

STATE OF WISCONSIN

CIRCUIT COURT

DANE COUNTY

STATE OF WISCONSIN
Post Office Box 7857
Madison, Wisconsin 53707-7857,

Plaintiff,

v.

Case No.
Unclassified - Civil: 30703

00CV2925

LUZIUS BERNHARD
Kurrentgasse 10-22
Vienna, Austria 1010 AT
d/b/a *vote-auction.com*,

SILVERSERVER
Lorenz Mandlgasse 33/1
Vienna, Austria A-1160,

and

CSL GmbH
Rathausufer 16
40213 Duesseldorf
Germany
d/b/a *joker.com*,

Defendants.

THIS IS AN AUTHENTICATED COPY OF THE
ORIGINAL DOCUMENT FILED WITH THE DANE
COUNTY CLERK OF CIRCUIT COURT

JUDITH A. COLEMAN
CLERK OF CIRCUIT COURT

DANE COUNTY, WI

OCT 31 2 13 PM '00

CIRCUIT COURT

COMPLAINT FOR INJUNCTIVE AND OTHER RELIEF

The State of Wisconsin, by its attorneys, James E. Doyle, Attorney General, Assistant Attorney General Alan Kesner and Assistant Attorney General Barbara L. Oswald, brings this action against the defendants named herein and complains and alleges as follows:

JURISDICTION

1. This action is brought pursuant to Wis. Stat. § 823.02, to enjoin and restrain violations of Wis. Stat. §12.11(1m)(a)3.

DEFENDANTS

2. Defendant Luzius A. Bernhard is a resident of Vienna, Austria, formerly residing in San Diego, California, doing business in Wisconsin and other states using the Internet domain name "*vote-auction.com*." According to the registry database for Internet domain names, accessible via the World Wide Web at <http://www.checkdomain.com>, Defendant Bernhard is the registered owner, as well as the Administrative Contact, Technical Contact, and Zone Contact for the Internet domain "*vote-auction.com*." A printed copy of the web page illustrating this information is attached as Exhibit "A" and is incorporated by reference.

3. Defendant SilverServer is a business entity physically located in Vienna, Austria, providing Internet access, World Wide Web domain hosting and numerous other related services allowing individuals and businesses to utilize the worldwide Internet. SilverServer uses various domain names for its own services, including "*sil.at*" and "*silverserver.co.at*."

4. Defendant CSL GmbH, d/b/a *joker.com* is a business entity physically located in Dusseldorf, Germany, operating as a domain registrar, providing Domain Name Registry services for the Internet to entities worldwide, as part of a consortium of registrars known as CORE – The Internet Council of Registrars ("CORE") according to the policies and under the auspices of the Internet Corporation for Assigned Names and Numbers ("ICANN").

5. Defendant Bernhard has utilized numerous individuals and entities in several states and in other countries in carrying out the plan or scheme described in this complaint. These individuals and corporate entities may be named as defendants herein when the nature and extent of their activities and culpability are determined.

6. Allegations in this complaint are made in good faith upon a belief that *vote-auction.com* is being operated by Defendant Bernhard as a sole proprietorship. Therefore,

"Bernhard" will be used to refer both to Defendant Bernhard personally as well as his business "vote-auction.com." When reference is made in this complaint to the statement, representation, act or practice of Bernhard, such allegation shall be assumed to mean that Defendant Bernhard, individually as part of his sole proprietorship, did or authorized such statement, representation, act or practice.

NATURE OF DEFENDANTS' ACTIVITIES

7. Defendant Bernhard is advertising, promoting, offering and selling, on the global communications network known as the Internet, a service which purports to bring together "buyers" and "sellers" of votes in the upcoming Wisconsin general election scheduled to be conducted November 7, 2000, said activity being contrary to Wis. Stat. § 12.11(1m)(a)3. Defendant Bernhard is conducting this activity utilizing the Internet technology known as the World Wide Web. A copy of Defendant Bernhard's web pages advertising these services is attached at Exhibit "B" and incorporated herein by reference.

8. The World Wide Web is a series of documents stored on computers throughout the Internet containing information in various forms, including text, sounds, graphics and video. Defendant Bernhard's website on the World Wide Web can be found by consumers with Internet access by simply typing its "address" on the web: *www.vote-auction.com*. Wisconsin consumers can find Defendant Bernhard's website by using a "search engine" which is a computer program that assists Internet users in locating websites by searching for terms or phrases (such as "vote" and "sell") and displaying websites containing those terms or phrases. Consumers can then go to the websites displayed in the search results, including Defendant Bernhard's. Millions of Wisconsin residents have access to the Internet.

9. According to Defendant Bernhard's website, Wisconsin residents can offer to "sell" their votes or "bid" on the entire block of votes which have been "offered for sale" by this state's residents, through the website maintained by Defendant Bernhard on the World Wide Web.

10. According to Defendant Bernhard's website, *vote-auction.com* is an online market place for "sellers" to indicate that they will sell their votes to the highest bidder, and for corporate or individual "bidders" to offer money for all of the votes offered from a particular state, including Wisconsin. At the close of bidding, the winning bidder will purportedly be given contact information for the sellers, and must make arrangements directly with those persons for payment.

11. More specifically, Defendant Bernhard's website describes the scheme as follows:

[V]ote-auction.com has created a new paradigm in the election industry. Now the voters can take control of their voting capital and campaign investors will see a greater return on their investment. Control your vote - control your democracy!

....

The winning bidder for each state will be able to choose who the group will vote for en masse. The free market will determine the value of the votes in each state. Votes in heavily populated states may be more valuable than votes in less populous states; however, if there is a large number of voteauction voters in a small state, the voteauction voters could help swing that state and thus the state's electoral votes. The value of a vote in a particular state could change on a daily basis. Votes have been purchased in the past (in fact the United States has a long history of vote buying going back to George Washington) but it has never taken this form.

The starting bid for each state is \$100, with a minimum bid increase of \$50. [V]ote-auction.com will not receive any money from the auction. The winning bidder will have to contact the [V]ote-auction.com voters in order to provide payment and for the voters to provide verification.

Individuals, corporations and organizations must first register in order to bid on one of the voting blocks. Spending money to influence voters is protected by the free speech clause of the First Amendment of the U.S. constitution.

(Ex. B at B-2 to B-3)

12. When a consumer accesses the *vote-auction.com* web site, he receives information on the screen of his computer from Defendant Bernhard alleging that campaign contributions given to candidates are an inefficient way of donating without being guaranteed that the donor will obtain the desired results, to wit: votes in favor of a particular candidate (Ex. B at B-2).

13. A consumer residing in Wisconsin is told:

Your vote is so valuable, that the candidates, their parties and the corporations that support them are spending millions of dollars this year in an attempt to influence your decision. Unfortunately this money is spent on advertising campaigns, pollsters and high-priced consultants. [V]ote-auction.com is cutting out the middleman and bringing the big money of presidential politics directly to you.

(Ex. B. at B-16)

14. Consumers are then asked for identifying information and demographic data. Consumers are promised that their identity will be maintained in secret by the operators of *vote-auction.com*.

15. When viewing the portion of the website aimed at "bidders" for blocks of votes, consumers in Wisconsin are told:

Are you wasting your money on campaign contributions? The soft money that you give to national political committees will be spent on single-issue ads which are an ineffective method of persuading the voting populace. [V]ote-auction.com offers a greater return on your campaign investment. When you win the auction on a particular voting block, you can be certain that the [V]ote-auction.com voters in that state will vote for your candidate.

