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Vol. VIII, Tab 39 - Ex. 3 - Google's Trademark Complaint Policy

Google

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What is Google's AdWords and AdSense trademark policy?

Google recognizes the importance of trademarks. Our [AdWords Terms and Conditions](#) with advertisers prohibit intellectual property infringement by advertisers. Advertisers are responsible for the keywords they choose to generate advertisements and the text that they choose to use in those advertisements.

Google takes allegations of trademark infringement very seriously and, as a courtesy, we investigate matters raised by trademark owners. Trademarks are territorial and apply only to certain goods or services. Therefore, different parties can own the same mark in different countries or different industries. Accordingly, in processing complaints, Google will ask the trademark owner for information regarding where the mark is valid and for what goods or services. Please note the following about our complaint process:

- The trademark owner doesn't need to be a Google AdWords advertiser in order to send a complaint.
- Any such investigation will only affect ads served on or by Google.
- Google's trademark policy does not apply to search results. Our investigations only apply to sponsored links. For trademark concerns about websites that appear in Google search results, the trademark owner should contact the site owner directly.
- In the case of an AdSense for Domains trademark complaint, an investigation will affect only the participation of the domain name in question in our AdSense for Domains program.
- Because Google is not a third-party arbiter, we encourage trademark owners to resolve their disputes directly with the advertisers, particularly because the advertisers may have similar ads running via other advertising programs.

AdWords Trademark Policies in Sponsored Links

Below, you can find information on our trademark complaint procedure across different regions as well as on our advertiser authorization procedure.

[I see an unauthorized ad using my trademark. What is Google's trademark policy?](#)

Depending on the regions in which you have trademark rights, we may investigate the use of trademarks in ad text only or in ad text and keywords.

- Please note the regions we will investigate ad text only. We will not disable keywords in response to a trademark complaint. Furthermore, our investigation will only affect ads served on or by Google.

[Regions in which we investigate use in ad text only](#)

Afghanistan	Cameroon	Ghana	Liberia	Palmyra Atoll	Swaziland
Albania	Canada	Greenland	Libya	Panama	Syria
Algeria	Cape Verde	Grenada	Macedonia (FYROM)	Papua New Guinea	Tajikistan
American Samoa	Cayman Islands	Guam	Madagascar	Paraguay	Tanzania
Andorra	Central African Republic	Guatemala	Malawi	Peru	Thailand
Angola	Chad	Guinea	Malaysia	Philippines	Timor-Leste
Anguilla	Chile	Guinea-Bissau	Maldives	Pitcairn Islands	Togo
Antarctica	Colombia	Guyana	Mali	Puerto Rico	Tokelau
Antigua and Barbuda	Comoros	Haiti	Marshall Islands	Qatar	Tonga
Argentina	Cook Islands	Holy See (Vatican City)	Mauritania	Russia	Trinidad and Tobago
Armenia	Costa Rica	Honduras	Mauritius	Rwanda	Tunisia
Aruba	Côte d'Ivoire	Howland Island	Mexico	Saint Helena	Turkey
Azerbaijan	Croatia	India	Micronesia	Saint Kitts and Nevis	Turkmenistan
The Bahamas	Cuba	Indonesia	Midway Islands	Saint Lucia	Turks and Caicos Islands
Bahrain	Democratic Republic of the Congo	Iran	Moldova	Saint Vincent and the Grenadines	Tuvalu
Baker Island	Djibouti	Iraq	Mongolia	Samoa	Uganda
Bangladesh	Dominica	Ireland	Montenegro	San Marino	Ukraine
Barbados	Dominican Republic	Israel	Morocco	São Tomé and Príncipe	United Arab Emirates
Belarus	Ecuador	Jamaica	Mozambique	Saudi Arabia	United Kingdom
Belize	Egypt	Japan	Myanmar (Burma)	Senegal	United States
Benin	El Salvador	Jarvis Island	Namibia	Serbia	Uruguay
Bermuda	Equatorial Guinea	Johnston Atoll	Nauru	Seychelles	Uzbekistan
Bhutan	Eritrea	Jordan	Nepal	Sierra Leone	Vanuatu
Bolivia	Ethiopia	Kazakhstan	Netherlands Antilles	Singapore	Venezuela
Bosnia and Herzegovina	Falkland Islands (Islas Malvinas)	Kenya	Nicaragua	Solomon Islands	Vietnam
Botswana	Faroe Islands	Kingman Reef	Niger	Somalia	Virgin Islands
British Indian Ocean Territory	Fiji	Kiribati	Nigeria	South Africa	Wake Island
British Virgin Islands	Gabon	Kuwait	Niue	South Georgia and the South Sandwich Islands	West Bank
Brunei	The Gambia	Kyrgyzstan	Northern Mariana Islands	Yemen	Western Sahara
Burkina Faso		Laos	Oman		Yemen
					Zambia

