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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

JUN 30 P 3:45

CLERK OF COURT
ALEXANDRIA, VIRGINIA

VERIZON CALIFORNIA INC.; VERIZON
TRADEMARK SERVICES LLC; and
VERIZON LICENSING COMPANY,

Plaintiffs,

v.

LEAD NETWORKS DOMAINS PRIVATE
LIMITED; NARESH MALIK a/k/a NICK M.;
MAHESH MALIK; KEVIN DASTE; the domain
name VAERIZON.COM and approximately 240
certain other domain names; and DOES 1-100,

Defendants.

Case No.: 1:09cv93
GBL/IDD

**COMPLAINT FOR CYBERSQUATTING,
CONTRIBUTORY CYBERSQUATTING, AND
DOMAIN NAME FORFEITURE, CANCELLATION, OR TRANSFER**

Plaintiffs, Verizon California Inc., Verizon Trademark Services LLC, and Verizon Licensing Company (collectively, "Plaintiffs"), by and through their attorneys, bring their complaint against Lead Networks Domains Private Limited, Naresh Malik a/k/a Nick M., Mahesh Malik, Kevin Daste, the domain name *vaerizon.com* and approximately 240 certain other domain names, and Does 1-100 (collectively, "Defendants").

Against Defendants Lead Networks Domains Private Limited, Naresh Malik a/k/a Nick M., Mahesh Malik, Kevin Daste, and Does 1-100 (collectively, the "Defendant Persons"), Plaintiffs seek relief pursuant to 15 U.S. C. § 1125(d)(1) for their bad faith use and registration of the domain name *vaerizon.com* and the approximately 240 certain other domain names listed in Paragraph 82 *infra* (collectively, the Defendant Domain Names"). In the alternative, Plaintiffs also seek redress by means of an *in rem* civil action pursuant to 15 U.S.C. § 1125(d)(2) against the Defendant Domain Names themselves.

Parties

1. Plaintiff Verizon California Inc. is a California corporation with its principal place of business in Thousand Oaks, California (“Verizon California”).
2. Plaintiff Verizon Trademark Services LLC is a Delaware limited liability company with its principal place of business in Arlington, Virginia (“Verizon Trademark Services”).
3. Plaintiff Verizon Licensing Company is a Delaware corporation with its principal place of business in Arlington, Virginia (“Verizon Licensing”).
4. Plaintiffs are informed and believe, and on that basis allege, that Defendant Lead Networks Domains Private Limited (“Lead Networks”) is a business organized in India. Lead Networks is the registrar of record for each of the Defendant Domain Names.
5. Plaintiffs are informed and believe, and on that basis allege, that Defendant Naresh Malik a/k/a Nick M is an individual residing in Thailand.
6. Plaintiffs are informed and believe, and on that basis allege, that Defendant Mahesh Malik is an individual residing in India.
7. Plaintiffs are informed and believe, and on that basis allege, that Defendant Kevin Daste (“Daste”) is an individual residing in New Orleans, Louisiana. Kevin Daste is the registrant of record for at least nine (9) of the Defendant Domain Names, as discussed in more detail in Paragraph 83 *infra*.
8. Plaintiffs are not aware of the true names and capacities of the Defendant Persons named in this Complaint as Does 1-100, inclusive, and therefore bring this action against these Defendant Persons by such fictitious names. Plaintiffs will amend this Complaint to allege these Defendant Persons’ true names and capacities when ascertained.

9. Plaintiffs are informed and believe, and on that basis allege, that Lead Networks, Naresh Malik, and Mahesh Malik (collectively, the “Registrar Defendants”) 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 alleged herein.

10. Plaintiffs are informed and believe, and on that basis allege, that at all times material to this action, each of the Registrar Defendants was the agent, servant, employee, partner, alter ego, subsidiary, or joint venturer of each of the other Registrar Defendants, and the acts of each of Registrar Defendant were in the scope of such relationship; in doing the acts and failing to act as alleged herein, each of the Registrar Defendants acted with the knowledge, permission, and the consent of each of the other Registrar Defendants; and each of Registrar Defendants aided and abetted the other Registrar Defendants in the acts or omissions alleged herein.

11. Plaintiffs are informed and believe, and on that basis allege, that each of the Defendant Persons are working together or have worked together, and in collusion with each other, for the purpose of perpetrating the unlawful activities alleged herein.

Jurisdiction and Venue

12. This is an action for cybersquatting under 15 U.S.C. § 1125(d). This Court has subject matter jurisdiction over the claims pursuant to 15 U.S.C. § 1121, and 28 U.S.C. §§ 1331 and 1338.

13. By engaging in activities including registering and/or cooperating in the use or registration of the Defendant Domain Names, which have been registered through the *.com* and *.net* registries operated by VeriSign, Inc., which is domiciled in Virginia, each of the Defendant Persons has purposely availed him/her/itself of the benefits of doing business in Virginia by

actually transacting business in this Commonwealth.

14. Each of the Defendant Persons has directed his/her/its business activities toward Virginia, inasmuch as the websites operated at the Defendant Domain Names by the Defendant Persons, such as those discussed in Paragraph 56 *infra*, present content to Internet users located in Virginia.

15. Plaintiffs are informed and believe, and on that basis allege, that the registration of the Defendant Domain Names arises from a registrar-registry agreement Registrar Defendants have entered into with VeriSign, Inc., and through that agreement Registrar Defendants conduct business on a daily basis with VeriSign, Inc., which is domiciled in Virginia.