(Ex. B. at B-22)

16. Bidders are then asked for specific identifying data and given a bidder number. They are also promised that the operators of *vote-auction.com* will not divulge their identity.

(Ex. B. at B-18)

17. Another portion of the site is dedicated to showing the current bids for votes in each of the fifty United States and the District of Columbia. Each state is marked with a number representing the number of electoral votes available from that state in the November 7, 2000, presidential election, followed by columns noting Number of *vote-auction.com* voters (who have offered their votes for sale in that state, Current Total Price for the block of votes from that state, Current Price per vote in that state, Current Leading Bidder (noted by bidder number). As of October 16, 2000, this page indicated that 438 Wisconsin votes had been offered for sale, that the current bid for these votes was \$4,600, which is \$10.14 per vote, and this bid was offered by bidder number 9701. A copy of said chart is attached as Ex. B. at B-24 to B-25.

**FIRST CAUSE OF ACTION
(Public Nuisance - Bernhard)**

18. The scheme described is illegal under Wis. Stat. §12.11(1m)(a)3.

19. Defendant Bernhard has engaged as party to the crime in vote-selling and buying activity affecting the State of Wisconsin by aiding and abetting individuals who are:

- a. Offering their votes in the Wisconsin general election scheduled to be conducted November 7, 2000, for "sale" in violation of Wis. Stat. §12.11(1m)(a)3.
- b. Offering to "purchase" votes in the Wisconsin general election scheduled to be conducted on November 7, 2000, in violation of Wis. Stat. § 12.11(1m)(a)3.

20. Defendant Bernhard's open and continuous violation of Wisconsin's criminal laws constitutes a public nuisance under Wis. Stat. § 823.02.

21. Plaintiff is informed and believes that Defendant Bernhard will continue to engage in the aforementioned illegal activities unless enjoined therefrom.

SECOND CAUSE OF ACTION
(Public Nuisance – SilverServer and GLS GmbH)

22. Plaintiff realleges and reincorporates by reference paragraphs one through eighteen herein with the same force and effect as if set forth in full.

23. In order to display a website on the World Wide Web, a party must often contract with an Internet Access Provider to host the “domain” and place the necessary documents on a “web server” which can make them available to users of the Internet worldwide. This provider must also put the domain name on a computer server known as a “domain name server” which points other users of the Internet to the location of the web pages constituting the website

24. Defendant SilverServer is the Internet Service Provider for *vote-auction.com*. Internet records related to the location of the *vote-auction.com* website point to the Domain name servers of SilverServer at *ns1.sil.at* and *ns2.sil.at*. (Ex. A.)

25. The hosting and access services provided by SilverServer to Defendant Bernhard are essential to the continued operation of *vote-auction.com*, and their termination would in no way affect the legal and legitimate services provided to its customers by SilverServer.

26. In order to obtain a domain name for a potential website, a customer such as Defendant Bernhard must contract with a “Domain Name Registrar” for a unique domain name, and provide that registrar with information about the domain name servers which will be used in order that other users of the Internet worldwide will be able to locate the website.

27. CSL GmbH, d/b/a *joker.com*, is the domain name registrar providing those services to Defendant Bernhard for *vote-auction.com*. These activities register and reserve the domain name “*vote-auction.com*” in databases on domain name servers connected to the Internet throughout the world. Essentially, CSL’s services, as provided through *joker.com*, indicate to computers throughout the Internet the identity of the specific domain name servers which point

Internet users' computers to the actual "web servers" where the materials constituting the *vote-auction.com* website can be found.

28. As a registrar of domain names, CSL is required by the rules of the Internet Corporation for Assigned Names and Numbers ("ICANN"), the governing body for domain name assignments on the Internet, to enter into an agreement with Defendant Bernhard, the purchaser of the domain name *vote-auction.com*, whose form is specified in the Uniform Domain Name Dispute Resolution Policy ("UDRP"). In agreeing to the UDRP, Defendant Bernhard would have been required to indicate affirmatively that he was "not registering the domain name for an unlawful purpose." UDRP Para. 2. In the same agreement (the UDRP) CSL would have been required to notify Defendant Bernhard that

"We will cancel, transfer or otherwise make changes to domain name registrations under the following circumstances: . . . b. our receipt of an order from a court or arbitral tribunal, in each case of competent jurisdiction, requiring such action"

UDRP para. 3.b. A copy of the UDRP, printed from the website of ICANN, is attached as (Ex. C.)

29. The hosting and access services provided by CSL GmbH to Defendant Bernhard are essential to the continued operation of *vote-auction.com*, and the termination of that service to Defendant Bernhard would in no way affect the legal and legitimate services provided to its customers by CSL GmbH.

30. The services provided to Defendant Bernhard by Defendants SilverServer and CSL GmbH contribute directly to Defendant Bernhard's open and continuous violation of Wisconsin's criminal laws as a public nuisance under Wis. Stat. § 823.02.

31. An order and judgment directing Defendants SilverServer and CSL GmbH to discontinue the provision of their services to Defendant Bernhard, his agents, employees,

representatives and all persons acting or claiming to be acting in his behalf, would be an effective method to abate the continuation of the public nuisance by Defendant Bernhard. Abatement of a public nuisance is a remedy specifically encouraged by Wis. Stat. §823.03.

DEMAND FOR RELIEF

WHEREFORE, plaintiff, State of Wisconsin, demands relief against defendants as follows:

1. Defendant Bernhard, d/b/a *vote-auction.com*, his agents, employees, representatives and all persons acting or claiming to be acting in his behalf, as well as any persons acting in concert with defendant Bernhard and having notice of said injunction, be permanently enjoined and restrained pursuant to Wis. Stat. §823.02, from conducting business operations in violation of Wis. Stat. §12.11(1m)(a)3. and 823.02.

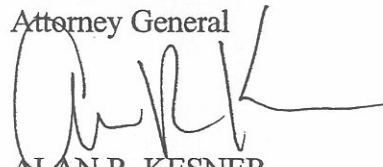
2. Defendants SilverServer and CSL GmbH, their agents, employees, representatives and all persons acting or claiming to be acting in their behalf be permanently enjoined and restrained from providing Internet access, domain hosting, domain name server services and

domain name registration as well as all other Internet related services necessary for the conduct of the aforementioned activities of Defendant Bernhard d/b/a *vote-auction.com*, including any successor entities which may be created to conduct similar unlawful activity.

3. For plaintiff's costs and disbursements in prosecuting this action.
4. For such other relief as may be just and equitable.

Dated this 31st day of October, 2000.

