing authorities, enjoining violation of rights, 3735.48 | Temporary injunction enjoining weight and measure violations, 1327.58 |
| Enjoining of hospital discrimination against osteopaths, podiatrists, dentists, or midwives as to staff membership and professional privileges; lack of legal remedy unnecessary, 3701.351 | Temporary restraining order; preliminary injunction, Civ R 65 |
| Enjoining violations of public health council rules mandated regardless of other remedies, 3701.40 | Unemployment contributions, injunction against noncomplying employer, 141.39 |
| | Unfair political campaign acts may be enjoined, 3517.21, 3517.22 |

Library References

Injunction ⇐ 25 to 105(2).
Westlaw Topic No. 212.

C.J.S. Divorce § 138.

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Note 3

hearing en banc denied, on remand 71 F.Supp.2d 755. Trade Regulation ⇨ 335

Court may infer intent to deceive public regarding origin of services when defendant uses mark identical to trademark at issue. *Rock and Roll Hall of Fame and Museum Inc. v. Gentile Productions* (N.D. Ohio, 05-30-1996) 934 F.Supp. 868, 39 U.S.P.Q.2d 1140, vacated 134 F.3d 749, 45 U.S.P.Q.2d 1412, rehearing and suggestion for rehearing en banc denied, on remand 71 F.Supp.2d 755. Trade Regulation ⇨ 571.1

Both actions under Ohio Deceptive Trade Practices Act (DTPA) and Ohio common law trade infringement resemble federal claim of trademark infringement in that they require same analysis given to determine liability under Lanham Act for trademark infringement, namely, whether there is likelihood of confusion. *Daddy's Junky Music Stores v. Big Daddy's Family Music Center* (S.D. Ohio, 01-31-1996) 913 F.Supp. 1065, reversed

1329.66 Rights and remedies

Any owner of a trademark or service mark registered under the sections 1329.54 to 1329.67 of the Revised Code, may proceed by suit to enjoin the manufacture, use, display, or sale of any counterfeits or imitations of the mark, and any court of competent jurisdiction may grant injunctions to restrain such manufacture, use, display, or sale as may be by the the [sic.] court considered just and reasonable, and may require the defendants to pay to the owner all profits derived from and all damages suffered by reason of the wrongful manufacture, use, display, or sale; the court may also order that any such counterfeits or imitations in the possession or under the control of any defendant in such case, be delivered to an officer of the court, or to the complainant, to be destroyed.

If the infringement complained of is contained in or is part of paid advertising in a newspaper, magazine, or other periodical, the remedies of the owner of the right infringed as against the publisher or distributor of such periodical shall be confined to an injunction against the presentation of such advertising matter in future issues. These limitations shall apply only to innocent infringers and injunctive relief shall not be available to the owner of the right infringed in respect of an issue of a periodical containing infringing matter when restraining the dissemination of such infringing matter in any particular issue of such periodical would delay the delivery of such issue after the regular time therefor, and the delay would be due to the method by which publication and distribution of such periodical is customarily conducted in accordance with sound business practice, and not to any method or device adopted for the evasion of this section or to prevent or delay the issuance of an injunction or restraining order with respect to such infringing matter.

The enumeration of any right or remedy herein shall not affect a registrant's right to prosecute under any appropriate penal law of this state.

(1978 H 297, eff. 10-20-78; 127 v 216; 125 v 466)

Cross References

Injunctions, 2727.02

Library References

Trade Regulation ⇨ 611.
Westlaw Topic No. 382.

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109 F.3d 275, 42 U.S.P.Q.2d 1173. Trade Regulation ⇨ 334.1; Trade Regulation ⇨ 464.1

A florists' association's use in advertising of a brewer's unregistered slogan "This Bud's For You" will not be enjoined by a federal court inasmuch as (1) marketing channels of the florists and the brewer differ, (2) the registered mark "Bud" uses a word applied to nascent flowers, and (3) it is absurd to suggest consumers confuse beer with flowers. *Anheuser-Busch, Inc. v. Florists Ass'n of Greater Cleveland, Inc.* (N.D. Ohio 1984) 603 F.Supp. 35, 224 U.S.P.Q. 493.

4. Registration required

In order to maintain claim for unauthorized use of trademark, under Ohio law, plaintiff must own Ohio registration for trademark at issue. *DeGidio v. West Group Corp.* (N.D. Ohio, 03-18-2002) 191 F.Supp.2d 904, affirmed 355 F.3d 506, 69 U.S.P.Q.2d 1538, certiorari denied 124 S.Ct. 2842, 2004 WL 817136.

LABELS AND MARKS

Encyclopedias

OH Jur: 3d Trade Regulation § 16
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sional References.

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Dayton L Rev 85 (Fall 1990).

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Rev 1 (February 1991).