Burundi	Gaza Strip	Lesotho	Pakistan	Sudan	Zimbabwe
Cambodia	Georgia		Palau	Suriname	

- In the U.S., we allow some ads to show with a trademark in ad text if the ad is from a reseller or from an informational site. However, if our investigation finds that the advertiser is using the trademark in the ad text in a manner which is competitive, critical, or negative, we will require the advertiser to remove the trademark and prevent them from using it in similar ad text in the future. Learn more about our [U.S. trademark policy](#).
- Outside the U.S., if our investigation finds that the advertiser is using the trademark in ad text, we will require the advertiser to remove the trademark and prevent them from using it in ad text in the future.
- Google is dedicated to providing relevant advertising to our users, advertisers, and publishers alike. Accordingly, our trademark policy not to investigate the use of trademarks as keywords in the regions listed above aims to provide users with choices relevant to their keywords. At the same time, we investigate trademark violations in ad text, both as a courtesy to the trademark owner and to ensure that ads are clear to users.

- In certain regions, we may investigate use of trademarks in ad text, in keywords, or in both ad text and keywords.

Regions in which we investigate use in both ad text and keywords

Åland	Coral Sea Islands	Guadeloupe	Macau	Saint Martin
Ashmore and Cartier Islands	Cyprus	Guernsey	Malta	Saint Pierre and Miquelon
Australia	Czech Republic	Heard Island and McDonald Islands	Martinique	Slovakia
Austria	Denmark	Hong Kong	Mayotte	Slovenia
Bassas da India	Estonia	Hungary	Monaco	South Korea
Belgium	France	Iceland	Netherlands	Spain
Bouvet Island	Finland	Isle of Man	New Caledonia	Svalbard
Brazil	French Guiana	Italy	New Zealand	Sweden
Bulgaria	French Polynesia	Jan Mayen	Norfolk Island	Switzerland
China	Germany	Jersey	North Korea	Taiwan
Christmas Island	Antarctic Lands	Latvia	Norway	Tromelin Island
Ciperton Island	Gibraltar	Liechtenstein	Poland	Wallis and Futuna
Cocos (Keeling) Islands	Greece	Lithuania	Portugal	
		Luxembourg	Reunion	
			Romania	

- When we receive a complaint from a trademark owner, our review is limited to ensuring that the advertisements at issue are not using a term corresponding to the trademarked term in the ad text or as a keyword. If they are, we will require the advertiser to remove the trademarked term from the ad text or keyword list and will prevent the advertiser from using the trademarked term in the future. Any such investigation will only affect ads served on or by Google.
- We do not take any action in situations where an advertisement is being triggered by non-trademarked terms even though the search query contains a trademarked term. This occurrence stems from the fact that Google allows advertisers to use a broad matching system to target their ads. For example, if an advertiser has selected the keyword "shoes," that advertiser's ad will appear when a user enters the word "shoes" as a search query, regardless of other search terms that may be used. So, the ad would show if the user entered any of the following search queries: "tennis shoes," "red shoes," or "Nike shoes." This system eliminates the need for the advertiser to specify each of the myriad different search query combinations that are relevant to their ad.

How do I file a trademark complaint?