JAMES E. DOYLE
Attorney General



ALAN R. KESNER
Assistant Attorney General
State Bar # 01001216



BARBARA L. OSWALD
Assistant Attorney General
State Bar # 01021541

Attorneys for State of Wisconsin

Department of Justice
Post Office Box 7857
Madison, Wisconsin 53707
(608) 267-2070
(608) 266-3067

To see who's visiting your web site

vote-auction.com (United States Commercial)

Owner:

Luzius A. Bernhard

Address:

Kurrentgasse 10-22
Vienna, Austria 1010 AT

First Registered:

October 18, 2000

Last Updated:

October 20, 2000

Admin Contact, Technical Contact, Zone Contact:

Luzius A. Bernhard (COCO-781664) hans@ubermorgen.com
+43-676-9300061

Name Servers:

ns1.sil.at 194.152.178.1
ns2.sil.at 194.152.178.10

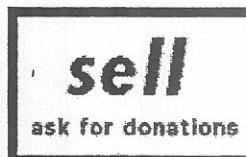
Information Source:

Internet Council of Registrars

Check this domain:

[[Home](#) | [Countries](#) | [Disclaimer](#) | [FAQ](#) | [Link to us](#) | [Partners](#)]

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Please direct any comments, questions, or problems to info@checkdomain.com



- [How it works](#)
- [Election History](#)
- [V.E.K.](#)
- [Legal Issues](#)
- [Message Board](#)
- [News & Press](#)
- [Contact](#)
- [Links](#)

"Bringing Capitalism and Democracy Closer Together"

History

[v]ote-auction.com is owned by an Austrian holding company that has invested in many of America's new, emerging industries. Like the Prison industry....

Take a closer look [here](#).

Statistics

Pollsters use them, politicians use them, liars use them, and now [v]ote-auction.com is using them too. Check out some interesting statistics on the type of person who registers with voteauction.com.

Take a closer look [here](#).

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Interact with other voteauction.com users and post your opinions about voteauction.com, vote-selling, campaign investing, and campaign finance.

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Press Release

We have subject to diverse legal calamities during the last few weeks. We, however, feel the moral obligation to keep up our services to all our users....

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Voter Empowerment Kit

Are campaign dollars flowing as freely in your local election as they are in the Presidential election? Are your local candidates wasting campaign investors' money on advertising, instead of giving it to the people?...

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"Political Site of the Day"

Voteauction.com has been awarded "Political Site of the Day" for September 11, 2000

from [aboutpolitics.com](#)

read books

FENGAD-Bayonne, N. J.

PLAINTIFF'S EXHIBIT
B

Vote-auction.com

It's different because it's fundamentally different

sell

ask for donations

bid

donate funds

[How it works](#)
[Election
History](#)
[V.E.K.](#)
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read books

PENGAD-Beyona, M. 1.

 PLAINTIFF'S
EXHIBIT

B

[how it works]

General

[V]ote-auction.com is devoted to combining the American principles of democracy and capitalism by bringing the big money of campaigns directly to the voting public. We provide a forum for campaign contributors and voters to come together for free-market exchange.

Classic Approach

Until recently, the Election Industry was controlled by an exclusive group of political consultants. These consultants spend the campaign contributors' money on advertising while taking a 10-15% cut for themselves. The political consultants are paid based on their ability to "deliver" voters to the candidates. This effectively treats the voters as a product to be sold to the candidates (and/or their campaign contributors.) This is similar to the way television (and other media outlets) operate. In television, the end product is the viewer whose attention is sold to television's customer, the advertiser.

The [V]ote-auction.com Approach

[V]ote-auction.com has created a new paradigm in the election industry. Now the voters can take control of their voting capital and campaign investors will see a greater return on their investment. Control your vote - control your democracy!

The worldwide Approach

[V]ote-auction.com is planning on going worldwide soon. We are already talking to diverse democratic countries in South America, Africa and Asia. Nevertheless, the E.U. [European Union] will be our next market of service.

With our worldwide services voters will be able to control their vote worldwide, and thusly able to control democracies worldwide directly!

Target Markets

The Voters:

50% of the voting age population routinely stays home on election day. Are they fed up with the system? Are they disappointed by the two major parties? Are they desensitized by the thousands of political ads they see on Television? [V]ote-auction.com will allow these voters to profit from their democratic capital. By offering their voting capital at auction, these traditionally non-voting citizens will be participating in the democratic process and the expanding economy.

The campaigners:

Voteauction.com also provides a more efficient method for campaign investors to obtain their objectives. When a major communication company contributes over a million dollars to a political party, do they hope that this investment will result in increased profits? Of course they do! Although they may have a net worth of billions of dollars, most corporations do not spend 1 million dollars without some hope of a return on their investment. Unfortunately, 10-15% of this investment is taken off the top by the campaign consultants. [V]ote-auction.com allows campaign investors to get their dollar's worth by connecting them directly with the voters.

The way the Markets work

**sell**

ask for donations

bid

donate funds

[How it works](#)[Election
History](#)[V.E.K.](#)[Legal Issues](#)[Message Board](#)[News & Press](#)[Contact](#)[Links](#)

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**PLAINTIFF'S
EXHIBIT**

B

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Individuals, corporations and organizations must first register in order to bid on one of the voting blocks. Spending money to influence voters is protected by the free speech clause of the First Amendment of the U.S. constitution. A recent U.S. Supreme Court decision (Buckley v. Valeo) has equated freedom of spending money with the freedom of speech. Freedom of spending and freedom of speech are central components of our capitalist democracy. It is however considered problematic by very local jurisdictions of a few small states of the U.S. if one pays money directly to voters [it is ok to pay campaigners directly]. We understand this twist of modern day society, and have therefore found new ways on how to solve this situation smoothly.

The new Way

We at [V]ote-auction.com offer you the following services:

- . you can register as a potential political candidate
- . you can register as a potential political lobbyist
- . we provide the forum for the two above-mentioned parties to meet.
- > You donate money to the campaigners of the future. Do here, do it now, do it directly. No Fuzz!

history

A short history of the U.S.A. Election Market

From the "Father of our Country," George Washington, to the mafia-connected political bosses of the prohibition era, to today's politicians funded by "soft money", big money has often had an important influence on United States elections.

Here are a few examples of vote-buying in America:

In 1757, George Washington ran for a seat in the Virginia House of Burgesses. For this election he purchased more than a quart and a half of alcoholic beverages for each of the 391 voters in his district.

A candidate in the 1838 New York mayoral election paid \$22 per uncommitted vote.

In 1907, Congress passed legislation to prohibit corporations from making direct campaign contributions for federal candidates. Unions were banned from making the same types of contributions in 1947. By the late 1960's and early 1970's candidates began ignoring these laws by accepting large donations. Insurance executive Clement Stone gave \$2.8 million to Richard Nixon's 1968 election campaign. The Milk Producers Association gave \$2 million for Nixon's re-election campaign in 1972. (Nixon subsequently supported an increase in milk price subsidies.) Although these instances are examples of big corporations purchasing influence with candidates as opposed to purchasing influence with voters, it is significant that the donations were made to Nixon's campaign. This money was then used to pay for advertising, and other expenses. It is media advertising that now influences the voter.

Paul Allen (co-founder of Microsoft) purchased the Seattle Seahawks in 1997. He then called for a referendum to ask for \$300 million in state money to build a new stadium. Instead of obtaining the thousands of required signatures necessary to put an issue on the ballot, he simply paid for the costs of the election. He then spends over \$4 million in advertising to convince the people of Washington to vote for the new stadium. The result: The Football/Soccer stadium is expected to be finished in 2002.

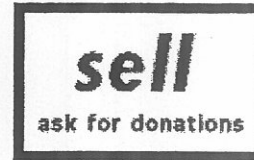
Voter Empowerment Kit

- Why should you get active? Until recently, [V]ote-auction.com only has had the resources to concentrate on the United States Presidential election. We will keep on concentrating on this election until its final date at Nov. 7th, 2000.
- What is the V.E.T.? Although the Presidential election is generating more wealth than any other election this year, it is not generating as much wealth per vote as many of the senatorial, congressional and other elections. The voter empowerment kit will allow you to access some of this additional wealth.
- What do I do with a V.E.T.? The kit includes a form letter that you can send to a local political candidate who is spending a great deal of money on this year's election. Or, you could send a letter to the candidate's financial supporters and let them know that they are wasting their money on political advertisements, that this money should go directly to the voters instead.
- Any copyrights? Feel free to use the [V]ote-auction.com logo on your own website. You can also take the [V]ote-auction.com logo and create your own promotional material. Unless otherwise noted, all files are microsoft word (.doc)

Download Materials to cash in on your voting capital.

We ask for your understanding that we are currently in the process of redesigning or V.E.K. materials. Please come back soon to check for the new materials!

For information about avery label and business card templates, go to www.avery.com



How it works

Election History

V.E.K.

Legal Issues

Message Board

News & Press

Contact

Links

legal documents regarding "chicago board of elections"

name of document

complaint against voteauction.com

[take this link](#)

memorandum of law

[take this link](#)

temporary restraining order

[take this link](#)

preliminary injunction order

[take this link](#)

[V]ote-auction.com Message Board

- No New Yorkers - posted by Bill on 10/30/2000 at 15:12
 - Re: No New Yorkers - posted by vote-auction on 10/31/2000 at 14:42
- There is no popular vote for President. - posted by ProVoter on 10/29/2000 at 22:58
 - electors - posted by greta on 10/29/2000 at 23:17
- remote vote - posted by hank on 10/29/2000 at 21:39
 - greenboogie - posted by gregload on 10/29/2000 at 21:49
- trade vote - posted by billseiman on 10/29/2000 at 16:17
 - re. trade vote - posted by josh_k on 10/29/2000 at 20:09
- I'd like to buy one vote? - posted by Charbax on 10/29/2000 at 11:11
 - Buy My Vote! - posted by Valerie F. Solari on 10/29/2000 at 16:21
- legal position - posted by jen on 10/29/2000 at 02:38
 - Chicago - posted by VC on 10/30/2000 at 04:35
 - interrresting - posted by boner on 10/31/2000 at 14:48
- Bayonets in the Sand - posted by chevy59Tom on 10/29/2000 at 00:18
 - Patton?? - posted by VC on 10/30/2000 at 04:54
- corruption in the united states political processe. - posted by shauna on 10/29/2000 at 02:36
- money! - posted by ernhardt jr. on 10/28/2000 at 22:31
 - Re: money! - posted by annie on 10/29/2000 at 00:11
- meaningful for america - posted by frank s. on 10/28/2000 at 22:17
 - mucha - posted by looser on 10/28/2000 at 22:18
 - Re: mucha - posted by greg on 10/29/2000 at 02:38
- immoral! - posted by funnyhead on 10/28/2000 at 22:05
 - immoral? - posted by Charbax on 10/29/2000 at 11:17
- yippie! - posted by joe america on 10/28/2000 at 22:08
 - langue - posted by jane bergove on 10/28/2000 at 22:34
- betchya - posted by harhar on 10/28/2000 at 22:06

Name:

Subject:

Message:

[news & press]

let us know if we missed any story or discussion board about [V]ote-auction.com

[V]ote-auction.com in the Press:

[V]ote-auction.com in the American Press

CNN TV: > the realvideo stream "burden of proof" the transcript of "burden of proof" the program it was on: "burden of proof" [special news-segment/report airing national and internationally 28.10-30.10.2000]

CNN.com: Web site offers to sell U.S. presidential votes, Web site offering to sell votes shut down, Vote-selling website to be revived, possibly offshore CNN.jp: ??????????????????

Wirednews.com: Vote-Auction Sidesteps Legalities, Voteauction Booth is Closed , Close Vote? You Can Bid On It, Voteauction Bids the Dust, Austrian Takes Bids on U.S. Votes, Thousands Sign Up to Sell Votes

associated press / news.yahoo.com: all articles on yahoo [approx 15 ap/yahoo articles in total]

NY1 News: Website to Make It Possible to Sell Your Vote Online

USA Today: all articles on USA Today , Chicago acts to end online sales for votes, Votes Up For Auction Draw Official Inquiries ... [approx 12 articles in total]

ABC News: Personal (Campaign) Finance

Slate.com: Buy This Vote!

Washington Post: Buy This Vote! (same article as slate.com)

Minnesota Public Radio's Future Tense: Sell Your Vote (real audio file)

The Industry Standard: Wanna Buy My Vote? Fuhgeddaboutit

Computerworld: Chicago board tries to close vote site

FSB business life: American Cynicism, 101

Auction watch: Straight Talk from Voteauction.com

Technodemocracy.org: VoteAuction.com & The Whack-A-Mole Defense

cluebot.com: Americans Sell Their Votes for \$10 Each

Voting Integrity Project: VIP Reports - Going, Going Gone!

Fox 4 News, Kansas City: Voteauction.com founder, James Baumgartner, phone interview. 8/23/00 (not available online) foxnews.com

APBnews.com: Officials Move to Shut Vote-Selling Web Site

The daily Gazette: Web site offering votes for sale draws concern

Federal Computer Week: Is a vote selling Web site parody or threat?

Associated Press: Web Sites Offer Votes For Sale

Salt Lake Tribune: Auction Gives New Meaning to "Check Here"

California Secretary of State: Jones Issues Warning Against On-line Vote Buying Schemes

Federal Computer Week: Is a vote-selling Web site parody or threat?

Fortune Small Business: American Cynicism, 101

Chicago Sun-Times: Web vote sale all about buzz

Cnet: Chicago tries to close vote Web site

Eprairie.com: Chicago Board Vows Continued Legal Battle Against Vote Auction Site

The Register: Votes for sale online in the US

Cluebot: Americans sell their votes for \$10 each

Everett Herald (WA): Bid to sell votes on Web rankles officials

Sioux City Journal: Vote buying becomes more blatant

NetworkWorldFusion: Is a vote-selling Web site parody or threat?

Thirsty: UPDATE: Voteauction.com up and running again

slashdot: from the retail-goods-at-wholesale-prices department

wetheliving.com: Sell your vote online

maxfreedom: Just how much is your 'priceless' vote really worth?

aboutpolitics.com: site of the day

[V]ote-auction.com in the International Press

Transfert: Voter, c'est facile et a peut rapporter gros ! ; Votes aux ench res : suite etÉ fin

Heise online: Chicago will Stimmenkauf per Internet stoppen

Telepolis/ixmagazin: Korruption bleibt Politikern vorbehalten, Anstatt Voteauction gibt es jetzt Vote-Auction.com , Auktionsplattform für Verkauf von Wahlstimmen unter Druck, Schock-Marketing aus dem Netz-Underground

Lenta.RU: <http://lenta.ru/internet/2000/08/17/vote/>

transfert.net: Voteauction.com n'est plus. Vive vote-auction.com , Offensives judiciaires contre le vote aux ench?res , Chicago attaque le vote aux ench?res , Votes aux ench?res: les affaires reprennent , Votes

Denni zpravy z Internetu: Vsechno je prece na prodej, tak proc by ne volicske hlasy?