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I. Federal issues—Internet sites

Simply posting a domain name
aution site is insufficient to establish
cial use of a trademark sufficient
trademark dilution claim, and this
applies to an entity that operates an
site. *Bird v. Parsons* (C.A.6 (Ohi:
289 F.3d 865, 62 U.S.P.Q.2d 1905.
tion ⇨ 350.1

Software company whose tradem.
ness name had allegedly been infri:
tered Internet domain name that
trademark failed to allege that oper
where domain name was initially
second company which operated
where domain name had been listu
had registered, trafficked in, or used
as required to state claim against o
ond company under Anticybersquat
Protection Act (ACPA); no allega
that either defendant was a licensee
domain name. *Bird v. Parsons* (C
05-21-2002) 289 F.3d 865, 62 U.S.
Trade Regulation ⇨ 350.1

Operator of Internet website at
name had been registered, and its
not engage in commercial use of
which allegedly diluted software con

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Research References

Id 1173. Trade Regulation 464.1

Encyclopedias
OH Jur. 3d Trade Regulation § 169, Use or Reproduction of Marks.

Ohio Forms Legal and Business § 21:16, Sale of Services-Record-Keeping System and Income Tax Service.

use in advertising of a n "This Bud's For You" federal court inasmuch as he florists and the brewed mark "Bud" uses a wers, and (3) it is absurd fuse beer with flowers. florists Ass'n of Greater 1984) 603 F.Supp. 35,

OH Jur. 3d Trade Regulation XVII a Ref., Divisional References.

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Law Review and Journal Commentaries

Litigation Involving Trademarks: Preparing The Trademark Case For Trial, Charles J. Faruki. 16 U Dayton L Rev 85 (Fall 1990).

Towards a Solution for Dilution: Likelihood Instead of Actual Harm, Seth Aaron Rose. 62 Ohio St L J 1869 (2001).

Protected Marks And Protected Speech: Establishing The First Amendment Boundaries In Trademark Parody Cases, Arlen W. Langvardt. 36 Vill L Rev 1 (February 1991).

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trademark in its business name, as required to support trademark dilution claim asserted by software company against operator and principals. Bird v. Parsons (C.A.6 (Ohio), 05-21-2002) 289 F.3d 865, 62 U.S.P.Q.2d 1905. Trade Regulation 366

Operator of Internet website which functioned as an auction site for domain names on Internet did not engage in commercial use of domain name that was listed on auction website, and that resembled trademark held by operator of computer software firm, as would permit software company to maintain trademark dilution action against website operator. Bird v. Parsons (C.A.6 (Ohio), 05-21-2002) 289 F.3d 865, 62 U.S.P.Q.2d 1905. Trade Regulation 366

1. Federal Issues—Internet sites

Simply posting a domain name on an Internet auction site is insufficient to establish the commercial use of a trademark sufficient to support a trademark dilution claim, and this reasoning also applies to an entity that operates an online auction site. Bird v. Parsons (C.A.6 (Ohio), 05-21-2002) 289 F.3d 865, 62 U.S.P.Q.2d 1905. Trade Regulation 350.1

Corporation which operated Internet website where Internet domain names could be registered, and its principals, did not use in commerce domain name that was registered at website and that allegedly violated trademark held by operator of computer software firm, so that corporation and principals could not be held liable for infringement of software firm's trademark, or for unfair competition based on use of trademark. Bird v. Parsons (C.A.6 (Ohio), 05-21-2002) 289 F.3d 865, 62 U.S.P.Q.2d 1905. Trade Regulation 374

Software company whose trademark in its business name had allegedly been infringed by registered Internet domain name that was similar to trademark failed to allege that operator of website where domain name was initially registered, and second company which operated Internet website where domain name had been listed for auction, had registered, trafficked in, or used domain name, as required to state claim against operator or second company under Anticybersquatting Consumer Protection Act (ACPA); no allegation was made that either defendant was a licensee of registrant of domain name. Bird v. Parsons (C.A.6 (Ohio), 05-21-2002) 289 F.3d 865, 62 U.S.P.Q.2d 1905. Trade Regulation 350.1

Operator of Internet website which functioned as an auction site for domain names on Internet did not use in commerce domain names which had been reserved, and thus could not be held liable for trademark infringement, or for unfair competition based on use of trademark, after domain name which allegedly infringed software company's trademark in its business name was listed on its auction website. Bird v. Parsons (C.A.6 (Ohio), 05-21-2002) 289 F.3d 865, 62 U.S.P.Q.2d 1905. Trade Regulation 374

Operator of Internet website at which domain name had been registered, and its principals, did not engage in commercial use of domain name which allegedly diluted software company's existing

Retailer of women's lingerie, who held "Victoria's Secret" trademark, proved that competitor acted in "bad faith," under Anticybersquatting Consumer Protection Act (ACPA), by registering and using victoriasscrets.net Internet address; al-

im for unauthorized use law, plaintiff must own mark at issue. DeGidio Ohio, 03-18-2002) 191 355 F.3d 506, 69 denied 124 S.Ct. 2842,

ns 1329.54 to 1329.67 use, display, or sale of jurisdiction may grant by the the [sic.] court o the owner all profits acture, use, display, or ; in the possession or cer of the court, or to

paid advertising in a the right infringed as o an injunction against ations shall apply only he owner of the right r when restraining the periodical would delay y would be due to the omarily conducted in levice adopted for the on or restraining order

a registrant's right to

de-Names, and Unfair 3, 295.

