

Trademark Infringement Policy

Last Updated: April 6, 2022

Customers of MojoHost are required to respect the legal protection provided by trademark law. Trademark complaints are outside the scope of the Digital Millennium Copyright Act (“DMCA”), however, if you are a trademark owner and, in good faith, believe that a customer receiving web hosting services from MojoHost is infringing on your trademark, there are a couple of ways to address your trademark complaint:

1. **Domain Name.** If your complaint relates to a domain name that contains your trademark, you may file a claim under the [Uniform Domain Name Dispute Resolution Policy](#) (“UDRP”) or, where available, the [Uniform Rapid Suspension System](#) (“URS”) for resolution. The UDRP is established by the Internet Corporation for Assigned Names and Numbers (ICANN) for the resolution of disputes regarding the registration of internet domain names.
2. **Non-Domain Name.** If your trademark complaint is not related to a domain name, you may submit a notice of trademark infringement to MojoHost at abuse@mojohost.com. The words “Trademark Claim” must appear in the subject line of the email. To be effective, your notification must relate to a valid, registered trademark or service mark (registered with the United States Patent and Trademark Office on the Principal Register or, for foreign marks, registered with the appropriate intellectual property organization of your country; state registrations and registrations on the Supplemental Register are not considered valid for these purposes), and include the following information:
 - The trademark, service mark, trade dress, name, or other indicia of origin (“mark”) that is claimed to be infringed, including registration number.
 - The jurisdiction or geographical area to which the mark applies.
 - The name, mailing address, telephone number, and email address of the owner of the mark identified above.
 - The goods or services covered by or offered under the mark identified above.
 - The date of first use of the mark identified above.
 - The date of first use in interstate commerce of the mark identified above.
 - A description of the manner in which you believe your mark is being infringed on.
 - Sufficient evidence that the owner of the website that is claimed to be infringing is a MojoHost customer.
 - The precise location of the infringing mark, including URL, email address, etc.
 - A good faith certification, signed under penalty of perjury, stating:
 - The content of the website [identify website] infringes the rights of another person,
 - The name of that person,
 - The mark [identify mark] being infringed, and
 - That use of the content of the website claimed to be infringing at issue is not defensible.

On receipt of the appropriate information identified above for trademark claims, MojoHost will begin an investigation and forward your written notification to the alleged infringer. While MojoHost is investigating the claim, MojoHost, at its sole discretion and without any legal obligation to do so, may temporarily remove or deny access to the allegedly infringing material stored on a MojoHost server.

If MojoHost concludes that you have raised a legitimate trademark claim, it may, at its sole discretion and without any legal obligation to do so, deny access to the allegedly infringing material. If MojoHost concludes that you have not raised a legitimate claim, MojoHost will restore access to the allegedly infringing material.

In other cases, and after notifying the customer, MojoHost will not take further action without a U.S. court order, a UDRP ruling, or a URS ruling.

Repeat Infringers

Under appropriate circumstances, MojoHost may, in its discretion, terminate the accounts of customers who are repeat infringers.