APPLICATION FOR CLOSURE OF A DOMAIN NAME(S) USED IN CRIME

To whom it may concern a XXX/ Nominet

08/05/2017

Operation Ashiko

In connection with our criminal investigation into the supply of counterfeit goods, we hereby confirm that, the Website/Domain Name(s) are being be used to undertake criminal activities. (Namely)

Section 2(1) of the Fraud Act 2006
Section 92(1) of the Trade Marks Act 1994

By allowing the domain name to resolve, you are facilitating serious crime. We therefore request XXX investigate these domain name(s) for breach of your terms and conditions and, if a breach is found, take steps to prevent the domain name(s) from being used for a minimum period of 12 months (or the expiry of the domain name(s) if sooner).

In the event that XXX fails to take action within 48 hours of receipt of this request, we request Nominet investigate these domain name(s) for breach of their terms and conditions and, if a breach is found, take steps to prevent the domain name(s) from being used for a minimum period of 12 months (or the expiry of the domain name(s) if sooner).

You should provide the following contact phone number, email address and reference number to the registrant:

Tel: XXXREDACTEDXXXX
Email: XXXREDACTEDXXXX
Ref: Ashiko

Please note this PDF is also notification under Section 328 of the Proceeds of Crime Act 2002.

Yours faithfully

XXX (Prevention and Disruption)
Police Intellectual Property Crime Unit
Disruptions & Prevention
City of London Police, City of London Police Economic Crime Directorate, Bishopsgate Police Station,
PO BOX 36451, 182 Bishopsgate, London, EC2V 4WN
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Reason for Closure:

These Website(s)/Domain name(s) has been identified / reported to the Police Intellectual Property Crime Unit as being involved in Criminal Activity, namely Fraud. (Section 2 (1) of the Fraud Act 2006).

Websites are brought to the attention of the Police Intellectual Property Crime Unit from other Law Enforcement agencies, Various Trading Standards Departments, industry and the general public (often after they have become victims themselves). These reports are then researched and an assessment formed regarding the level of criminality. Only Websites/Domain names that meet a required threshold are then targeted.

Most of these Websites/Domain names are controlled by Organised Criminal Networks (OCN’s) and/or are linked to other Websites/Domains also engaged in this type of criminality.

The registrant or the person(s) controlling these Websites/Domain names is committing offences relating to Section 2 of the Fraud Act 2006.

Fraud by false representation:

1) A person is in breach of this section if he—  
   a) dishonestly makes a false representation, and  
   b) intends, by making the representation—  
2) to make a gain for himself or another, or  
   (ii) to cause loss to another or to expose another to a risk of loss.  
3) A representation is false if—  
   a) it is untrue or misleading, and  
   b) the person making it knows that it is, or might be, untrue or misleading.  
4) “Representation” means any representation as to fact or law, including a representation as to the state of mind of—  
   (a) the person making the representation, or  
   (b) any other person.  
5) A representation may be express or implied. For the purposes of this section a representation may be regarded as made if it (or anything implying it) is submitted in any form to any system or device designed to receive, convey or respond to communications (with or without human intervention).

Section 92(1) of the Trade Marks Act 1994

“A person commits an offence who with a view to gain for himself or another, or with intent to cause loss to another, and without the consent of the proprietor—  
(a) applies to goods or their packaging a sign identical to, or likely to be mistaken for, a registered trade mark or  
(b) sells or lets for hire, offers or exposes for sale or hire or distributes goods which bear, or the packaging of which bears, such a sign, or  
(c) has in his possession, custody or control in the course of a business any such goods with a view to the doing of anything, by himself or another, which would be an offence under paragraph (b).”
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Authority to Close website given by:

Officer in Charge Police Intellectual Property Crime Unit
Economic Crime Directorate
City of London Police

List of Domains: