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On-Line Trademarks News Release

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Headline:

[Registered Trademarks Win Damages of over \\$30m Against ISPs](#)

LOUIS VUITTON registered trademarks win over \$30m v Internet Service Providers

A jury held that the registered trademarks of Louis Vuitton Malletier, SA were infringed when counterfeit goods were marketed via web sites hosted by internet service providers.

The jury in the Northern District Court of California awarded damages of around \$30.5 million in favour of Louis Vuitton for infringement of its registered trademarks, and a further \$0.9m in copyright infringement (August 2009).

The case established that ISPs carry a considerable commercial responsibility and can be held liable for damages when they host websites involving sales or promotion of goods that abuse registered trademarks or that supply counterfeit goods.

Further, the case is likely to have wider implications for search engines. Some search engines do not appropriately prevent or block advertising by copycats of goods/services protected by registered trademarks. It is now more probable rather than possible a jury would hold a search engine liable for damages for unauthorised/unlicensed advertisers or ads containing references to brands, that abuse or infringe registered trademarks owned by others.

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