

Unsealed **NOV 16 2007**

FILED EX PARTE UNDER SEAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. _____ - Civ-

07-22674

DELL INC.; AND ALIENWARE CORPORATION,

Plaintiffs,

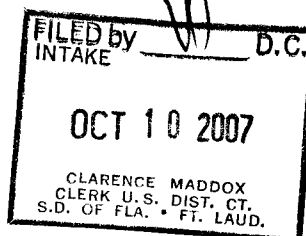
vs.

BELGIUMDOMAINS, LLC; CAPITOLDOMAINS, LLC; DOMAINDOORMAN, LLC; NETRIAN VENTURES LTD.; IHOLDINGS.COM, INC.; JUAN PABLO VAZQUEZ a/k/a JP VAZQUEZ, an individual; and DOES 1-10;

Defendants.

TORRES

CIV-LENARD



COMPLAINT FOR CYBERSQUATTING, TRADEMARK INFRINGEMENT, COUNTERFEITING, DILUTION, AND UNFAIR COMPETITION

Plaintiffs, Dell Inc. (“Dell”) and Alienware Corporation (“Alienware”) (collectively “Plaintiffs”), brings this action against Defendants BelgiumDomains, LLC, CapitolDomains, LLC, DomainDoorman, LLC, Netrian Ventures LTD., iHoldings.com, Inc., and Juan Pablo Vazquez a/k/a JP Vazquez, and Does 1-10 (collectively “Defendants”).

This Complaint is filed under seal and without notice to Defendants because Plaintiffs have filed, concurrent with this Complaint, a motion for *ex parte* seizure order, accelerated discovery, and an order sealing the file, and a motion for an *ex parte* temporary restraining order and a preliminary injunction. These steps are necessary because Defendants are highly likely to destroy evidence or move their evidence out of the country if they receive notice of the filing of this action or of Plaintiffs’ *ex parte* motions. Plaintiffs will serve this Complaint on Defendants once the requested seizure occurs.

Plaintiffs allege as follows, upon actual knowledge with respect to itself and its own acts, and on information and belief as to all other matters.

SUBJECT MATTER JURISDICTION AND VENUE

1. This is an action for cybersquatting under 15 U.S.C. § 1125(d), trademark infringement and trademark counterfeiting under 15 U.S.C. § 1114(1), trademark and trade name infringement under Florida Statutes § 495.151, trademark infringement and false designation of origin under 15 U.S.C. § 1125(a), trademark dilution under 15 U.S.C. § 1125(c) and Florida Statutes § 495.151, and unfair competition under Florida Statutes § 501.201 *et seq.* and the common law of the State of Florida.

2. This Court has subject matter jurisdiction over the claims pursuant to 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331 and 1338.

3. This Court has supplemental jurisdiction over the claims in this Complaint that arise under the statutory and common law of the State of Florida pursuant to 28 U.S.C. § 1367(a), because the state law claims are so related to the federal claims that they form part of the same case or controversy and derive from a common nucleus of operative facts.

4. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b) because a substantial part of the events giving rise to the claim occurred in this District, and Defendants reside in, have a place of business in, and transact business in this District, including registering and using the infringing domain names.

PARTIES AND PERSONAL JURISDICTION

5. Dell is a Delaware corporation having its principal place of business at One Dell Way, Round Rock, Texas 78682.

6. Alienware is a Florida corporation having its principal place of business at 14591 SW 120th Street, Miami, Florida 33186.

7. Defendant, BelgiumDomains, LLC (“BelgiumDomains”), is a Florida limited liability company having its principal place of business at 501 NE 1st Ave., Suite 201, Miami, Florida 33132.

8. Defendant, CapitolDomains, LLC. (“CapitolDomains”), is a Florida limited liability company having its principal place of business at 501 NE 1st Ave., Suite 201, Miami, Florida 33132.

9. Defendant, DomainDoorman, LLC (“DomainDoorman”), is a Florida limited liability company having its principal place of business at 501 NE 1st Ave., Suite 201, Miami, Florida 33132.

10. Defendant, Netrian Ventures Ltd. (“Netrian”), is a company of unknown status having a place of business at 501 NE 1st Ave., Suite 201, Miami, Florida 33132.

11. Defendant, iHoldings.com, Inc. (“iHoldings.com”), is a recently dissolved Florida corporation having its principal place of business at 501 NE 1st Ave., Suite 201, Miami, Florida 33132.

12. Defendant, Juan Pablo Vazquez a/k/a JP Vazquez (“Vazquez”), is an individual residing at 11605 S.W. 99th Court, Miami, Florida 33126.

13. Plaintiffs are not aware of the true names and capacities of Defendants named in this Complaint as Defendants Does 1-10, inclusive, and therefore brings this action against these defendants by such fictitious names. Plaintiffs will amend this Complaint to allege these defendants’ true names and capacities when ascertained.

14. Vazquez conducts the day-to-day operations of BelgiumDomains, CapitolDomains, DomainDoorman, Netrian and iHoldings.com, and directs and conducts the unlawful activities complained of in this Complaint.

15. BelgiumDomains, CapitolDomains, DomainDoorman, Netrian and iHoldings.com, each are working together or have worked together as a single entity, and in collusion with each other, for the purpose of perpetrating the unlawful activities complained of in this Complaint.

16. At all times material to this action, each of the Defendants was the agent, servant, employee, partner, alter ego, subsidiary, or joint venturer of each of the other Defendants, and the acts of each of Defendants were in the scope of such relationship; in doing the acts and failing to act as alleged in this Complaint, each of the Defendants acted with the knowledge, permission, and the consent of each of the other Defendants; and each of Defendants aided and abetted the other Defendants in the acts or omissions alleged in this Complaint.

PLAINTIFFS' BUSINESSES

(a) Dell's Use of its Marks

17. Dell is a leading manufacturer and seller of computer systems and accessories through direct marketing channels. Building on the direct business model that it pioneered, Dell receives customer orders via the Internet, e-mail, telephone, and facsimile, and ships products directly to customers according to their customized specifications. Dell also sells an extensive selection of computer hardware peripheral products and related products, and renders an extensive array of computer-related services.

18. In or about November 1987, Dell created, adopted, and commenced use of the trade name, trademark and service mark DELL and variants thereof to identify and distinguish its

products and services. Over time, the variants included, *inter alia*, the world famous DELL Logo, as well as the marks DELL DIMENSION, DELL FINANCIAL SERVICES, WWW.DELL.COM, and DELL PRECISION, which identify and distinguish Dell's products and services. The DELL trade name, trademark and service mark and DELL variants are collectively referred to as the "DELL Marks."

19. Dell spends hundreds of millions of dollars each year promoting and advertising its websites, products, and services under the name and mark DELL.

20. The DELL Marks have been extensively used by Dell in United States interstate commerce in connection with advertising and promoting Dell's products and services on Dell's Internet website at www.dell.com, in nationwide newspapers, trade and consumer magazines, on television and radio, and through direct mail. Such names and marks are prominently presented on Dell's website, computer systems, advertisements, product packaging, manuals, and technical and informational literature.

21. The DELL Marks have been extensively and continually advertised and promoted by Dell within the United States for the past 19 years and worldwide for the past 14 years. Substantial amounts of time, effort, and money have been expended over the years in ensuring that the purchasing public associates the DELL Marks exclusively with Dell.

22. As a result of the time, effort, and money invested in its business, Dell has achieved a reputation for excellence in the manufacture and sale of its computer products and in the rendering of its services. As a result of its reputation for excellence, Dell enjoys substantial demand for, and consumer sales of, its products and services. Together with its reputation for excellence, Dell enjoys tremendous goodwill in its DELL Marks.

23. The DELL Marks are widely known and recognized among the general consuming public and members of the computer industry throughout the United States and the world.

24. The DELL Marks are unique and distinctive and, as such, designate a single source of origin.

25. As a result of Dell's extensive and exclusive use, the DELL Marks have developed extensive goodwill in the market and are extremely valuable to Dell. Dell expends substantial effort and expense to protect the DELL Marks and the DELL Marks' distinctiveness in the marketplace.

26. For the last fiscal year, Dell had revenue of over \$55 billion dollars and, for several years, it has been the world's largest direct seller of computer systems.

27. By virtue of the extensive scope of the sales made and the substantial sums spent to advertise and promote products and services under the DELL Marks, such marks have acquired a strong secondary meaning in the minds of the purchasing public and the business community, and are highly distinctive, famous and serve uniquely to identify Dell's computer services and products. Through widespread and favorable public acceptance and recognition, these marks have become assets of incalculable value as symbols of Dell's products and services.

28. Having been widely promoted to the general public, and having exclusively identified Dell and its products and services, the DELL Marks symbolize the tremendous goodwill associated with Dell and are a property right of incalculable value.

29. The DELL Marks are valid and enforceable trademarks.

30. Dell is the owner of more than thirty registrations of the DELL Marks on the Principal Trademark Register of the United States Patent and Trademark Office, including the following:

Trademark	Reg. No.	Goods/Services	Reg. Date
DELL	1,498,470	Computers	August 2, 1988
DELL	1,616,571	Computers and computer peripherals, namely monitors, keyboards, printers, mice, co-processors, modems, hard and floppy disk drives, tape drives, cards and memory add-ons, memory boards and chips, cables and connectors, operating software and instruction manuals sold together as a unit	October 9, 1990
DELL (slanted "E" logo design)	1,860,272	Computers and parts therefor	October 25, 1994
DELL and Design	2,817,366	Computers, computer peripheral devices and parts and fittings therefor; monitors, keyboards, printers, mice, co-processors, modems, hard and floppy disk drives, tape drives, CD-ROM drives, DVD-drives, electronically encoded or magnetically encoded cards and memory add ons, memory boards and chips, cables and connectors, all for use with computers; computer operating software; electronic computer manuals sold as a unit	February 24, 2004
DELL DIMENSION	2,030,084	Computers and computer peripherals, namely, monitors, keyboards, printers, mice, co-processors, modems, hard and floppy disk drives, tape drives, CD-ROM drives, cards and memory add-ons, memory boards, chips, cables and connectors, operating software and instruction manuals sold together as a unit	January 14, 1997
DELL PRECISION	2,284,782	Computers, computer peripheral devices and parts and fittings therefor; monitors, keyboards, printers, mice, co-processors, modems, hard and floppy disk drives, tape drives, CD-ROM drives, data storage units, and electronic or magnetic cards and memory add ons, memory boards and chips, cables and connectors, all for use with computers	October 12, 1999
DELL	2,236,785	Custom manufacture of computers for others	April 6, 1999

Trademark	Reg. No.	Goods/Services	Reg. Date
WWW.DELL.COM	2,390,851	Computers, computer peripheral devices, namely, monitors, keyboards, printers, mice, co-processors, modems, hard and floppy disk drives, tape drives, CD-ROMS drives, DVD drives, electronic or magnetic cards for memory add-on and memory boards and chips, data storage units, namely, fibre channel drives and SCSI (small computer system interface) drives, cables and connectors, parts and fittings for all of the above, all for use with computers; computer operating software and instruction manuals all sold together as a unit	October 3, 2000
DELL4ME	2,425,829	Providing multiple-user access to a global computer information network	January 30, 2001
DELL FINANCIAL SERVICES	2,333,902	Leasing of computers	March 21, 2000

Copies of the registration certificates for each registration are attached to this Complaint as Exhibit 1. The above-listed registrations are valid, subsisting, and in full force and effect.