16. The harm suffered by Plaintiffs flows directly from the business conducted by the Defendant Persons within this Judicial District.

17. Venue is proper in this Judicial District as to the Registrar Defendants pursuant to 28 U.S.C. § 1391(d), as the Registrar Defendants are all aliens and an alien may be sued in any judicial district.

18. Venue is proper in this Judicial District as to Daste pursuant to 28 U.S.C. § 1391(b), as a substantial part of the events or omissions giving rise to Plaintiffs' claim and the threatened and actual harm to Plaintiffs occurred in this Judicial District by reason of Daste's conduct as alleged herein.

19. Venue is proper in this Judicial District as to each of Does 1-100 pursuant to 28 U.S.C. § 1391(b), as a substantial part of the events or omissions giving rise to Plaintiffs' claim and the threatened and actual harm to Plaintiffs occurred in this Judicial District by reason of the conduct of each of Does 1-100 as alleged herein.

20. Venue is proper in this Judicial District as to the Defendant Domain Names *in rem* pursuant to 15 U.S.C. § 1125(d)(2)(A), because VeriSign, Inc. is the registry of record for each Defendant Domain Name, and VeriSign, Inc. is located in this Judicial District.

The Businesses of Plaintiffs

(a) Plaintiffs' Use of the VERIZON and VERIZON WIRELESS Trademarks

21. In 2000, Bell Atlantic Corporation and GTE Corporation merged to form Verizon Communications Inc. ("Verizon Communications"). Today, Verizon Communications, its subsidiaries and affiliates, including Plaintiffs Verizon California, Verizon Trademark Services and Verizon Licensing, form one of the largest, well-known telecommunications companies in the world. Verizon Communications' subsidiaries (referred to collectively herein as the "Verizon Companies") provide a full array of communications and entertainment product and service offerings, including local, long distance, and wireless telephone services; Internet access; television services; phones; and related equipment. The Verizon Companies have extensive operations in the United States and some of the Verizon Companies also have operations throughout the world.

22. A publicly traded company on the New York Stock Exchange, Verizon Communications generates annual consolidated operating revenues of over ninety-three billion dollars, is a Dow 30 company, and ranks in the top twenty of the Fortune 500 list. The Verizon Companies employ a diverse workforce of over two hundred thousand employees.

23. Verizon Trademark Services owns the VERIZON and VERIZON WIRELESS trademarks and trade names, as well as logo versions that include a "V Design" above or to the left of the word marks VERIZON and VERIZON WIRELESS (collectively, the "VERIZON Marks").

24. Verizon Licensing is the exclusive licensor of the VERIZON Marks and has granted, directly or indirectly, licenses to use the VERIZON Marks to its parent company, Verizon Communications, and to the various Verizon Companies.

25. The VERIZON Marks were publicized as early as the first week in April 2000, when Cellco Partnership d/b/a Verizon Wireless, then doing business as Bell Atlantic Mobile, began doing business as "Verizon Wireless." Upon the launch of Verizon Wireless, on or about April 3, 2000, the VERIZON WIRELESS name and trademark and related logos were featured on the Internet, in television and radio advertisements, and in stories published in major newspapers throughout the United States.

26. The Verizon Companies have offered and provided a full array of communications and entertainment products and services under the VERIZON Marks.

27. Currently, the Verizon Companies' wireline business uses the VERIZON Marks in connection with the provision of telephone and broadband products and services to consumer and business customers in twenty five (25) states and the District of Columbia serving a territory consisting of more than thirty-seven million access lines and 8.4 million broadband connections. Telephone and broadband products and services include voice and data transport, enhanced and custom calling features, network access, directory assistance, private lines, public telephones, nationwide long distance services, customer premises equipment distribution, data solutions and systems integration, billing and collections, Internet access services and inventory management services. The Verizon Companies' wireline business also provides entertainment products and services, including digital television, video on demand and online games. Additionally, some of the Verizon Companies provide telephone and broadband products and services to customers outside of the United States.

28. The VERIZON Marks are widely known and recognized among consumers and members of the telecommunications industry.

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

30. The Verizon Companies spend and have spent many millions of dollars each year since 2000 to extensively advertise and promote VERIZON and VERIZON WIRELESS branded products and services in the United States through a variety of media, including television, radio, print advertisements, direct mail, trade shows, conferences, and the Internet.

31. As a result of the Verizon Companies' extensive and exclusive use, the VERIZON Marks have developed extensive goodwill in the market and are extremely valuable to the Verizon Companies. The Verizon Companies expend substantial effort and expense to protect the VERIZON Marks and the VERIZON Marks' distinctiveness in the marketplace.

32. Having been widely promoted to the general public, and having exclusively identified the Verizon Companies and their products and services, the VERIZON Marks symbolize the tremendous goodwill associated with the Verizon Companies and are a property right of incalculable value. Further, the VERIZON Marks have long enjoyed unquestionable fame as a result of favorable general public acceptance and recognition.




33. The VERIZON and VERIZON WIRELESS marks are famous marks protected under 15 U.S.C. § 1125(c).

34. The Verizon Companies' main Internet websites using the VERIZON Marks and featuring information on many of the products and services of the Verizon Companies can be accessed via the domain names verizon.com, verizon.net and verizonwireless.com. Printouts from the websites at verizon.com, verizon.net and verizonwireless.com evidencing such use of

the VERIZON Marks are attached as Exhibit 1.