Lanham Act?

great deal of care, and
ough to cause confusion
Inc. v. Sewage Aeration
-06-1999) 165 F.3d 419,
ring and suggestion for
Trade Regulation ⇐

name "Rock and Roll
useum's unique building
succeed on merits of its
ublisher of poster that
ie "Rock N' Roll Hall of
entitled to preliminary
ler did not establish that
shown in poster served
in light of holder's ir-
sign, and, even if use of
r were considered sepa-
ave been fair use. Rock
l Museum, Inc. v. Gentile
, 01-20-1998) 134 F.3d
rehearing and suggestion
denied, on remand 71
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length, court will place
our categories: generic,
ad fanciful or arbitrary,
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.2d 1173. Trade Regula-
gulation ⇐ 23; Trade
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federal issues
hat terminated franchises
reble damages based on
of franchisor's trademark
royalty fees. KFC Corp.
993) 821 F.Supp. 1191.

hat continued to use fran-
estaurants after franchisor
ld be required to pay fran-
revenues as damages in
action; award was both
ugh to advance Lanham
g trademark infringement,
onstitute a penalty. KFC
D.Ky. 1993) 821 F.Supp.
⇐ 680.1

semantic confusion over
:en "laches," "estoppel by
e" in trademark context, it
: word "acquiescence" for
here trademark owner, by
l, conveys its implied cou-
,"laches" denotes merely
cquiescence implies active
Card Co. v. The Bicycle
st., 05-21-1997) 119 Ohio
l 1197. Trade Regulation
ion ⇐ 389

Neither negative publicity surrounding criminal convictions of card casino's principals nor expansion of casino's existing facility was sufficient change of circumstances to prevent casino from using laches and estoppel principles to defeat playing card manufacturer's belated dilution claim against casino, whose name was similar to manufacturer's trademark; nor did they give manufacturer right to revoke any implied license it may have given casino. U.S. Playing Card Co. v. The Bicycle Club (Ohio App. 1 Dist., 05-21-1997) 119 Ohio App.3d 597, 695 N.E.2d 1197. Trade Regulation ⇐ 385.1; Trade Regulation ⇐ 389

Playing card manufacturer was estopped, by "laches" and by "acquiescence," from bringing dilution claim against card casino whose name was similar to manufacturer's trademark, where manufacturer actively consented to name or at least stayed silent for nearly three years after club opened despite having known about club even before it opened, while in meantime casino registered its name, spent large amount on signs, poker chips, and gift shop items bearing its name, advertised widely, and became largest card club in world. U.S. Playing Card Co. v. The Bicycle Club (Ohio App. 1 Dist., 05-21-1997) 119 Ohio App.3d 597, 695 N.E.2d 1197. Trade Regulation ⇐ 389

Where the complainant's protracted inaction is with knowledge of the defendant's infringement of its trademark rights, and the latter has acted in reliance on such inaction to an extent that he will suffer great loss should an injunction now be granted, complainant's conduct constitutes such laches or acquiescence as to be tantamount to estoppel or abandonment; in such instances, delay is a valid defense requiring a court of equity to deny injunctive relief. Adams Baking Co. v. Interstate Bakeries Corp. (Ohio Com.Pl. 1972) 37 Ohio Misc. 79, 307 N.E.2d 273, 66 O.O.2d 175.

Laches will not bar the plaintiff in a trademark action from injunctive relief where the defendant adopted the mark with knowledge of the plaintiff's rights and objections. Ameritech, Inc. v. American Information Technologies Corp. (C.A.6 (Ohio) 1987) 811 F.2d 960, 1 U.S.P.Q.2d 1861.

A trademark owner may waive its right to exclusive use of the mark by intentionally relinquishing or abandoning that right, may be estopped by acquiescence if its conduct amounts to an explicit or implicit assurance not to assert trademark rights, or be estopped by laches if it has inexcusably delayed asserting its rights and thereby prejudiced an innocent user. Central Benefits Mut. Ins. Co. v. Blue Cross and Blue Shield Ass'n (S.D. Ohio 1989) 711 F.Supp. 1423, 11 U.S.P.Q.2d 1103.

6. Attorney fees

Restaurant franchisor prevailed "entirely" in trademark infringement action against franchisee, within meaning of franchise agreement specifying that franchisee would pay attorney fees to franchisor if it prevailed entirely in any litigation brought to enforce franchise agreement; although trial court refused to award franchisor costs for original and copy of depositions taken; franchisor prevailed en-

tirely on its claims for injunctive relief, claims under the Lanham Act, and claims under the franchise agreements, and cost item disallowed was very small part of award sought. KFC Corp. v. Lilleoren (W.D.Ky. 1993) 821 F.Supp. 1191. Trade Regulation ⇐ 682; Trade Regulation ⇐ 729

7. State common law jurisdiction

In a claim for damages from false and deceptive advertising involving two competing billiard dealers one company's claim that it has been family owned since 1949 and is the largest Ohio distributor of the "world's leader in billiard's" (1) may be misleading and persuade a consumer to purchase from the company based upon this advertising, (2) may imply that it has been in the billiards business since 1949 and that it has been owned by one family since that time, and (3) may imply that it is the largest in Ohio; a reasonable jury might find that these statements violate the Lanham Act if they are proven false and proven to be the cause of the competitor's loss of sales and customers. Dayton Sports Cir., Inc. v. 9-Ball, Inc. (Ohio App. 2 Dist., 02-16-2001) 141 Ohio App.3d 402, 751 N.E.2d 520.

