

Click Fraud & Legal Issues



Elements of Pay-per-Click

- Search engines rely upon pay-per-click advertising for the bulk of their revenue
- Last year Google earned approximately \$110 billion, mostly from clicks
 - if an average click brings in \$1, that works out to almost 300 million clicks/day on ads;
- When a viewer clicks on an ad, it is called a “click thru”; CTR is click thru rate
- Ad position is critical
- CPM stands for Cost Per Thousand
- The percentage of invalid clicks is a hotly debated topic

Smartphone and tablets now account for 32% of paid search clicks and 25% of all PPC ad spend

Average Pay-per-Click Costs, 2010-2013

Metric	2010	2011	2012	2013
Cost per click (CPC)	\$1.24	\$1.04	\$0.84	\$0.92
Click through rate (CTR)	0.7%	0.4%	0.5%	0.5%
Average Ad Position	3.7	3.0	2.6	2.1
Cost per mille (CPM)	\$8.55	\$3.97	\$4.03	\$4.70
Conversion rate	6.8%	5.3%	3.4%	8.8%
Cost per conversion	\$13.14	\$19.74	\$24.40	\$10.44
Invalid click rate	6.7%	10.9%	8.0%	8.3%

<https://www.hochmanconsultants.com/articles/je-hochman-benchmark.shtml>

Click Thrus on Ads are Recorded - Google Result Page From a Few Years Ago

sports cars - Google Search - Windows Internet Explorer

http://www.google.com/search?hl=en&q=sports+cars

File Edit View Favorites Tools Help

Web Images Video News Maps Gmail more ▾

Sign in

Google sports cars Search Advanced Search Preferences

Results 1 - 10 of about 175,000,000 for [sports cars](#) (0.05 seconds)

Sports Cars Sponsored Link fordvehicles.com/mustang Learn all about the 2007 Ford Mustang before your dealer visit.

Sports Cars, Fast Cars, Cool Cars, Exotic Hot Cars Pictures Specs Sponsored Links [2007 Volvo Vehicles](http://www.volvocars.us) Get Complete Product Info for 2007 Volvos - Find Dealers & Get Quotes! www.volvocars.us

Sports Cars at CarMax Actual Prices & Photos of Over 20,000 New & Used Vehicles Online www.carmax.com

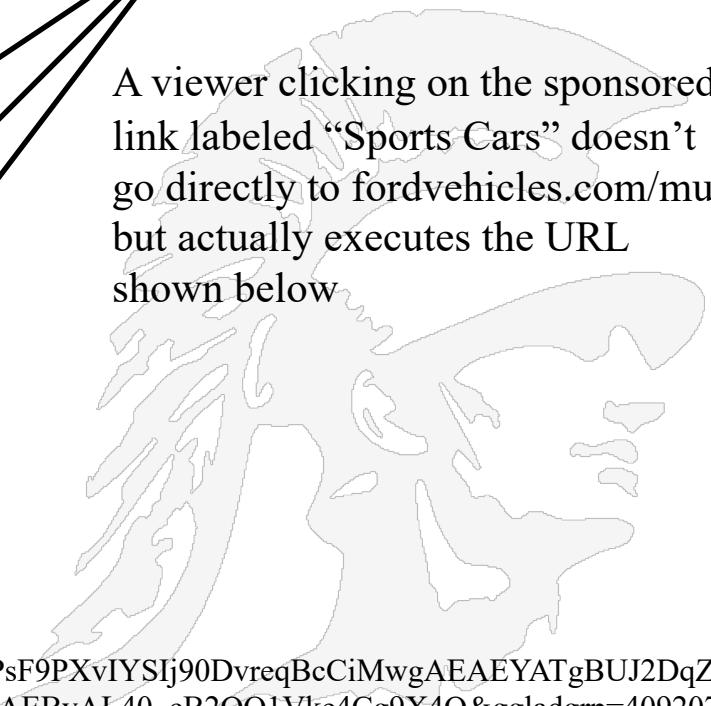
Nissan Pre owned factory 700 vehicles online priced all makes and models www.connellnissan.com

Your Local Audi Dealers Exclusive Offers For a Limited Time Shop Today For Your New Audi www.SoCalAudiDealers.com Los Angeles, CA

Sports Car Find Sports cars Near You. The Web's Local Search Engine!