Spiegel Online: Behoerden stoppen Stimmenverkauf im Web

NET-BC: Ein Bindestrich rettet Voteauction.com, US-Wahlkampf: Demokratie jetzt online kšuflich?

dagensit: Vi funderar pî rsÿstauktioner i Europa

uk.news.yahoo: Vote-selling site to come to UK

uk.internet.com: Internet vote riggers target Europe

die krone: Wahlstimmen-Kauf online!

thail08.com: öçê€| à|â éí†ÈÇ|†?í

ZdNet.fr: PrZÿsidentielle amZÿricaineæ: votes ö vendre sur le web

Cnet Singapore: Vote auction Web site changes name

futurezone: WSÿhlerstimmen fÛr US-Wahlkampf versteigert

various offline, radio and tv articles/broadcasts

Chicago Sun-Times

Newsradio 551

Fuji TV: [Japan TV-Station]

KFYI [radio-station]

International Herald Tribune

KPIX, San Francisco

The Denver Post

CNET Radio: The Source for Live Technology

nbc.com

Metroland, Albany, NY: How Much Is That Voter In The Window?

The Independent

viva f.m, Caracol Colombia

ZDNet News

World Service radio

www.Accessmagazine.com

Reuters [Washington Bureau]

ARD Radio

Sunday Times, London

Sacramento News & Review

Inter@ctive Week

<http://www.voa.gov/election2000>

Carroll Today newspaper in Carroll, Iowa

Austrian private TV-channel ATV

undergroundshopper.com

"The Online Report" Dallas Fort Worth, Texas, Radio Show

The Salt Lake Tribune

primediamags.com

chicagotribune.com

WSPD-AM, Toledo, Ohio

WIBW-AM, Topeka

WSFA-TV

WEWS-TV Cleveland, Ohio

n-tv: [tv-report "tomorrow" aired 27-30.10](#) [no realstream yet available]

Rush Limbaud [syndicated radio show, nationwide US], wpr.org [wisconsin public radio]

Article printed in newspaper "NRC Handelsblad", The Netherlands, dated October 27, 2000

orf.at [austrian TV]

KPAM AM 860, Portland, Oregon

Missouri Digital News

WNYC Radio

Metro Santa Cruz newspaper

national radio news in Denmark

National Journal's Technology Daily

Folha de S. Paulo [Brazil's largest Newspaper]

Tokyo Broadcasting System's (TBS) LA Bureau

WGAR, Cleveland Ohio

KIMT-TV Mason City, Iowa

Houston Chronicle

KVMR-FM Radio

Daily Herald in Chicago

CBS 58 in Milwaukee

News Journal in Wilmington Delaware

Internet World magazine

TECHTV Cable Network

AuctionWatch.com

KFYI in Phoenix, Arizona

KURIER, Austrian Daily

German Public radio

metronetworks.com

WBEZ Chicago Public Radio

Chicago Tribune's Internet edition

CBS radio

ABC RADIO-Detroit, Michigan

WWMT-TV3

The American Prospect

News [weekly magazine Austria]

KQED, the NPR affiliate in San Francisco

Voice of America radio

demorgen.be [Belgian Newspaper]

Delo daily, Ljubljana, Slovenia

Channel 5 TV news in London

Upside Today

Morning Edition

Format [weekly magazine Austria]

Bureau of National Affairs, Inc.

dailyherald.com

KVMR-FM Radio

Internet World

de.internet.com

[V]ote-auction.com on discussion boards

Picnet: Selling Your Vote for Cash

FreeRepublic: Discussion of "Vote-Selling Website to be revived, possibly offshore"

apc.org: HOT SITES

slashdot.org: from the welcome-back-ms.-lee dept.

Chicago Board of Elections: the site

[V]ote-auction.com related

thecaperock.com [ebay vote auctions]: The Going Rate For A Presidential Vote? \$152 on eBay

Cnet Canada: eBay thwarts sale of presidential election votes

nationaudio: Vote buying: Evil we should root out

WashingtonPost.com: Conspire Under the Palms: A Scenario

ariannaonline.com: Media Grasping At Straws

Homeowner.com: RATS - The Election Is Coming

October 3, 2000: [V]ote-auction.com Action Team visits the first U.S. Presidential debates. Over 200 voter empowerment kits are distributed to the crowd gathered outside the JFK Library.

August 28, 2000: [V]ote-auction.com re-launches with added features to better serve the user.


August 22, 2000: [V]ote-auction.com is sold to an Austrian Holding company for an undisclosed sum.


Let us know if we missed any story or discussion board about
voteauction.com pr@vote-auction.com



sell
ask for donations

bid
donate funds


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 [Election History](#)

 [V.E.K.](#)

 [Legal Issues](#)

 [Message Board](#)

 [News & Press](#)

 [Contact](#)

 [Links](#)

[**contact**]

press and media pr@vote-auction.com
contact:

Your enquiries will either be answered by [V]ote-auction.com's hans bernhard, ubermorgen.com's lizvix or by one of our staff.

read books

links

Site Name	url	comments
George W. Bush for president	www.georgewbush.com	official site for the campaign to elect Governor George W. Bush as president of the U.S.
Al Gore for president	www.algore2000.com	official site for the campaign to elect Vice President Al Gore as president of the U.S.
America 2000: The Democratic National Convention	www.dems2000.com	official site for the Democratic National Convention
2000 Republican National Convention	www.gopconvention.com	official site for the Republican National Convention
Common Cause	www.commoncause.org	site devoted to campaign finance reform
Open Secrets	www.opensecrets.org	facts and statistics about campaign financing and other issues
Billionaires For Bush (or Gore)	www.billionairesforbushorgore.com	lobbying organization committed to buying the candidates
The Voting Integrity Project	www.votingintegrity.org	"Defending Your Freedom by Protecting Your Vote"
lp.orgt	www.lp.org	site posted by a user
harrybrowne.org	www.harrybrowne.org	site posted by a user
self-gov.org	www.self-gov.org	site posted by a user

Sell: Register to ask for donations

Whether you are a first-time voter, or you've been voting since World War II, you know that your presidential vote is very valuable in our democracy. Your vote is so valuable, that the candidates, their parties and the corporations that support them are spending millions of dollars this year in an attempt to influence your decision. Unfortunately this money is spent on advertising campaigns, pollsters and high-priced consultants. [V]ote-auction.com is cutting out the middleman and bringing the big money of presidential politics directly to you.

Fields marked with a * are required. This information will be used to create a demographic profile of the various voting blocks. Your personal information will be kept strictly confidential. It will not be sold, released, or retransmitted for any reason. When you register on this page, you will also be registered for the voters email list which will contain important updates for [V]ote-auction.com voters. You will not receive any advertising or unsolicited emails (spam) as a result of this list.

First (Given) Name	<input type="text"/>	*	Middle Initial	<input type="text"/>
Last (Family) Name	<input type="text"/>	*		
Address (Line 1)	<input type="text"/>	*		
Address (Line 2)	<input type="text"/>			
City	<input type="text"/>	*	State	<input type="text"/>
Zip Code	<input type="text"/>	*		
Email address	<input type="text"/>	*		
Age (on November 7, 2000)	<input type="text" value="18"/>	*	Sex	<input type="text"/>
I describe myself as:	<input type="text" value="Asian/Pacific Islander"/>	*	Employment Status	<input type="text" value="Full-Time"/>
Occupation	<input type="text" value="Administrative/Clerical"/>	*	Highest Education Level	<input type="text" value="Some High School"/>
Household Income	<input type="text" value="Less than 15,000"/>	*	Political Affiliation	<input type="text" value="Communist"/>

I am asking
for a
donation
or my
political
engagements
because:

Save your values

Bid: register to donate funds

Is your corporation wasting its money on campaign contributions? The soft money that your corporation gives to national political committees will be spent on single-issue ads which are an ineffective method of persuading the voting populace. Voteauction.com offers a greater return on your campaign investment. When your corporation wins the auction on a particular voting block, you can be certain that the voteauction.com voters in that state will vote for your candidate. Thus, your corporation is guaranteed that its interests will be looked after.