Trademark infringement claims under Ohio law follow same analysis as those under Lanham Act. ETW Corp. v. Jireh Pub., Inc. (C.A.6 (Ohio), 06-20-2003) 332 F.3d 915, 67 U.S.P.Q.2d 1065, rehearing en banc denied. Trade Regulation ⇐ 334.1

Ohio courts recognize a common law cause of action for trademark dilution. Jet, Inc. v. Sewage Aeration Systems (C.A.6 (Ohio), 01-06-1999) 165 F.3d 419, 49 U.S.P.Q.2d 1355, rehearing and suggestion for rehearing en banc denied. Trade Regulation ⇐ 366

Manufacturer's "JET" trademark for sewage and waste-water treatment device and competitor's "AEROB-A-JET" mark for similar device were not sufficiently similar to support finding that competitor's mark diluted manufacturer's mark under Ohio law. Jet, Inc. v. Sewage Aeration Systems (C.A.6 (Ohio), 01-06-1999) 165 F.3d 419, 49 U.S.P.Q.2d 1355, rehearing and suggestion for rehearing en banc denied. Trade Regulation ⇐ 366

The degree of similarity required for a trademark dilution claim must be greater than that which is required to show likelihood of confusion in trademark infringement action. Jet, Inc. v. Sewage Aeration Systems (C.A.6 (Ohio), 01-06-1999) 165 F.3d 419, 49 U.S.P.Q.2d 1355, rehearing and suggestion for rehearing en banc denied. Trade Regulation ⇐ 366

The Lanham Act at 15 USC 1125 forbids "any false description or representation" in advertising of goods in interstate commerce, but does not provide a general right of action for trademark infringement; it leaves to state law and state courts cases of common law trademark infringement that do not arise from deceptive and misleading use of marks in foreign and interstate commerce. Coca-Cola Co. v. Procter & Gamble Co. (C.A.6 (Ohio) 1987) 822 F.2d 28, 3 U.S.P.Q.2d 1364.

Under Ohio law, lawsuits implemented with the design to gain an unfair advantage over a compet-

1329.66

Note 7

ing business may form basis for a common law suit for unfair competition. *Microsoft Corp. v. Action Software* (N.D. Ohio, 03-13-2001) 136 F.Supp.2d 735, 58 U.S.P.Q.2d 1305. Trade Regulation ⇐ 411

8. Counterfeits or imitations

"Trademark dilution" is gradual whittling away of trademark's distinctiveness through use by third parties on nonconfusing, noncompeting products, and thus action for trademark dilution protects trademark owner against diminution of trademark's commercial magnetism or selling power by junior user's unauthorized use of same or substantially similar mark. *U.S. Playing Card Co. v. The Bicycle Club* (Ohio App. 1 Dist., 05-21-1997) 119 Ohio App.3d 597, 695 N.E.2d 1197. Trade Regulation ⇐ 366

Registered "SPACE BALLS" trademark, for rubber spheres used in wooden door expansion joint was sufficiently distinctive to warrant protection from infringement; even if merely descriptive, it had acquired secondary meaning among cabinet-makers. *Lopes v. International Rubber Distributors, Inc.* (N.D. Ohio, 02-05-2004) 309 F.Supp.2d 972. Judgment ⇐ 90; Judgment ⇐ 90; Patents ⇐ 300; Trade Regulation ⇐ 15

Owner of "SPACE BALLS" trademark, for rubber spheres used in wooden door expansion joint, was likely to prevail on infringement claim against competitor selling similar spheres under same name, for purpose of obtaining preliminary injunction; there was evidence of intentional copying and targeting of owner's customers. *Lopes v. International Rubber Distributors, Inc.* (N.D. Ohio, 02-05-2004) 309 F.Supp.2d 972. Judgment ⇐ 90; Judgment ⇐ 90; Patents ⇐ 300; Trade Regulation ⇐ 15; Trade Regulation ⇐ 620

A sole proprietorship consisting of two retail outlets and a national mail order enterprise trading in videotapes of classic films is not entitled to a preliminary injunction barring use of the same business name by a national franchisor of general video items and its regional franchisees pending trial on federal infringement claims, where (1) the parties do not advertise in substantially similar publications, (2) the markets of the parties are distinct, and (3) an injunction would require the franchisees to entirely revamp their businesses at potentially ruinous expense. *Day v. Video Connection of Solon, Ohio* (N.D. Ohio 1982) 602 F.Supp. 100, 221 U.S.P.Q. 621.