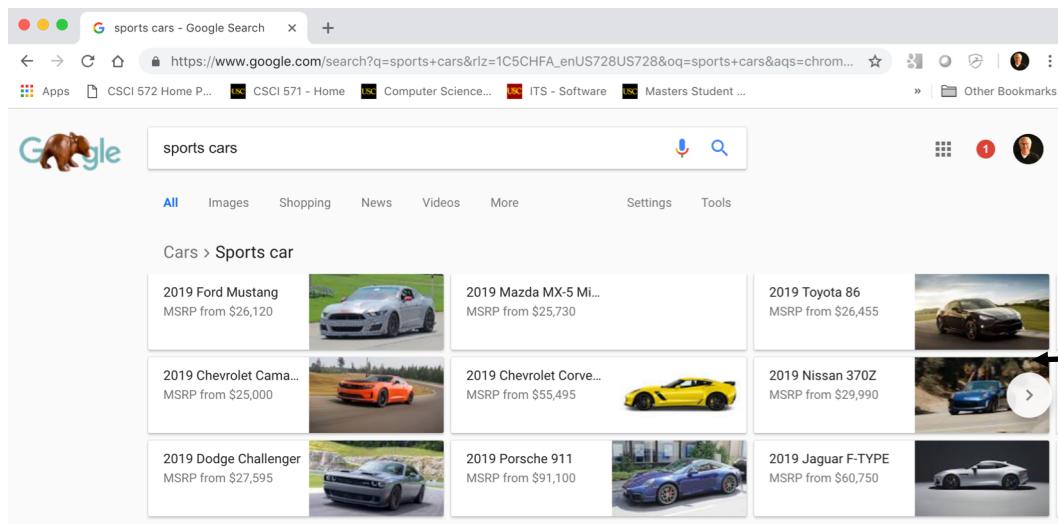
Sponsored links

A viewer clicking on the sponsored link labeled “Sports Cars” doesn’t go directly to fordvehicles.com/mustang but actually executes the URL shown below



http://www.google.com/url?sa=L&ai=BLpb_6rNhRrsXoJKAA5vDsPsF9PXvIYSIj90DvreqBcCiMwgAEAEYATgBUJ2DqZT6wFgyd7ohsjkBmYAZKHAZgBnIcBmAHOhwGqAQQyR01MyAEBByAL40_cB2QO1Vke4Cg9X4Q&ggladgrp=409207952&gglcreat=909927212&q=http://clickserve.dartsearch.net/link/click%3Flid%3D43000000032874062&usg=AFQjCNEf6OzvGkykHJRCibeiSuPePFVdbA

Click Thrus on Ads are Recorded - Google Result Page Nov. 2018



The screenshot shows a Google search results page for the query "sports cars". The results are filtered under the "Sports car" category. The first five results are images of different sports cars (Ford Mustang, Mazda MX-5, Toyota 86, Chevrolet Camaro, Corvette, Nissan 370Z, Dodge Challenger, Porsche 911, Jaguar F-TYPE). Below these are sponsored ads for a Bugatti Chiron model, a Toyota Tacoma, a RealTruck.com listing, and a Lego Technic set. At the bottom of the page, there is a link to the official Porsche 718 website.

These are related links that will cause a new query showing the type of car selected

These five images are ads whose first underlying link is:
https://www.googleadservices.com/pagead/aclk?sa=L&ai=DChcSEwj97OSF5cfAhUL1WQKHZuzDWoYABACGgJwag&ohost=www.google.com&cid=CAESQOD2kyUhOE82QBI31TV4mmmje6crOv-zvwDFTqg6Wcogys2pUu7GZdV8_VN EQb4MmlMpSEDhHnt2B7QrcfW7OTA&sig=AOD64_1VdiMqms3jCL4DWSzJuFhIC9uJJw&ctype=5&q=&ved=0ahUKEwiTwd6F5cfeAhVbJTQIHdIpBO0Q9aACCNMB&adurl=

The Ultimate destination, promocalendarsdirect.com is not explicitly shown

← This is the first organic search result

All Click Thru's Used to be Recorded by Google

But no longer

- Google does not reveal the contents of the information encoded in the URL, nor the encoding algorithm, so it is not possible to reverse engineer
- however, we can guess that the encoded information may include data such as:
 - The payment to be earned if the ad is clicked on
 - The number of times the ad has been displayed (impressions)
 - The position of the ad in the list of ads