35. The VERIZON Marks are valid and enforceable trademarks.

36. Verizon Trademark Services owns the following United States trademark registrations for its various VERIZON Marks:

Trademark	Reg. No.	Goods/Services	Reg. Date
VERIZON	2,886,813	Various goods and services in Int'l Classes 9, 16, 35, 36, 37, 38, 41, and 42.	9/21/04
VERIZON	3,085,712	Various goods and services in Int'l Classes 9, 38, and 41.	4/25/06
	2,879,802	Various goods and services in Int'l Classes 9, 16, 35, 36, 37, 38, 41, and 42.	8/31/04
VERIZON WIRELESS	3,077,271	Various goods and services in Int'l Classes 9, 16, 35, 36, and 38.	4/4/06
	2,884,027	Various goods and services in Int'l Class 38.	9/14/04
	3,077,269	Various goods and services in Int'l Class 9.	4/4/06

Copies of the registration certificates for each registration are attached to this Complaint as Exhibit 2.

(b) Plaintiffs' Use of the VZ, VZACCESS, VZEMAIL, VZGLOBAL, VZVOICE and VZW Trademarks

37. Verizon Trademark Services owns the VZ, VZACCESS, VZEMAIL, VZGLOBAL,

VZVOICE and VZW trademarks (collectively, the “VZ Marks”).

38. Verizon Licensing is the exclusive licensor of the VZ Marks, and has granted, directly or indirectly, licenses to use the VZ Marks to the various subsidiaries of Verizon Communications.

39. The VZ trademark was first used on or about July 3, 2000. The VZW trademark was first used on or about August 15, 2000. The VZACCESS, VZEMAIL, VZGLOBAL and VZVOICE trademarks were first used on or about September 29, 2003.

40. The Verizon Companies have offered and provided a full array of communications and entertainment products and services under the VZ Marks.

41. The Verizon Companies use the VZ Marks to provide wireless voice and data services to over seventy million customers nationwide and use the VZ Marks in connection with the provision of the wireless voice and data services in Virginia and in interstate commerce.

42. The VZ Marks are widely known and recognized among consumers and members of the telecommunications industry.

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

44. The Verizon Companies spend and have spent significant amounts of money each year since 2003 to advertise and promote the aforementioned products and services in the United States in connection with the VZ Marks.

45. As a result of the Verizon Companies’ extensive and exclusive use, the VZ Marks have developed extensive goodwill in the market and are extremely valuable to the Verizon Companies. The Verizon Companies expend substantial effort and expense to protect the VZ Marks and the VZ Marks’ distinctiveness in the marketplace.

46. Having been widely promoted to the general public, and having exclusively identified the Verizon Companies and their products and services, the VZ Marks symbolize the tremendous goodwill associated with the Verizon Companies and are a property right of incalculable value.

47. The Verizon Companies' main Internet websites using the VZ Marks and featuring information on many of the products and services of the Verizon Companies can be accessed via the domain names verizon.com, verizon.net and verizonwireless.com. Printouts from the websites at vzw.com, vzw.msn.com and verizon.com evidencing such use of the VZ Marks are attached as Exhibit 3.

48. The VZ Marks are valid and enforceable trademarks.

49. Verizon Trademark Services owns the following United States trademark registrations for its VZ Marks:

Trademark	Reg. No.	Goods/Services	Reg. Date
VZ	3,064,237	Various goods and services in Int'l Classes 16 and 41.	2/28/06
VZ	3,490,085	Various services in Int'l Class 38.	8/19/08
VZACCESS	2,973,813	Various services in Int'l Class 38.	7/19/05
VZEMAIL	2,973,814	Various services in Int'l Class 38.	7/19/05
VZGLOBAL	3,083,568	Various services in Int'l Class 38.	4/18/06
VZVOICE	2,973,811	Various services in Int'l Class 38.	7/19/05
VZW	3,319,338	Various services in Int'l Class 38.	10/23/07

Copies of the registration certificates for each registration are attached to this Complaint as Exhibit 4.

(c) Plaintiffs' Use of the FIOS and VERIZON FIOS Trademarks

50. Verizon Trademark Services owns the FIOS and VERIZON FIOS trademarks (collectively, the "VERIZON FIOS Marks").

51. Verizon Licensing is the exclusive licensor of the VERIZON FIOS Marks, and has granted, directly or indirectly, licenses to use the VERIZON FIOS Marks to the various subsidiaries of Verizon Communications.

52. The Verizon Companies wireline business, including Plaintiff Verizon California, have offered and provided communications and entertainment products and services under the VERIZON FIOS Marks since at least as early as August 2004.

53. The Verizon Companies' services provided under the VERIZON FIOS Marks include broadband and television services. The broadband services are designed to provide the fastest and most powerful Internet access offered by the Verizon Companies. The television services include one hundred percent all-digital programming, movies and sports channels, premium and international channels, expansive HD programming, a video on demand library, interactive features, digital video recording and fiber-quality picture and sound.

54. The Verizon Companies' services are available to users connected to the Verizon network via the Verizon Companies' "Fiber-To-The-Premises," or FTTP, program. The FTTP program refers to the Verizon Companies' network upgrade that utilizes fiber-optic cables and associated optical electronics, instead of copper wire, to connect customers to the Verizon network and provide voice services and associated features while offering nearly unlimited bandwidth for an array of data and video applications.

55. The VERIZON FIOS Marks are unique and distinctive and, as such, designate a single source of origin.

56. The Verizon Companies spend and have spent significant amounts of money each year since 2004 to advertise and promote the aforementioned products and services in the United States in connection with the VERIZON FIOS Marks.

