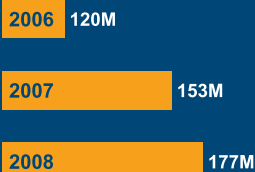
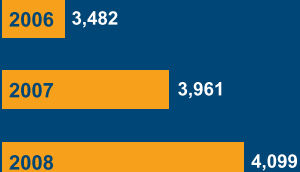




## NUMBER OF REGISTERED DOMAIN NAMES\*



## DOMAIN NAME DISPUTES\*\*



## HAYNES AND BOONE, LLP UDRP RESULTS\*\*\*

Haynes and Boone 2008 favorable UDRP opinions	21
UDRP's lost by Haynes and Boone	0

\*According to VeriSign.

\*\*Combined cases handled by both WIPO and NAF.

\*\*\*Prior results do not guarantee future outcomes.

## False Press Release by Patent Infringement Defendants Nets District Court Sanctions

The United States District Court for the Eastern District of Virginia recently issued significant sanctions against three defendants to a patent infringement suit when the Defendants failed to appear and answer, and then issued a press release containing false and misleading statements about the litigation and actions taken by the United States Patent and Trademark Office ("USPTO"). [More](#)



DAVID HARPER



JASON BLOOM

## Google's Keyword Advertising Program Back in Rescuecom's Crosshairs



RYAN MOSHELL

Google, Inc., along with the rest of the keyword advertising industry, was dealt an unexpected blow on April 3, 2009 when the U.S. Court of Appeals for the Second Circuit overturned a lower court's dismissal of claims that had been brought against Google by Rescuecom Corporation. Rescuecom's claims related to Google's sale to Rescuecom's competitors of Rescuecom's trademark as a search keyword. The decision to vacate the ruling handed down by the United States District Court for the Northern District of New York in *Rescuecom Corporation v. Google, Inc.* (Case No: 5:04-cv-1055) distinguished Google's recommendation and sale of keywords for use in its AdWords program from other forms of internet-based advertising, and has created uncertainty as to whether similar contextual advertising techniques are similarly susceptible to Lanham Act claims. [More](#)



JEFF BECKER



MANJULA VARIYAM

## ICANN'S New Attack Against Domain Name Tasting

On April 1, 2009, the Internet Corporation for Assigned Names and Numbers ("ICANN") took its first major step to curtail so called "domain name tasting," the disruptive practice where domainers have been registering millions of domain names each month—for free—just to see which ones generated the highest keyword advertising revenue. ICANN has adopted a new Policy that it believes will bring the practice of domain name tasting to an end. [More](#)

## Attorney Spotlight



JOE  
MENCHER

Joe Mencher, an associate in the firm's Austin, TX office, counsels clients

primarily in the mechanical and materials science fields on strategic intellectual property protection and patent enforcement. In addition to an emphasis in patent prosecution, Mr. Mencher conducts product reviews, patentability searches and analyses, freedom to operate analyses, validity and infringement investigations, and counsels clients and prepares opinion letters for the same. In addition to his legal practice, Mr. Mencher enjoys surfing and snowboarding, and claims to know every line to both The Godfather I and II.

## Outsourcing Viability in a Troubled Market

Outsourcing transactions have been taking place for about two decades. In the early years of the outsourcing movement, the financial industry led the way with large Information Technology Outsourcing (ITO) projects and later added Business Process Outsourcing (BPO) projects. ITO generally relates to a company's outsourcing of computer technology such as mainframe computer operations or applications maintenance and development. BPO, on the other hand, usually refers to the outsourcing of business processes like accounting, human resources or facilities management. The financial industry's more recent influence on the outsourcing movement has resulted from adverse market conditions created by the implosion of the credit markets. The economic downturn, coupled with overseas scandals and political pressures, all threaten to slow the growth of outsourcing transactions. Despite these barriers, outsourcing transactions continue to add value to customers' operations under the right circumstances, and can indeed help customers weather the economic downturn. We address some of these circumstances and the value that can still be attained by the right outsourcing structure. [More](#)



MILTON B.  
WHITFIELD



LAM  
NGUYEN



DUSTIN  
JOHNSON

## Patent Legislation Update

The Senate Judiciary Committee recently passed the 2009 Patent Reform Bill, clearing the way for a full Senate vote. The bill includes a post-grant review procedure and an interlocutory appeal provision for claim interpretation issues, both of which are viewed favorably by many corporate patent holders. However, some reform advocates are not satisfied with the the bill because it does not provide clarity on infringer damages and limitations on forum shopping by non-practicing entities holding patent rights. [More](#)

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