

# **ATTACHMENT 1**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

BLACKROCK, INC.,

Plaintiff,

v.

BALCKROCK.COM and 38 additional Internet  
Domain Names,

Defendants.

Civil Action No. 1:22-cv-1002-TSE-JFA

**DECLARATION OF ADRIENNE J. KOSAK**

I, Adrienne J. Kosak, hereby declare as follows:

1. I am an attorney with the law firm Wiley Rein LLP, counsel for Plaintiff BlackRock, Inc. (“BlackRock”).

2. I am a member in good standing of the State Bars of Virginia, North Carolina, and the District of Columbia.

3. I submit this Declaration in support of Plaintiff’s Motion for Order to Publish Notice of Action and make this Declaration based on my personal knowledge.

4. My firm undertook a review of the WhoIs records for each of the Defendant domain names. The domain records are attached to the Complaint as Exhibits A through MM. The domain records reflect that the registrant(s) of the Defendant domain names are all either outside the jurisdiction of the United States, or have intentionally concealed their identifying information such that we cannot identify a person who would have been a defendant. The records also reflect that the domains were either registered, used, trafficked-in, and/or re-

registered in very recent years, and decades after BlackRock established rights and extensive goodwill in the BLACKROCK mark.

5. At the same time we reviewed the WhoIs records, my firm undertook a review of the websites to which the domains resolved. None of the websites reflected use of the BLACKROCK mark for any *bona fide* purpose, and many were clearly seeking to capitalize on misdirected consumers by using pay-per-click links, malware, and bloatware.

6. On September 6 and 7, 2022, we sent letters on behalf of BlackRock to the registrant(s) of the Defendant domain names, notifying the registrant(s) that BlackRock had filed suit in the United States District Court for the Eastern District of Virginia, attaching a copy of the Complaint, and providing notice of BlackRock's intent to proceed *in rem*. A true and accurate copy of the letter is attached hereto as Exhibit A.

7. We utilized all available means to communicate with the registrant(s). Our efforts included sending not only the attached letter to the physical and email addresses provided (and registrar addresses where the registrant provided no information whatsoever), but also separate notices to the online contact portals listed in the WhoIs information. Our efforts are reflected in the service information in Exhibit A.

8. Following our service of the notice of BlackRock's intent to proceed *in rem*, we received several responses. These responses confirm our belief that the electronic methods of service we employed were effective in reaching the registrant(s) of the domain names. The responses also reinforced our belief that the domains were registered, trafficked-in, and/or used in bad faith.

9. The widespread concealment of the registrant(s)' identities and physical location, coupled with the lack of *bona fide* use of the domains, strongly suggest that the registrant(s)

concealed their information from the WhoIs records with the specific intent of avoiding liability for their intellectual property misuse.

10. Despite receiving some correspondence in response to the notice of intent to proceed *in rem*, we remain unable to identify a person/entity who would be a defendant and over whom there would exist personal jurisdiction in United States, for any of the Defendant domain names. Those individuals from whom we received correspondence either chose not to identify themselves, immediately relinquished or claimed they were no longer in possession of the domain names,<sup>1</sup> or informed us that they were not subject to personal jurisdiction in the United States. Thus, BlackRock's only recourse is to continue this proceeding *in rem*, as is authorized by the Anti-Cybersquatting Consumer Protection Act.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 23, 2022, in Charlotte, North Carolina.



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Adrienne J. Kosak  
WILEY REIN LLP  
2050 M Street, N.W.  
Washington, DC 20036  
Telephone: (202) 719-7000  
Fax: (202) 719-7049  
akosak@wiley.law

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<sup>1</sup> In instances where BlackRock has obtained possession of a domain since the Complaint was filed, we have noticed the domain's dismissal from this action, and have not included the domain in our motion or proposed order.

# **Exhibit A**

David E. Weslow  
202.719.7525  
dweslow@wiley.law



Wiley Rein LLP  
2050 M Street NW  
Washington, DC 20036  
Tel: 202.719.7000

September 6, 2022

**wiley.law**

**VIA E-MAIL AND FIRST-CLASS MAIL (see Address List)**

Re: *BlackRock, Inc. v. BALCKROCK.com et al.*, No. 1:22-cv-1002 (E.D. Va.) – Notice of Intent to Proceed With *In Rem* Civil Action

Dear Sir or Madam:

Our firm represents BlackRock, Inc. (“BlackRock”). Please find enclosed a Complaint that has been filed in the United States District Court for the Eastern District of Virginia asserting claims under the Anticybersquatting Consumer Protection Act, 15 U.S.C. § 1125(d), against the following domain names:

- BALCKROCK.com
- BLACKROCKINVESTMENTS.com
- BLACKROCKINVESTORS.com
- BLACKROCKBANK.com
- BLACKROCKFINANCIALCORP.com
- BLACKROCKMONEY.com
- BLACKROCKEQUITYPARTNER.com
- BLACKROCKFUNDING.com
- BLACKROCKHOLDINGINVESTMENTS.com
- BLACKROCKBANKS.com
- BLACKROCKTRADELLP.com
- BLACKROCK-PSA.com
- BLACKROCK-INVESTMENT.com
- BLACKROCKBITCOIN.com
- BLACKROCKUKINVESTMENT.com
- BLACKROCKCAPITALSOLUTIONSLLC.com
- BLOCKROCKCAPITAL.com
- BLACKROCK-FUND.com
- BLACKROCKCRYPTOBANK.com
- BLACKROCKBROKER.com
- BLACKROCKBROKERAGEFIRM.com
- BLACROCK.net
- MYBLACKROCKISHARES.com
- BLACK-ROCK-INVEST.com
- BLACKROCKINVESTMENTSGROUP.com
- BLACKSOCK-INVEST.com
- FUNDBLACKROCK.com

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- BLACKROCKFINANCIALADVISERS.com
- BLACKROCKFINANCIALADVISORS.com
- BLACKROCKLOAN.com
- BLACKROCK-STOCK.com
- BLACKROCKE.com
- BLACKROCKDIGITALASSETS.com
- BLACKROCKINVEST.org
- BLACKRPCK.com
- BLACKROCK-INVEST.com
- BLACKROK.com
- BLACKROCKGLOBALINVESTMENT.com
- BLACKROCKVESTMENT.com

Due to size, copies of the attachments to the Complaint have not been included here, but will be made available upon request.

This correspondence is notice of BlackRock's intent to proceed *in rem* pursuant to 15 U.S.C. § 1125(d)(2)(A)(ii)(II)(aa). Additionally, all documents and electronic records must be retained relating to your registration and/or use of the referenced domain names, and any and all other domain name registrations, including email and computer records that otherwise may be erased or overwritten. See 15 U.S.C. § 1125(d)(1)(B)(i)(VIII).