57. As a result of the Verizon Companies' extensive and exclusive use, the VERIZON FIOS Marks have developed extensive goodwill in the market and are extremely valuable to the Verizon Companies. The Verizon Companies expend substantial effort and expense to protect the VERIZON FIOS Marks and the VERIZON FIOS Marks' distinctiveness in the marketplace.

58. Having been widely promoted to the general public, and having exclusively identified the Verizon Companies and their products and services, the VERIZON FIOS Marks symbolize the tremendous goodwill associated with the Verizon Companies and is a property right of incalculable value.

59. The Verizon Companies' main Internet websites using the VERIZON FIOS Marks and featuring information on many of the products and services of the Verizon Companies can be accessed via the domain names verizon.com and verizonfios.com, which have used the VERIZON FIOS Marks since at least as early as August 2004. A printout from the website at verizonfios.com evidencing such use of the VERIZON FIOS Marks is attached as Exhibit 5.

60. The VERIZON FIOS Marks are valid and enforceable trademarks.

61. Verizon Trademark Services owns the following United States trademark registrations for its various VERIZON FIOS Marks:

Trademark	Reg. No.	Goods/Services	Reg. Date
FIOS	3,001,081	Various goods and services in Int'l Classes 37 and 38.	09/27/05
VERIZON FIOS	3,147,510	Various goods and services in Int'l Classes 37 and 38.	09/26/06

Copies of the registration certificates for each registration are attached to this Complaint as Exhibit 6.

62. Plaintiffs have made a considerable investment and have accrued substantial goodwill in the VERIZON Marks, the VZ Marks, and the VERIZON FIOS Marks (collectively, the "Plaintiffs' Marks").

The Business of the Defendant Persons

63. Plaintiffs are informed and believe, and on that basis allege, that Lead Networks is a registrar of Internet domain names accredited by the Internet Corporation for Assigned Names and Numbers ("ICANN").

64. Plaintiffs are informed and believe, and on that basis allege, that Naresh Malik a/k/a Nick M. and Mahesh Malik operate the day-to-day business of Lead Networks.

65. Plaintiffs are informed and believe, and on that basis allege, that Lead Networks is the registrar of record for over 129,000 domain names (the "Lead Domain Names").

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

67. Plaintiffs are informed and believe, and on that basis allege, that the majority of Lead Domain Names are confusingly similar to famous or distinctive trademarks owned by others. (the "Confusingly Similar Domain Names"). A list detailing some of the Confusingly Similar Domain Names is attached to this Complaint as Exhibit 7. Notwithstanding that

Defendant Persons have targeted nearly every single famous trademark in existence, for the sake of brevity the list of Exhibit 7 details only one famous trademark for each letter of the alphabet.

68. Plaintiffs are informed and believe, and on that basis allege, that Daste is the registrant of record for over 8,000 domain names (the "Daste Domain Names").

69. Plaintiffs are informed and believe, and on that basis allege, that many of the Daste Domain Names are confusingly similar to famous or distinctive trademarks owned by others. A list detailing some of these confusingly similar domain names is attached to this Complaint as Exhibit 8. For the sake of brevity the list of Exhibit 8 details only one famous trademark for each letter of the alphabet.

70. Plaintiffs are informed and believe, and on that basis allege, that one or more of the Defendant Persons was or is the registrant for each of the Lead Domain Names. Attached to this Complaint as Exhibit 9 is a representative sample of the WHOIS records for the Lead Domain Names. WHOIS records for domain names provide information about the domain name from the registry and/or the registrar of record, including the date the domain name was registered or last modified, the listed registrant of the domain name, and the administrative, technical and billing contact for the domain name.

71. Plaintiffs are informed and believe, and on that basis allege, that Naresh Malik registered, used, or trafficked in, one or more of the Lead Domain Names for his own use. Several of the historic WHOIS records listing Naresh Malik or Nick M. as the registrant are attached to this Complaint as Exhibit 10.

72. Plaintiffs are informed and believe, and on that basis allege, that Daste registered, used, or trafficked in, one or more of the Lead Domain Names for his own use. Several of the historic WHOIS records listing Daste as the registrant are attached to this Complaint as Exhibit

11.

73. Plaintiffs are informed and believe, and on that basis allege, that each of the Does 1-100 registered, used, or trafficked in, one or more of the Lead Domain Names for his, her, or its own use.

74. Plaintiffs are informed and believe, and on that basis allege, that the Defendant Persons operate websites at each of the Confusingly Similar Domain Names which display Hypertext Markup Language (“HTML”) links featuring goods or services that are directly competitive with those sold or provided in connection with the famous or distinctive trademarks. Screen captures of several of these websites are attached to this Complaint as Exhibit 12.

75. Plaintiffs are informed and believe, and on that basis allege, that the Registrar Defendants actively assist their domain name registrant customers, including Daste, by shielding them from legal claims brought by trademark owners.

76. Plaintiffs are informed and believe, and on that basis allege, that the Registrar Defendants intentionally list several false identities and addresses, instead of listing the accurate information for the registrants of the Lead Domain Names, to conceal the true identities of their customers from trademark owners.

77. Plaintiffs are informed and believe, and on that basis allege, that the Registrar Defendants create shell entities to list as the registrant of Lead Domain Names which are the subject of administrative proceedings. Attached to this Complaint as Exhibit 13 are the records from the Mumbai Registrar of Companies for several of these shell entities.

78. Plaintiffs are informed and believe, and on that basis allege, that numerous administrative proceedings filed by trademark owners under ICANN’s Uniform Domain Name Dispute Resolution Policy (“UDRP”) resulted in orders from the administrative panel

transferring Lead Domain Names to trademark owners. Several UDRP complaints filed against Registrar Defendants are attached to this Complaint as Exhibit 14.