9. Procedural issues

Laches alone is not enough to defeat trademark suit that seeks injunctive relief; rather, defendant must also prove elements of estoppel, that is, defendant must show that it was misled by plaintiff through actual misrepresentations, affirmative acts of misconduct, intentional misleading silence, or conduct amounting to virtual abandonment of trademark. *U.S. Playing Card Co. v. The Bicycle Club* (Ohio App. 1 Dist., 05-21-1997) 119 Ohio App.3d 597, 695 N.E.2d 1197. Trade Regulation ⇐ 623

There was a genuine issue of material fact, precluding summary judgment of noninfringement of

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trademark on "Olde Brick" color for lighting fixtures on theory color was de jure functional, as to whether there was a competitive need for other to use that finish, in light of evidence of several alternative "rust-type" finishes. *L.D. Kichler Co. v. Davoil, Inc.* (C.A. Fed. (Ohio), 09-30-1999) 192 F.3d 1349, 52 U.S.P.Q.2d 1307. Trade Regulation ⇐ 722

Plaintiff in trademark infringement action was not entitled to amend its complaint to add claims for trademark dilution under federal law and for cancellation of competitor's trademark, as amendment would have been futile in light of court's conclusion that defendant's mark did not create likelihood of confusion as to plaintiff's mark for purpose of infringement claim. *Jet, Inc. v. Sewage Aeration Systems* (C.A.6 (Ohio), 01-06-1999) 165 F.3d 419, 49 U.S.P.Q.2d 1355, rehearing and suggestion for rehearing en banc denied. Trade Regulation ⇐ 562.1

Likelihood of confusion is a mixed question of fact and law in trademark infringement action such that, after a bench trial, Court of Appeals reviews a trial court's underlying factual findings for clear error but reviews de novo whether those facts indicate a likelihood of confusion. *Jet, Inc. v. Sewage Aeration Systems* (C.A.6 (Ohio), 01-06-1999) 165 F.3d 419, 49 U.S.P.Q.2d 1355, rehearing and suggestion for rehearing en banc denied. Trade Regulation ⇐ 704

Owner of patent for using small rubber spheres in wooden door expansion joints, who failed to establish likelihood of success on merits of induced infringement claim, also failed to show irreparable harm needed to obtain preliminary injunction; there was no evidence of lost sales, and defendant's potential sales of allegedly inferior spheres did not threaten plaintiff's business reputation. *Lopes v. International Rubber Distributors, Inc.* (N.D. Ohio, 02-05-2004) 309 F.Supp.2d 972. Judgment ⇐ 90; Judgment ⇐ 90; Patents ⇐ 300

Trademark infringement plaintiff established irreparable harm needed to obtain preliminary injunction, even though defendant had voluntarily agreed to stop using mark; defendant was continuing to contest validity of mark. *Lopes v. International Rubber Distributors, Inc.* (N.D. Ohio, 02-05-2004) 309 F.Supp.2d 972. Judgment ⇐ 90; Judgment ⇐ 90; Patents ⇐ 300; Trade Regulation ⇐ 15; Trade Regulation ⇐ 620; Trade Regulation ⇐ 620

Seller of girls' fashions, under trademark "LIM-ITED TOO," bringing Lanham Act infringement action against retailer selling clothes bearing trademark manufactured without authorization, satisfied likelihood of success on merits requirement for issuance of preliminary injunction barring sale of those clothes in competition with seller; mark was distinctive, marketing channels were same, and exact copying evidenced improper intent. *Too, Inc. v. TTX Companies, Inc.* (S.D. Ohio, 08-15-2002) 229 F.Supp.2d 825. Trade Regulation ⇐ 620

Seller of girls' fashions, under trademark "LIM-ITED TOO," bringing Lanham Act infringement

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action against retailer, failure success on merits requires preliminary injunction barring competition with seller of manufacturer, pending date retailer sold garments with marks; necessary showing whether knew trademarks on garments. *Too, Inc. v. TTX Comp* (08-15-2002) 229 F.Supp.2d ⇐ 620

Seller of girls' fashions, under trademark "LIM-ITED TOO," bringing Lanham Act action against retailer, success on merits requires preliminary injunction barring competition with seller of manufacturer, by showing likelihood of confusion as to origin under trademark manufacturer of seller. *Too, Inc. v. TTX Comp* (S.D. Ohio; 08-15-2002) 229 F.Supp.2d ⇐ 620

Seller of girls' fashions, under trademark "LIM-ITED TOO," bringing Lanham Act unfair competition action against competitor, satisfied requirement for issuance of preliminary injunction barring retailer from selling trademark made by unknown manufacturer showing of likelihood of irreparable injury, since retailer was not line. *Too, Inc. v. TTX Comp* (08-15-2002) 229 F.Supp.2d ⇐ 620

Seller of girls' fashions, under trademark "LIM-ITED TOO," bringing Lanham

1329.67 Common law

Sections 1329.54 to 1329.57 enforcement of rights in trademark prior to any of the following

- (A) Prior to another person's registration having a substantial interest in the trademark
- (B) Prior to another person's use of a trademark or service mark
- (C) Prior to another person's use of a trademark or service mark (1998 H 464, eff. 9-1-98; 127)

Amendment Note: 1998 H 464, paragraph; and added division Prior to amendment, the first paragraph

Trade Regulation ⇐ 133.1. Westlaw Topic No. 382.