Sincerely,



David E. Weslow

Enclosure

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## **ADDRESS LIST**

### **Physical and Email Addresses:**

#### **Fundacion Privacy Services LTD**

3rd Floor Humbolt Tower, Calle 53 Este  
Panama City, PA 0801  
[domains@fundacionprivacy.com](mailto:domains@fundacionprivacy.com)

for *BALCKROCK.com*

#### **Domains By Proxy, LLC**

2155 E. Warner Rd.  
Tempe, AZ 85284  
[abuse@godaddy.com](mailto:abuse@godaddy.com)

for *BLACKROCKINVESTORS.com, BLACKROCKBANK.com, BLACKROCKFINANCIALCORP.com, BLACKROCKMONEY.com, BLACKROCKEQUITYPARTNER.com, BLACKROCKHOLDINGINVESTMENTS.com, BLACKROCKTRADELLP.com, BLACKROCK-INVESTMENT.com, BLACKROCKBITCOIN.com, BLACKROCKUKINVESTMENT.com, BLOCKROCKCAPITAL.com, BLACKROCKBROKER.com, BLACKROCKBROKERAGEFIRM.com, BLACKROCKINVESTMENTSGROUP.com, BLACKROCKFINANCIALADVISERS.com, BLACKROCKFINANCIALADVISORS.com, BLACKROCKE.com, BLACKROCKDIGITALASSETS.com, and BLACKROK.com*

#### **Ename**

Room 603, Building 3, Building 19  
Wanghai Road  
Xiamen Software Park  
Fujian Province, CN 361005  
[abuse@ename.com](mailto:abuse@ename.com)

for *BLACKROCKINVESTMENTS.com*

#### **Contact Privacy Inc.**

96 Mowat Ave.  
Toronto, ON, CA M4K 3K1  
[registrar-abuse@google.com](mailto:registrar-abuse@google.com)

for *BLACKROCKFUNDING.com and BLACKROCKCAPITALSOLUTIONSLLC.com*



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**Withheld for Privacy ehf**

Kalkofnsvegur 2  
Reykjavik  
Capital Region, IS 101  
[c540a44915d34368b7a04b3e1b126254.protect@withheldforprivacy.com](mailto:c540a44915d34368b7a04b3e1b126254.protect@withheldforprivacy.com)  
[56b448510b63484b971f1f9f9c6c193f.protect@withheldforprivacy.com](mailto:56b448510b63484b971f1f9f9c6c193f.protect@withheldforprivacy.com)  
[e0b84be0228c435093ff541f1e24c144.protect@withheldforprivacy.com](mailto:e0b84be0228c435093ff541f1e24c144.protect@withheldforprivacy.com)  
[8ee91c22edaf4c4e8f9e76104bdb623f.protect@withheldforprivacy.com](mailto:8ee91c22edaf4c4e8f9e76104bdb623f.protect@withheldforprivacy.com)

*for BLACKROCKBANKS.com, BLACKROCK-PSA.com, BLACKROCK-FUND.com, and BLACKROCKVESTMENT.COM, respectively*

**Privacy Protection**

2229 S Michigan Ave.  
Suite 411  
Chicago, IL 60616  
[contact@privacyprotection.com](mailto:contact@privacyprotection.com)

*for BLACKROCKCRYPTOBANK.com*

**Amazon Register, Inc.**

410 Terry Ave. N.  
Seattle, WA 98109  
[abuse@amazonaws.com](mailto:abuse@amazonaws.com)

*for BLACROCK.net*

**Instra Corporation Pty Ltd.**

GPO BOX 988  
Melbourne  
Victoria, Australia, 3001  
[abuse@instra.com](mailto:abuse@instra.com)

*for MYBLACKROCKISHARES.com*

**WhoisSecure**

18 San Carlos Street  
Los Angeles, CA 94110  
[contact@whoissecure.net](mailto:contact@whoissecure.net)

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for *BLACK-ROCK-INVEST.com* and *BLACKROCKINVEST.org*

**Cronon GmbH**

Otto-Ostrowski-Straße 7, 10249  
Berlin, Germany  
[Abuse-domains@cronon.net](mailto:Abuse-domains@cronon.net)

for *BLACKSOCK-INVEST.com*

**Xin Net Technology Corporation**

Level 3, Block A2  
Sino-I Campus  
No.1 Disheng West Street  
Beijing 100176. China  
[supervision@xinnet.com](mailto:supervision@xinnet.com)

for *FUNDBLACKROCK.com*

**Alibaba.com Singapore E-Commerce Private Limited**

51 Bras Basah Rd., #04-08, Lazada One  
189554, Singapore  
[domainabuse@service.aliyun.com](mailto:domainabuse@service.aliyun.com)

for *BLACKROCKLOAN.com*, *BLACKROCK-STOCK.com*, and *BLACKROCK-INVEST.com*

**Chengdu West Dimension Digital Technology Co., Ltd.**

Room 2406, Floor 24, Global Plaza No. 99,  
First Ring Road, Jnniu District Chengdu 610000  
[abuse@west.cn](mailto:abuse@west.cn)

for *BLACKRPCK.com*

**Mesh Digital**

The Old Forge, Shackstead Lane  
Surrey Godalming, GU7 1RJ United Kingdom

for *BLACKROCKGLOBALINVESTMENT.COM*

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**Web Portals:**

<https://whois.ename.net/contact/blackrockinvestments.com>  
for *BLACKROCKINVESTMENTS.com*

<https://www.godaddy.com/whois/results.aspx?domain=BLACKROCKINVESTORS.COM>  
for *BLACKROCKINVESTORS.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrockbank.com>  
for *BLACKROCKBANK.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrockfinancialcorp.com>  
for *BLACKROCKFINANCIALCORP.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrockmoney.com>  
for *BLACKROCKMONEY.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrockequitypartner.com>  
for *BLACKROCKEQUITYPARTNER.com*

<https://domains.google.com/contactregistrant?domain=blackrockfunding.com>  
for *BLACKROCKFUNDING.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrockholdinginvestments.com>  
for *BLACKROCKHOLDINGINVESTMENTS.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrocktradellp.com>  
for *BLACKROCKTRADELLP.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrock-investment.com>  
for *BLACKROCK-INVESTMENT.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrockbitcoin.com>  
for *BLACKROCKBITCOIN.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrockukinvestment.com>  
for *BLACKROCKUKINVESTMENT.com*

<https://domains.google.com/contactregistrant?domain=blackrockcapitalsolutionsllc.com>  
for *BLACKROCKCAPITALSOLUTIONSLLC.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrockcapital.com>  
for *BLOCKROCKCAPITAL.com*

