

**RE: URGENT-Copyright Infringement (DMCA Notice/2017/0080)**

**Lex Protector – DMCA [dmca@lexprotector.com](mailto:dmca@lexprotector.com)**

**11/3/17**

Hello Legal Team,

Thank you for reviewing our report and sharing your concern with us. We would like to inform you that use of a trademark in a way to tarnish the trademark reputation and lessen the goodwill of the trademark also comes under the ambience of trademark infringement.

Our client's trademark "Airborne Drones" has been used in the Web address of your website (i.e. <https://airborne-drones.pissedconsumer.com/> ) without any authorisation. Using someone else trademark in the domain name without authorisation violates the trademark holder's right and therefore constitutes trademark infringement. You have no right to use our client's trademark in the domain name URL.

It should be noted that the fair use doctrine is only available when the mark is used fairly and in good faith. Unauthorised use of the trademark in the website domain address cannot be considered as fair use. It is logical to say that the unauthorised use of trademarks in domain names URLs, normally leads to an improper appropriation of goodwill. The trademark is not being used only for criticism purpose, it is being used in the domain name URL so as to tarnish the goodwill of our client's trademark. It can be assumed that the targeted consumers may look for the trademark over the internet and the presence of the infringing URL would cause huge loss to our client. Using of the trademark in the domain name URL without any authorisation, is not considered as fair use. It is solely a case of trademark infringement. The website page complained of contains serious, untrue, defamatory comments towards our Client, some of which contain malicious falsehood. In doing so, false comments are being communicated to thousands of people throughout the world, posing a serious threat to the reputation of our Client and his business. The impugned articles when taken as a whole is fallacious in nature and satisfy all the essentials needed to prove a strong case of defamation against the wrong doer.

We therefore request you to remove the page and URL that is violating our client's trademark right and is spreading false rumours about our client's business thereby encroaching upon our client's goodwill and reputation.

**Sincerely**  
**Aurobinda Panda**  
**Attorney at Law**

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