Click Thru's - Bing's Results Page

sports cars - Bing

<https://www.bing.com/search?q=sports+cars&qs=n&form=QBLH&sp=-1&ghc=1&pq=sports+cars&sc=8-11&sk=&cvid=BB02E67415...>

Sign in | Rewards | Make Bing your search engine >

All Images Videos Maps News Shopping | My saves

171,000,000 Results Any time ▾

The All-New 2019 Subaru Ascent | Love is Now Bigger Than Ever
<https://www.subaru.com/ascent> •
 Ad: Subaru's new 3-row, 8-passenger SUV. Starts at \$31,995. Learn more on subaru.com
 360 Degrees of Visibility • 27/21 MPG Highway/City • Rear Cross-Traffic Alert • Subaru Starlink™

14 Best Luxury Sports Cars | U.S. News & World Report
cars.usnews.com • Home • Rankings • Cars ▾
 View the top luxury sports cars to find the right car for you. Luxury sports cars are powerful, fast, and come with upscale interiors. Whether you care about speed, the quality of cabin materials, or handling abilities, our rankings and reviews will help you find what you need.

News about Sports Cars
bing.news

1938 BMW 327 Sport Cabriolet
 The BMW 327 was the German manufacturer's foray into the production of more up-market sports cars that offered agreeable performance, elegant styling, and comfort. It shares much of the drivetrain wit...
 Top Speed • 12h

PODCAST: The Week In Sports Cars, Nov 7
 Sports car reporters Marshall Pruett and Graham Goodwin explore IMSA, the FIA WEC, and more series through listener-supplied questions in the latest episode of The Week In Sports Cars podcast. The 201...
 Racer • 1d

Tesla Model 3 Performance — World's Quickest Sport Sedan
 and even pure sports cars like the Porsche Cayman GT4 and 718 Boxster S. The Track Mode is already rolling out to Tesla owners in the form of an over-the-air software update, version 2018.42.8.
 It ...
 CleanTechnica • 13m

See more on Bing News

Videos of sports cars
bing.com/videos

Colors for Children to Learn with Sports Cars Water Colors
[YouTube](https://www.youtube.com/watch?v=1935JLjyfI) • 11/7/2018 • 56K views

Luxury Sport Cars & Babes!
[YouTube](https://www.youtube.com/watch?v=3z8JXWzvOg) • 11/6/2018 • 76 views

Race recap: Custer wins at Texas to make Championship
[YouTube](https://www.youtube.com/watch?v=217JFkPnBxU) • 11/4/2018 • 11K views

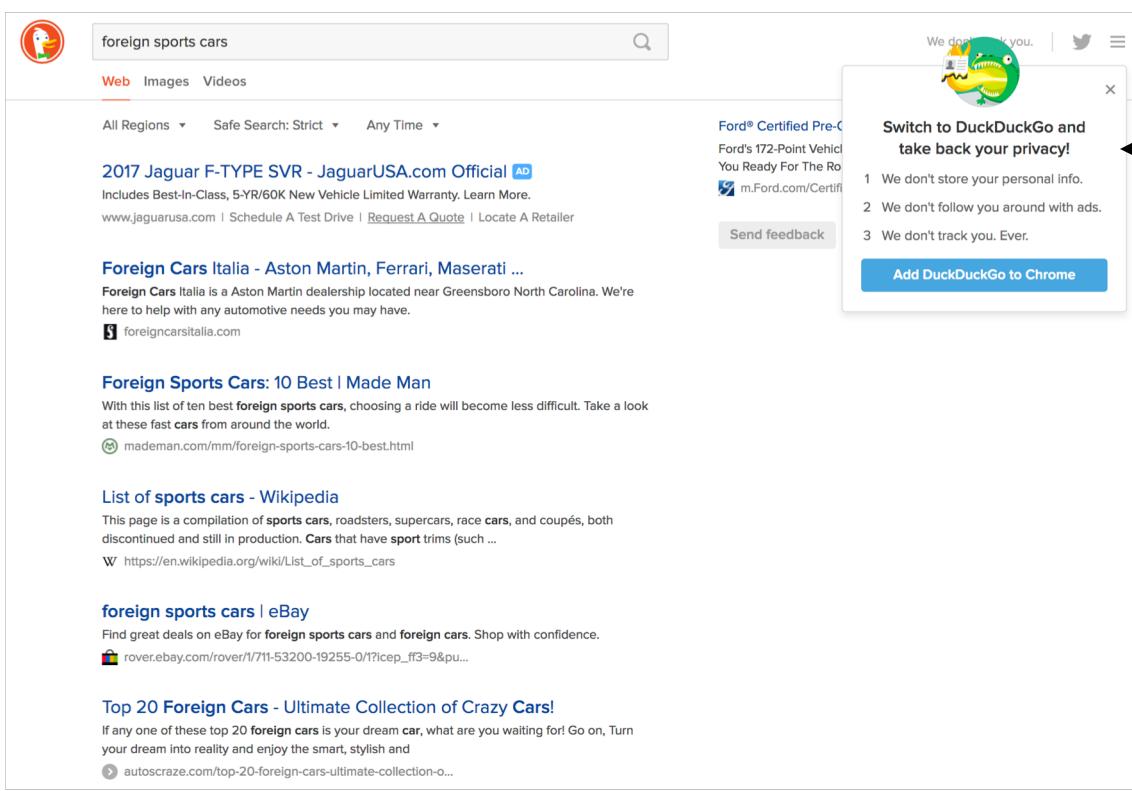
Bing shows one ad at the top followed by an organic search result. Here are the two underlying URLs

