



## Netsmartz Online Brand Protection: Security for your brand



All trademarks are the property of their respective companies

Gray market products accounted for between 5 percent and 30 percent of total IT sales in 2007, with a value of about \$58 billion, according to a new report by audit firm KPMG LLP and The Alliance for Gray Market and Counterfeit Abatement (AGMA).

**ChannelWeb**

"Auction sites are now garnering a reputation as a place for criminals to unload stolen, diverted and counterfeit products. Stolen goods are so rampant that major law enforcement organizations now use such websites to catch criminals and recoup stolen goods."

**Wikipedia**

"EBay said it would appeal a French court's order that it pay 38.6 million euros (\$60.8 million) in damages to the French luxury goods company LVMH, the latest round in a long-running legal battle over the sale of counterfeit goods on the Internet"

**New York Times, July 1, 2008**

## How safe is your brand online?

### The Problem

The gray market is "a realm between the legitimate market and the black market where distribution channels evade manufacturers' control, profit margins and customer service suffer, and brands take a beating."  
news.cnet.com

According to government and industry sources, the "gray market," the unauthorized selling of products online, costs the US economy tens of billions of dollars annually. The cost to individual merchants is not only lost revenue, but loss of reputation and control of sales channels. Add cybersquatting (loss of control over ones domain), theft of intellectual property, and violation of trademark or copyright and the problem is more than significant.

Online merchants know there are a troubling number of scenarios under which brand violation occurs. One of the most common: you find that your product is being sold by one or more unauthorized merchants on eBay or a similar sales portal. These sellers may have acquired your product when someone dumped excess inventory, or through a wholesale distributor that acquired your product legitimately but then moved it into a "back channel."

There may also be a sizable base of buyers who are now reselling what they'd purchased at an earlier time but at a price point that undercuts your pricing position. They believe this is a fair use of, for instance, eBay, to resell your product. The effect, however, is that the market is being "conditioned." You now have to compete with their slash-and-sell pricing.



## Safeguard your brand with the Netsmartz Online Protection

“Online revenue loss due to fraud was \$3.6B in 2007”

**Cybersource 2008 Online Fraud Report**

Nearly two-thirds of respondents in (a study by KPMG) believe gray market product availability has increased over the last two years, and more than half of survey respondents believe the increase is greater than 20 percent. About 13 percent of respondents said they are buying gray market products and selling them in another country.

**KPMG**

### The Damage to You

- Brand confusion and dilution
- Loss of revenue due to diversion of traffic from your authorized sales sites
- Loss of control of your domain and product names
- Reputation damage from offensive practices by unauthorized sellers
- Excessive cost in managing your online trademark

### What Netsmartz Does

Netsmartz has its own sizable inventory of products and services and, accordingly, understands the merchant's concerns. With those in mind, we offer a variety of service packages tailored to the diverse needs, situations, and budgets of our clients.

## Netsmartz Online Brand Protection

Make your brand secure!

Call us on 1-888-661-8967 or shoot an email to [sales@netsmartz.net](mailto:sales@netsmartz.net)

## The Netsmartz Online Brand Protection Services

### Service Packages

Netsmartz packages are offered as stand-alone services or in combination, depending on your needs.

### Comprehensive Analysis

Netsmartz can undertake a comprehensive analysis of the major search engines and their associated sales portals (Google, Yahoo, MSN, AOL, Ask), the major auction sites, (eBay, eBid, Amazon, Overstock.com) product review sites (Consumer Reports, Epinions.com), and shopping portals (Shopping.com, Nextag.com, Shopzilla.com, Family.com, Pricegrabber.com), and others, including any ecommerce sites or unauthorized domains listed by you.