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<https://www.privacyprotection.com/?domain=blackrockcryptobank.com>  
for *BLACKROCKCRYPTOBANK.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrockbroker.com>  
for *BLACKROCKBROKER.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrockbrokeragefirm.com>  
for *BLACKROCKBROKERAGEFIRM.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrockinvestmentsgroup.com>  
for *BLACKROCKINVESTMENTSGROUP.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrockfinancialadvisers.com>  
for *BLACKROCKFINANCIALADVISERS.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrockfinancialadvisors.com>  
for *BLACKROCKFINANCIALADVISORS.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrocke.com>  
for *BLACKROCKE.com*

<https://www.godaddy.com/whois/results.aspx?domain=blackrockdigitalassets.com>  
for *BLACKROCKDIGITALASSETS.com*

<https://whoissecure.net/contact-domain-registrant/>  
for *BLACKROCKINVEST.org*

<https://www.west.cn/web/whoisform?domain=blackrpck.com>  
for *BLACKRPCK.com*

<https://whois.aliyun.com/whois/whoisForm>  
for *BLACKROCK-INVEST.com*

<https://www.godaddy.com/whois/results.aspx?domain=BLACKROK.COM>  
for *BLACKROK.com*

<https://webform.meshdigital.com>  
for *BLACKROCKGLOBALINVESTMENT.COM*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

BLACKROCK, INC.,  
40 East 52<sup>nd</sup> Street  
New York, NY 10022,

Plaintiff,

v.

BALCKROCK.COM,  
BLACKROCKINVESTMENTS.COM,  
BLACKROCKINVESTORS.COM,  
BLACKROCKBANK.COM,  
BLACKROCKFINANCIALCORP.COM,  
BLACKROCKMONEY.COM,  
BLACKROCKEQUITYPARTNER.COM,  
BLACKROCKFUNDING.COM,  
BLACKROCKHOLDINGINVESTMENTS.COM,  
BLACKROCKBANKS.COM,  
BLACKROCKTRADELLP.COM,  
BLACKROCK-PSA.COM, BLACKROCK-  
INVESTMENT.COM,  
BLACKROCKBITCOIN.COM,  
BLACKROCKUKINVESTMENT.COM,  
BLACKROCKCAPITALSOLUTIONSLLC.COM,  
BLOCKROCKCAPITAL.COM, BLACKROCK-  
FUND.COM,  
BLACKROCKCRYPTOBANK.COM,  
BLACKROCKBROKER.COM,  
BLACKROCKBROKERAGEFIRM.COM,  
BLACROCK.NET,  
MYBLACKROCKISHARES.COM, BLACK-  
ROCK-INVEST.COM,  
BLACKROCKINVESTMENTSGROUP.COM,  
BLACKSOCK-INVEST.COM,  
FUNDBLACKROCK.COM,  
BLACKROCKFINANCIALADVISERS.COM,  
BLACKROCKFINANCIALADVISORS.COM,  
BLACKROCKLOAN.COM, BLACKROCK-  
STOCK.COM, BLACKROCKE.COM,  
BLACKROCKDIGITALASSETS.COM,  
BLACKROCKINVEST.ORG,

Civil Action No. 1:22-cv-1002

BLACKRPCK.COM, BLACKROCK-  
INVEST.COM, BLACKROK.COM,  
BLACKROCKGLOBALINVESTMENT.COM,  
BLACKROCKVESTMENT.COM, Internet  
Domain Names,

Defendants.

### COMPLAINT

Plaintiff BlackRock, Inc. (“BlackRock”), through counsel, alleges as follows for its *in rem* Complaint against Defendants BALCKROCK.com, BLACKROCKINVESTMENTS.com, BLACKROCKINVESTORS.com, BLACKROCKBANK.com, BLACKROCKFINANCIALCORP.com, BLACKROCKMONEY.com, BLACKROCKEQUITYPARTNER.com, BLACKROCKFUNDING.com, BLACKROCKHOLDINGINVESTMENTS.com, BLACKROCKBANKS.com, BLACKROCKTRADELLP.com, BLACKROCK-PSA.com, BLACKROCK-INVESTMENT.com, BLACKROCKBITCOIN.com, BLACKROCKUKINVESTMENT.com, BLACKROCKCAPITALSOLUTIONSLLC.com, BLOCKROCKCAPITAL.com, BLACKROCK-FUND.com, BLACKROCKCRYPTOBANK.com, BLACKROCKBROKER.com, BLACKROCKBROKERAGEFIRM.com, BLACROCK.net, MYBLACKROCKISHARES.com, BLACK-ROCK-INVEST.com, BLACKROCKINVESTMENTSGROUP.com, BLACKSOCK-INVEST.com, FUNDBLACKROCK.com, BLACKROCKFINANCIALADVISERS.com, BLACKROCKFINANCIALADVISORS.com, BLACKROCKLOAN.com, BLACKROCK-STOCK.com, BLACKROCKE.com, BLACKROCKDIGITALASSETS.com, BLACKROCKINVEST.org, BLACKRPCK.com, BLACKROCK-INVEST.com,

BLACKROK.com, BLACKROCKGLOBALINVESTMENT.com, and  
BLACKROCKVESTMENT.com (the “Defendant Domain Names”).

### **NATURE OF THE SUIT**

1. This is an *in rem* action for cybersquatting under the Federal Anti-Cybersquatting Consumer Protection Act, 15 U.S.C. § 1125(d), and trademark infringement under the Lanham Act, 15 U.S.C. § 1114(1)(a).

2. Recent studies have shown that over 95% of the 500 most popular sites on the Internet are the subject of “typosquatting”—registration or use of a domain name that represents a typographical error of the legitimate site—and which is typically used to display advertisements related to the legitimate site, to distribute computer viruses or “malware,” to collect visitors’ personal information for inappropriate or illegal uses, or to send “business impersonation” emails.

3. Typosquatting harms consumers by causing confusion with the legitimate sites being sought by the consumers and very often results in consumers’ computers being infected with computer viruses, “bloatware” or other unwanted software, consumer’s personal information being collected and misused, and/or consumers being presented with an endless stream of unwanted advertisements.

4. In the present case, BlackRock’s invaluable rights in the distinctive BLACKROCK mark have been deliberately infringed through the bad faith registration, use, and/or trafficking of the Defendant Domain Names, which domain names are confusingly similar to the BLACKROCK mark.

### **PARTIES**

5. BlackRock, Inc. is a corporation organized and existing under the laws of Delaware with a principal business address of 40 East 52nd Street, New York, NY 10022.

6. BALCKROCK.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using Fundacion Privacy Services Ltd. to conceal his/her/its identity and location. A copy of the domain name registration record for BALCKROCK.com is attached as Exhibit A. The BALCKROCK.COM domain is a typographical error of BlackRock's protected BLACKROCK mark. The website to which the domain resolves is currently being used to display pay-per-click links related to investment and financial services of the type offered by BlackRock.