https://www.bing.com/aclick?ld=e3_JDTVzbRnm8P-sW5edHajTVUCUzV9-YVuQz7lx3-2bCRnoPZA-feufuS1e8IlfG97-AoJ89fe6ca7VCL5qc_39tWBIIw7FWH_Umlg0vEmWhaVYTxHF72KyC6ez6OF9PZb73P91G4uoYuHYiAjYSOGBIXcRu5Zw23BKcLzixDsZ9WwoDj&u=aHR0cCUzYSUyZiUyZmNsawNrc2VydmUuZGFydHNIYXJjaC5uZXQlMmZsaW5rJTJmY2xpY2slM2ZsaWQ1M2Q0Mzdw

.....

<https://cars.usnews.com/cars-trucks/rankings/luxury-sports-cars>

DuckDuckGo Does Not Record Clicks



The screenshot shows a search results page for "foreign sports cars". The results include:

- 2017 Jaguar F-TYPE SVR - JaguarUSA.com Official AD**: Includes Best-In-Class, 5-YR/60K New Vehicle Limited Warranty. Learn More. www.jaguarusa.com | Schedule A Test Drive | [Request A Quote](#) | Locate A Retailer
- Foreign Cars Italia - Aston Martin, Ferrari, Maserati ...**: Foreign Cars Italia is an Aston Martin dealership located near Greensboro North Carolina. We're here to help with any automotive needs you may have. foreigncarsitalia.com
- Foreign Sports Cars: 10 Best I Made Man**: With this list of ten best foreign sports cars, choosing a ride will become less difficult. Take a look at these fast cars from around the world. mademan.com/mm/foreign-sports-cars-10-best.html
- List of sports cars - Wikipedia**: This page is a compilation of sports cars, roadsters, supercars, race cars, and coupés, both discontinued and still in production. Cars that have sport trims such ... https://en.wikipedia.org/wiki/List_of_sports_cars
- foreign sports cars | eBay**: Find great deals on eBay for foreign sports cars and foreign cars. Shop with confidence. rover.ebay.com/rover/l/711-53200-19255-0/1?icep_ff3=9&pu...
- Top 20 Foreign Cars - Ultimate Collection of Crazy Cars!**: If any one of these top 20 foreign cars is your dream car, what are you waiting for! Go on, Turn your dream into reality and enjoy the smart, stylish and ... autoscraze.com/top-20-foreign-cars-ultimate-collection-o...

Switch to DuckDuckGo and take back your privacy!