31. Registration Nos. 1,498,470, 1,616,571, 1,860,272, and 2,030,084 are incontestable pursuant to 15 U.S.C. § 1065.

32. Dell has registered its DELL Marks in more than 180 countries around the world.

33. The DELL Marks constitute a family of marks.

34. The DELL Marks are famous marks protected under 15 U.S.C. § 1125(c).

35. Dell has also created, adopted and commenced use of a number of other distinctive marks in connection with its computer systems, including the marks AXIM, DIMENSION, INSPIRON, LATITUDE, OPTIPLEX, and POWEREDGE.

36. The AXIM, DIMENSION, INSPIRON, LATITUDE, OPTIPLEX, and POWEREDGE marks are valid and enforceable marks.

37. The AXIM, DIMENSION, INSPIRON, LATITUDE, OPTIPLEX, and POWEREDGE marks are famous marks protected under 15 U.S.C. § 1125(c).

38. Dell is also the owner of the following registrations on the Principal Trademark Register of the United States Patent and Trademark Office:

Trademark	Reg. No.	Goods/Services	Reg. Date
AXIM	2,756,363	Computer hardware, handheld computers, personal digital assistant (PDA), electronic organizers, electronic notepads, computer peripherals, namely, modems, memory cards, compact flash cards; smart media cards, batteries, battery chargers, digital audio recorders, and digital audio playback devices, mp3 players, headphones, handheld carrying cases, electric power adapters, vehicle electric power adapters, keyboards, scanners, cradles for recharging and connecting to other devices and peripherals, electric cables and connectors for the above; and instruction manuals sold therewith as a unit for all the aforesaid goods	August 26, 2003
DIMENSION	2,171,257	Computers and computer peripherals, namely, monitors, keyboards, printers, mice, co-processors, modems, hard and floppy disk drives, tape drives, CD-ROM drives, cards and memory add-ons, memory boards, chips, cables and connectors, operating software and instruction manuals sold together as a unit	July 7, 1998
INSPIRON	2,254,835	Computers, computer peripherals and parts therefor, monitors, keyboards, printers, mice, co-processors, modems, hard and floppy disk drives, tape drives, CD-ROM drives, electronically encoded or magnetically encoded cards and memory add on chips or cards, memory boards and chips, cables and connectors, all for use with computers, computer operating software and instruction manuals all sold together as a unit	June 22, 1999
LATITUDE	1,962,286	Computers and instructional manuals sold therewith	March 12, 1996
OPTIPLEX	1,977,038	Computer systems, namely computers, computer hardware and operating software pre-programmed therein; computers; peripherals and instruction manuals sold as a unit	May 28, 1996
POWEREDGE	1,930,206	Computer hardware; namely, servers	October 24, 1995

Copies of the registration certificates for each registration are attached to this Complaint as Exhibit 2. The above-listed registrations are valid, subsisting, and in full force and effect.

39. Registration Nos. 2254835, 2171257, 1977038, and 1930206 are incontestable pursuant to 15 U.S.C. § 1065.

40. Dell is and has been a pioneer and leader in using the Internet to market and sell its goods and services.

41. Since at least as early as 1994, Dell has operated a website available at www.dell.com. Dell's www.dell.com website is an important resource used constantly by the general public. The www.dell.com website is visited by millions of customers annually, making Dell one of the Internet's most successful online businesses. As discussed above, WWW.DELL.COM is a registered trademark of Dell.

42. Dell has supported its online marketing and sales efforts and sold its goods and services through a number of websites and hundreds of related domain names. In addition to its dell.com domain name, Dell owns or is affiliated with a number of other domain names through which it conducts business, including dellfinancialservices.com, delladapterprogram.com, dell4me.com, and delloutlet.com.

43. Dell's Internet presence, and the ability for consumers to conduct business with Dell on the Internet, is extremely important to Dell's business.

44. Dell generates more than half of its revenue in the United States over the Internet.

(b) Alienware's Use of Its ALIENWARE Marks

45. Alienware is a wholly owned subsidiary of Dell.

46. Alienware is a leading manufacturer and seller of high-performance computer systems designed for gaming, entertainment, and media content customers through direct marketing channels. Alienware receives customer orders via the Internet, e-mail, telephone, and, and ships products directly to customers according to their customized specifications. Alienware also sells an extensive selection of computer hardware peripheral products and audio/video components and related products and renders an extensive array of computer-related services.

47. In or about November 1996, Alienware created, adopted and commenced use of the trade name, trademark and service mark ALIENWARE. The ALIENWARE trade name, trademark and service mark are collectively referred to as the (the "ALIENWARE Marks").

48. As a result of the time, effort, and money invested in its business, Alienware has achieved a reputation for excellence in the manufacture and sale of its computer products and in the rendering of its services. As a result of its reputation for excellence, Alienware enjoys substantial demand for, and consumer sales of, its products and services. Alienware's revenues over the last four quarters were approximately \$170 million. Together with its reputation for excellence, Alienware enjoys tremendous goodwill in its ALIENWARE Marks.

49. The ALIENWARE Marks have been extensively used by Alienware in United States interstate commerce in connection with advertising and promoting Alienware's products and services on Alienware's website on the Internet at www.alienware.com, in trade and consumer magazines, and through direct mail. Such names and marks are prominently presented on Alienware's website, computer systems, advertisements, product packaging, manuals, and technical and informational literature.

50. The ALIENWARE Marks have been extensively and continually advertised and promoted by Alienware with the United States for the past 10 years. Substantial amounts of time, effort, and money have been expended over the years in ensuring that the purchasing public associates the ALIENWARE Marks exclusively with Alienware.

51. Since at least as early as 1997, Alienware has operated its website available at Alienware's website is an important resource used constantly by the general public, receiving hundreds of "hits" or visits each day. Alienware spends hundreds-of-thousands of dollars each year operating and maintaining its website. Moreover, Alienware spends hundreds-of-thousands of dollars each year promoting and advertising its website, products, and services under the name and mark ALIENWARE.

52. The ALIENWARE Marks are widely known and recognized among consumers and members of the computer industry throughout the world.

53. The ALIENWARE Marks are unique and distinctive and, as such, designate a single source of origin.

54. As a result of Alienware's extensive and exclusive use, the ALIENWARE Marks have developed extensive goodwill in the market and are extremely valuable to Alienware. Alienware expends substantial effort and expense to protect the ALIENWARE Marks and the ALIENWARE Marks' distinctiveness in the marketplace.

55. By virtue of the extensive scope of the sales made and the substantial sums spent to advertise and promote products and services under the ALIENWARE Marks, such marks have acquired a strong secondary meaning in the minds of the purchasing public and the business community, and are highly distinctive, famous, and serve uniquely to identify Alienware computer services and products. Through widespread and favorable public acceptance and

recognition, these marks have become assets of incalculable value as symbols of Alienware products and services.

56. Having been widely promoted to the general public, and having exclusively identified Alienware and its products and services, the ALIENWARE Marks symbolize the tremendous goodwill associated with Alienware and are a property right of incalculable value.

57. The ALIENWARE Marks are valid and enforceable trademarks.

58. The ALIENWARE Marks are famous marks protected under 15 U.S.C. § 1125(c).

59. Alienware is the owner or licensee of the following registration and application to register the ALIENWARE Marks on the Principal Trademark Register of the United States Patent and Trademark Office:

Trademark	Reg. No./ App. No.	Goods/Services	Reg. Date/ Filing Date
ALIENWARE	2,616,204	Computers; computer installation and set-up services	September 10, 2002
ALIENWARE	77/106,956	Financial services, namely financing the purchase of computers, facilitating and arranging for the financing of computers, lease-purchase financing	February 14, 2007

Copies of the registration certificates for each registration are attached to this Complaint as Exhibit 3. The above-listed registrations are valid, subsisting, and in full force and effect.

60. Registration Nos. 2,616,204 is incontestable pursuant to 15 U.S.C. § 1065.

61. The ALIENWARE Marks are the subject of numerous registrations around the world.

62. The DELL Marks, AXIM, DIMENSION, INSPIRON, LATITUDE, OPTIPLEX, POWEREDGE, and ALIENWARE Marks are collectively referred to as "Plaintiffs' Marks."

DEFENDANTS' BUSINESS

63. BelgiumDomains is a registrar of Internet domain names accredited by the Internet Corporation for Assigned Names and Numbers (“ICANN”).

64. CapitolDomains is a registrar of Internet domain names accredited by ICANN.

65. DomainDoorman is a registrar of Internet domain names accredited by ICANN.

66. iHoldings.com, was a registrar of Internet domain names accredited. by ICANN and the former Corporate Manager for BelgiumDomains, CapitolDomains and DomainDoorman.

67. Netrian is the Corporate Manager for BelgiumDomains, CapitolDomains and DomainDoorman.

68. Defendants have registered and used over sixty-four million (64,000,000) unique domain names (“Defendants’ Domain Names”).

69. Plaintiffs are informed and believe, and on that basis allege, that Defendants have used or are using an automated process to register the Defendants’ Domain Names.

70. Plaintiffs are informed and believe, and on that basis allege, that one or more of Defendants was or is the registrant for each of Defendants’ Domain Names.