7. BLACKROCKINVESTMENTS.com is an Internet domain name which, according to the WhoIs registration data, is registered to "Guojianguang" located in Beijing, China. A copy of the domain name registration record for BLACKROCKINVESTMENTS.com is attached as Exhibit B. The BLACKROCKINVESTMENTS.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "investments," which is related to BlackRock's services.

8. BLACKROCKINVESTORS.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKINVESTORS.com is attached as Exhibit C. The BLACKROCKINVESTORS.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "investors," which is related to BlackRock's services.

9. BLACKROCKBANK.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKBANK.com is attached as Exhibit D. The



BLACKROCKBANK.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "bank," which is related to BlackRock's services.

10. BLACKROCKFINANCIALCORP.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKFINANCIALCORP.com is attached as Exhibit E. The BLACKROCKFINANCIALCORP.com domain combines BlackRock's protected BLACKROCK mark with the descriptive terms "financial" and "corp," which are related to BlackRock's services and business structure.

11. BLACKROCKMONEY.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKMONEY.com is attached as Exhibit F. The BLACKROCKMONEY.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "money," which is related to BlackRock's services.

12. BLACKROCKEQUITYPARTNER.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKEQUITYPARTNER.com is attached as Exhibit G. The BLACKROCKEQUITYPARTNER.com domain combines BlackRock's protected BLACKROCK mark with the descriptive terms "equity" and "partner," which are related to BlackRock's services. The website to which the domain resolves is currently being used to

display pay-per-click links related to investment and financial services of the type offered by BlackRock.

13. BLACKROCKFUNDING.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Contact Privacy Inc. privacy service to conceal his/her/its identity and location. Though the registrant's address is concealed, the listed country code suggests the registrant is located in Turkey. A copy of the domain name registration record for BLACKROCKFUNDING.com is attached as Exhibit H. The BLACKROCKFUNDING.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "funding," which is related to BlackRock's services.

14. BLACKROCKHOLDINGINVESTMENTS.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKHOLDINGINVESTMENTS.com is attached as Exhibit I. The BLACKROCKHOLDINGINVESTMENTS.com domain combines BlackRock's protected BLACKROCK mark with the descriptive terms "holding" and "investments," which are related to BlackRock's services.

15. BLACKROCKBANKS.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Withheld for Privacy ehf privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKBANKS.com is attached as Exhibit J. The BLACKROCKBANKS.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "banks," which is related to BlackRock's services.

16. BLACKROCKTRADELLP.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKTRADELLP.com is attached as Exhibit K. The BLACKROCKTRADELLP.com domain combines BlackRock's protected BLACKROCK mark with the descriptive terms "trade" and "LLP," which are related to BlackRock's services and to business structures. The associated website is currently being used to display pay-per-click links.

17. BLACKROCK-PSA.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Withheld for Privacy ehf privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCK-PSA.com is attached as Exhibit L. The BLACKROCK-PSA.com domain combines BlackRock's protected BLACKROCK mark with the term "PSA," which is an abbreviation of "personal savings account" and is related to BlackRock's services. The website to which the domain resolves is currently being used to display pay-per-click links for investment and financial services.

18. BLACKROCK-INVESTMENT.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCK-INVESTMENT.com is attached as Exhibit M. The BLACKROCK-INVESTMENT.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "investment," which is related to BlackRock's services.

19. BLACKROCKBITCOIN.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy,

LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKBITCOIN.com is attached as Exhibit N. The BLACKROCKBITCOIN.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "bitcoin," which is related to BlackRock's services.

20. BLACKROCKUKINVESTMENT.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKUKINVESTMENT.com is attached as Exhibit O. The BLACKROCKUKINVESTMENT.com domain combines BlackRock's protected BLACKROCK mark with the descriptive terms "UK" and "investment," which are related to BlackRock's services.

21. BLACKROCKCAPITALSOLUTIONSLLC.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Contact Privacy Inc. privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKCAPITALSOLUTIONSLLC.com is attached as Exhibit P. The BLACKROCKCAPITALSOLUTIONSLLC.com domain combines BlackRock's protected BLACKROCK mark with the descriptive terms "capital," "solutions," and "LLC," which are related to BlackRock's services and to general business structures.

22. BLOCKROCKCAPITAL.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLOCKROCKCAPITAL.com is attached as Exhibit Q. The

BLOCKROCKCAPITAL.com domain combines a typographical error of BlackRock's protected BLACKROCK mark with the descriptive term "capital," which is related to BlackRock's services.

23. BLACKROCK-FUND.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Withheld for Privacy ehf privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCK-FUND.com is attached as Exhibit R. The BLACKROCK-FUND.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "fund," which is related to BlackRock's services. The website to which the domain resolves is currently being used to display pay-per-click advertising for financial and investment services.

24. BLACKROCKCRYPTOBANK.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the PrivacyProtection.com privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKCRYPTOBANK.com is attached as Exhibit S. The BLACKROCKCRYPTOBANK.com domain combines BlackRock's protected BLACKROCK mark with the descriptive terms "crypto" and "bank," which are related to BlackRock's services.

25. BLACKROCKBROKER.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKBROKER.com is attached as Exhibit T. The BLACKROCKBROKER.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "broker," which is related to BlackRock's services.

26. BLACKROCKBROKERAGEFIRM.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKBROKERAGEFIRM.com is attached as Exhibit U. The BLACKROCKBROKERAGEFIRM.com domain combines BlackRock's protected BLACKROCK mark with the descriptive terms "brokerage" and "firm," which are related to BlackRock's services.

27. BLACROCK.net is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity. A copy of the domain name registration record for BLACROCK.net is attached as Exhibit V. The BLACROCK.net domain is a typographical error of BlackRock's protected BLACKROCK mark, and is currently being used to redirect to a different financial institution.

28. MYBLACKROCKISHARES.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity concealing his/her/its identity and location through the registrar and/or a privacy service. Though the registrant's address is concealed, the listed country code suggests the registrant is located in New Zealand. A copy of the domain name registration record for MYBLACKROCKISHARES.com is attached as Exhibit W. The MYBLACKROCKISHARES.com domain combines BlackRock's protected BLACKROCK mark with the ISHARES trademark that is registered and owned by BlackRock's affiliate as well as the descriptive term "my."

29. BLACK-ROCK-INVEST.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the WhoisSecure privacy service to conceal his/her/its identity and location. A copy of the domain name registration

record for BLACK-ROCK-INVEST.com is attached as Exhibit X. The BLACK-ROCK-INVEST.com domain inserts insignificant punctuation into BlackRock's protected BLACKROCK mark, and includes the descriptive term "invest," which is related to BlackRock's services.

30. BLACKROCKINVESTMENTSGROUP.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKINVESTMENTSGROUP.com is attached as Exhibit Y. The BLACKROCKINVESTMENTSGROUP.com domain combines BlackRock's protected BLACKROCK mark with the descriptive terms "investments" and "group," which are related to BlackRock's services.