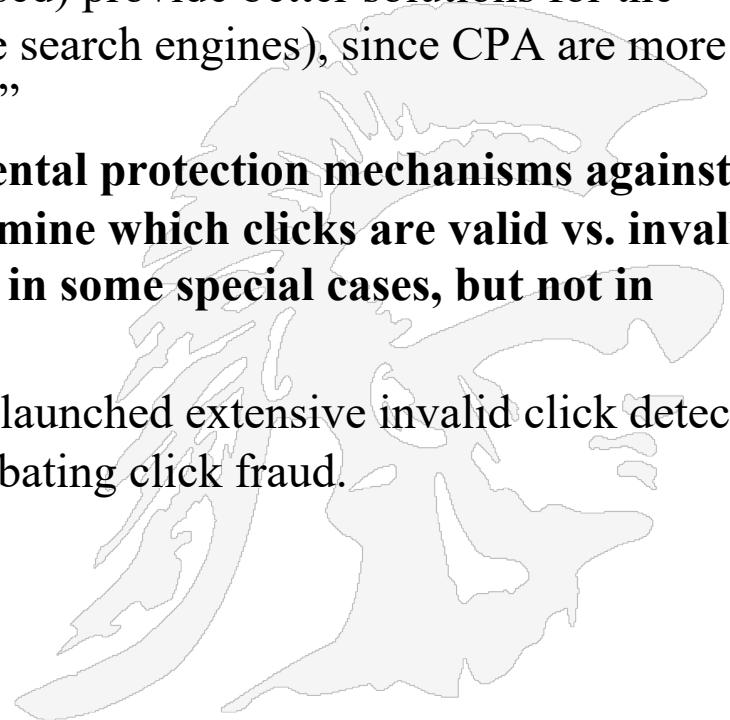


Actual links for the top three results

<https://r.search.yahoo.com/cbclk/dWU9QzdFRjcxRjQyOTY5NDg3MCZ1dD0x>
<http://www.foreigncarsitalia.com>
<http://www.mademan.com/mm/foreign-sports-cars-10-best.html>

Two Basic Problems with Pay-Per-Click Model

- 1. Although correlated, good click-through rates (CTRs) are still not indicative of good conversion rates, since it is still not clear if a visitor would buy an advertised product once he or she clicked on the ad**
 - In this respect, the Cost Per Action (CPA)-based models (where the advertiser only pays when the product is purchased) provide better solutions for the advertisers (but not necessarily for the search engines), since CPA are more indicative that their ads are “working.”
- 2. It does not offer any “built-in” fundamental protection mechanisms against click fraud since it is very hard to determine which clicks are valid vs. invalid in general, (it can be done relatively easily in some special cases, but not in general).**
 - For this reason, major search engines launched extensive invalid click detection programs and still face problems combating click fraud.

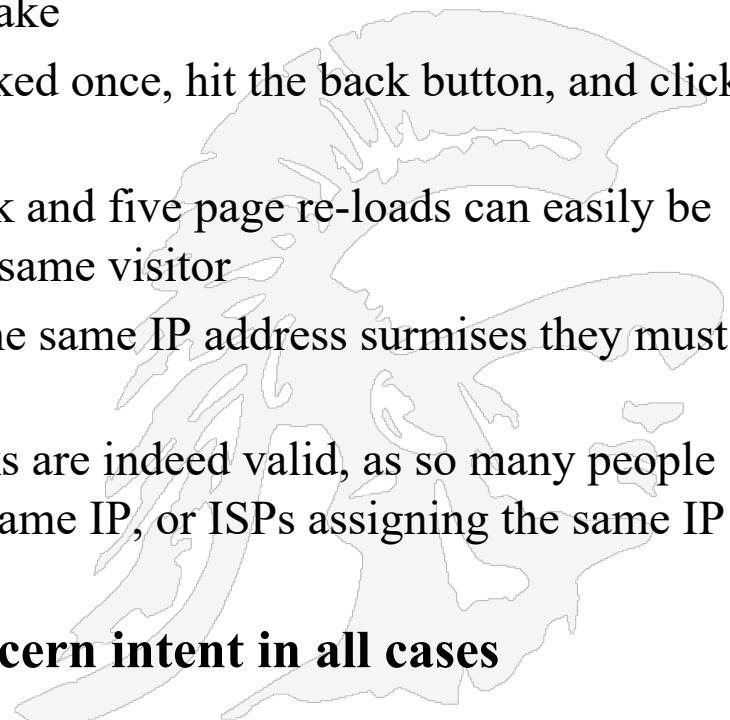


Definitions of Invalid Clicks

- **Definition:** “*Click Fraud* occurs in pay-per-click online advertising when a person, automated script or computer program imitates a legitimate user of a web browser clicking on an ad, for the purpose of generating an improper charge per click”
see Wikipedia, http://en.wikipedia.org/wiki/Click_fraud
- Google prefers to use the term “invalid clicks” rather than fraudulent clicks
- **Alternate Definition:** “Clicks or page impressions generated through prohibited means, and intended to artificially increase click or impression counts on a publisher account.” see
<https://www.google.com/adsense/support/bin/answer.py?answer=32740&topic=8526>
- A click is clearly valid if it leads to a purchase (or subscription), but this information is not always available