71. Defendants registered Defendants’ Domain Names for their own use, i.e. Defendants are both the registrar and registrant of Defendants’ Domain Names.

72. At the time Defendants registered each of Defendants’ Domain Names, Defendants did not have an identifiable customer for Defendants’ Domain Names, other than one of Defendants or an affiliated entity.

73. One or more of Defendants was or is also the registrar for each of Defendants’ Domain Names.

74. BelgiumDomains, as an ICANN-accredited registrar, has direct access to register Internet domain names via one or more Internet registry, including the .com registry operated by Verisign, Inc. (“VeriSign”).

75. CapitolDomains, as an ICANN-accredited registrar, has direct access to register Internet domain names via one or more Internet registry, including the .com registry operated by Verisign.

76. DomainDoorman as an ICANN-accredited registrar, has direct access to register Internet domain names via one or more Internet registry, including the .com registry operated by Verisign.

DEFENDANTS’ CONCEALMENT OF THEIR IDENTITY

77. Defendants employ various means to conceal their true identities and involvement in the registration, use, or trafficking of Defendants’ Domain Names, including, by conducting business using numerous shell-entities, fictitious business, and personal names, and by restricting the publicly available WHOIS databases of BelgiumDomains, CapitolDomains, and DomainDoorman, each of which is required by ICANN to provide the registrant information for Defendants’ Domain Names in the form of WHOIS records.

78. One or more Defendants conduct business as Caribbean Online International Ltd., Kings Court, Bay Street, P.O. Box N-3944, Nassau, Bahamas.

79. Caribbean Online International Ltd is listed as the registrant of domain names that registered through, BelgiumDomains, CapitolDomains, and. DomainDoorman.

80. One or more Defendants conduct business as Domain Drop S.A., P.O. Box 556, Main Street, Charlestown, West Indies, Saint Kitts and Nevis.

81. Domain Drop S.A. is listed as the registrant of domain names registered through, BelgiumDomains, CapitolDomains, and DomainDoorman.

82. One or more Defendants conduct business as Keyword Marketing, Inc., P.O. Box 556, Main Street, Charlestown, West Indies, Saint Kitts and Nevis.

83. Keyword Marketing, Inc. is listed as the registrant of domain names registered through BelgiumDomains, CapitolDomains, and DomainDoorman.

84. One or more Defendants conduct business as Maison Tropicale S.A., P.O. Box 58, The Valley, British West Indies, Anguilla.

85. Maison Tropicale S.A. is listed as the registrant of domain names registered through BelgiumDomains, CapitolDomains, and DomainDoorman.

86. One or more Defendants conduct business as Marketing Total S.A., P.O. Box 556, Main Street, Charlestown, West Indies, Saint Kitts and Nevis.

87. Marketing Total S.A. is listed as the registrant of domain names registered through BelgiumDomains, CapitolDomains, and DomainDoorman.

88. One or more Defendants conduct business as Click Cons. Ltd, Kings Court, Bay Street, P.O. Box N-3944, Nassau, Bahamas.

89. Click Cons. Ltd is listed as the registrant of domain names registered through BelgiumDomains, CapitolDomains, and DomainDoorman.

90. One or more Defendants conduct business as Web Advertising, Corp., Kings Court, Bay Street, P.O. Box N-3944, Nassau, Bahamas.

91. Web Advertising, Corp. is listed as the registrant of domain names registered through BelgiumDomains, CapitolDomains, and DomainDoorman.

92. One or more Defendants conduct business as Wan-Fu China, Ltd., P.O. Box CB-11901, Nassau, Bahamas.

93. Wan-Fu China, Ltd. is listed as the registrant of domain names registered through BelgiumDomains, CapitolDomains, and DomainDoorman.

94. One or more Defendants conduct business as Domibot, Avenida Caroni 5478, Colinas Monte, Caracas, Venezuela.

95. Domibot is listed as the registrant of domain names registered through BelgiumDomains, CapitolDomains, and/or DomainDoorman.

96. One or more Defendants conduct business as Highlands a/k/a Highlands International Investment Ltd. a/k/a Highland International Investment (“Highlands”), 1680 NW 82nd Avenue, Miami, Florida 33126.

97. One or more Defendants has conducted business as DomainCollection.com, 1680 NW 82nd Avenue, Miami, Florida 33126.

98. One or more Defendants has conducted business as Alvaro Collazo, Manuel Oribe 2028, Tarariras, Colonia 70000, R.O.U.

99. One or more Defendants has conducted business as Juan Carlos Linardi, Rivadavia 6127 4 “r,” Buenos Aires, 1414, Argentina.

100. One or more Defendants has conducted business as Unasi (or Unaci) Management Inc. or simply “Unasi” or “Unaci”, Galerias Alvear, Via Argentina 2, Oficina #3, Zona 5, Panama 5235.

101. One or more Defendants has conducted business as Unasi (or Unaci) Management Inc. or simply “Unasi” or “Unaci”, Penthouse, Textron Building, 168 Luna, Mencias St., San Juan, Phillippines.

102. One or more Defendants has conducted business as Domaincar, Galerias 3, Zona 5, Panama 5235.

103. One or more Defendants has conducted business as J. Lee, 18 Salisbury Road, Kowloon, Hong Kong.

104. One or more Defendants has conducted business as Wang Lee Domains Ltd, Suite 410, 4th Floor, Barkley Wharf, Le Caudan Waterfront, Port Louis, Mauritius.

105. One or more Defendants has conducted business as International Names Ltd., Kings Court, Bay Street, P.O. Box N-3944, Nassau, Bahamas.

106. One or more Defendants has conducted business as Perthshire Marketing, Ltd, Trident Chambers, Wickhams Cay 1, P.O. Box 146, Road Town, Tortola, British Virgin Islands.

107. One or more Defendants has conducted business as Cambridge a/k/a Cambridge Capital Ltd. a/k/a Cambridge Capital Investment Ltd., 1680 NW 82nd Avenue, Miami, Florida 33126.

108. One or more Defendants has conducted business as Cambridge a/k/a Cambridge Capital Ltd. a/k/a Cambridge Capital Investment Ltd., King Court Bldg at Bay St., Postal Box N3944, Nassau, Bahamas.

109. One or more Defendants has conducted business as Cambridge a/k/a Cambridge Capital Ltd. a/k/a Cambridge Capital Investment Ltd., The Bahamas Financial Center, Shirley and Charlotte Streets, Nassau, Island of New Providence, Bahamas.

110. One or more Defendants has conducted business as Coventry Investments Ltd., 1680 NW 82nd Avenue, Miami, Florida 33126.

111. Caribbean Online International Ltd., Domain Drop S.A., Keyword Marketing, Inc., Maison Tropicale S.A., Marketing Total S.A., Click Cons. Ltd, Web Advertising, Corp,

Wan-Fu China, Ltd., Domibot, Highlands, DomainCollection.com, Alvaro Collazo, Juan Carlos Linard, Unasi (or Unaci) Management, or Unasi or Unaci, Domaincar, J. Lee, Wang Lee Domains Ltd, International Names Ltd., Pertshire Marketing, Ltd, Cambridge a/k/a Cambridge Capital Ltd. a/k/a Cambridge Capital Investment Ltd., and Coventry Investments Ltd. are collectively referred to as the “Unasi Identities” or “Unasi.”

112. At all times material to this action, each of Defendants and Unasi, was the agent, servant, employee, partner, alter ego, subsidiary, or joint venturer of each of the other Defendants and Unasi, and that the acts of each of Defendants and Unasi were in the scope of such relationship, and that in doing the acts and failing to act as alleged in this Complaint, each of Defendants and Unasi acted with the knowledge, permission, and the consent of each of the other Defendant and Unasi, and each of Defendants and Unasi aided and abetted the other Defendants and Unasi in the acts or omissions alleged in this Complaint.

113. Defendants have conducted business, or are conducting business, are holding themselves out as, or have held themselves out as one or more of the Unasi Identities.

DEFENDANTS' UNLAWFUL ACTIVITY

114. Many of Defendants' Domain Names are counterfeits of or confusingly similar famous or distinctive trademarks owned by others. (“Confusingly Similar Domain Names”). A list of some of the Confusingly Similar Domain Names is attached to this Complaint as Exhibit 4. Because this list is so voluminous, Exhibit 4 in its entirety has been filed in the form of a CD, and only representative pages of Exhibit 4 are attached in hard copy form to this Complaint. Although Defendants have targeted many famous or distinctive trademarks, for the sake of brevity, Exhibit 4 includes only one famous or distinctive trademark for each letter of the alphabet. Copies of the WHOIS records for some of these domain names are attached to this

Complaint as Exhibit 5. The WHOIS reports of Exhibit 5 detail only one domain name for each famous trademark listed in Exhibit 4.

115. For commercial gain, Defendants use the Confusingly Similar Domain Names to divert Internet users searching for the famous or distinctive trademarks.

116. Defendants use or used each of the Confusingly Similar Domain Names for websites that display advertising links to commercial websites, most if not all of which offer goods or services that are identical, directly competitive or closely related to those sold or provided in connection with the famous or distinctive trademarks.

117. Defendants cause pop-up and pop-under advertisements to be displayed when users access some of the websites at the Confusingly Similar Domain Names.

118. When Internet users click on the displayed links on the websites or click on the pop-up or pop-under advertisements, Defendants receive payment from one or more advertisers, search engines, or affiliate programs.

119. The types of websites described in Paragraphs 115 through 118 are commonly called “pay-per-click” websites because the owners or operators of the websites receive money when Internet users click on the links or advertisements that appear on those web pages.

120. Many of the links on Defendants’ websites contain programming codes that identify Defendants as the client to the advertisers, search engines, or affiliate programs, including the programming code “client= ca-dp-highlands07_3ph_xml.”

121. Plaintiffs have not authorized Defendants to use in any way, or register as part of any Internet domain name, any of Plaintiffs’ Marks.