31. BLACKSOCK-INVEST.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity concealing his/her/its identity and location through the registrar and/or a privacy service. Though the registrant's address is concealed, the listed country code suggests the registrant is located in the Netherlands. A copy of the domain name registration record for BLACKSOCK-INVEST.com is attached as Exhibit Z. The BLACKSOCK-INVEST.com domain combines a typographical error of BlackRock's protected BLACKROCK mark with the descriptive term "invest," which is related to BlackRock's services.

32. FUNDBLACKROCK.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity concealing his/her/its identity and location through the registrar and/or a privacy service. Though the registrant's address is concealed, the listed country code suggests the registrant is located in China. A copy of the domain name registration record for FUNDBLACKROCK.com is attached as Exhibit AA. The

FUNDBLACKROCK.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "fund," which is related to BlackRock's services.

33. BLACKROCKFINANCIALADVISERS.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKFINANCIALADVISERS.com is attached as Exhibit BB. The BLACKROCKFINANCIALADVISERS.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "financial" and a typographical error of the descriptive term "advisors," which are related to BlackRock's services.

34. BLACKROCKFINANCIALADVISORS.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKFINANCIALADVISORS.com is attached as Exhibit CC. The BLACKROCKFINANCIALADVISORS.com domain combines BlackRock's protected BLACKROCK mark with the descriptive terms "financial" and "advisors," which are related to BlackRock's services. The associated website is currently being used to display pay-per-click links for financial services.

35. BLACKROCKLOAN.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity concealing his/her/its identity and location through the registrar and/or a privacy service. A copy of the domain name registration record for BLACKROCKLOAN.com is attached as Exhibit DD. The BLACKROCKLOAN.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "loan," which is related to BlackRock's services.



36. BLACKROCK-STOCK.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity concealing his/her/its identity and location through the registrar and/or a privacy service. Though the registrant's address is concealed, the listed country code suggests the registrant is located in China. A copy of the domain name registration record for BLACKROCK-STOCK.com is attached as Exhibit EE. The BLACKROCK-STOCK.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "stock," which is related to BlackRock's services.

37. BLACKROCKE.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKE.com is attached as Exhibit FF. The BLACKROCKE.com domain is a typographical error of BlackRock's protected BLACKROCK mark, and is currently being used to display pay-per-click links to investment services.

38. BLACKROCKDIGITALASSETS.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKROCKDIGITALASSETS.com is attached as Exhibit GG. The BLACKROCKDIGITALASSETS.com domain combines BlackRock's protected BLACKROCK mark with the descriptive terms "digital" and "assets," which are related to BlackRock's services.

39. BLACKROCKINVEST.org is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the WhoisSecure privacy service to conceal his/her/its identity and location. A copy of the domain name registration

record for BLACKROCKINVEST.org is attached as Exhibit HH. The BLACKROCKINVEST.org domain combines BlackRock's protected BLACKROCK mark with the descriptive term "invest," which is related to BlackRock's services.

40. BLACKRPCK.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity concealing his/her/its identity and location through the registrar and/or a privacy service. Though the registrant's address is concealed, the listed country code suggests the registrant is located in China. A copy of the domain name registration record for BLACKRPCK.com is attached as Exhibit II. The BLACKRPCK.com domain is a typographical error of BlackRock's protected BLACKROCK mark, and is currently being used to display pay-per-click links relating to business services.

41. BLACKROCK-INVEST.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity concealing his/her/its identity and location through the registrar and/or a privacy service. Though the registrant's address is concealed, the listed country code suggests the registrant is located in China. A copy of the domain name registration record for BLACKROCK-INVEST.com is attached as Exhibit JJ. The BLACKROCK-INVEST.com domain combines BlackRock's protected BLACKROCK mark with the descriptive term "invest," which is related to BlackRock's services.

42. BLACKKROK.com is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity using the Domains By Proxy, LLC privacy service to conceal his/her/its identity and location. A copy of the domain name registration record for BLACKKROK.com is attached as Exhibit KK. Historical WhoIs data provides an address in Manhattan Beach, California. The BLACKKROK.com domain is a typographical error of

BlackRock's protected BLACKROCK mark, and is currently being used to display pay-per-click advertising.

43. BLACKROCKGLOBALINVESTMENT.COM is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity concealing his/her/its identity and location through the registrar and/or a privacy service. Though the registrant's address is concealed, the listed country code suggests the registrant is located in Great Britain. A copy of the domain name registration record for BLACKROCKGLOBALINVESTMENT.COM is attached as Exhibit LL. The BLACKROCKGLOBALINVESTMENT.COM domain combines BlackRock's protected BLACKROCK mark with the descriptive terms "global" and "investment," which are related to BlackRock's services

44. BLACKROCKVESTMENT.COM is an Internet domain name which, according to the WhoIs registration data, is registered to an unidentified person/entity concealing his/her/its identity and location through the privacy service Withheld for Privacy ehf. A copy of the domain name registration record for BLACKROCKVESTMENT.COM is attached as Exhibit MM. The BLACKROCKVESTMENT.COM domain combines BlackRock's protected BLACKROCK mark with a typographical error of the descriptive term "investment," which is related to BlackRock's services.

#### **JURISDICTION, VENUE AND JOINDER**

45. This is a civil action for federal cybersquatting in violation of the Anti-Cybersquatting Consumer Protection Act, 15 U.S.C. § 1125(d), and for trademark infringement under the Lanham Act, 15 U.S.C. § 1114(1)(a).

46. This Court has original jurisdiction under 15 U.S.C. § 1121(a) and 28 U.S.C. §§ 1331 and 1338(a).

47. This Court has *in rem* jurisdiction over the Defendant Domain Names pursuant to 15 U.S.C. § 1125(d)(2)(A). *In rem* jurisdiction is appropriate under 15 U.S.C. § 1125(d)(2)(A)(ii) because there is either no registrant field in the WhoIs record for the Defendant Domain Names, or where there is a registrant field, that field reflects a privacy service or, a fictitious person/entity, and/or an individual residing outside the United States, and therefore BlackRock cannot obtain *in personam* jurisdiction over a person who would have been a defendant in a civil action under 15 U.S.C. § 1125(d)(1)(A) and/or BlackRock, despite its due diligence, has been unable to find a person who would have been a defendant in a civil action under 15 U.S.C. § 1125(d)(1)(A).

48. Pursuant to 15 U.S.C. § 1125(d)(2)(A)(ii)(II)(aa), BlackRock has given notice of the violations of its rights, and its intent to proceed *in rem*, to the contact addresses set forth in the registration records for each of the Defendant Domain Names.