79. Plaintiffs are informed and believe, and on that basis allege, that in the numerous cases where Lead Domain Names were ordered transferred, the Registrar Defendants filed a legal challenge in the Bombay High Court to frustrate the administrative panel's order transferring the domain names. The docket entries for several of these cases are attached to this Complaint as Exhibit 15.

80. Plaintiffs are informed and believe, and on that basis allege, that in the numerous legal challenges filed in the Bombay High Court, the pleadings were intentionally drafted to be procedurally defective in order to further delay any transfer of domain names. Examples of docket entries that reflect such procedural deficiencies are attached to this Complaint as Exhibit 16.

81. Plaintiffs are informed and believe, and on that basis allege, that during the pendency of many of the legal challenges filed in the Bombay High Court, the Registrar Defendants attempt to sell the domain names to the trademark owner for their financial gain.

Defendant Persons' Concealment of Their Identity

82. Plaintiffs are informed and believe, and on that basis allege, that Defendant Persons employ various means to conceal their true identities and involvement in the registration, use, or trafficking of the Lead Domain Names, including by conducting business using numerous shell-entities, fictitious business and personal names.

83. Plaintiffs are informed and believe, and on that basis allege, that one or more of the Defendant Persons conduct business as Privacy Protection, B-304, Florida, Y-11, Shastrinagar, Lokhandwala Complex, Andheri (West), Mumbai, Maharashtra, 400053, India.

84. Privacy Protection is listed as the registrant of some of the Lead Domain Names. See Exhibit 9 to this Complaint.

85. Plaintiffs are informed and believe, and on that basis allege, that one or more of the Defendant Persons conduct business as Private WHOIS Escrow Domains Private Limited., 707,C-Wing, 7th Floor, The Neptune Versova Society, Lokhandwala Complex, 4th Cross Road, Andheri (West), Mumbai, Maharashtra, 400053, India.

86. Private WHOIS Escrow Domains Private Limited is listed as the registrant of some of the Lead Domain Names. See Exhibit 9 to this Complaint.

87. Plaintiffs are informed and believe, and on that basis allege, that one or more of the Defendant Persons conduct business as PrivacyProtect.org, Domain Admin, P.O. Box 97, Note - All Postal Mails Rejected, visit Privacyprotect.org, Moergestel, null, 5066 ZH, Netherlands.

88. PrivacyProtect.org is listed as the registrant of some of the Lead Domain Names. See Exhibit 9 to this Complaint.

89. Plaintiffs are informed and believe, and on that basis allege, that one or more of the Defendant Persons has conducted business as Watch My Domain, P.O. Box 121503, Cubai, Dubai, 1000001, United Arab Emirates.

90. Plaintiffs are informed and believe, and on that basis allege, that one or more of the Defendant Persons has conducted business as Dot Name Mail Services, B-304 Florida, Y-11 Shastri Nagar, Lokhandwala Complex, Andheri(w), Mumbai, Maharashtra, 400053, India.

91. Plaintiffs are informed and believe, and on that basis allege, that one or more of the Defendant Persons has conducted business as Comdot Internet Services Private Limited, 5/2, Starsway Society, Juhu Road, Juhu, Mumbai, Maharashta, 400049, India.

92. Plaintiffs are informed and believe, and on that basis allege, that one or more of the Defendant Persons has conducted business as Laksh Internet Solutions Private Limited, S.V. Patel Nagar, Mahada Versova, Andheri (W), Mumbai, Maharashtra, India.

93. Plaintiffs are informed and believe, and on that basis allege, that one or more of the Defendant Persons has conducted business as Pluto Domains Services Private Limited, 5/2, Starsway Society, Juhu Road, Juhu, Mumbai, Maharashtra, 400049, India.

94. Plaintiffs are informed and believe, and on that basis allege, that one or more of the Defendant Persons has conducted business as Compsys Domains Solutions Private Limited, 5/2, Starsway Society, Juhu Road, Juhu, Mumbai, Maharashtra, 400049, India.

95. Plaintiffs are informed and believe, and on that basis allege, that one or more of the Defendant Persons has conducted business as Cyber Veillance Private Limited, C/205 Maitri, 24 Bimbisar Nagar, Off Western Express Highway, Goregaon (East), Mumbai, Maharashtra, 40065, India.

96. Privacy Protection, Private WHOIS Escrow Domains Private Limited, PrivacyProtect.org, Watch My Domain, Dot Name Mail Services, Comdot Internet Services Private Limited, Pluto Domains Services Private Limited, Laksh Internet Solutions Private Limited, Compsys Domains Solutions Private Limited, and Cyber Veillance Private Limited are collectively referred to herein as the "Lead False Identities."

97. Plaintiffs are informed and believe, and on that basis allege, that at all times material to this action, each of the Defendant Persons and each of the Lead False Identities, was the agent, servant, employee, partner, alter ego, subsidiary, or joint venturer of each of the other Defendant Persons and Lead False Identities, and that the acts of each of the Defendant Persons and each of the Lead False Identities were in the scope of such relationship, and that in doing the

acts and failing to act as alleged in this Complaint, each of the Defendant Persons and each the Lead False Identities acted with the knowledge, permission, and the consent of each of the other Defendant Persons and Lead False Identities, and each of the Defendant Persons and each of the Lead False Identities aided and abetted the other Defendant Persons and Lead False Identities in the acts or omissions alleged herein.