122. Defendants have registered over one thousand one hundred (1,100) domain names that are identical or confusingly similar to Plaintiffs’ Marks, including at least the following:

coupons-coupon-dell.com
deallaxim.com
delaxim.com
del-company.com
delcomputadores.com
delcomputing.com
deldimension.com
del-dimension.com
deljukebox.com
dell1150.com
dell11mp.com
dell11rp.com
dell130.com
dell130.net
dell1300.com
dell1425rack.com
dell1500pctonercartridge.com
dell155.com
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dellrestore.com
dellreturns.com
dellrfemote.net
dellrojectors.com
dellrouterhookup.com
dellrouters.com
dellrpojectors.com
dellrremote.net
dellsbestcoupons.com
dellsbestdesigns.com
dellsc440server.com
dellscannerdriver.com
dellscom.com
dellscomputerstrackingsytem.com
dellscontests.com
dellscreensavers.com
dellscupon.com
dellserviceandsupport.com
dellservicecontracttax.com
dellservicessales.com
dellsettings.com
dellsfinacialservices.com
dellsftware.com
dellshoppe.com
dellshoppersguide.com
dellshoppingchannel.com
dellshoppingstoreonline.com
dellshopping.com
dellsignin.com
dellsjukesbox.com
dellsmagazine.com
dellsmainia.com
dellsmalbiz.com
dellsmallbusinessdeals.com
dellsmallbusinesslaptopcomputers.com
dellsmallbusinesssite.com
dellsmallbusness.com
dellsmallbussines.com
dellsmallcomputers.com
dell-smb.com
dellsmidiaonline.com
dellsmediasite.com
dellsoport.com
dellsopply.com
dellsopprt.com

dellsoundcard.com
dellsounddrivers.com
dellsoundrivers.com
dellsoundz.com
dellsouthnet.com
dellsoutlet.com
dell-speakers.com
dellspecs.com
dellsprintersupplies.com
dellstarhomepage.com
dellstartingpage.com
dellstartup.com
dellstartuppge.com
dellstatus.com
dellstore.com
dellsuoort.com
dellsuoply.com
dellsupoort.com
dellsupopor.com
dellsuporrtsystem.com
dell-suport.com
dellsupportcenter.com
dellsupportchat.com
dellsupport.com
dellsuppky.com
dellsupplues.com
dell-suppot.com
dellsuppout.com
dellsuppurt.com
dellsupyl.com
dellsupypl.com
dellsuupportchat.com
dell-sweepstakes.com
dellsystemrestore.com
delltechinalsupport.com
delltechnicalsupport.com
delltechnicaisupport.com
delltechomes.com
delltechttechnicalservice.com
delltecthelp.com
delltfinancialservices.com
delltt2001fp.com
dellttmonitor.com
dellthankyou.com
delltime.com
delltechnicalsupport.com

delltvad.com
delltvadscommercials.com
delltvdeal.com
dellugrades.com
dellugrades.com
dellupdatevista.com
dellupdradevista.com
dellupfrades.com
dellupgades.com
dellupgeades.com
dellupgrads.com
dellupgraes.com
dellupgrdes.com
delluphrades.com
delluprades.com
dellupvistaupgrade.com
dellusbprintercables.com
dellusbproblems.com
dellusconsultants.com
dellvestaupgrade.com
dellvestiaupgrade.com
dellviataupgrade.com
dellvidtaupgrade.com
dellviewmusicstor.com
dellviftaupgrade.com
dellvina.com
dellvirussoftwear.com
dellvisade.com
dellvisdaupgrade.com
dellvisio.com
dellvisraupgrade.com
dellvisstaupgrade.com
dellvistaipgrade.com
dellvistalupgrade.com
dellvistaopgrade.com
dellvistaperipheral.com
dellvistapgrade.com
dellvistasupport.com
dellvistaugpgrade.com
dellvistaugrade.com
dellvistaupjgrade.com
dellvistaupdrage.com
dellvistaupfrage.com
dellvistaupgarde.com
dellvistaupgdare.com
dellvistaupgeade.com

dellvistaupggrade.com
dellvistaupgrada.com
dellvistaupgradeupgrade.com
dellvistaupgradi.com
dellvistaupgradr.com
dellvistaupgradw.com
dellvistaupgrae.com
dellvistaupgrage.com
dellvistaupgrase.com
dellvistaupgrate.com
dellvistaupgreade.com
dellvistaupgreda.com
dellvistaupgrode.com
dellvistauphrade.com
dellvistaupjrade.com
dellvistauprade.com
dellvistaypgrade.com
dellvisteupgrade.com
dellvistoupgrade.com
dellvistupgrade.com
dellvisyaupgrade.com
dellvitsaupgrade.com
dellvixtaupgrade.com
dellviztaupgrade.com
dellvustaupgrade.com
dell-w17.com
dellw1955laptopbattery.net
dellw2600.com
dellw3706mc.com
dellw5001c.com
dellwallpapers.com
dellwalpapers.com
dellwarrantypartsdirect.com
dellwarrenty.com
dellweals.com
dellwear.com
dellwebcam.com
dellwirelesslaptop.com
dellwirelessnotbook.com
dellwirelesswlancard.com
dellx1.net
dellx50.com
dellx50.net
dellx5015.com
dellx50v.com
dellx50vcarcharger.com

dellx51.com	dellxpsnotebookreview.com
dellx51.net	dellxpsp.com
dellx51v.com	dellxsp.com
dellxepass.com	dellzmainia.com
dellxfpass.com	dellzupply.com
dellxj900.com	delstobuy.com
dellxm.com	dimension2400.com
dellxpcomputers.com	dms-dell.com
dellxps700desktopdeal.com	dwillfinancialservices.com
dellxpsm1210.com	notebook-hp-compaq-dell-ibm-acer.com
dellxpsm140review.com	

(collectively the “DELL Infringing Domain Names”); and:

aalienware.com	alienwarre.com
aelienware.com	alienwarte.com
akienware.com	alienwasre.com
al9ienware.com	alienwatre.com
aleienware.com	alienweare.com
alieinware.com	alienwqare.com
alieneare.com	alienwre.com
alieneware.com	aliernware.com
aliennware.com	aliewnware.com
alienqware.com	alioenware.com
alienwaare.com	alirnware.com
alienwae.com	aliuenware.com
alienwaere.com	aliwenware.com
alienwarfe.com	

(collectively the “ALIENWARE Infringing Domain Names”). The DELL Infringing Domain Names and the ALIENWARE Infringing Domain Names are collectively referred to as the “Infringing Domain Names.” Copies of the WHOIS records for many of these domain names are attached to this Complaint as Exhibit 6. Because of its size, Exhibit 6 in its entirety has been filed in the form of a CD, and only representative pages of Exhibit 6 are attached in hard copy form to this Complaint.

123. Many of the Infringing Domain Names are substantially indistinguishable from, and thus counterfeits of, Plaintiffs’ Marks, including at least the following representative examples:

dell1150.com
dell11mp.com
dell11rp.com
dell130.com
dell130.net
dell1300.com
dell1425rack.com
dell1500pctonercartridge.com
dell155.com
dell15lcdmonitor.com
dell1704fpt.com
dell1750.com
dell18lcd.com
dell1nspiron1000.com
dell1up.com
dell2004.com
dell2005.com
dell20offcouponcode.com
dell2100.com
dell2100.net
dell2200.net
dell2250.com
dell240.com
dell2405.com
dell2405fpwpics.com
dell2407mgh.com
dell2500.net
dell2550.com
dell2600.com
dell27fp.com
dell2850.com
dell2all.com
dell2buy.com
dell2by.com
dell3007wfp.com
dell31.com
dell-31.com
dell310.com
dell3100.com
dell3149c.com
dell3300.com
dell3400mp.com
dell350bluetooth.com
dell36.com
dell3700.com
dell3700.net

dell400.com
dell41.com
dell4100.com
dell4150.com
dell41me.com
dell420.com
dell4300.com
dell4300.net
dell4500.com
dell4600.com
dell470.com
dell4all.com
dell4com.com
dell4coupons.com
dell4forme.com
dell4lsg.com
dell4md.com
dell4music.com
dell4my.com
dell4time.com
dell4usa.com
dell4way.com
dell500mbattery.com
dell51.com
dell510.com
dell5100.com
dell5100videocardupgrade.com
dell515.com
dell5150.com
dell5150.net
dell5150powersupply.com
dell5160.net
dell51cn.com
dell51v.com
dell53.com
dell5650.com
dell5650.net
dell5gbpocketdigitaljukeboxmp3player.com
dell6000.com
dell600m.net
dell61.com
dell6650.com
dell670.com
dell6850.com
dell6950.com
dell6fix.com

dell6ix.com
dell700.com
dell700m.com
dell700mbattery.com
dell710m.com
dell7150.com
dell720blackinkcartridge.com
dell75uyf.com
dell79wpjpowersupply.com
dell8000.com
dell81.com
dell825.com
dell8250.net
dell8300.com
dell8300download.com
dell8300dvdfirmware.com
dell8400.com
dell8500.com
dell8600.com
dell860rack.com
dell900.com
dell9100.net
dell9100graphicscard.com
dell9150.com
dell9200.com
dell922printer.com
dell922printers.com
dell924.com
dell942.com
dell942.net
dell942printer.com
dell942printerdownload.com
dell942printersupplies.com
dell944.com
dell962.com
dell962.net
dell9632.com
dell964.com
della920inkcartridge.com
della920inkjetcartridges.com
della940printer.com
dellaccessoires.com
dellaccess.com
dellaccoount.com
dellaccoountonline.com
dellaccount.net
dellaccountpayment.com
dellaccounts.net
dellaccountsonline.com
dellacountonline.com
dellacutions.com
delladaptarprogram.com
delladapter.com
delladapterprogam.com
dellallinone.com
dellallinonecenter.com
dellalptops.com
dell-alptops.com
dellaptops.net
dellautomaticupdates.com
dellaxims.com
dellaximx51executiveseriesbook.com
dellaxiom.com
dellb11.com
dellb110.com
dellb120.com
dellb130.com
dellb130.net
dellbackschool.com
dellbateryprograms.com
dellbateryrecal.com
dellbattereprogram.com
dellbatterhprogram.com
dellbatteriesdiscount.com
dell-batteries-distributor.com
dellbatterprgra.com
dellbatterrogram.com
dellbatterycompany.com
dellbatteryinfo.com
dellbatteryprgoram.com
dellbatteryprograam.com
dellbatteryprograsm.com
dellbatteryprogrsm.com
dellbatteryrebate.com
dellbatteryrecalls.com
dellbatteryreplacment.com
dellbettryprogra.com
dellbios.net
dellbiosupdate.com
dell-biz.com
dellbizcom.com
dellbizmyway.com