Fields marked with a * are required. This information will be used to create a demographic profile of the bidding corporations. You and your corporation's identity will be kept strictly confidential. This information will not be sold, distributed, or released for any reason. You will be assigned a bidder number so you can follow the bids on the [check](#) page. Registering to bid on votes also registers you for the bidders email list which will contain updates on important voteauction.com information. You will not receive any advertising or unwanted emails (spam) from this list.

Register to donate funds.

name of organization/Corporation	<input type="text"/>	*		
Contact's Name	<input type="text"/>	*		
Address (Line 1)	<input type="text"/>	*		
Address (Line 2)	<input type="text"/>			
City	<input type="text"/>	*	State/Province	<input type="text"/>
Zip/Post Code	<input type="text"/>	*		
Country	<input type="text"/>	*		
Contact's email address	<input type="text"/>	*	Telephone	<input type="text"/>
Contact's Title	<input type="text"/>			
Type of business/organization	<input type="text" value="Administrative/Clerical"/>	*	Years incorporated	<input type="text" value="1 - 3"/>
Early sales	<input type="text" value="Less than 250,000"/>		Political Affiliation	<input type="text" value="Communist"/>
How much did your business/organization spend in campaign contributions (hard and/or soft money) in the 1996 election cycle?	<input type="text"/>	*	Is your organization a tax-exempt, non-profit?	<input type="checkbox"/> yes

stration for Corporate Donators
lease indicate why
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Submit

Bid: register to donate funds

Is your corporation wasting its money on campaign contributions? The soft money that your corporation gives to national political committees will be spent on single-issue ads which are an ineffective method of persuading the voting populace. Voteauction.com offers a greater return on your campaign investment. When your corporation wins the auction on a particular voting block, you can be certain that the voteauction.com voters in that state will vote for your candidate. Thus, your corporation is guaranteed that its interests will be looked after.

Fields marked with a * are required. This information will be used to create a demographic profile of the bidding corporations. You and your corporation's identity will be kept strictly confidential. This information will not be sold, distributed, or released for any reason. You will be assigned a bidder number so you can follow the bids on the check page. Registering to bid on votes also registers you for the bidders email list which will contain updates on important voteauction.com information. You will not receive any advertising or unwanted emails (spam) from this list.

Register to donate funds.

ame of rganization/Corporation	<input type="text"/>	*		
ontact's Name	<input type="text"/>	*		
ldress (Line 1)	<input type="text"/>	*		
ldress (Line 2)	<input type="text"/>			
ity	<input type="text"/>	*	State/Province	<input type="text"/>
ip/Post Code	<input type="text"/>	*		
ountry	<input type="text"/>	*		
ct's email address	<input type="text"/>	*	Telephone	<input type="text"/>
ontact's Title	<input type="text"/>			
ype of usiness/organization	<input type="text" value="Administrative/Clerical"/>	*	Years incorporated	<input type="text" value="1 - 3"/>
early sales	<input type="text" value="Less than 250,000"/>		Political Affiliation	<input type="text" value="Communist"/>
ow much did your usiness/organization end in campaign ontributions (hard id/or soft money) in e 1996 election cycle?	<input type="text"/>	*	Is your organization a tax-exempt, non-profit?	<input type="checkbox"/> yes

stration for Corporate Donators
lease indicate why
our
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s interested in
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Submit

Bid: Registrater to donate funds

Are you wasting your money on campaign contributions? The soft money that you give to national political committees will be spent on single-issue ads which are an ineffective method of persuading the voting populace. [V]ote-auction.com offers a greater return on your campaign investment. When you win the auction on a particular voting block, you can be certain that the [V]ote-auction.com voters in that state will vote for your candidate. Thus, you are guaranteed that your interests will be looked after.

Fields marked with a * are required. This information will be used to create a demographic profile of the bidders. Your identity will be kept strictly confidential. This information will not be sold, distributed, or released for any reason. You will be assigned a bidder number so you can follow the bids on the check page. Registering to bid on votes also registers you for the bidders email list which will contain updates on important [V]ote-auction.com information. You will not receive any advertising or unwanted emails (spam) from this list.

Register to donate funds.

First (Given) Name	<input type="text"/>	*		
Last (Family) Name	<input type="text"/>	*	Middle Initial	<input type="text"/>
Address (Line 1)	<input type="text"/>	*		
Address (Line 2)	<input type="text"/>			
City	<input type="text"/>	*	State	<input type="text" value="AL"/> *
Zip Code	<input type="text"/>	*		
Email address	<input type="text"/>	*	Telephone	<input type="text"/>
Age (on November 7, 2000)	<input type="text" value="18"/>	*	Sex	<input type="text" value="-----"/> *
I describe myself as:	<input type="text" value="Asian/Pacific Islander"/>	*	Employment Status	<input type="text" value="Full-Time"/> *
Occupation	<input type="text" value="Administrative/Clerical"/>	*	Highest Education Level	<input type="text" value="Some High School"/> *
Household Income	<input type="text" value="Less than 15,000"/>	*	Political Affiliation	<input type="text" value="Communist"/>
Amount I spent in campaign contributions (soft and/or hard money) in the 1996 election cycle.	<input type="text"/>	*		

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Submit

Current bids for the voting blocks:

Minimum bid is \$100. Minimum bid increase is \$50 for bids less than \$10000. For bids over \$10000, minimum bid increase is \$500.

State (# electoral votes)	Number of Voteauction.com voters	Current Total Price	Current Price per vote	Current Leading Bidder
Totals	21079	\$262550	(N/A)	(N/A)
Alabama (9)	214	\$2100	\$9.44	5601
Alaska (3)	6	0	0	none
Arizona (8)	207	\$2300	\$10.98	6301
Arkansas (6)	156	\$2500	\$16.07	8801
California (54)	2546	\$48000	\$19.61	none
Colorado (8)	162	\$2950	\$18.97	8301
Connecticut (8)	292	\$3100	\$15.12	8701
Delaware (3)	52	0	0	no
District of Columbia (3)	371	\$34	\$10.00	56
Florida (25)	540	\$95	\$11.00	63
Georgia (13)	231	\$18	\$10.00	62
Hawaii (4)	65	0	0	none
Idaho (4)	74	0	0	none
Illinois (22)	1632	\$28500	\$12.38	none
Indiana (12)	721	\$12000	\$9.79	6301
Iowa (7)	212	\$2400	\$10.42	8215
Kansas (6)	120	\$1000	\$9.62	8701
Kentucky (8)	245	\$1700	\$7.36	9501
Louisiana (9)	63	\$500	\$3.57	8101
Maine (4)	265	\$1400	\$6.57	9515
Maryland (10)	589	\$8000	\$14.34	5601
Massachussets (12)	731	\$4000	\$6.08	8315
Michigan (18)	1429	\$28000	\$22.73	9301
Minnesota (10)	215	\$2800	\$13.64	9501
Mississippi (7)	178	\$1400	\$8.63	8301
Missouri (11)	562	\$6000	\$10.62	8701
Montana (3)	49	0	0	none
Nebraska (5)	89	\$900	\$10.98	9101
Nevada (4)	161	\$1400	\$8.75	8301
New Hampshire (4)	153	0	0	none
New Jersey (15)	1266	\$6000	\$6.96	9215