98. Plaintiffs are informed and believe, and on that basis allege, that the Registrar Defendants have conducted business, or are conducting business, are holding themselves out as, or have held themselves out as one or more of the Lead False Identities.

Defendant Persons and Their Wrongful Conduct

99. Plaintiffs have not authorized the Defendant Persons to use in any way the Plaintiffs' Marks.

100. Plaintiffs are informed and believe, and on that basis allege, that the Defendant Persons have registered the approximately two hundred forty Defendant Domain Names which are confusingly similar to the Plaintiffs' Marks, including at least the following:

vaerizon.com
vaerizonwireless.com
varaizon.com
varizionwireless.com
varizon.com
vedrizonwireless.com
veirzon.com
verazionwireless.com
verazonwireless.com
vereizon.com
veri8zon.com
veri9zon.com
veriaonwireless.com
veriazon.com
verinwireless.com
verionfios.com
veriononline.com
verionswireless.com
veriontracker.com
verionwieless.com

veriozen.com
veriozionwireless.com
veriozn.com
veriozonwireless.com
veriozonwirless.com
verironwireless.com
verisenwireless.com
veriseon.com
verisionphones.com
verison-wirless.com
verisonbusiness.com
verisoncareers.com
verisonewireless.com
verisonmobile.com
verisononline.com
verisonpcs.com
verisonphones.com
verisonpics.com
verisonprepayed.com
verisonvireless.com

verisonweireless.com
verisonwerless.com
verisonwiless.com
verisonwireess.com
verisonwireles.com
verisonwirelessinternet.com
verisonwirelles.com
verisonwirelwss.com
verisonwirerles.com
verisonwiress.com
verisonwirless.com
verizon.com
verizonwireless.com
verixoncentral.com
verizenwireles.com
verizinwirless.com
verizion22.com
verizionmail.com
verizionmobile.com
verizionwirelessrebates.com
verizionwirles.com
verizionwirless.com
verizonyellowpages.com
verizizonwireless.com
verizkn.com
veriznowireless.com
verizofios.com
verizoinwireless.com
verizonwireless.com
verizon-wirless.com
verizon1.com
verizon2.com
verizonarena.com
verizonbusinessdsl.com
verizoncarrers.com
verizoncellphone.com
verizoncelluar.com
verizoncelular.com
verizoncentrel.com
verizonephones.com
verizonfiles.com
verizonfiosinternet.com
verizonfiostrv.com
verizonfiso.com
verizonfreeringtones.com
verizongames.com
verizonhawaii.com
verizonhotmail.com
verizoninpulse.com
verizonireless.com
verizonjob.com
verizonless.com
verizonmireless.com
verizonmobiles.com

verizonmyaccount.com
verizonmymnsn.com
verizonmyprepay.com
verizonnwireless.com
verizonon.net
verizononlinedsl.com
verizonphonebook.com
verizonphonenumbers.com
verizonpixplace.com
verizonprepaidphone.com
verizonprepay.com
verizonrebate.com
verizonresidential.com
verizonringbacks.com
verizonringbacktones.com
verizonspeed.com
verizonstart.com
verizonstart.net
verizonsuperpage.com
verizontracker.com
verizonvireless.com
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verizonwirelessgetdiscount.com
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verizonwirelessmyprepay.com
verizonwirelesspixplace.com
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verizonwirelesstheather.com
verizonwirelessvzw.com
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wrizon.com
wwwlverizonwireless.com
wwwvarizon.com
wwwveraizon.com
wwwverizononline.net
wwwverrizon.com
vzchat.com
vznavagator.com
vzpics.com
vzwdeluxe.com
vzwierless.com
vzwpixplace.com
vzwpprepay.com
vzwpix.com
vzwringtonesdelux.com
vzxpix.com
wirelessynchvzw.com
wirelessynvzw.com
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activatemyfiosverizon.net
berizon.com
businessverizon.net
dslstartverizon.com
erizon.com
infospeedverizon.net
myaccountatwwwverizonwireless.com
myaccountverizonwireless.com
myverizonprepaid.com
quickverizon.net
startverizon.net
v-wireless-cellphones.com

A printout of the WHOIS records for many of the Defendant Domain Names is attached to this Complaint as Exhibit 17.

101. Plaintiffs are informed and believe, and on that basis allege, that Daste has registered at least nine (9) of the Defendant Domain Names, including at least the following:

businessverizon.net
verizonvisaaccountonline.com
verizoncelluar.com
verizonprepay.com
verizonmobiles.com
verizonmireless.com
verizonjob.com
verizonwierles.com
verizonwirelessbilling.com

Attached to this Complaint as Exhibit 18 are several of the historic WHOIS records listing Daste as the registrant.

102. Each of the Defendant Domain Names is confusingly similar to the Plaintiffs' Marks.

103. Plaintiffs are informed and believe, and on that basis allege, that the Defendant Persons used the Defendant Domain Names to divert for commercial gain Internet users searching for the Plaintiffs' Marks.

104. Plaintiffs are informed and believe, and on that basis allege, that the Defendant Persons hosted a website at each of the Defendant Domain Names which displayed HTML links featuring advertisements for goods and services that are directly competitive with those sold or provided in connection with the Plaintiffs' Marks. Screen captures of the websites accessed by use of many of the Defendant Domain Names are attached to this Complaint as Exhibit 19.

105. Plaintiffs are informed and believe, and on that basis allege, that when Internet users clicked on one or more of the displayed HTML links on the website hosted at each of the Defendant Domain Names, that the Defendant Persons received payments from one or more advertisers, search engines, or affiliate programs.