dellbiznychanal.com
dellbjz.com
dellbkz.com
dell-bsdseminor.com
dellbucks.com
dellbusienss.com
dellbusinessaccount.com
dellbusinessnotebookcomputers.com
dellbusinessoptiplex.com
dellbussinesssolutions.com
dellbzttteryprogram.com
dellc00.com
dellc40.com
dellc400.com
dellc400.net
dellc510.com
dellc54.com
dellc610.com
dellc610.net
dellc640.net
dellc800600.com
dellc8stomercare.com
dellcacoupon.com
dellcalculator.com
dellcallcentre.com
dellcarieer.com
dellcarreers.com
dellcarrers.com
dellcartridge4less.com
dellcase.com
dellcases.com
dellcatalogo.com
dellcaustomermercure.com
dellcdburner.com
dellcdustomermercure.com
dellceleron.com
dellchatsupport.com
dellchipsets.com
dellchristmaslaptop.com
dellchristmasnotebook.com
dellchstomercare.com
dellcistaupgrade.com
dell-client.com
dellcolorink.com
dellcolorprinter720.com
dellcomcomputers.com
dellcomfixit.com
dellcomlivehelp.com
dellcomonline.com
dell-company.com
dellcompatible.net
dellcompatibleinkjetcartridges.com
dellcompeppbuy.com
dellcompeter.com
dellcompeuters.com
dellcompurts.com
dellcompute4rs.com
dellcomputelaptopr.com
dell-computers-distributor.com
dell-computers-help.com
dell-computers-suck.com
dellcomputerstv.com
dellcomrebates.com
dellcomuputers.com
dellcomustercare.com
dellconnection.com
dellconnectivity.com
dellconnetl.com
dellconsumer.com
dellconsumercare.com
dellcopierscannerfaxprinter.com
dellcopons.com
dellcorporate.com
dellcorporatediscount.com
dellcorporation.net
dellcostamerservice.com
dellcostermmercure.com
dellcostomerorder.com
dellcostumecare.com
dellcotechnologies.com
dellcoumpters.com
dellcouponprocessingcenter.com
dellcouponprocessingcenter.net
dellcouponproducts.com
dellcouponsanddeals.com
dellcoustomersupport.com
dellcreditcardoffer.com
dellcreditservices.com
dellcuftomercare.com
dellcuistomercare.com
dellcusitomercare.com
dellcusktomercure.com

dellcusltomercare.com
dellcusomtercare.com
dellcusptomercare.com
dellcustamercare.com
dellcustmorcare.com
dellcustodmercure.com
dellcustomeqrcare.com
dellcustomeraid.com
dellcustomerare.com
dellcustomercaere.com
dellcustomercarecenter.com
dellcustomercaree.com
dellcustomercares.com
dellcustomercaresrebate.com
dellcustomercaro.com
dellcustomercarq.com
dellcustomercarre.com
dellcustomercasre.com
dellcustomers.com
dellcustomerservice.com
dellcustomerservice.com
dellcustomersupplies.com
dellcustomersurvice.com
dellcustomervare.com
dellcustometcare.com
dellcustomoercare.com
dellcustomqercare.com
dellcustomqrcare.com
dellcustomservice.com
dellcustomtercare.com
dellcustoomercare.com
dellcustosmercure.com
dellcustoumercure.com
dellcustuomercare.com
dellcutmercure.com
dellcutsomercure.com
dellcutstomercure.com
delld3eals.com
delld420.com
delld4eals.com
delld500.com
delld510.com
delld510.net
delld5561.com
delld600bluetoothsoftware.com
delld600carcharger.com

delld600powercord.com
delld61.com
delld620laptop.com
delld800.com
delld810.com
delld810.net
delldaeals.com
delldatteryprogram.com
delld4eals.com
delldeadls.com
dellddeals.com
dellddealsw.com
dellddeazls.com
delldekstops.com
delldelivery.com
delldemtion.com
delldesals.com
delldesktops.com
dell-desktop-computers.com
delldesktoprefurbished.com
delldesktopstore.com
delldesktopupgrade.com
delldesktop.com
delldesktop.com
dell-diagnostics.com
delldimension11.com
dell-dimension2004series.com
delldimension2350memory.com
delldimension3000.com
delldimension3000desktopcomputer.com
delldimension4400memory.com
delldimension4500.com
delldimension4550usbissuereformat.com
delldimension4600powersupply.com
delldimension8100.com
delldimensiondrivers.com
delldimension510mediacenter.com
delldimensionmemory.com
delldimensions4600.com
delldimensionspecs.com
delldimensionused.com
delldimention.com
delldirectonline.com
delldirectusa.com
delldistributing.com
dell-distribution.com

delldj15.com
delljddownloadexplorer.com
delljddownloads.com
delldjite.com
delljonline.com
delljsete.com
delljstiel.com
delljuk.com
delldot.com
delldownload.com
delldownlode.com
delldownlodes.com
delldownlosds.com
dell-driver.com
delldrives.com
dellcustomerservice.com
dell-dvd.com
delldvdrive.com
dellvdrom.net
dellvdsoftware.com
delle155.com
delle176fp.com
delle193fp.net
delle51.com
delle510.com
delle55.com
delleletronic.com
dellelextronics.com
dellepps.com
dell-europa.com
dellevolution.com
dellexite.com
dellexpriance.com
dellpressupgrade.com
dellpressvistaupgrade.com
dellexternalharddrive.com
dellfactoroutlet.com
dellfactorydirect.com
dellfanacials.com
dellfanancial.com
dellfanicial.com
dellfianance.com
dellfianancialservies.com
dellfianicialservices.com
dellfinacailservices.com
dellfinace.com

dellfinacealservices.com
dellfinacesservis.com
dellfinacialcardservices.com
dellfinacialcialservices.com
dellfinacialserives.com
dellfinaciaservicesl.com
dellfinaciaawwwl.com
dellfinacical.com
dellfinacilaservices.com
dellfinacnialservices.com
dellfinacnialservices.com
dellfinaicalservices.com
dellfinaincial.com
dellfinalcialservice.com
dellfinanacial.com
dellfinanaciel.com
dellfinanaical.com
dellfinanancial.com
dellfinaceialservices.com
dellfinancelaptop.com
dellfinancelervices.com
dellfinanchel.com
dellfinancialeservices.com
dellfinancialservice.com
dellfinancialservice.com
dellfinancianservices.com
dellfinancielcenter.com
dellfinancilalservices.com
dellfinancinalservices.com
dellfinanicailservices.com
dellfinanicalservives.com
dellfinancialservices.com
dellfinasicalservices.com
dellfinatialservices.com
dellfincailservices.com
dellfinciaservices.com
dellfinencesservis.com
dellfinfinancialservices.com
dellfiniacial.com
dellfiniacialservices.com
dellfiniance.com
dellfiniancial.com
dellfiniancilservices.com
dellfinicailservices.com
dellfinicals.com
dellfinicalservice.com

dellfinicialsevice.com
dellfininal.com
dellfininancial.com
dellfininancialservices.com
dellfininical.com
dellfinincalservices.com
dellfinincial.com
dellfininicals.com
dellfinnancial.com
dellfinnancing.com
dellfinncial.com
dellfinncialservices.com
dellfinservices.com
dellfix.net
dellflashplayer.com
dellflatpanel.com
dellflatscreenmonitors.com
dellflatscreens.com
dellfreemail.com
dellfreemovies.com
dellfreesoftwaredownloads.com
dellfungames.com
dellgaming.com
dellgams.com
dellgamses.com
dellgateway.net
dellgotadeal.com
dell-gps.com
dellgps.net
dellgpsnavigationsystem.com
dellgx110.com
dellgx206.com
dellgx240.com
dellgx260.net
dellgx27.com
dellgx28.com
dellgx4.com
dellhddesktops.com
dellhdflatscreens.com
dellhdlaptops.com
dellhdmonitors.com
dellhdnotebooks.com
dellhdpc.com
dellhdpcs.com
dellhds728080plat20.com
dellholidaynotebook.com

dellhpccservers.com
dellimpact.com
dellinspirion2200.com
dellincfoundation.com
dellincorporated.com
dellinformation.com
dellink4less.com
dellinkcartridgej.com
dellinkcoupons.com
dellinkjetj740printer.com
dellinkl.com
dellinkprinter.com
dellinks.net
dellinktcartridge.com
dellinspirion.com
dellinspiron5100.com
dellinspiron6000reviews.com
dellinspiron600m.com
dellinspiron700m.com
dellinspiron9100.com
dellinspironb120.com
dellinspirondocking.com
dellinspironfailsturnon.com
dellinspironforsale.com
dell-inspironsrlemons.com
dellinspririon.com
dellinstantpointsaward.com
dellinteractivewhiteboards.com
delljubox.com
delljuckbox.com
delljukbox.com
delljukeboxbymatch.com
delljukeboxbymusicmath.com
delljukeboxdj.com
delljukeboxmusic.com
delljukeboxplayer.com
delljutbox.com
dellkeyboard.com
dellkidsgames.com
delll4.com
delll400.com
delll400battery.com
delll500cddrivers.com
delll933r.com
delllaboratories.com
delllabtob.com

dell-lapops.com
dell-lapotps.com
delllaptopbatteries.com
delllaptopap.com
delllaptopbatteryrecall.com
delllaptopcomputer.net
delllaptopcoupon.com
delllaptopdock.com
delllaptopes.com
delllaptopjob.com
delllaptoplatitude.com
delllaptopmalaysia.com
delllaptopproblems.com
delllaptopprogram.com
delllaptoprepair.net
delllaptopsbargain.com
delllaptopskins.com
delllaptopsl.com
delllaptopstip.com
delllaptopxps1710gameedition.com
delllaptos.com
dell-laptos.com
dell-laptosp.com
dell-laptps.com
delllapyops.com
delllaser.com
delllatituds.com
delllatops.com
dell-latpops.com
delllatitude62zd.net
delllaction.com
delllcom.com
delllfinancials.com
delllimitedtoo.com
delllising.com
delllll.com
dellloadvista.com
delllogic.com
delllogo.com
delloptops.com
dell-lpatops.com
delllptop.com
delllutlet.com
dellm60.net
dellm70.com
dellm770.com