Some Examples To Ponder

1. A person clicks on an ad, leaves the landing page, but returns a while later; (is that two clicks or one?)
 2. A person double clicks an ad in a short period of time, say p
 - If $p < 5$ seconds then it may be a mistake
 - If $p > 10$ seconds, then maybe he clicked once, hit the back button, and clicked again
 - Without correct tagging, one click and five page re-loads can easily be mislabeled as six clicks from the same visitor
 3. An advertiser seeing many clicks from the same IP address surmises they must be fraudulent.
 - However many of these types of clicks are indeed valid, as so many people using corporate computers share the same IP, or ISPs assigning the same IP to more than one customer
- **Conclusion: it is not possible to discern intent in all cases**



7 Ways Click Fraud May Be Done

- 1. Individuals deploying automated clicking programs or software applications (called bots) specifically designed to click on ads**
- 2. An individual employing low-cost workers or incentivizing others to click on the advertising links**
 - Click2freemoney.com used to offer three options for people to earn money - by clicking on website links via e-mails that they send, by clicking on banners and text ads in their paid-to-click section, and by referring others to the website
 - The website no longer is active
- 3. Website publishers manually clicking on the ads on their pages**
 - attempting to generate revenue for themselves
- 4. Website publishers manipulating web pages in such a way that user interactions with the web site result in inadvertent clicks, e.g iframes**
- 5. Website publishers subscribing to paid traffic websites that artificially bring extra traffic to the site, including extra clicking on the ads**
- 6. Advertisers manually clicking on the ads of their competitors**
- 7. Website publishers being sabotaged by their competitors or other ill-wishers**

Google's View of Click Fraud



Google utilizes four layers of click fraud detection.

1. The **first** layer is purely automatic and is used to filter clicks from both “search” and AdSense partners (contextual ads). This filter is able to detect invalid clicks **in real-time**, with the goal of removing them before they ever show up in the AdWords console.

The second and third layers are aimed at filtering only AdSense clicks.

2. The **second** layer is what Google calls its “flagging system” and is an **automatic process** to remove invalid clicks from the AdSense system.

3. The **third** layer of filtering is a “manual review” process with more than two dozen Google employees manually reviewing and removing any suspicious clicks.

4. The **fourth** layer is a detailed investigation; Recently, Google claimed that only 2% of clicks were invalid

Google Detection of Invalid Clicks

Proactive

1. Filters

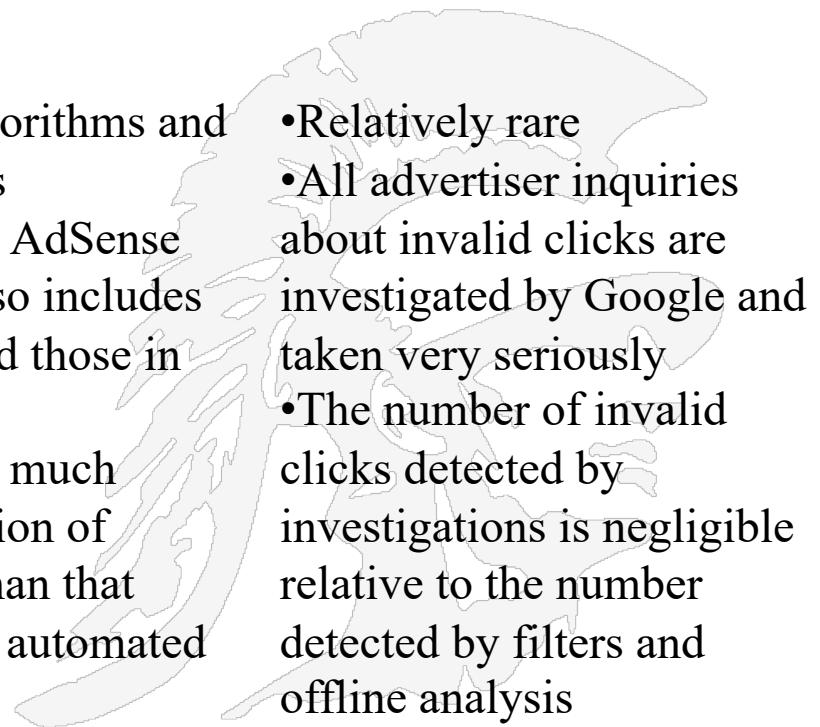
- Automated algorithms which filter out invalid clicks in real time, before they are charged to advertisers' accounts
- Analyze all clicks on AdWords ads
- Automatically discard clicks and impressions from known sources of invalid activity
- The above accounts for vast majority of invalid click detection