New Mexico (5)	182	\$800	\$5.00	7815
New York (33)	0	0	0	none
North Carolina (14)	422	\$4600	\$6.98	8015
North Dakota (3)	51	0	0	none
Ohio (21)	1344	\$19000	\$6.19	none
Oklahoma (8)	290	\$2000	\$5.15	5901
Oregon (7)	418	\$5100	\$11.60	8701
Pennsylvania (23)	1376	\$27000	\$18.24	9010
Rhode Island (4)	83	0	0	none
South Carolina (8)	248	\$3500	\$11.01	5201
South Dakota (3)	42	0	0	none
Tennessee (11)	367	\$3500	\$5.66	4515
Texas (32)	1164	\$2600	\$4.19	9515
Utah (5)	187	0	0	none
Vermont (3)	51	0	0	none
Virginia (13)	282	\$3200	\$11.97	8315
Washington (11)	371	\$5000	\$11.05	9215
West Virginia (5)	121	0	0	none
Wisconsin (11)	428	\$4600	\$10.14	9701
Wyoming (3)	56	0	0	none

st updated 16 October, 2000



Uniform Domain Name Dispute Resolution Policy

Policy Adopted: August 26, 1999
Implementation Documents Approved: October 24, 1999

Notes:

1. This policy is now in effect. See www.icann.org/udrp/udrp-schedule.htm for the implementation schedule.
 2. This policy has been adopted by all accredited domain-name registrars for domain names ending in .com, .net, and .org. It has also been adopted by certain managers of country-code top-level domains (e.g., .nu, .tv, .ws).
 3. The policy is between the registrar (or other registration authority in the case of a country-code top-level domain) and its customer (the domain-name holder or registrant). Thus, the policy uses "we" and "our" to refer to the registrar and it uses "you" and "your" to refer to the domain-name holder.
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Uniform Domain Name Dispute Resolution Policy

(As Approved by ICANN on October 24, 1999)

1. Purpose. This Uniform Domain Name Dispute Resolution Policy (the "Policy") has been adopted by the Internet Corporation for Assigned Names and Numbers ("ICANN"), is incorporated by reference into your Registration Agreement, and sets forth the terms and conditions in connection with a dispute between you and any party other than us (the registrar) over the registration and use of an Internet domain name registered by you. Proceedings under Paragraph 4 of this Policy will be conducted according to the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules of Procedure"), which are available at www.icann.org/udrp/udrp-rules-24oct99.htm, and the selected administrative-dispute-resolution service provider's supplemental rules.

2. Your Representations. By applying to register a domain name, or by asking us to maintain or renew a domain name registration, you hereby represent and warrant to us that (a) the statements that you made in your Registration Agreement are complete and accurate; (b) to your knowledge, the registration of the domain name will not infringe upon or otherwise violate the rights of any third party; (c) you are not registering the domain name for an unlawful purpose; and (d) you will not knowingly use the domain name in violation of any applicable laws or regulations. It is your responsibility to determine whether your domain name registration infringes or violates someone else's rights.

3. Cancellations, Transfers, and Changes. We will cancel, transfer or otherwise make changes to domain name registrations under the following circumstances:

- a. subject to the provisions of Paragraph 8, our receipt of written or appropriate electronic instructions from you or your authorized agent to take such action;
- b. our receipt of an order from a court or arbitral tribunal, in each case of competent jurisdiction, requiring such action; and/or



c. our receipt of a decision of an Administrative Panel requiring such action in any administrative proceeding to which you were a party and which was conducted under this Policy or a later version of this Policy adopted by ICANN. (See Paragraph 4(i) and (k) below.)

We may also cancel, transfer or otherwise make changes to a domain name registration in accordance with the terms of your Registration Agreement or other legal requirements.

4. Mandatory Administrative Proceeding.

This Paragraph sets forth the type of disputes for which you are required to submit to a mandatory administrative proceeding. These proceedings will be conducted before one of the administrative-dispute-resolution service providers listed at www.icann.org/udrp/approved-providers.htm (each, a "Provider").

a. Applicable Disputes. You are required to submit to a mandatory administrative proceeding in the event that a third party (a "complainant") asserts to the applicable Provider, in compliance with the Rules of Procedure, that

- (i) your domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) you have no rights or legitimate interests in respect of the domain name; and
- (iii) your domain name has been registered and is being used in bad faith.

In the administrative proceeding, the complainant must prove that each of these three elements are present.

b. Evidence of Registration and Use in Bad Faith. For the purposes of Paragraph 4(a) (iii), the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

- (i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or
- (ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or
- (iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.

c. How to Demonstrate Your Rights to and Legitimate Interests in the Domain Name in Responding to a Complaint. When you receive a complaint, you should refer to Paragraph 5 of the Rules of Procedure in determining how your response should be prepared. Any of the following circumstances, in particular but without limitation, if found by the Panel to be proved based on its evaluation of all evidence presented, shall demonstrate your rights or legitimate interests to the domain name for purposes of



Uniform Domain Name Dispute Resolution Policy

Policy Adopted: August 26, 1999
Implementation Documents Approved: October 24, 1999

Notes:

1. This policy is now in effect. See www.icann.org/udrp/udrp-schedule.htm for the implementation schedule.
2. This policy has been adopted by all accredited domain-name registrars for domain names ending in .com, .net, and .org. It has also been adopted by certain managers of country-code top-level domains (e.g., .nu, .tv, .ws).
3. The policy is between the registrar (or other registration authority in the case of a country-code top-level domain) and its customer (the domain-name holder or registrant). Thus, the policy uses "we" and "our" to refer to the registrar and it uses "you" and "your" to refer to the domain-name holder.

Uniform Domain Name Dispute Resolution Policy

(As Approved by ICANN on October 24, 1999)

1. Purpose. This Uniform Domain Name Dispute Resolution Policy (the "Policy") has been adopted by the Internet Corporation for Assigned Names and Numbers ("ICANN"), is incorporated by reference into your Registration Agreement, and sets forth the terms and conditions in connection with a dispute between you and any party other than us (the registrar) over the registration and use of an Internet domain name registered by you. Proceedings under Paragraph 4 of this Policy will be conducted according to the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules of Procedure"), which are available at www.icann.org/udrp/udrp-rules-24oct99.htm, and the selected administrative-dispute-resolution service provider's supplemental rules.

2. Your Representations. By applying to register a domain name, or by asking us to maintain or renew a domain name registration, you hereby represent and warrant to us that (a) the statements that you made in your Registration Agreement are complete and accurate; (b) to your knowledge, the registration of the domain name will not infringe upon or otherwise violate the rights of any third party; (c) you are not registering the domain name for an unlawful purpose; and (d) you will not knowingly use the domain name in violation of any applicable laws or regulations. It is your responsibility to determine whether your domain name registration infringes or violates someone else's rights.

3. Cancellations, Transfers, and Changes. We will cancel, transfer or otherwise make changes to domain name registrations under the following circumstances:

a. subject to the provisions of Paragraph 8, our receipt of written or appropriate electronic instructions from you or your authorized agent to take such action;

b. our receipt of an order from a court or arbitral tribunal, in each case of competent jurisdiction, requiring such action; and/or



c. our receipt of a decision of an Administrative Panel requiring such action in any administrative proceeding to which you were a party and which was conducted under this Policy or a later version of this Policy adopted by ICANN. (See Paragraph 4(i) and (k) below.)