dellm991.com
dell-magazines.com
dellmailinrebates.com
dellmaill.com
dellmain.com
dellmaintenanceservices.com
dellmanuals.com
dell-mar.com
dellmare.com
dellmarketingsevice.net
dellmarketingstrategies.com
dellmatch.com
dellmatchbox.com
dellmaxtor.com
dellmb400.com
dell-me.com
dellmediadirectdownload.com
dellmediaexperienceextras.com
dell-memory.com
dellmemorycards.com
dellmemroy.com
dellmgmt.com
dellmgr.com
dellmicroproducts.com
dellmininotebook.com
dellmmagazines.com
dellmmaill.com
dellmmp.com
dellmod.com
dellmoda.com
dellmodemonhold.com
dellmoitors.com
dellmomobilya.com
dellmoniors.com
dellmonitor.net
dellmonitos.com
dellmonitrs.com
dellmonte.com
dellmontors.com
dellmore.net
dellmorenow.com
dellmorherboard.com
dellmotebookspart.com
dellmotheboard.com
dellmotherbaord.com
dellmotherbard.com

dellpa.com
dellpa12.com
dellpa13.com
dellpa13.net
dellpa15.com
dellpa15.net
dellpa16.com
dellpa17.net
dellpa-2.com
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dellphoneplan.com
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dellphotoa10printer.com
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124. Each of the Infringing Domain Names is identical or confusingly similar to Plaintiffs' Marks and each of the Counterfeit Domain Names is substantially indistinguishable from and confusingly similar to Plaintiffs' Marks.

125. Many of the Infringing Domain Names have been registered, used and deleted within five days of registration to avoid paying any registration costs and to avoid detection by Plaintiffs and other trademark owners. The practice of registering and deleting domain names within five days that do not generate sufficient traffic to turn a profit in order to avoid paying for the registration is commonly referred to as "tasting."

126. Defendants immediately re-register, for an additional five-day period, many of the Infringing Domain Names and hundreds of thousands of Defendants' Domain Names that were deleted by Defendants within five days of registration. Defendants repeatedly register, delete, and re-register domain names to use the domain names for free and to avoid detection by Plaintiff and other trademark owners. The practice of repeatedly registering, deleting, and reregistering a domain name within five days to avoid paying for the registration is known as "kiting." Attached to this Complaint as Exhibit 7 is the registry data taken over 20 days for 10 Infringing Domain Names that Defendants have been repeatedly registering, deleting and re-registering for 5-day periods.

127. For example, as depicted in Exhibit 7, one of the Infringing Domain Names, dellfinacncialservices.com (which is confusingly similar to Dell's registered DELL FINANCIAL SERVICES mark), was:

registered 25-may-2007 by DomainDoorman; deleted 30-may-2007;
registered 30-may-2007 by BelgiumDomains; deleted 04-jun-2007;
registered 04-jun-2007 by Capitoldomains; deleted 09-jun-2007;
registered 09-jun-2007 by DomainDoorman; deleted 14-jun-2007; and

registered 14-jun-2007 by BelgiumDomains.

128. Another example, also depicted in Exhibit 7, is the Infringing Domain Name, delllptop.com (which is confusingly similar to Dell's registered DELL mark) which was:

registered 25-may-2007 by DomainDoorman; deleted 30-may-2007;

registered 30-may-2007 by BelgiumDomains; deleted 04-jun-2007;

registered 04-jun-2007 by Capitoldomains; deleted 09-jun-2007;

registered 09-jun-2007 by DomainDoorman; deleted 14-jun-2007; and

registered 14-jun-2007 by BelgiumDomains.

129. Defendants serially cycles hundreds of thousands of Defendants' Domain Names through registration, deletion, and re-registration, each and every day (e.g., DomainDoorman, BelgiumDomains, Capitoldomains, . . . DomainDoorman, BelgiumDomains, Capitoldomains, . . .).

130. Each time Defendants register one of the Infringing Domain Names, they list one of the many Unasi Identities as the registrant so as to avoid detection of a common scheme by Plaintiffs.

131. For example, as depicted in Exhibit 8, one of the Infringing Domain Names, dellcdustomermercure.com (which is confusingly similar to Dell's registered DELL mark), listed:

registered 22-may-2007 listing Keyword Marketing, Inc.; deleted 27-may-2007;

registered 27-may-2007 listing Marketing Total S.A.; deleted 01-jun-2007;

registered 01-jun-2007 listing Maison Tropicale S.A.; deleted 06-jun-2007;

registered 06-jun-2007 listing Marketing Total S.A.; deleted 11-jun-2007; and

registered 11-jun-2007 listing Caribbean Online International Ltd.

132. Another example, also depicted in Exhibit 8, is the Infringing Domain Name, dellscannerdriver.com (which is confusingly similar to Dell's registered DELL mark) listed:

registered 20-may-2007 listing Maison Tropicale S.A., Inc. deleted 25-may-2007;

registered 25-may-2007 listing Web Advertising, Corp.; deleted 30-may-2007;

registered 30-may-2007 listing Marketing Total S.A.; deleted 04-jun-2007;
registered 04-jun-2007 listing Keyword Marketing, Inc; deleted 09-jun-2007; and
registered 09-jun-2007 listing Keyword Marketing, Inc

133. Defendants use or used the Infringing Domain Names to divert for commercial gain Internet users searching for Plaintiffs' Marks or Plaintiffs' websites.

134. Defendants use or used each of the Infringing Domain Names for "pay-per-click" websites that display or displayed advertising links to various commercial websites, many of which offer goods or services identical, directly competitive or related to those sold or provided in connection with Plaintiffs' Marks. Printouts from the websites associated with many of the Infringing Domain Names are attached to this Complaint as Exhibit 9. Because these printouts are so voluminous, Exhibit 9 in its entirety has been filed in the form of a CD, and only representative pages of Exhibit 9 are attached in hard copy form to this Complaint.

135. Defendants caused and are causing pop-up and pop-under advertisements to be displayed when Internet users accessed or access the websites at some of the Infringing Domain Names. Printouts of some of the pop-up and pop-under advertisements displayed when users accessed the website at many of the Infringing Domain Names are attached to this Complaint as Exhibit 10. Because these printouts are so voluminous, Exhibit 10 in its entirety has been filed in the form of a CD, and only representative pages of Exhibit 10 are attached in hard copy form to this Complaint.

136. When Internet users clicked or click on one or more of the displayed links or pop-up or pop-under advertisements on the website at each of the Infringing Domain Names, Defendants received or receive payments from one or more advertisers, search engines, or affiliate programs.

HARM TO PLAINTIFF AND THE GENERAL PUBLIC

137. Defendants' unauthorized registration and use of the Infringing Domain Names is or was likely to cause confusion, mistake, and deception as to the source or origin of the Infringing Domain Names, and is or was likely to falsely suggest a sponsorship, connection, license, or association of Defendants and the Infringing Domain Names with Plaintiffs.

138. Defendants' activities have irreparably harmed and, if not enjoined, will continue to irreparably harm the general public, which has an inherent interest in being free from confusion, mistake, and deception.

139. Defendants' activities have irreparably harmed and, if not enjoined, will continue to irreparably harm Plaintiffs and Plaintiffs' Marks.

**FIRST CAUSE OF ACTION
[Cybersquatting Under 15 U.S.C. § 1125(d)]**

140. Plaintiffs reallege and incorporate by reference Paragraphs 2 through 139 as though fully set forth here.

141. Defendants registered, trafficked in, or used the Infringing Domain Names with a bad-faith intent to profit from Plaintiffs' Marks.

142. Defendants, as domain name registrars, registered or maintained the Infringing Domain Names with a bad-faith intent to profit from such registration or maintenance of the domain names.

143. One or more of Defendants is or was the registrant or the registrant's authorized licensee or user of each of the Infringing Domain Names.

144. The Infringing Domain Names are identical or confusingly similar to Plaintiffs' Marks.

145. Plaintiffs' Marks were all distinctive and many of Plaintiffs' Marks were federally registered at the United States Patent and Trademark Office at the time Defendants registered, trafficked in, or used the Infringing Domain Names.

146. Defendants do not have any intellectual property rights or any other rights in Plaintiffs' Marks.

147. None of the Infringing Domain Names consist of the legal name of any of the Defendants, or a name that is otherwise commonly used to identify any of the Defendants.

148. Defendants have not made any prior use of any of the Infringing Domain Names in connection with the *bona fide* offering of any goods or services.

149. Defendants have not made any *bona fide* fair use of Plaintiffs' Marks on a website accessible under any of the Infringing Domain Names.

150. Defendants registered and used the Infringing Domain Names to divert consumers from Plaintiffs' websites to a website accessible under the Infringing Domain Names for Defendants' commercial gain by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the website.

151. Defendants provided material and misleading false contact information, or failed to provide any contact information when registering the Infringing Domain Names.

152. Defendants provided material and misleading false contact information by listing shell entities, fictitious business, and personal names on the WHOIS records for the Infringing Domain Names, thereby failing to provide information for those domain names, all for the purpose of preventing or hindering trademark owners and others from discovering information about Defendants' activities.

153. Defendants intentionally failed to maintain accurate contact information for the Infringing Domain Names

154. Defendants' consistent failure to provide accurate and publicly available contact information for Defendant Domain Names indicates Defendants' pattern of failing to provide accurate contact information.

155. Defendants have registered or acquired multiple domain names that Defendants knew were identical or confusingly similar to marks of others that were distinctive when the domain names were registered.

156. Defendants have registered or acquired multiple domain names that Defendants knew were dilutive of famous marks of others that were famous when the domain names were registered.

157. Plaintiffs' Marks are famous within the meaning of subsection 15 U.S.C. Section 1125(c).

158. Defendants purposefully restrict access to the WHOIS databases to prevent or hinder trademark owners and others from discovering information about Defendants' activities.

159. Defendants' registration, use, or trafficking in the Infringing Domain Names constitutes cybersquatting in violation of 15 U.S.C. § 1125(d), entitling Plaintiffs to relief.

160. By reason of Defendants' acts alleged herein, Plaintiffs' remedy at law is not adequate to compensate them for the injuries inflicted by Defendants. Accordingly, Plaintiffs are entitled to preliminary and permanent injunctive relief pursuant to 15 U.S.C. § 1116.