"ick" color for lighting fixtures as de jure functional, as to competitive need for other than evidence of several niches. *L.D. Kichler Co. v. Ohio*, 09-30-1999) 192 F.3d 407. Trade Regulation ⇨

infringement action was its complaint to add claims under federal law and for trademark, as amended. futile in light of court's ruling that defendant's mark did not create as to plaintiff's mark for claim. *Jet, Inc. v. Sewage*, 01-06-1999) 165 F.3d 1355, rehearing and suggestion en banc denied. Trade Regulation ⇨

is a mixed question of fact and law. In an infringement action such as that presented here, the Court of Appeals reviews a case for clear error. The factual findings for clear error are reviewed de novo whether those facts are in dispute. *Jet, Inc. v. Sewage*, 01-06-1999) 165 F.3d 1355, rehearing and suggestion en banc denied. Trade Regulation ⇨ 704

using small rubber spheres on the joints, who failed to show success on merits of induced infringement. Defendant failed to show irreparable harm in preliminary injunction; of lost sales, and defendant's inferior spheres did not harm its reputation. *Lopes v. Distributors, Inc.* (N.D. Ohio, 03-22-1998) 197 F.3d 972. Judgment ⇨ 90; Trade Regulation ⇨ 300

plaintiff established right to obtain preliminary injunction. Defendant had voluntarily abandoned mark; defendant was continuing to use mark. *Lopes v. Distributors, Inc.* (N.D. Ohio, 03-22-1998) 197 F.3d 972. Judgment ⇨ 90; Trade Regulation ⇨ 300; Trade Regulation ⇨ 620; Trade Regulation ⇨

actions, under trademark "LIMITED TOO," bringing Lanham Act infringement action against seller of clothing without authorization. satisfied on merits requirement for preliminary injunction barring sale of clothing with seller; mark was not distinctive; channels were same, and improper intent. *Too, Inc. v. TJX Companies, Inc.* (S.D. Ohio, 08-15-2002) 229 F.3d 825. Trade Regulation ⇨ 620

actions, under trademark "LIMITED TOO," bringing Lanham Act infringement

action against retailer, failed to satisfy likelihood of success on merits requirement, for issuance of preliminary injunction barring retailer from selling in competition with seller clothing made by unknown manufacturer, pending determination of claim that retailer sold garments with counterfeited trademarks; necessary showing was not made that retailer knew trademarks on garments were counterfeit. *Too, Inc. v. TJX Companies, Inc.* (S.D. Ohio, 08-15-2002) 229 F.3d 825. Trade Regulation ⇨ 620

Seller of girls' fashions, under trademark "LIMITED TOO," bringing Lanham Act unfair competition action against retailer, satisfied likelihood of success on merits requirement, for issuance of preliminary injunction barring retailer from selling in competition with seller clothing made by unknown manufacturer, by showing that retailer created likelihood of confusion as to origin by selling garments under trademark manufactured without authorization of seller. *Too, Inc. v. TJX Companies, Inc.* (S.D. Ohio, 08-15-2002) 229 F.3d 825. Trade Regulation ⇨ 620

Seller of girls' fashions, under trademark "LIMITED TOO," bringing Lanham Act infringement and unfair competition action against retailer which competed against it, satisfied irreparable injury requirement for issuance of preliminary injunction barring retailer from selling clothing bearing trademark made by unknown manufacturer, through showing of likelihood of prevailing on merits of claim; despite retailer's claim that there was no injury, since retailer was not selling current fashion line. *Too, Inc. v. TJX Companies, Inc.* (S.D. Ohio, 08-15-2002) 229 F.3d 825. Trade Regulation ⇨ 620

Seller of girls' fashions, under trademark "LIMITED TOO," bringing Lanham Act infringement

and unfair competition action against retailer which competed against it, satisfied requirement for issuance of preliminary injunction barring retailer from selling clothing made by unknown manufacturer, that third parties not be harmed; enforcement would actually protect consumers against harm arising from unauthorized use of trademark. *Too, Inc. v. TJX Companies, Inc.* (S.D. Ohio, 08-15-2002) 229 F.3d 825. Trade Regulation ⇨ 620

Allegations by computer software broker that software firm asserted vexatious law suit against it for copyright and trademark infringement, with purpose of gaining an unfair business advantage, stated claim under Ohio law for unfair competition. *Microsoft Corp. v. Action Software* (N.D. Ohio, 03-13-2001) 136 F.3d 735, 58 U.S.P.Q.2d 1305. Trade Regulation ⇨ 564

In order to succeed in obtaining preliminary injunction, plaintiff must show reasonable probability of success on the merits, irreparable injury if relief is withheld, that there will not be substantial harm to others if injunction is granted and that public interest would be served by issuing preliminary injunction. *Rock and Roll Hall of Fame and Museum, Inc. v. Gentile Productions* (N.D. Ohio, 05-30-1996) 934 F.3d 868, 39 U.S.P.Q.2d 1140, vacated 134 F.3d 749, 45 U.S.P.Q.2d 1412, rehearing and suggestion for rehearing en banc denied, on remand 71 F.3d 755. Injunction ⇨ 138.1

The bare assertions of a defendant in a trademark infringement suit that allowing discovery before liability is determined may cause harm by releasing trade secrets, and that the plaintiff may misuse certain information, are unpersuasive as arguments. *Nylok Fastener Corp. v. Industrial Nut Corp.* (N.D. Ohio 1988) 122 F.R.D. 512, 8 U.S.P.Q.2d 1092.