49. Venue is proper in this District pursuant to 15 U.S.C. § 1125(d)(2)(C) in that the registry operator the .COM and .NET domain registries, VeriSign, Inc., and the registry operator for the .ORG domain registry, Public Interest Registry, are situated in this judicial district, and the Defendant Domain Names are all .COM, .NET, and .ORG domain names.

50. Joinder of the Defendant Domain Names is proper under Fed. R. Civ. P. 20(a)(2) in that the *in rem* cybersquatting and trademark infringement claims set forth herein appear to arise out of the same series of transactions and the same questions of law are common to all of the Defendant Domain Names.

### **BLACKROCK'S RIGHTS**

51. BlackRock, Inc. was founded in 1988 as an asset management firm. Since its

founding, BlackRock has grown into the world's largest publicly traded investment management firm, with over 18,000 employees in more than 41 countries, and over \$9 trillion in assets under its management.

52. BlackRock is a publicly traded Fortune 500 company (NYSE:BLK). BlackRock owns and controls numerous subsidiary companies that share the BlackRock name (all such wholly owned subsidiaries are included in the term "BlackRock" as used herein).

53. BlackRock has continuously used the mark BLACKROCK to promote its services since its founding. Under the mark, BlackRock offers an array of investment, advisory, and risk management services to clients ranging from private consumers to large financial entities, and including governments, companies, foundations, and millions of individuals.

54. BlackRock manages numerous well-known funds under the BLACKROCK mark, including, *e.g.*, the BlackRock Income Fund; BlackRock Innovation and Growth Trust; BlackRock Capital Allocation Trust; BlackRock Credit Allocation Income Trust; BlackRock Future Tech ETF; BlackRock U.S. Carbon Transition Readiness ETF; BlackRock Future Health ETF; BlackRock Utilities, Infrastructure, & Power Opportunities Trust; BlackRock Defensive Advantage International Fund; BlackRock GA Dynamic Equity Fund; BlackRock College Advantage 529; BlackRock China A Opportunities Fund; BlackRock Sustainable Emerging Markets Flexible Bond Fund; BlackRock High Yield Muni Income Bond ETF; BlackRock Large Cap Focus Growth Fund, Inc.; BlackRock Retirement Income 2040 Fund; and BlackRock Hedge Fund Guided Portfolio Solution.

55. BlackRock has expended significant time, money, and effort in promoting and marketing its services offered under the BLACKROCK mark, through substantial and ongoing business activities across all major industry sectors in the United States and across the globe.

56. The BLACKROCK mark has a premier presence in the financial industry. BlackRock is referenced extensively throughout public company resources, trading outlets, U.S. stock exchanges, and regulatory authority databases, *e.g.*, the Securities and Exchange Commission, Financial Industry Regulatory Authority, and others. Further, BlackRock is frequently featured in major news outlets, which has furthered the worldwide reputation of the BLACKROCK mark as a single authority and source of market information across a variety of industry sectors.

57. BlackRock is regularly included in various “top brands” lists, including Fortune, Forbes, and Brand Finance.

58. BlackRock registered the domain name BlackRock.com on November 26, 1997. Since that date, BlackRock has continuously used the domain name to host a website that promotes BlackRock’s asset management services, and provides investment insights, tools, and education to consumers.

59. BlackRock has acquired numerous other domain names that include the BLACKROCK mark, including, but not limited to:

- blackrock-financial-services.us;
- blackrockglobalinvestors.us;
- blackrockfinancial.us;
- blackrockishares.us;
- blackrockpreparedminds.us;
- blackrocksolutions.us;
- blackrock-inc.com;
- blackrockproperty.us;
- blackrockglobalinvestors.co.uk;
- blackrockfunds.us;
- blackrockadvisor.us;
- blackrockwmfunds.co.uk;
- blackrockent.co.uk;
- blackrockinvestorpack.co.uk;
- blackrock.co.uk;
- blackrockpreparedminds.cn;

blackrockinternational.com.cn;  
blackrockinternational.cn;  
blackrockglobalinvestors.cn;  
blackrock.com.cn;  
blackrockishares.cn;  
blackrock.cn;  
blackrock-financial.us;  
blackrockfinancialservices.us;  
blackrockfunding.us; and  
blackrockbrokage.us.

BlackRock uses some of these domains to redirect to its main website, or to country-specific sites, but it holds many domains as a defensive measure intended to protect consumers by limiting cybersquatting of domain name registrations.

60. Consumers have come to distinguish and recognize the legitimacy of BlackRock's services as a result of the use and widespread promotion of the BLACKROCK mark.

61. Given BlackRock's stellar reputation, its market-leading asset management services, and the fame and recognition of the BLACKROCK mark, malicious third parties attempt to misuse the BLACKROCK mark to confuse, mislead, and/or deceive consumers. To protect both its consumers and its valuable mark, BlackRock has engaged in significant enforcement efforts to shut down scams and schemes using the BLACKROCK mark without authorization. Its efforts include defensive registration of the aforementioned domain names, trademark civil actions, administrative proceedings under the Uniform Domain-Name Dispute-Resolution Policy, use of domain policing and trademark monitoring platforms, and take-down notices.

62. Based on BlackRock's extensive use and promotion of the BLACKROCK mark for several decades, and the recognition and goodwill the mark has achieved in the eyes of the consuming public, the BLACKROCK mark is distinctive and/or famous, and is entitled to broad common law trademark rights.

63. The Defendant Domain Names represent unauthorized colorable imitations of the BLACKROCK mark, which further demonstrates that the BLACKROCK mark has acquired distinctiveness and was famous and/or distinctive prior to the time of registration of the Defendant Domain Names.

64. In addition to its common law trademark rights, BlackRock owns numerous trademark registrations in BLACKROCK formative marks throughout the world, including registrations on the Principal Trademark Register of the U.S. Patent and Trademark Office. These registrations include:

- Reg. No. 2417737, BLACKROCK, for “investment management services; investment advice; risk management; stock brokerage services, namely, the sales, marketing and distribution of investment company shares; mutual fund brokerage services; mutual fund administration;”
- Reg. No. 2645470, BLACKROCK SOLUTIONS, for “financial services, namely, providing risk management services, financial management services, securities trading, insurance consultation, investment management and investment advisory services;” and “temporary use of on-line non-downloadable computer software for use by others in the evaluation, analysis, and risk assessment of financial instruments;”
- Reg. No. 3425495, BLACKROCK (stylized), for “Providing business and market research services to individual and institutional financial investors and financial professionals; business management consultation;” and “Investment management services; investment advice; financial risk management; stock brokerage services in the field of investment company shares; mutual fund brokerage services; mutual fund investment services; mutual fund distribution services; financial asset management; financial asset evaluation; investment services, namely, management and brokerage in the fields of stocks, bonds, options, commodities, futures and other securities, and the investment of funds of others; investment advisory services; financial investment research; equity capital investment; financial investment in the field of real estate; fiscal assessments and evaluations; financial management of real estate and mutual fund investment trusts; financial research; preparation of financial reports for others and financial analysis related thereto; providing financial information in the field of investment opportunities and financial analysis; investment management and distribution of shares of investment companies or other pooled investment vehicles, namely, of collateralized debt obligations, collateralized loan obligations, mutual funds, hedge funds and variable insurance funds; online financial services, namely, investment fund transfer and transaction services, financial planning and financial research; financial management and financial planning;”