2. Offline analysis

- Automated algorithms and manual analysis
- Focuses on the AdSense network, but also includes Google sites and those in other networks
- Accounts for a much smaller proportion of invalid clicks than that detected by our automated filters

Reactive

3. Investigations



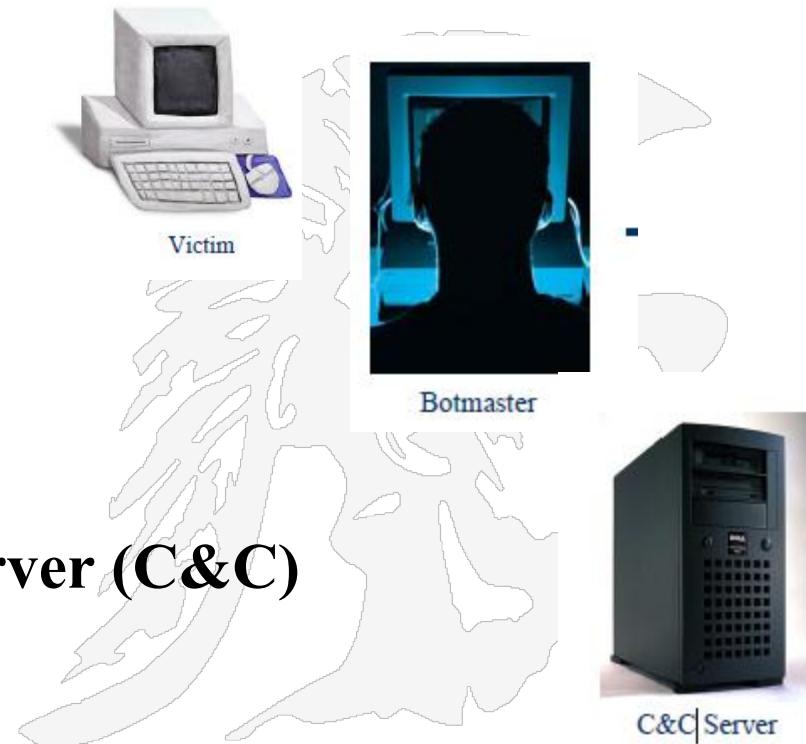
- Relatively rare
- All advertiser inquiries about invalid clicks are investigated by Google and taken very seriously
- The number of invalid clicks detected by investigations is negligible relative to the number detected by filters and offline analysis

What To Look For - Anomalous Behavior

1. **Keyword performance**
 - Words that normally don't do well suddenly become very popular
2. **Abnormal number of clicks from the same IP address**
 - Easy to identify, but still popular form of click fraud
3. **Decline in the number of conversions (*requires website cooperation*)**
 - Since fraudulent clicks don't lead to purchases
4. **Large numbers of visitors who leave your site quickly (*requires website cooperation*)**
 - Many search engines require that the user who clicks on an ad spend at least 30 seconds on the landing page
5. **Large number of impressions, without accompanying clicks on your ad**
 - If ad impressions are inflated, but not clicked then Google can cancel your ad because the CTR is so small
6. **Abnormally high clicks and impressions on affiliate websites**
 - If an affiliate competitor is using click fraud, the search engine will notice high payments to the affiliate and may cancel the affiliate's account
7. **A large number of clicks coming from countries outside of your normal market area**
 - Use sites such as dnsstuff.com to identify which country an IP address is coming from
8. **Accidental click fraud** - Link checking software or search engine robots may click on ads as they parse a page

Botnets

- “A botnet is a large collection of well-connected compromised machines, that interact to take part in some distributed task.”
 - Bots (Zombies)
 - Botmaster (Bot herder)
 - Command and Control Server (C&C)



How do they work?