1329.67 Common law rights

Sections 1329.54 to 1329.67 of the Revised Code do not adversely affect the rights or the enforcement of rights in trademarks or service marks acquired in good faith at common law prior to any of the following times:

(A) Prior to another person's registration in this state of a trademark or service mark, with the registrant having a subsequent first use date;

(B) Prior to another person's registration in the United States patent and trademark office of a trademark or service mark, with the other person having a subsequent first use date;

(C) Prior to another person's registration in the United States patent and trademark office of a trademark or service mark, with the other person having a subsequent priority date.

(1998 H 464, eff. 9-1-98; 127 v 216, eff. 10-1-57; 125 v 466)

Historical and Statutory Notes

Amendment Note: 1998 H 464 rewrote the first paragraph; and added divisions (A) through (C). Prior to amendment, the first paragraph read:

"Nothing herein shall adversely affect the right or the enforcement of rights in trade marks or service marks acquired in good faith at common law."

Library References

Trade Regulation ⇨ 133.1.
Westlaw Topic No. 382.

C.J.S. Trade-Marks, Trade-Names, and Unfair Competition §§ 142, 144, 153 to 154.

INJUNCTIONS

2727.02

Note 1

that issue, and such issue was briefed by parties and correctly ruled upon by court. *Davis v. Iofredo* (Ohio App. 8 Dist., 04-27-1998) 127 Ohio App.3d 367, 713 N.E.2d 26, appeal not allowed 83 Ohio St.3d 1435, 699 N.E.2d 949. Appeal And Error ⇐ 1043(5)

In ruling on motion for preliminary injunction, court must consider whether movant has shown strong or substantial likelihood or probability of success on merits; whether movant has shown irreparable injury; whether preliminary injunction could harm third parties; and whether public interest would be served by issuing preliminary injunction. *Johnson v. Morris* (Ohio App. 4 Dist., 12-20-1995) 108 Ohio App.3d 343, 670 N.E.2d 1023, dismissed, appeal not allowed 76 Ohio St.3d 1404, 666 N.E.2d 565. Injunction ⇐ 138.1

In general, court will consider following factors in deciding whether to grant injunctive relief: (1) likelihood or probability of plaintiff's success on merits; (2) whether issuance of injunction will prevent irreparable harm to plaintiff; (3) what injury to others will be caused by granting of injunction; and (4) whether public interest will be served by granting of injunction. *Manos v. Harter* (Ohio App. 4 Dist., 06-05-1995) 104 Ohio App.3d 430, 662 N.E.2d 386. Injunction ⇐ 138.1

Purpose of injunction is to prevent future injury, not to redress past wrongs. *Lemley v. Stevenson* (Ohio App. 6 Dist., 05-26-1995) 104 Ohio App.3d 126, 661 N.E.2d 237, dismissed, appeal not allowed 74 Ohio St.3d 1417, 655 N.E.2d 738, reconsideration denied 74 Ohio St.3d 1465, 656 N.E.2d 1300. Injunction ⇐ 1

Issuance of injunction, though otherwise justified, lies within trial court's discretion, and depends on facts and circumstances surrounding particular case. *Lemley v. Stevenson* (Ohio App. 6 Dist., 05-26-1995) 104 Ohio App.3d 126, 661 N.E.2d 237, dismissed, appeal not allowed 74 Ohio St.3d 1417, 655 N.E.2d 738, reconsideration denied 74 Ohio St.3d 1465, 656 N.E.2d 1300. Injunction ⇐ 1

Where a special statutory procedure like that provided for annexation is available, actions for declaratory judgment and injunction cannot be used to bypass the statutory procedure. *State ex rel. Smith v. Frost* (Ohio, 11-22-1995) 74 Ohio St.3d 107, 656 N.E.2d 673, 1995-Ohio-265. Declaratory Judgment ⇐ 209; Municipal Corporations ⇐ 33(9)

Court should never ignore significant changes in law or circumstances underlying injunction lest it becomes inequitable that injunction should have prospective application. *In re Skrha* (Ohio App. 8 Dist., 11-14-1994) 98 Ohio App.3d 487, 648 N.E.2d 908. Injunction ⇐ 210

Section 1983 action can provide declaratory, injunctive, and/or monetary relief. *State ex rel. Carter v. Schotten* (Ohio, 08-24-1994) 70 Ohio St.3d 89, 637 N.E.2d 306, 1994-Ohio-37. Civil Rights ⇐ 1448; Declaratory Judgment ⇐ 63

Suit for injunctive relief is action in equity, and, in equity actions, there is no right to trial by jury.