- Reg. No. 3544707, BLACKROCK, for “providing information and analysis relating to economic market data; providing business development information and advice to financial professionals; business advice and information; market analysis;” and “providing information and analysis relating to financial investments; financial investment data;”
- Reg. No. 3592375, BLACKROCK ALTERNATIVE ADVISORS, for “providing financial management services, including investment management services; investment advice; financial investment in the field of securities and other financial instruments and investments in all manner of tangible assets; financial research and financial analysis; financial risk management;”
- Reg. No. 5160061, BLACKROCK, for “Computer software and mobile applications for use by others in rendering financial services, namely, software for collecting, analyzing, organizing, storing and transmitting data and information in the fields of financial risk management, financial management and investment management; computer software and mobile applications used in connection with financial services, namely, software for collecting, analyzing, organizing, storing and transmitting data and information in the fields of personal financial planning, personal financial management, personal investment management, and retirement planning;” and “Providing temporary use of on-line non-downloadable computer software, web applications, and computer software platforms in the field of financial services, namely, risk management, financial information, financial management, securities trading, investment management services, and retirement planning;”
- Reg. No. 5965157, BLACKROCK (stylized), for “Computer software and mobile applications for use by others in rendering financial services, namely, downloadable or recorded software for collecting, analyzing, organizing, storing and transmitting data and information in the fields of financial risk management, financial management and investment management; downloadable or recorded computer software and mobile applications used in connection with financial services, namely, software for collecting, analyzing, organizing, storing and transmitting data and information in the fields of personal financial planning, personal financial management, personal investment management, and retirement planning;” “Providing information and analysis relating to economic market data; providing and updating a financial index; providing financial indices based on selected groups of securities; providing and updating a financial index of securities values and classification, analysis, and reporting thereof; providing business development information and advice to financial professionals; business advice and information; market analysis; compiling financial, securities, stock exchange, trade and quote, index value and other financial market information for business purposes; analyzing and compiling data for measuring the performance of financial markets;” “Investment management; investment advice; financial risk management; financial investment brokerage services; financial planning and investment advisory services; financial and investment services, namely, management and brokerage in the fields of stocks, bonds, options, commodities, futures and other securities, and the investment of funds of others; financial services, namely, operation and management of hedge funds, commodity pools and other collective investment vehicles, and trading for others of securities, options, futures, derivatives, debt instruments and commodities; financial administration of stock

exchange trading of shares and other financial securities in financial markets; monitoring financial markets for investment purposes; financial investment analysis and stock research; providing information and advice in the field of finance, financial investments, financial valuations, and the financial aspects of retirement; providing information and research in the field of finance and financial investments;” and “Providing temporary use of on-line non-downloadable computer software, web applications, and on-line non-downloadable computer software platforms for use in the field of financial services, namely, for risk management, providing financial information, financial management, securities trading, investment management services, and retirement planning;” and

- Reg. No. 6151287, BLACKROCK, for “Educational services, namely, providing workshops, classes, seminars, and conferences in the fields of business, finance, securities trading, financial markets, financial investment, investment management, financial planning, retirement planning, and risk management; educational and entertainment services, namely, providing podcasts in the fields of business, finance, securities trading, financial markets, financial investment, investment management, financial planning, retirement planning, and risk management.”

Together with BlackRock’s common law trademark rights, these marks are referred to herein as the “BLACKROCK Marks.” Copies of these registrations are attached hereto as Exhibit NN. These registrations are *prima facie* evidence of the validity of the marks, of BlackRock’s ownership of the marks, and of BlackRock’s exclusive right to use the marks in U.S. commerce.

65. Additionally, Reg. Nos. 2417737, 2645470, 3425495, 3544707, 3592375, and 4441323 have achieved incontestable status. BlackRock’s incontestable registrations are *conclusive* evidence of the validity of the marks, of BlackRock’s ownership of the marks, and of BlackRock’s exclusive right to use the mark in U.S. commerce.

#### **UNLAWFUL REGISTRATION AND/OR USE OF THE DOMAIN NAMES**

66. BlackRock has engaged in significant efforts to protect consumers by, *inter alia*, implementing a domain and trademark policing program, defensively registering domain names that include the BLACKROCK formative, and by pursuing the disabling of domain names that are being used to confuse and mislead consumers.

67. Where necessary, BlackRock also has pursued transfer of domain names that are confusingly similar with the BLACKROCK Marks and were registered and/or used in bad faith,

including through numerous successful administrative actions under the Uniform Domain-Name Dispute-Resolution Policy.

68. The Defendant Domain Names all reflect typographical errors of the BLACKROCK Marks and/or the BLACKROCK Marks combined with descriptive terms that relate to BlackRock's services such as, for example, "investments," "investors," "bank," "finance," "financial," "money," "funding," "capital," and more.

69. Upon information and belief, the Defendant Domain Names were registered for the purpose of, *inter alia*, obtaining Internet visitors when such visitors were attempting to reach BlackRock's website.

70. The Defendant Domain Names have been configured to display pay-per-click advertisements related to BlackRock, to download malware or bloatware, and/or for email services that could be used to impersonate BlackRock.

71. For those Defendant Domain Names engaged in pay-per-click advertising, upon information and belief, the registrant(s) of the Defendant Domain Names receive compensation when Internet visitors, who were attempting to reach BlackRock's website, click on a link provided by a Defendant Domain Name to a third-party website and/or when the Internet visitors are automatically redirected by a Defendant Domain Name to a third-party website for a sales solicitation.

72. For those Defendant Domain Names engaged in distribution of malware, upon information and belief, the registrant(s) of the Defendant Domain Names receive compensation when Internet visitors, often unknowingly, download and install a computer virus from a website displayed at the Defendant Domain Names.

73. For those Defendant Domain Names configured for email service, upon information and belief, the registrant(s) of the Defendant Domain Names have configured the Defendant Domain Names to be used to send email for the purpose of unlawful impersonation of BlackRock.

74. The aforementioned use of the BLACKROCK Marks within the Defendant Domain Names and/or associated websites is without authorization from BlackRock.

75. Upon information and belief, the Defendant Domain Names do not reflect the legal name of the registrant(s) of the Defendant Domain Names.

76. Upon information and belief, the registrant(s) of the Defendant Domain Names have not engaged in bona fide noncommercial or fair use of the BLACKROCK Marks in a website accessible under the Defendant Domain Names.