**Based on specifications from you, Netsmartz will document:**

- Brand and trademark violations
- Unauthorized retail, wholesale, or resale listings
- Cybersquatting or domain infringement

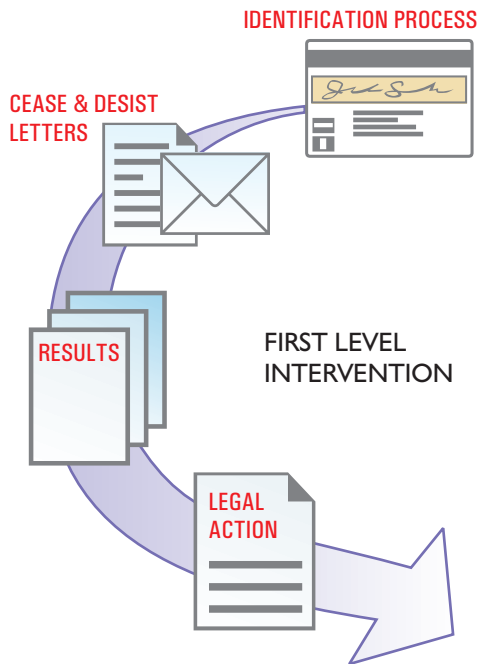
Defamation or reputation damage to brand name, domain name, or name of company owner, etc.



COMPREHENSIVE ANALYSIS



## Sleep easy while Netsmartz Online Protection keeps tabs on your brand



### First Level Intervention

First level intervention addresses offender listings (target cases) supplied by you or by the Netsmartz Comprehensive Analysis. Once targets are identified, subsequent activity continues until you determine that all cases are resolved.

#### Actions include:

- Initial Identification, to the extent possible, of the owners or managers of unauthorized sales listings for your brand. This would include WHOIS records, domain registration data, contact emails, names, addresses, etc.
- Preparation and approval by your of cease & desist letters
- Sending of cease & desist letters
- Determination and reporting of results (products have been taken down or next level of intervention required)
- Sending, if needed, of second letter (indicating legal action is now imminent).
- Weekly monitoring to determine target response and reporting of all activity to you.
- Engagement with you to determine next level of intervention.

### DAILY MONITORING WITH FIRST CONTACT INTERVENTION



### Daily Monitoring with First Contact Intervention

- Daily monitoring of Google, AOL, Yahoo, MSN, eBay, and Amazon in respect to your brand and trademark. Monitoring includes standard search engine results page listings, sponsored links, and shopping portals associated with the engines such as <http://www.google.com/products>, or <http://shopping.yahoo.com>. Other auction sites or shopping portals may be added as per your request with pricing adjustments.
- Weekly reporting on any new cases of unauthorized sales, brand or trademark infringement or other violations as specified by you during the initial contracting phase.
- Same-day issue of cease and desist letter to any offending party.
- Weekly report on any cease and desist letters sent and response of offending party.

### LEGAL INTERVENTION



### Legal Intervention

Netsmartz maintains a working relationship with attorneys not only in the Rochester, New York area, but also with a global network of legal firms with whom we've built relationships. All legal associates are highly qualified and experienced in online brand, trademark, copyright and intellectual property protection.

Since the level of legal intervention in pursuit of an offender depends on highly variable circumstances, Netsmartz will consult with you on a case-by-case basis. We will identify each step with full disclosure of pricing for any proposed action. We take only the steps that need to be taken, at the lowest necessary cost.



## Netsmartz Online Protection, the trustworthy guardian of your brand

### Key Benefits

- ✓ Awareness of your brand visibility and risk
- ✓ Immediate action against abusers
- ✓ Acquire evidence for claiming damages
- ✓ Reduce lost revenues



### Benefits

- You acquire awareness of where your brand is being diluted, violated, or sold without authorization. You understand the visibility and risk of your brand's online identity.
- You meet abusers and counterfeiters head on, and take immediate action.
- You acquire the evidence needed to stop illegal distribution chains and to pursue damages claims.
- You reduce lost revenues due to traffic diversion and price collapse.

**In short, you reclaim control of your brand identity and your online reputation.**

**Contact us right now to get started.**

Email: [sales@netsmartz.net](mailto:sales@netsmartz.net)



Call Us Toll Free  
1-888-661-8967



ANALYZE. MONITOR. REPORT. INTERVENE



## About Netsmartz, the company

### ABOUT NETSMARTZ

Netsmartz is proud of being a global, quality-driven information technology company and a Microsoft Certified Gold partner. We also have CMMI Level 3 and ISO 9001:2000 certification. As well as software development, we offer products and services in the areas of Search Engine Marketing, E-Learning Courseware, E-Marketing Solutions, and Technical Support.