**Plaintiffs' Inability to Find or Obtain In Personam Jurisdiction
Over Certain Persons Responsible for Certain of the Defendant Domain Names**

106. Plaintiffs are informed and believe, and on that basis allege, that after employing the methods prescribed by 15 U.S.C. § 1125(d)(2)(A)(ii)(II), Plaintiffs are or will be unable to find the registrants of some of the Defendant Domain Names who would have been defendants in a civil action under 15 U.S.C. § 1125(d)(1) regarding those domain names, and therefore that those domain names are properly the subject of an *in rem* action under 15 U.S.C. § 1125(d)(2).

107. Plaintiffs are informed and believe, and on that basis allege, that Plaintiffs are or will be unable to obtain *in personam* jurisdiction over registrants of some of the Defendant Domain Names who would have been defendants in a civil action under 15 U.S.C. § 1125(d)(1) regarding those domain names, and therefore that those domain names are properly the subject of an *in rem* action under 15 U.S.C. § 1125(d)(2).

Harm to Plaintiffs and the General Public

108. The Defendant Persons' unauthorized registration and use of the Defendant Domain Names is likely to cause confusion, mistake, and deception as to the source or origin of the Defendant Domain Names, and is likely to falsely suggest a sponsorship, connection, license, or association of the Defendant Persons and the Defendant Domain Names with Plaintiffs.

109. The Defendant Persons' activities have irreparably harmed and, if not enjoined, will continue to irreparably harm Plaintiffs and the long-used and federally registered Plaintiffs' Marks.

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

**FIRST CAUSE OF ACTION
(Against All Defendant Persons)
Cybersquatting on the Plaintiffs' Marks
Under 15 U.S.C. § 1125(d)**

111. Plaintiffs reallege and incorporate by reference Paragraphs 1 through 110 as though fully set forth herein.

112. Plaintiffs are informed and believe, and on that basis allege, that the Defendant Persons registered and used the Defendant Domain Names.

113. The Plaintiffs' Marks were distinctive and federally registered at the USPTO at the time the Defendant Persons registered and used the Defendant Domain Names.

114. The Defendant Domain Names are confusingly similar to the Plaintiffs' Marks.

115. Plaintiffs are informed and believe, and on that basis allege, that the Defendant Persons registered, trafficked in, or used the Defendant Domain Names in bad faith and with a bad faith intent to profit from the goodwill long established by Plaintiffs in the Plaintiffs' Marks.

116. The Defendant Persons do not have any intellectual property rights or any other rights in the Plaintiffs' Marks.

117. Plaintiffs are informed and believe, and on that basis allege, that none of the Defendant Domain Names consist of the legal name of any of the Defendant Persons, nor a name that is otherwise commonly used to identify any of the Defendant Persons.

118. Plaintiffs are informed and believe, and on that basis allege, that the Defendant Persons have not made any prior use of any of the Defendant Domain Names in connection with the *bona fide* offering of any goods or services.

119. Plaintiffs are informed and believe, and on that basis allege, that the Defendant Persons have not made any *bona fide* fair use of the Plaintiffs' Marks on a website accessible under any of the Defendant Domain Names.

120. Plaintiffs are informed and believe, and on that basis allege, that the Defendant Persons registered and used the Defendant Domain Names in order to divert consumers from Plaintiffs' websites to websites accessible under the Defendant Domain Names for the Defendant Persons' commercial gain by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of these websites.

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

122. The Registrar Defendants engaged in the activities alleged above with a bad faith intent to profit from the registration or maintenance of the Defendant Domain Names.

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

124. By reason of the Defendant Persons' acts alleged herein, Plaintiffs are entitled to recover the Defendant Persons' 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) per domain name infringement.

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

**SECOND CAUSE OF ACTION
(Against the Registrar Defendants)
Contributory Cybersquatting on the Plaintiffs' Marks
Under 15 U.S.C. § 1125(d)**

126. Plaintiffs reallege and incorporate by reference Paragraphs 1 through 125 as though fully set forth herein.

127. Plaintiffs are informed and believe, and on that basis allege, that the Registrar Defendants directly orchestrate the process of providing UDRP dispute providers with false registrant information and filing frivolous and time consuming appeals to UDRP transfer orders in the Indian Court.

128. Plaintiffs are informed and believe, and on that basis allege, that the Registrar Defendants receive pecuniary compensation from their clients for providing this UDRP evasion service.

129. Plaintiffs are informed and believe, and on that basis allege, that the Registrar Defendants intentionally induce their registrant clients to commence and continue the registration, use, or trafficking in the Defendant Domain Names.

130. Plaintiffs are informed and believe, and on that basis allege, that the Registrar Defendants have supplied and continue to supply domain name registration and renewal services to their registrant clients with actual or constructive knowledge that their services are being used to cybersquat on Plaintiffs' Marks.

131. Plaintiffs are informed and believe, and on that basis allege, that the Registrar Defendants have supplied and continue to supply UDRP evasion services to their registrant clients with actual or constructive knowledge that their services are being used to enable and promote cybersquatting on Plaintiffs' Marks.

132. Plaintiffs are informed and believe, and on that basis allege, that the Registrar Defendants have direct control over the domain name registration and renewal services provided through Lead Networks and monitor the same.

133. Plaintiffs are informed and believe, and on that basis allege, that the Registrar Defendants have direct control over the provision of false and misleading WHOIS data to the public on behalf of their registrants and monitor the same.