Ohio Bd. of Dietetics v. Brown (Cuyahoga 1993) 83 Ohio App.3d 242, 614 N.E.2d 855. Jury ⇐ 14(11)

Writ of mandamus compels action or commands performance of duty, whereas decree of injunction restrains or forbids performance of specified act. *State ex rel. Karmasu v. Tate* (Scioto 1992) 83 Ohio App.3d 199, 614 N.E.2d 827. Injunction ⇐ 1; Mandamus ⇐ 1

A court's granting of injunctive relief is a drastic remedy and decisions related to the injunction are addressed to the discretion of the court. *Consun Food Industries, Inc. v. Fowkes* (Lorain 1991) 81 Ohio App.3d 63, 610 N.E.2d 463, motion overruled 62 Ohio St.3d 1478, 581 N.E.2d 1099. Injunction ⇐ 1

A court may implement a preliminary injunction to maintain the status quo in a case and prevent the parties from doing anything which might adversely affect the subject matter of a legal dispute before it goes to trial for a hearing on the merits. *Consun Food Industries, Inc. v. Fowkes* (Lorain 1991) 81 Ohio App.3d 63, 610 N.E.2d 463, motion overruled 62 Ohio St.3d 1478, 581 N.E.2d 1099. Injunction ⇐ 1

A reviewing court will not disturb a trial court's decision to refuse an injunction where there is no abuse of discretion on the part of the trial court. *Farrow Restoration, Inc. v. Kowalski* (Summit 1991) 81 Ohio App.3d 54, 610 N.E.2d 458.

In a ruling on a motion for a preliminary injunction, the court should consider whether (1) the movant has shown a strong or substantial likelihood or probability of success on the merits, (2) the movant has shown irreparable injury, (3) the preliminary injunction could harm third parties, and (4) the public interest would be served by issuing the preliminary injunction. *Thomas J. Dyer Co. v. Franklin Cty. Convention Facilities Auth.* (Ohio Com.Pl. 1990) 61 Ohio Misc.2d 132, 575 N.E.2d 532.

Common pleas courts cannot order declaratory or injunctive relief which effectively provides quo warranto relief and thereby circumvents this specialized remedy. *Beasley v. City of East Cleveland* (Cuyahoga 1984) 20 Ohio App.3d 370, 486 N.E.2d 859, 20 O.B.R. 475. Declaratory Judgment ⇐ 41; Injunction ⇐ 7

Court authorized to decide quo warranto cases can order ancillary injunctive relief to maintain existing condition while it resolves such action. *Beasley v. City of East Cleveland* (Cuyahoga 1984) 20 Ohio App.3d 370, 486 N.E.2d 859, 20 O.B.R. 475. Quo Warranto ⇐ 60

Temporary restraining order makes no final adjudication for any issue, but merely prevents designated parties from exercising claimed rights pending determination of merits. *Beasley v. City of East Cleveland* (Cuyahoga 1984) 20 Ohio App.3d 370, 486 N.E.2d 859, 20 O.B.R. 475. Injunction ⇐ 150

In an action for divorce and alimony a court of common pleas or a judge thereof, is authorized by this section to issue a temporary restraining order or injunction when it appears by petition that plaintiff is entitled to relief demanded and such relief or any part of it consists in restraining some act,

CIVIL ACTIONS

2307.61

2307.61 Damages recoverable for willful damage or theft; demand; agreement for payment; procedure

(A) If a property owner brings a civil action pursuant to division (A) of section 2307.60 of the Revised Code to recover damages from any person who willfully damages the owner's property or who commits a theft offense, as defined in section 2913.01 of the Revised Code, involving the owner's property, the property owner may recover as follows:

2913.01

(1) In the civil action, the property owner may elect to recover moneys as described in division (A)(1)(a) or (b) of this section:

(a) Compensatory damages that may include, but are not limited to, the value of the property and liquidated damages in whichever of the following amounts applies:

(i) Fifty dollars, if the value of the property was fifty dollars or less at the time it was willfully damaged or was the subject of a theft offense;

(ii) One hundred dollars, if the value of the property was more than fifty dollars, but not more than one hundred dollars, at the time it was willfully damaged or was the subject of a theft offense;

(iii) One hundred fifty dollars, if the value of the property was more than one hundred dollars at the time it was willfully damaged or was the subject of a theft offense.

(b) Liquidated damages in whichever of the following amounts is greater:

(i) Two hundred dollars;

(ii) Three times the value of the property at the time it was willfully damaged or was the subject of a theft offense, irrespective of whether the property is recovered by way of replevin or otherwise, is destroyed or otherwise damaged, is modified or otherwise altered, or is resalable at its full market price. This division does not apply to a check, negotiable order of withdrawal, share draft, or other negotiable instrument that was returned or dishonored for insufficient funds by a financial institution if the check, negotiable order of withdrawal, share draft, or other negotiable instrument was presented by an individual borrower to a check-cashing business licensed pursuant to sections 1315.35 to 1315.44 of the Revised Code for a check-cashing loan transaction.

(2) In a civil action in which the value of the property that was willfully damaged or was the subject of a theft offense is less than five thousand dollars, the property owner may recover damages as described in division (A)(1)(a) or (b) of this section and additionally may recover the reasonable administrative costs, if any, of the property owner that were incurred in connection with actions taken pursuant to division (A)(2) of this section, the cost of maintaining the civil action, and reasonable attorney's fees, if all of the following apply:

(a) The property owner, at least thirty days prior to the filing of the civil action, serves a written demand for payment of moneys as described in division (A)(1)(a) of this section and the reasonable administrative costs, if any, of the property owner that have been incurred in connection with actions taken pursuant to division (A)(2) of this section, upon the person who willfully damaged the property or committed the theft offense.