77. The websites displayed by the registrant(s) of the Defendant Domain Names are likely to be confused with BlackRock's legitimate online locations, such as at BlackRock.com.

78. Upon information and belief, the registrant(s) of the Defendant Domain Names registered the Domain Names with intent to divert consumers away from BlackRock's online locations, such as at BlackRock.com, for commercial gain, by creating a likelihood of confusion as to the source, sponsorship, affiliation or endorsement of the Defendant Domain Names and the sites displayed through use of the Defendant Domain Names.

79. Upon information and belief, the registrant(s) of certain of the Defendant Domain Names provided material and misleading false contact information when applying for and maintaining the registration of the Defendant Domain Names in that the person or entity identified as the registrant of the Defendant Domain Names is not the true owner of the Domain Names.

80. Upon information and belief, the registrant(s) of certain of the Defendant Domain Names use services that replace a domain name owner's contact information with names such as "Registration Private" or "REDACTED FOR PRIVACY," or the WhoIs records contain no registrant name field, and thereby conceal the identity of the true owner(s) of the domain name.

81. Upon information and belief, if the Defendant Domain Names were registered by different people or entities, the registrants of the Defendant Domain Names acted in concert given that groups of Defendant Domain Names were registered on the same date, have been registered with the same registrar, and/or resolve to reflect similar unlawful content. *See* Exs. A-MM.

**COUNT ONE:**  
**(Violation of the Federal Anti-Cybersquatting Consumer Protection Act)**

82. BlackRock repeats and realleges each and every allegation set forth in the foregoing paragraphs, as though fully set forth herein.

83. BlackRock's BLACKROCK Marks are famous and/or distinctive and were famous and/or distinctive prior to the time of registration of the Defendant Domain Names.

84. The aforesaid acts by the registrant(s) of the Defendant Domain Names constitute registration, maintenance, trafficking in, and/or use of domain names that are confusingly similar to BlackRock's BLACKROCK Marks, with bad faith intent to profit therefrom.

85. In light of the registrants' concealment of the identities of the true owners of the Defendant Domain Names and/or the registrants' location outside the United States, BlackRock is not able to obtain *in personam* jurisdiction over the registrant(s) of the Defendant Domain Names or any other person who would have been a defendant in a civil action under 15 U.S.C. § 1125(d)(1)(A) or, alternatively, BlackRock, despite its due diligence, has been unable to find a person who would have been a defendant in a civil action under 15 U.S.C. § 1125(d)(1)(A).

86. The aforesaid acts by the registrant(s) of the Domain Names constitute unlawful cyberpiracy in violation of the Anti-Cybersquatting Consumer Protection Act, 15 U.S.C. § 1125(d)(1).

87. The aforesaid acts have caused, and are causing, great and irreparable harm to BlackRock and the public. The harm to the public includes the potential for fraud stemming from these domains that is intended to mislead consumers into assuming an association with BlackRock, and resultant damage to consumers' trust in and ability to confidently access financial institutions. The harm to BlackRock includes harm to the value and goodwill associated with the BLACKROCK Marks that money cannot compensate. Unless permanently restrained and enjoined by this Court, said irreparable harm will continue. Thus, pursuant to 15 U.S.C. § 1125(d)(2)(D)(i), BlackRock is entitled to an order directing the current registrars of the Defendant Domain Names to be changed by the registries to BlackRock's registrar of choice and directing the registrant(s) to be changed to BlackRock.

**COUNT TWO:**  
***(In-Rem Trademark Infringement)***

88. BlackRock repeats and realleges each and every allegation set forth in the foregoing paragraphs, as though fully set forth herein.

89. At the time the Defendant Domain Names were registered and/or used, BlackRock possessed valid federal trademark rights in the BLACKROCK Marks.

90. In light of the registrants' concealment of the identities of the true owners of the Defendant Domain Names and/or the registrants' location outside the United States, BlackRock is not able to obtain *in personam* jurisdiction over the registrant(s) of the Defendant Domain Names or any other person who would have been a defendant in a civil action under 15 U.S.C. §

1125(d)(1)(A) or, alternatively, BlackRock, despite its due diligence, has been unable to find a person who would have been a defendant in a civil action under 15 U.S.C. § 1125(d)(1)(A).

91. The registration and/or use of the Defendant Domain Names is a use in commerce.

92. The registration and/or use of the Defendant Domain Names affect BlackRock's ability to use its BLACKROCK Marks in commerce.

93. The Defendant Domain Names and their respective registrant(s) have no valid rights in the BLACKROCK Marks.

94. At the time the Defendant Domain Names were registered and/or used, the Defendant Domain Names and their respective registrant(s) were on actual and/or constructive notice, pursuant to Section 22 of the Lanham Act, 15 U.S.C. § 1072, of the existence of BlackRock's superior rights in its BLACKROCK Marks by reason of the existence, at that time, of BlackRock's aforementioned federal trademark rights.

95. Use by the Defendant Domain Names and their respective registrant(s) of the BLACKROCK Marks is without the permission or authorization of BlackRock.

96. The aforesaid registration and/or use of the Defendant Domain Names has caused and is likely to continue to cause confusion, mistake and/or deception among consumers and the public, leading the public falsely to believe that the Defendant Domain Names and/or websites provided thereunder are those of, are sponsored or approved by, or are in some way connected with BlackRock.

97. The aforesaid registration and/or use of the Defendant Domain Names constitutes direct infringement of BlackRock's trademark rights in violation of Section 32(1) of the Lanham Act, 15 U.S.C. § 1114(1).

98. The aforesaid acts have caused, and are causing, great and irreparable harm to BlackRock and the public. The harm to the public includes the potential for fraud stemming from impersonation of and/or misdirection from a financial institution. The harm to BlackRock includes harm to the value and goodwill associated with the BLACKROCK Marks. Money cannot fully compensate either of these harms. Unless permanently restrained and enjoined by this Court, said irreparable harm will continue.

**PRAYER FOR RELIEF**

WHEREFORE, BlackRock respectfully requests of this Court:

1. That judgment be entered in favor of BlackRock on its claims of cybersquatting and trademark infringement.
2. That the Court order the domain registries for the Defendant Domain Names to change the registrars for the Defendant Domain Names to BlackRock's registrar of choice and by such registrar's change of the registrant(s) to BlackRock.
3. That the registrar of any other domain names registered by the registrant(s) of the Defendant Domain Names that resemble or include the BLACKROCK Marks be replaced with BlackRock's registrar of choice and that such registrar change the registrant(s) to BlackRock.
4. That the Court order an award of costs and reasonable attorney's fees incurred by BlackRock in connection with this action pursuant to 15 U.S.C. § 1117(a); and
5. That the Court order an award to BlackRock of such other and further relief as the Court may deem just and proper.



Dated: September 6, 2022

By: /s/ Attison L. Barnes, III  
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