Part 2: Behind the scenes of a duplicitous domain

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In an earlier update we wrote about Tata's successful action before the World Intellectual Property Organisation to halt the use of a domain confusingly similar to its own and based off its own trademark. The infringing domain - 'tata-communications.com' - had been registered with an Australian registrar by the respondent guised as an Israeli company. Read about the WIPO order here. Interestingly, however, the respondent had registered another domain 'tata-communications.co.il' and the website hosted on this domain was an exact replica of Tata Communications' website at www.tatacommunications.com. The proprietor of 'Accounting Tata Communications', the respondent firm mimicking Tata Communications' website, was also identified and is simply referred to as AB for the purpose of this article. A search conducted on the proprietor led to a revelation that Belgian authorities had issued an international arrest warrant against him for an alleged fraud committed by him in relation to carbon trading and related tax evasions. AB had been absconding from Belgium ever since. After absconding from Belgium, AB sought refuge in Israel where he started the company 'Accounting Tata Communications' and continued with his fraudulent activities through the website parked on the disputed domain name 'tata-communications.com'. Pertinently, the products/services being offered by the respondent on the website were identical to the products and services (i.e. internet and IT-related) offered by Tata Communications Ltd. Thus, in addition to cyber- or domain name-squatting, the respondent was also using the website as advertising space for pay per click (PPC) websites thereby illegally earning revenue by obtaining click-through commissions from the owners of the websites to which the PPC websites linked. Unwary internet users were led to believe that the respondent's business activities were endorsed by Tata.

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