Trademark owners may submit either a specific or general trademark complaint. A specific complaint means that we will investigate a trademark term(s) in specific advertisements only. The trademark owner is required to provide the exact URLs in question and we will not investigate the trademark in any other advertisements. A general complaint means that we will investigate the trademark in all relevant advertisements. The trademark owner does not need to provide the specific URLs in question. However, if there are specific advertisers that are authorized to use the trademark(s), the trademark owner is required to provide the corresponding customer ID(s) or login email(s).

If you have concerns about the use of your trademark in AdWords ads or keywords showing in a region listed above, [file a trademark complaint](#). If your complaint concerns use of your trademark in multiple regions, please send us one complaint with ownership information for your trademark in these regions. We'll follow the appropriate procedure for each region submitted in your complaint.

I have previously filed a trademark complaint, but now I want to allow an advertiser use my trademark. What is Google's trademark authorization policy?

If we have processed a complaint for a trademark, advertisers using the mark in the regions and industry of the trademark owner will have their keywords and/or ad text disapproved according to the processes outlined above.

If an advertiser has been restricted from using a trademark and disagrees with the owner's assertion of exclusive rights or believes he has a right to use the mark, we encourage the advertiser to contact the trademark owner directly and request permission to use the trademark. If the trademark owner (or contact person listed on the trademark complaint) provides Google with an authorization, the advertiser will be able to use the trademark in his ad campaign. Please note that the trademark owner may change or rescind the authorization at any time. As such, please review the below criteria to determine whether you are eligible to submit an authorization request form.

- We only accept authorization requests directly from the trademark owner or from the contact person listed on the trademark complaint. We are not able to accept requests from regional branches or subsidiaries of the trademark owner, unless they are the contact person listed on the trademark complaint form or previously authorized by the trademark owner.
- We only accept non-conditional authorization requests. Therefore, please do not include conditions for which the trademark may only be used, such as time period or type of ad content. We are only able to prohibit or allow all use of a particular term by an advertiser. Trademark owners may revoke the authorization at any time.
- Please do not use this form unless you are the trademark owner or the contact person listed on the trademark complaint. Trademark owners may also use this form to authorize their own accounts.

If you agree with the statements above, please [file a trademark authorization request](#) online.

AdWords Counterfeit Goods Complaint in Sponsored Links

A Google advertiser is selling counterfeit goods. What is Google's Counterfeit Goods policy?

Google AdWords prohibits the sale or promotion of counterfeit goods. Counterfeit goods contain a trademark or logo that is identical with or substantially indistinguishable from the trademark of another. Counterfeiters attempt to deceive consumers into believing the counterfeit is a genuine product of the brand owner, or sell their goods as faux, replicas,

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imitations or clones of the original product. Counterfeit goods differ from standard trademark infringement in that counterfeiters attempt to pass off their goods as the originals, instead of merely using a similar mark in a confusing manner. Counterfeit goods differ from pirated products or copyright infringement because it is the trademark that is copied, rather than software, books, artwork, etc.

We will investigate all reasonable complaints; our actions may include disapproving or disabling ads and/or terminating advertisers. Any such investigation and action will only affect ads served on or by Google.

Please note that, upon request and approval, a complainant's contact details may be forwarded to the affected advertiser(s).

If you have concerns about the sale of counterfeit goods in AdWords ads, please file a [complaint](#). Note: This form is only available in English.

Learn more about the [Google AdWords Copyright policy](#).

AdSense for Domains Trademark Policy

A parked domain is serving AdSense ads, and the domain name is using my trademark or variation thereof. What is Google's AdSense for Domains trademark policy?

Google provides an ad serving program via our AdSense for Domains service, wherein domain registrars can display ads on their inactive domains. If you are unsure what a parked domain is, please review [this page](#) before submitting a complaint.

If you have concerns about the use of your trademark as a parked domain name, file an [AdSense for Domains trademark complaint](#). Once Google receives all of the required information from the trademark owner, the claim will be investigated, and appropriate action will be taken.

Was this information helpful? Yes No

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