



Small Australia Web Host threatened legally by one of the World's Largest Domain Registrars

A threat to big business and greed

Yesterday, New Sprout Hosting, Australia, threatened with legal action to stop using Trademarked terms of one of the worlds biggest domain registrars.

In addition to this they were requested to add the trademarked terms to their negative keyword list in Google AdWords.

New Sprout Hosting is an emerging web hosting company in Australia. Although a relative newcomer to the Australian web hosting industry they have been operating for over 3 years now and their founders have been operating in the industry since 1996.

We pride ourselves in being a premier web hosting provider says managing director Gavin Payne, offering personalised service as opposed to being a gigantic automated machine chasing endless growth that ultimately can't satisfy its clients!

Being a relatively new business - New Sprout Hosting is very much looking to grow and mature our Sprout, however our growth, innovation and competitive offerings will never be to the detriment of our customers, says Payne.

Yesterday they were served a legal letter from one of the biggest hosting and domain companies in the world. It stated that through their online advertising they were leading consumers to believe there was an association between the 2 businesses.

New Sprout Hosting has only been around for about 3 and a half years, however - it is flattering to think we are already a threat to one of the biggest web hosting companies and domain name registrars in the world who manage millions of domain names! Payne says.

Their words, backed by a string of Trademarks, were something along the lines of (with plenty of finger pointing implied):

Advertising based on our trademarked keywords that is likely to cause confusion among consumers who are instead presented with an advertisement for a competing website.

And...

Any use that your company may be making of the trademarks described herein is not authorized by us, nor is such use otherwise permissible under law.

They then proceeded to request we stop using these ads -

which we didn't have to begin with. They also requested we add their registered trademarks to our Google AdWords "negative keywords" list. Payne continued.

New Sprout says they offer a personalised web hosting experience and don't want to be associated with these big corporates.

Payne continued I wonder if they ever stop to think - that just maybe - not everyone wants to be like them.

New Sprouts response was:

We do not advertise, neither with your trademarked terms or any other competitors terms, either in the ads themselves or in any of the keywords we target.

And...

Just as you do not want confusion amongst your consumers we certainly don't want confusion either. We offer a very different service to you and do not wish to be associated in any manner.

Funny thing how greed gets people behaving in ways that is certainly not common sense. And a funny thing "common sense"...what's so "common" about it.

Contacts

Gavin Payne
02 6687 6533
mailto:prwire@newsprout.com.au