161. By reason of Defendants' acts alleged herein, Plaintiffs are entitled to recover Defendants' profits, actual damages and the costs of the action, or statutory damages under 15

U.S.C. § 1117, on election by Plaintiffs, in an amount of one hundred thousand dollars (\$100,000) for each domain name found to constitute cybersquatting.

162. This is an exceptional case making Plaintiffs eligible for an award of attorneys' fees under 15 U.S.C. § 1117.

SECOND CAUSE OF ACTION
[Trademark Infringement Under 15 U.S.C. § 1114(1)]

163. Plaintiffs reallege and incorporate by reference each of the allegations contained in Paragraphs 2 through 139 of this Complaint as though fully set forth here.

164. Defendants' use in commerce of Plaintiffs' Marks and variations thereof is likely to cause confusion, mistake, or to deceive.

165. Defendants' use in commerce of the Infringing Domain Names is likely to cause confusion, mistake, or to deceive.

166. Defendants' use in commerce of the websites and pop-up and pop-under advertisements displayed at the Infringing Domain Names, is likely to cause confusion, mistake, or to deceive.

167. The above-described acts of Defendants constitute trademark infringement in violation of 15 U.S.C. § 1114(1), entitling Plaintiffs to relief.

168. Defendants have unfairly profited from the infringing actions alleged.

169. By reason of Defendants' acts, Plaintiffs have suffered damage to the goodwill associated with Plaintiffs' Marks.

170. Defendants' activities have irreparably harmed and, if not enjoined, will continue to irreparably harm Plaintiffs and their federally registered Plaintiffs' Marks.

171. Defendants' activities have irreparably harmed, and if not enjoined, will continue to irreparably harm the general public who has an interest in being free from confusion, mistake, and deception.

172. By reason of Defendants' acts, Plaintiffs' remedy at law is not adequate to compensate them for the injuries inflicted by Defendants. Accordingly, Plaintiffs are entitled to entry of a temporary restraining order against Defendants and preliminary and permanent injunctive relief pursuant to 15 U.S.C. § 1116.

173. By reason of Defendants' willful acts, Plaintiffs are entitled to damages, and that those damages be trebled under 15 U.S.C. § 1117.

174. This is an exceptional case making Plaintiffs eligible for an award of attorneys' fees under 15 U.S.C. § 1117.

**THIRD CAUSE OF ACTION
[Trademark Infringement and**

False Designation of Origin Under 15 U.S.C. § 1125(a)]

175. Plaintiffs reallege and incorporate by reference each of the allegations contained in Paragraphs 2 through 139 of this Complaint as though fully set forth here.

176. Defendants' use in commerce of Plaintiffs' Marks and variations thereof and the Infringing Domain Names is likely to cause confusion, or to cause mistake, or to deceive the relevant public that the Infringing Domain Names and the websites and pop-up and pop-under advertisements displayed at the Infringing Domain Names are authorized, sponsored or approved by or are affiliated with Plaintiffs.

177. Defendants' use of Plaintiffs' Marks and variations thereof and the Infringing Domain Names is likely to cause confusion among the general public.

178. The above-described acts of Defendants constitute trademark infringement of Plaintiffs' Marks and false designation of origin in violation of 15 U.S.C. § 1125(a), entitling Plaintiffs to relief.

179. Defendants have unfairly profited from the actions alleged.

180. By reason of Defendants' acts alleged herein, Plaintiffs have suffered damage to the goodwill associated with Plaintiffs' Marks.

181. Defendants' activities have irreparably harmed and, if not enjoined, will continue to irreparably harm Plaintiffs and Plaintiffs' Marks.

182. Defendants' activities have irreparably harmed and, if not enjoined, will continue to irreparably harm the general public which has an interest in being free from confusion, mistake, and deception.

183. By reason of Defendants' acts alleged herein, Plaintiffs' remedy at law is not adequate to compensate them for the injuries inflicted by Defendants. Accordingly, Plaintiffs are entitled to entry of a temporary restraining order against Defendants and preliminary and permanent injunctive relief pursuant to 15 U.S.C. § 1116.

184. By reason of Defendants' willful acts, Plaintiffs are entitled to damages, and that those damages be trebled, under 15 U.S.C. § 1117.

185. This is an exceptional case making Plaintiffs eligible for an award of attorneys' fees under 15 U.S.C. § 1117.

FOURTH CAUSE OF ACTION
[Counterfeiting Under 15 U.S.C. § 1114(1)]

186. Plaintiffs reallege and incorporate by reference each of the allegations contained in Paragraphs 2 through 139 of this Complaint as though fully set forth here.

187. Defendants' use in commerce of Plaintiffs' Marks and substantially indistinguishable variations thereof is likely to cause confusion, mistake, or to deceive.

188. Defendants' use in commerce of the Counterfeit Domain Names is likely to cause confusion, mistake, or to deceive.

189. Defendants' use in commerce of the websites and pop-up and pop-under advertisements displayed at the Counterfeit Domain Names is likely to cause confusion, mistake, or to deceive.

190. The above-described acts of Defendants constitute counterfeiting in violation of 15 U.S.C. § 1114(1), entitling Plaintiffs to relief.

191. Defendants have unfairly profited from the infringing actions alleged herein.

192. By reason of Defendants' acts, Plaintiffs have suffered damage to the goodwill associated with Plaintiffs' Marks.

193. Defendants' activities have irreparably harmed and, if not enjoined, will continue to irreparably harm Plaintiffs and their federally registered Plaintiffs' Marks.

194. Defendants' activities have irreparably harmed and, if not enjoined, will continue to irreparably harm the general public, which has an interest in being free from confusion, mistake, and deception.

195. By reason of Defendants' acts, Plaintiffs' remedy at law is not adequate to compensate them for the injuries inflicted by Defendants. Accordingly, Plaintiffs are entitled to entry of a temporary restraining order against Defendants and preliminary and permanent injunctive relief pursuant to 15 U.S.C. § 1116.

196. By reason of Defendants' use of the Counterfeit Domain Names alleged herein, Plaintiffs are entitled to recover Defendants' profits, actual damages and the costs of the action

under 15 U.S.C. § 1117. Alternatively, by reason of Defendants' willful use of the Counterfeit Domain Names, Plaintiffs are entitled to recover statutory damages under 15 U.S.C. § 1117, on election by Plaintiffs, in an amount of up to \$1,000,000 for each counterfeit domain name per type of good or services sold, offered for sale, or distributed.

197. By reason of Defendants' acts, Plaintiffs are entitled to an order that all documents, papers, things, records, data, and information, and electronic media relating to the selection, registration, use, trafficking in, monetizing, release, transfer, assignment, renewal, maintenance, and deletion of the Counterfeit Domain Names, and relating to the coordination among various Defendant entities and others for such activities be immediately seized pursuant to 15 U.S.C. § 1116(d).

198. This is an exceptional case making Plaintiffs eligible for an award of attorneys' fees under 15 U.S.C. § 1117.

FIFTH CAUSE OF ACTION
[Dilution Under 15 U.S.C. § 1125(c)]

199. Plaintiffs reallege and incorporate by reference each of the allegations contained in Paragraphs 2 through 139 of this Complaint as though fully set forth here.

200. Plaintiffs' Marks are famous, as that term is used in 15 U.S.C. § 1125(c), and were famous before Defendants' use of Plaintiffs' Marks and variations thereof and the Infringing Domain Names in commerce, based on, among other things, the inherent distinctiveness and federal registration of the Plaintiffs' Marks and the extensive, and exclusive nationwide use, advertising, promotion, and recognition of the Plaintiffs' Marks.

201. Defendants' use of the Plaintiffs' Marks and variations thereof and the Infringing Domain Names in commerce is likely to cause dilution by blurring or dilution by tarnishment of Plaintiffs' Marks.

202. The above-described acts of Defendants constitute dilution by blurring and dilution by tarnishment in violation of 15 U.S.C. § 1125(c), entitling Plaintiffs to relief.

203. Defendants have unfairly profited from the actions alleged.

204. By reason of Defendants' acts, Plaintiffs have suffered damage to the goodwill associated with Plaintiffs' Marks and have suffered and will continue to suffer irreparable harm.

205. By reason of Defendants' acts, Plaintiffs' remedy at law is not adequate to compensate them for the injuries inflicted by Defendants.

206. Accordingly, Plaintiffs are entitled to entry of a temporary restraining order against Defendants and preliminary and permanent injunctive relief pursuant to 15 U.S.C. § 1116.

207. By reason of Defendants' willful acts, Plaintiffs' are entitled to damages, and that those damages be trebled, under 15 U.S.C. § 1117.

208. This is an exceptional case making Plaintiffs eligible for an award of attorneys' fees under 15 U.S.C. § 1117.

SIXTH CAUSE OF ACTION
[Dilution Under Florida Statutes § 495.151]

209. Plaintiffs reallege and incorporate by reference each of the allegations contained in Paragraphs 2 through 139 of this Complaint as though fully set forth.

210. Defendants have used in commerce Plaintiffs' trade names and Plaintiffs' Marks mark in connection with their business.

211. Defendants' use of the Infringing Domain Names in connection with Defendants' goods and services is likely to cause injury to Plaintiffs' business reputation and/or dilute the distinctive quality of the Plaintiffs' Marks in violation of Florida Statutes § 495.151

212. The above-described acts of Defendants constitute dilution in violation of Florida Statutes § 495.151, entitling Plaintiffs to relief.

213. Defendants have unfairly profited from the actions alleged herein.

214. By reason of Defendants' acts alleged herein Plaintiffs have suffered damage to the goodwill associated with Plaintiffs' Marks and have suffered and will continue to suffer irreparable harm.

215. By reason of Defendants' acts alleged herein, Plaintiffs' remedy at law is not adequate to compensate them for the injuries inflicted by Defendants. Accordingly, Plaintiffs are entitled to entry of a temporary restraining order against Defendants and preliminary and permanent injunctive relief.

SEVENTH CAUSE OF ACTION
[Deceptive and Unfair Trade Practices
Under Florida Statutes §§ 501.201 *et seq.*]

216. Plaintiffs reallege and incorporate by reference each of the allegations contained in Paragraphs 2 through 139 of this Complaint as though fully set forth here.