134. Plaintiffs are informed and believe, and on that basis allege, that the Registrar Defendants have direct control over the Indian companies that they have created to institute sham appeals to UDRP transfer orders and operate the same.

135. Plaintiffs are informed and believe, and on that basis allege, that the Registrar Defendants have direct control over the institution of sham Indian appeals and coordinate with their clients to provide the services of the attorney who files the sham complaints.

136. Registrar Defendants' conduct alleged herein constitutes contributory cybersquatting in violation of 15 U.S.C. § 1125(d), entitling Plaintiffs to relief.

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

138. By reason of Registrar Defendants' acts alleged herein, Plaintiffs are entitled to recover Registrar 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) per domain name infringement.

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

THIRD CAUSE OF ACTION
(In the Alternative, against the Defendant Domain Names)
***In Rem* Action for Forfeiture, Cancellation, or Transfer of Domain Names**
Under 15 U.S.C. § 1125(d)(2)

140. Plaintiffs reallege and incorporate by reference Paragraphs 1 through 139 as though fully set forth herein.

141. The Defendant Persons own no trademark rights in and no trademark registrations for the Plaintiffs' Marks in the United States.

142. The Defendant Persons' continued registration or use of the Defendant Domain Names with bad faith intent to profit constitutes a violation of 15 U.S.C. § 1125(d)(1) & (2), which protect the owner of U.S. trademarks and prohibits registration of Internet domain names that are confusing similar to any trademark or dilutive of any famous trademark.

143. As alleged above, under 15 U.S.C. § 1125(d)(2)(A)(i) the Defendant Domain Names violate Plaintiffs' rights in the Plaintiffs' Marks.

144. Plaintiffs are informed and believe, and on that basis allege, that with respect to one or more of the Defendant Domain Names Plaintiffs are unable through the means prescribed by 15 U.S.C. § 1125(d)(2)(A)(ii)(II) to find a person who would have been a defendant in a civil action under 15 U.S.C. § 1125(d)(1) regarding such Defendant Domain Names, rendering such Defendant Domain Names amenable to an *in rem* action under 15 U.S.C. § 1125(d)(2).

145. Plaintiffs are informed and believe, and on that basis allege, that with respect to one or more of the Defendant Domain Names, Plaintiffs are unable to obtain *in personam* jurisdiction over a person who would have been a defendant in a civil action under 15 U.S.C. § 1125(d)(1) regarding such Defendant Domain Names, rendering such Defendant Domain Names

amenable to an *in rem* action under 15 U.S.C. § 1125(d)(2).

Request For Relief

Wherefore, Plaintiffs respectfully request judgment as follows:

1. That all Defendant Persons be declared to have violated the rights of Plaintiffs in the Plaintiffs' Marks in violation of 15 U.S.C. § 1125(d);
2. That Defendant Persons be ordered to transfer every domain name they own which is identical or confusingly similar to the Plaintiffs' Marks to Plaintiff Verizon Trademark Services;
3. That Defendant Persons, their officers, agents, servants, employees, attorneys and all persons who are in active concert or participation with any of the foregoing be preliminarily and permanently enjoined from the following activities:
 - (a) Registering or using, in any manner, any Internet domain name that incorporates, in whole or in part, the Plaintiffs' Marks, or any name, mark or designation confusingly similar thereto;
 - (b) Using any of the Plaintiffs' Marks, or any other name, mark, designation or depiction in a manner that is likely to cause confusion regarding whether the Defendant Persons are affiliated or associated with or sponsored by Plaintiffs;
 - (c) Registering any Internet domain name that incorporates, in whole or in part, the Plaintiffs' Marks, or any name, mark or designation confusingly similar thereto;
 - (d) Registering any domain name without providing complete and accurate contact information, including such registering Defendant Person's full legal name as the registrant, and not maintaining complete and accurate contact information, including such registering Defendant Person's full legal name as the registrant;

(e) Cybersquatting against Plaintiffs or any violation of Plaintiffs' trademark rights; and

(f) Assisting, aiding or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs 2(a) through 2(e) above;

4. That the Defendant Persons be ordered to engage in corrective advertising to the extent necessary to correct any consumer confusion or misperceptions resulting from the Defendant Persons' unlawful acts alleged above;

5. That Defendant Persons be ordered to account to Plaintiffs for, and disgorge, all profits they have derived by reason of the unlawful acts alleged above;

6. That Defendant Persons be ordered to pay damages, and that those damages be trebled, under 15 U.S.C. § 1117;

7. That Defendant Persons be ordered to pay statutory damages under 15 U.S.C. § 1117(d), on election by Plaintiffs, in an amount of One Hundred Thousand Dollars (\$100,000) per domain name infringement;

8. That Defendant Persons be ordered to pay Plaintiffs' reasonable attorney fees, prejudgment interest, and costs of this action under 15 U.S.C. § 1117 and applicable statutes;


9. That Defendant Persons be ordered to file with the Court and serve upon Plaintiffs within thirty (30) days after the service of the injunction and judgment upon Defendant Persons, a written report under oath setting forth in detail the manner and form in which Defendant Persons have complied with the injunction and judgment;

10. That all Defendant Domain Names for which Plaintiffs are unable to locate using the prescribed methods, or unable to obtain *in personam* jurisdiction over a person who would have been a defendant in a civil action under 15 U.S.C. § 1125(d)(1) regarding such domain names, be declared defendants *in rem* and transferred to Plaintiffs; and

11. That Plaintiffs be awarded such other relief as may be appropriate.

Respectfully submitted,

Dated: January 30, 2009

By 
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