We may also cancel, transfer or otherwise make changes to a domain name registration in accordance with the terms of your Registration Agreement or other legal requirements.

4. Mandatory Administrative Proceeding.

This Paragraph sets forth the type of disputes for which you are required to submit to a mandatory administrative proceeding. These proceedings will be conducted before one of the administrative-dispute-resolution service providers listed at www.icann.org/udrp/approved-providers.htm (each, a "Provider").

a. Applicable Disputes. You are required to submit to a mandatory administrative proceeding in the event that a third party (a "complainant") asserts to the applicable Provider, in compliance with the Rules of Procedure, that

- (i) your domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) you have no rights or legitimate interests in respect of the domain name; and
- (iii) your domain name has been registered and is being used in bad faith.

In the administrative proceeding, the complainant must prove that each of these three elements are present.

b. Evidence of Registration and Use in Bad Faith. For the purposes of Paragraph 4(a) (iii), the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

- (i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or
- (ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or
- (iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.

c. How to Demonstrate Your Rights to and Legitimate Interests in the Domain Name in Responding to a Complaint. When you receive a complaint, you should refer to Paragraph 5 of the Rules of Procedure in determining how your response should be prepared. Any of the following circumstances, in particular but without limitation, if found by the Panel to be proved based on its evaluation of all evidence presented, shall demonstrate your rights or legitimate interests to the domain name for purposes of

Paragraph 4(a)(ii):

(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or

(iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

d. Selection of Provider. The complainant shall select the Provider from among those approved by ICANN by submitting the complaint to that Provider. The selected Provider will administer the proceeding, except in cases of consolidation as described in Paragraph 4(f).

e. Initiation of Proceeding and Process and Appointment of Administrative Panel. The Rules of Procedure state the process for initiating and conducting a proceeding and for appointing the panel that will decide the dispute (the "Administrative Panel").

f. Consolidation. In the event of multiple disputes between you and a complainant, either you or the complainant may petition to consolidate the disputes before a single Administrative Panel. This petition shall be made to the first Administrative Panel appointed to hear a pending dispute between the parties. This Administrative Panel may consolidate before it any or all such disputes in its sole discretion, provided that the disputes being consolidated are governed by this Policy or a later version of this Policy adopted by ICANN.

g. Fees. All fees charged by a Provider in connection with any dispute before an Administrative Panel pursuant to this Policy shall be paid by the complainant, except in cases where you elect to expand the Administrative Panel from one to three panelists as provided in Paragraph 5(b)(iv) of the Rules of Procedure, in which case all fees will be split evenly by you and the complainant.

h. Our Involvement in Administrative Proceedings. We do not, and will not, participate in the administration or conduct of any proceeding before an Administrative Panel. In addition, we will not be liable as a result of any decisions rendered by the Administrative Panel.

i. Remedies. The remedies available to a complainant pursuant to any proceeding before an Administrative Panel shall be limited to requiring the cancellation of your domain name or the transfer of your domain name registration to the complainant.

j. Notification and Publication. The Provider shall notify us of any decision made by an Administrative Panel with respect to a domain name you have registered with us. All decisions under this Policy will be published in full over the Internet, except when an Administrative Panel determines in an exceptional case to redact portions of its decision.

k. Availability of Court Proceedings. The mandatory administrative proceeding requirements set forth in Paragraph 4 shall not prevent either you or the complainant from submitting the dispute to a court of competent jurisdiction for independent resolution before such mandatory administrative proceeding is commenced or after such proceeding is concluded. If an Administrative Panel decides that your domain name registration should be canceled or transferred, we will wait ten (10) business days (as observed in the location of our principal office) after we are informed by the applicable Provider of the Administrative Panel's decision before implementing that decision. We will then implement the decision unless we have received from you during that ten (10) business day period official documentation (such as a copy of a complaint, file-stamped by the clerk of the court) that you have commenced a lawsuit against the complainant in a jurisdiction to which the complainant has submitted under Paragraph 3(b)(xiii) of the Rules of Procedure.

(In general, that jurisdiction is either the location of our principal office or of your address as shown in our Whois database. See Paragraphs 1 and 3(b)(xiii) of the Rules of Procedure for details.) If we receive such documentation within the ten (10) business day period, we will not implement the Administrative Panel's decision, and we will take no further action, until we receive (i) evidence satisfactory to us of a resolution between the parties; (ii) evidence satisfactory to us that your lawsuit has been dismissed or withdrawn; or (iii) a copy of an order from such court dismissing your lawsuit or ordering that you do not have the right to continue to use your domain name.

5. All Other Disputes and Litigation. All other disputes between you and any party other than us regarding your domain name registration that are not brought pursuant to the mandatory administrative proceeding provisions of Paragraph 4 shall be resolved between you and such other party through any court, arbitration or other proceeding that may be available.

6. Our Involvement in Disputes. We will not participate in any way in any dispute between you and any party other than us regarding the registration and use of your domain name. You shall not name us as a party or otherwise include us in any such proceeding. In the event that we are named as a party in any such proceeding, we reserve the right to raise any and all defenses deemed appropriate, and to take any other action necessary to defend ourselves.

7. Maintaining the Status Quo. We will not cancel, transfer, activate, deactivate, or otherwise change the status of any domain name registration under this Policy except as provided in Paragraph 3 above.

8. Transfers During a Dispute.

a. Transfers of a Domain Name to a New Holder. You may not transfer your domain name registration to another holder (i) during a pending administrative proceeding brought pursuant to Paragraph 4 or for a period of fifteen (15) business days (as observed in the location of our principal place of business) after such proceeding is concluded; or (ii) during a pending court proceeding or arbitration commenced regarding your domain name unless the party to whom the domain name registration is being transferred agrees, in writing, to be bound by the decision of the court or arbitrator. We reserve the right to cancel any transfer of a domain name registration to another holder that is made in violation of this subparagraph.

b. Changing Registrars. You may not transfer your domain name registration to another registrar during a pending administrative proceeding brought pursuant to Paragraph 4 or for a period of fifteen (15) business days (as observed in the location of our principal place of business) after such proceeding is concluded. You may transfer administration of your domain name registration to another registrar during a pending court action or arbitration, provided that the domain name you have registered with us shall continue to be subject to the proceedings commenced against you in accordance with the terms of this Policy. In the event that you transfer a domain name registration to us during the pendency of a court action or arbitration, such dispute shall remain subject to the domain name dispute policy of the registrar from which the domain name registration was transferred.

9. Policy Modifications. We reserve the right to modify this Policy at any time with the permission of ICANN. We will post our revised Policy at <URL> at least thirty (30) calendar days before it becomes effective. Unless this Policy has already been invoked by the submission of a complaint to a Provider, in which event the version of the Policy in effect at the time it was invoked will apply to you until the dispute is over, all such changes will be binding upon you with respect to any domain name registration dispute, whether the dispute arose before, on or after the effective date of our change. In the event that you object to a change in this Policy, your sole remedy is to cancel your domain name registration with us, provided that you will not be entitled to a refund of any fees you paid to us. The revised Policy will apply to you until you cancel your domain name registration.

Comments concerning the layout, construction and functionality of this site should be sent to webmaster@icann.org.

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