Netsmartz has its headquarters in Rochester, New York and a roster of Fortune 500 companies as clients including Global Crossing, Kodak, Frontier Communications, Nellie Mae and Wegmans Food Markets. Today we number over 400 employees and have branch offices in Rochester, Boston, Toronto, and Mohali, India.

### THE NETSMARTZ EMARKETING TEAM

The Netsmartz Emarketing division is made up of experts that supervise individual teams comprised of 10-20 members each. Each team handles a specific marketing activity like PPC, link building, search engine optimization or content development.

Though they are independent, teams work in close collaboration if the project requires it. The work is complemented by a design and development team that addresses website design, ecommerce functionality, and content management systems.

As a full spectrum Internet services provider, our mission is to facilitate your Internet success in every way possible.



### NETSMARTZ CLIENTS

\*This is a partial Client List.

All trademarks are the property of their respective companies





## Netsmartz has impeccable credentials

### NETSMARTZ CERTIFICATIONS

Besides our Quality certifications, Netsmartz is a Google Adwords Qualified Professional and Yahoo Search Marketing Ambassador. This means we have been certified by both these search engines as professionals competent enough to deliver reliable results on their sponsored search programs.

ISO 9001: 2000  
CERTIFIED

**Microsoft**  
GOLD CERTIFIED  
Partner



ADWORDS  
QUALIFIED  
COMPANY  
Google

### NETSMARTZ'S PROFESSIONAL ORGANIZATIONS

Netsmartz also has proven competency in the field of search engine optimization and is a registered member of these professional organizations.

↑TOPSEOs

SEMList.com

SEMPO ::  
TOP OF SEARCH = TOP OF MIND®

### CLIENT TESTIMONIALS

Over the years, we have reliably received positive feedback from our clients.

Reactions range from surprise to clear delight that we deliver much more than we promise. A few of their comments ...

"NetSmartz was a very professional company and completed the project on time and within budget. I would certainly use them again." – Tom Grassi

**Project Value: \$43,200**

**E-mail: tomg@vegasexperts.com**

**Phone: +1 440.746.1717 (EST, US)**

"They do very good work." – Danny Wheeler

**Project Value: \$25,397**

**E-mail: dannyw@abletoaid.com**

**Phone: +1 435-313-3434 (PST, US)**



## Appreciation from loyal clients

### CLIENT TESTIMONIALS



#### Global Offices



Office at Mohali



Office at Rochester

“NetSmartz did a very good job for us. They deliver what they promise and they are always on time. We ran into a few hang-ups on the project. But they did a great job of correcting all problems to our complete satisfaction. Very professional.”

– Danny Wheeler

**Project Value: \$16,520**

**E-mail: [dannyw@abletoaid.com](mailto:dannyw@abletoaid.com)**

**Phone: +1 435-313-3434 (PST, US)**

“Great company. I'm already discussing my next project them with. Highly recommend!”

– Susan Sweet

**Project Value: \$7750**

**Email: [SuesHealthCenter@aol.com](mailto:SuesHealthCenter@aol.com)**

**Phone: +1 804.301.4747 (EST, US)**

“Netsmartz handled this project with professionalism throughout. They kept us informed every step of the way and were willing to offer good advice whenever requested. We would have no hesitation in using them again or recommending them to others.” – George Kounis

**Project Value: \$4900**

**E-mail: [gkounis@singleclicksolutions.co.uk](mailto:gkounis@singleclicksolutions.co.uk)**

**Phone: +44 208.882.6864 (UK)**

[Read More Testimonials](#)



Call Us Toll Free  
1-888-661-8967

## CALL US NOW!

Concerned about the security of your brand? Drop us an e-mail or simply pick up the phone and call. Visit us at [www.netsmartz.net](http://www.netsmartz.net) for more information.

**Call or email us now to get a free competitive analysis, or just to get started.**

#### E-mail

E-mail us at [sales@netsmartz.net](mailto:sales@netsmartz.net)

#### Call Toll Free

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