217. Defendants have engaged in unfair methods of competition and unfair or deceptive acts or practices in the conduct of their trade, all in violation of Florida Deceptive and Unfair Trade Practices Act (the "FDUTPA"), Florida Statutes §§ 501.201, *et seq.*

218. Plaintiffs are "aggrieved" persons under the FDUTPA, and have standing to bring this claim.

219. Defendants are unfairly competing in online advertising and Internet retailing markets by infringing the valuable Plaintiffs' Marks, and by attempting to capitalize on Plaintiffs' reputation by deliberately using the Infringing Domain Names such that consumers are likely to believe that the websites at the Infringing Domain Names are Plaintiffs or are authorized by or affiliated with Plaintiffs.

220. Plaintiffs have invested substantial time and money developing Plaintiffs' Marks. Defendants' use of the Infringing Domain Names constitutes unfair methods of competition, unconscionable acts or practices and unfair or deceptive acts or practices.

221. By reason of Defendants' acts, Plaintiffs have suffered damage to the goodwill associated with Plaintiffs' Marks and have suffered and will continue to suffer irreparable harm.

222. Defendants' acts and practices as alleged herein offend public policy, were unethical, oppressive and unscrupulous and caused Plaintiffs substantial unavoidable injury. Accordingly, Defendants' acts and practices are deceptive under Florida Statutes § 501.204.

223. Pursuant to Florida Statutes § 501.211, entry of an injunction to enjoin Defendants from continuing to violate the FDUTPA is necessary and appropriate.

224. As a direct and proximate result of Defendants' unfair, unconscionable and deceptive acts or practices, Plaintiffs have sustained losses and damages.

225. By reason of Defendants' acts, Plaintiffs are entitled to damages.

226. Plaintiffs have suffered and continues to suffer irreparable damages, and are without adequate remedies at law.

227. Unless a temporary restraining order is entered and Defendants are preliminarily and then permanently enjoined by this Court, Defendants' unlawful acts will continue.

**EIGHTH CAUSE OF ACTION
[Unfair Competition
Under the Common Law of the State of Florida]**

228. Plaintiffs reallege and incorporate by reference each of the allegations contained in Paragraphs 2 through 139 of this Complaint as though fully set forth here.

229. Defendants have infringed Plaintiffs' Marks in violation of Plaintiffs' proprietary rights. Such acts constitute unfair trade practices and unfair competition under the common law of the State of Florida.

230. By reason of Defendants' acts, Plaintiffs are entitled to damages.

231. As a consequence of Defendants' conduct, Plaintiffs have suffered and will continue to suffer irreparable harm, have suffered and will continue to suffer injury in fact and have lost and will continue to lose money or property as a result of Defendants' acts of unfair business practices alleged herein. Plaintiffs' remedy at law is not adequate to compensate them for the injuries inflicted by Defendants. Accordingly, Plaintiffs' are entitled to entry of a temporary restraining order against Defendants and preliminary and permanent injunctive relief under the common law of the State of Florida.

REQUEST FOR RELIEF

Therefore, Plaintiffs Dell Inc. and Alienware Corporation respectfully request judgment as follows:

1. That a temporary restraining order and preliminary injunction be entered, enjoining Defendants, their agents, representatives, employees, assigns and suppliers, and all persons acting in concert or privity with Defendants, from engaging in the following activities:

- a. Destroying, altering, secreting, transferring, or otherwise disposing of any records of their business activities, whether on paper, in electronic format, or on any other medium, and including without limitation all accounting records and all logs or other documents relating to selecting, registering, trafficking in, monetizing, releasing, assigning, renewing, deleting, transferring, using, or maintaining the Infringing Domain Names or any domain name that is a counterfeit of, confusingly similar to, or likely to dilute Plaintiffs' Marks or any other trademarks owned by Plaintiffs;
- b. Allowing any records of their business activities relating to selecting, registering, trafficking in, monetizing, releasing, assigning, renewing, deleting, transferring, using, or maintaining any of the Infringing Domain Names or any domain name that is a counterfeit of or confusingly similar to, or likely to dilute any trademark owned by Plaintiffs to be destroyed, altered, secreted, transferred, or otherwise disposed of in the course of business or business activities, and shall instead take all affirmative steps necessary to capture and record all such records, whether by copying, collection, backup, or otherwise, either on paper, in electronic format, or on some other medium;
- c. Registering, trafficking in, and using, in any manner, the Infringing Domain Names, or any other domain names that are counterfeits of, confusingly similar to, or likely to dilute Plaintiffs' Marks or any other marks owned by Plaintiffs;

- d. Transferring, releasing, deleting, and assigning the Infringing Domain Names or any other domain names that are counterfeits of, confusingly similar to, or likely to dilute Plaintiffs' Marks or any other marks owned by Plaintiffs;
 - e. Using any of Plaintiffs' Marks, or any other name, mark, designation or depiction in a manner that is likely to cause confusion whether Defendants are affiliated or associated with or sponsored by Plaintiffs, or that is likely to dilute the distinctiveness of Plaintiffs' Marks or any other marks owned by Plaintiffs;
 - f. Registering any domain name without providing complete and accurate contact information, including Defendants' full legal names as the registrants, and not maintaining complete and accurate contact information, including Defendants' full legal name as the registrant.
 - g. Engaging in trademark infringement, trademark dilution, counterfeiting, unfair competition, false designation of origin, passing off, and false advertising against Plaintiffs or misappropriation of Plaintiffs' trademark rights;
 - h. Assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs (a) through (g) above; and
2. That all documents, papers, things, records, data, and information, and electronic media relating to the selection, registration, use, trafficking in, monetizing, release, transfer, assignment, renewal, maintenance, and deletion of the Infringing Domain Names, and relating to the coordination among various Defendant entities and others for such activities be immediately seized.

3. That VeriSign, as the Registry for all of the Infringing Domain Names, “lock” the Infringing Domain Names currently owned by Defendants to prevent their transfer or deletion by Defendants, and deposit with the Court documents sufficient to establish the Court’s control and authority regarding the disposition of the registration and use of the domain names pending the outcome in this case, and remove such domain names from its zone files so that the domain names no longer resolve to active websites.

4. That the Court enter a final judgment that Defendants have:
 - a. violated Plaintiffs' rights in Plaintiffs' Marks in violation of 15 U.S.C. § 1125(d);
 - b. violated Plaintiffs' rights in Plaintiffs' Marks in violation of 15 U.S.C. § 1114(1);
 - c. violated Plaintiffs' rights in Plaintiff's Marks in violation of 15 U.S.C. § 1125(a);
 - d. violated Plaintiffs' rights in Plaintiffs' Marks in violation of 15 U.S.C. § 1125(c);
 - e. violated Plaintiffs' rights in violation of Florida Statutes § 495.151;
 - f. engaged in deceptive and unfair trade practices in violation of Florida Statutes § 501.201 *et seq.*; and
 - g. violated the Florida common law.
5. And that the Court enter a Final Judgment:
 - a. Permanently enjoining Defendants, their agents, representatives, employees, assigns and suppliers, and all persons acting in concert or privity with Defendants, from engaging in the activities described in Paragraphs 1(a)-(c) and (e)-(h) above;
 - b. Ordering Defendants to transfer every domain name they own or control, directly or indirectly, or that was registered at their direction, request, or instruction, that is identical, confusingly similar to, and/or likely to dilute the distinctiveness of Plaintiffs' Marks;
 - c. Ordering Defendants to engage in corrective advertising at their own

expense to the extent necessary to correct any consumer confusion or misperceptions resulting from Defendants' unlawful acts complained of above;

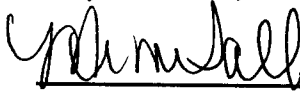
- d. Ordering Defendants to account to Plaintiffs for, and disgorge, all profits they have derived by reason of the unlawful acts complained of above;
- e. Ordering Defendants to pay damages, and that those damages be trebled, under 15 U.S.C. § 1117 and Florida Statutes § 495.141;
- f. Ordering Defendants to pay statutory damages under 15 U.S.C. § 1117(c), on election by Plaintiffs in an amount of up to \$100,000 for each counterfeit domain name per type of goods or services sold, offered for sale, or distributed, and that amount be increased to up to \$1,000,000 for each counterfeit domain name per type of goods or services sold, offered for sale, or distributed, due to the willful nature of Defendants' counterfeiting;
- g. Ordering Defendants to pay statutory damages under 15 U.S.C. § 1117(d), on election by Plaintiffs, in an amount of up to \$100,000 for each domain name found to constitute cybersquatting;
- h. Ordering Defendants to pay Plaintiffs' reasonable attorney fees, prejudgment interest, and costs of this action under 15 U.S.C. § 1117;
- i. Ordering Defendants to file with the Court and serve upon Plaintiffs a written report under oath setting forth in detail the manner and form in which Defendants have complied with the injunction and judgment within

thirty (30) days after the service of the injunction and judgment upon Defendants;

- j. Ordering Defendants to pay punitive damages in an amount to be determined, based upon the foregoing acts of Defendants; and
- k. Granting Plaintiffs such other relief as the Court may deem appropriate.

Dated: October 10, 2007

Respectfully submitted,

By: 

Mimi L. Sall (Florida Bar No. 436704)

E-mail: msall@swmwas.com

STEARNS WEAVER MILLER WEISSLER
ALHADEFF & SITTERSON, P.A.

200 East Las Olas Boulevard, Suite 2100

Fort Lauderdale, Florida 33301

Tel: (954) 462-9575

Fax: (954) 462-9567

David J. Steele (*pro hac vice* pending)

Email: david.steele@cph.com

CHRISTIE, PARKER & HALE, LLP

3501 Jamboree Road

Suite 6000 - North Tower

Newport Beach, CA 92660

Tel.: 949-476-0757

Fax: 949-476-8640

CHRISTIE, PARKER & HALE, LLP

Howard A. Kroll (*pro hac vice* pending)

Email: howard.kroll@cph.com

CHRISTIE, PARKER & HALE, LLP

350 West Colorado Boulevard, Suite 500

Pasadena, CA 91105

Tel.: 626-795-9900

Fax: 626-577-8800

Attorneys for Plaintiffs DELL INC.; and
ALIENWARE CORPORATION