Botmaster

1. Botmaster infects victim with bot (worm, social engineering, etc)



Victim



C&C Server

How do they work?



Botmaster



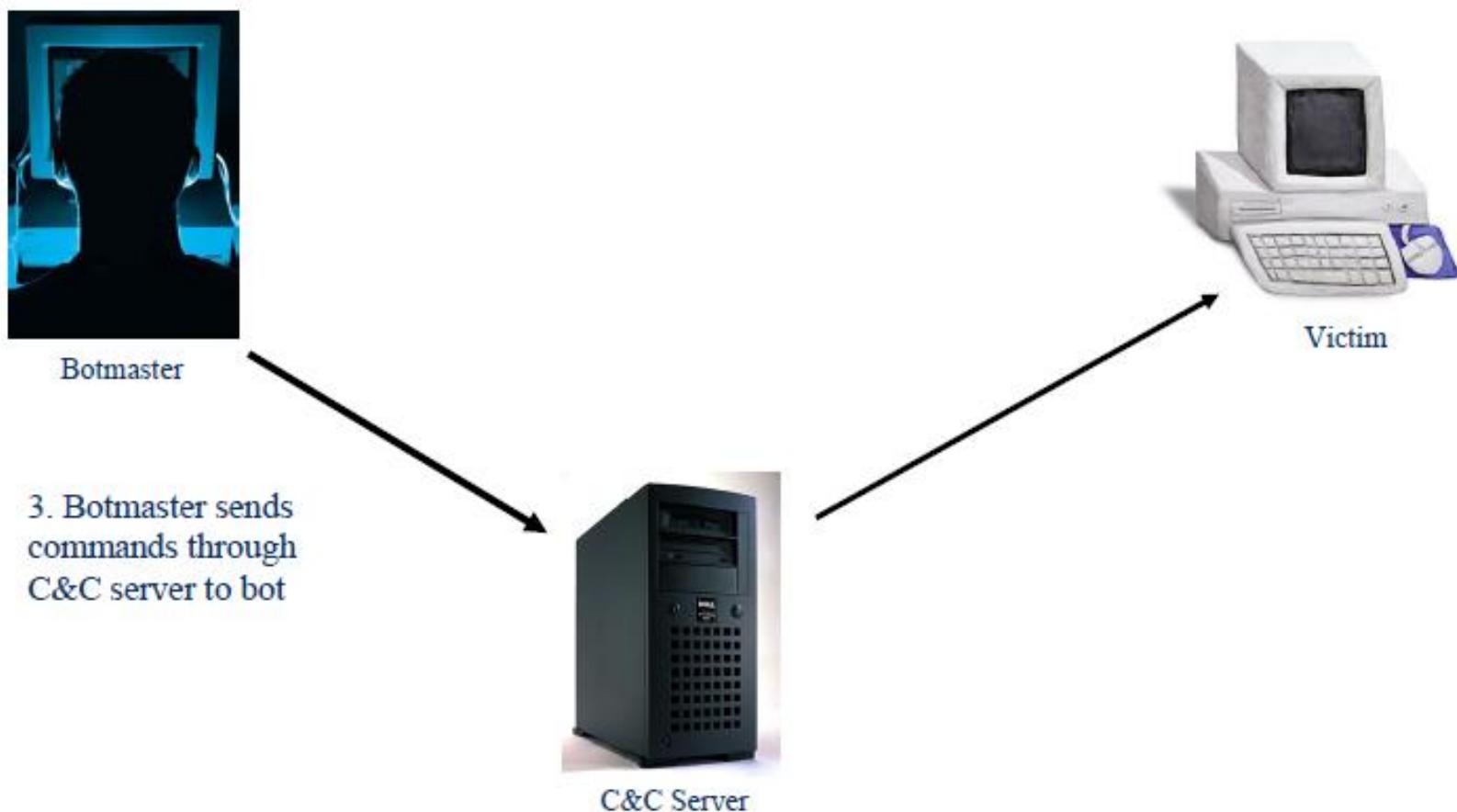
Victim



C&C Server

2. Bot connects to C&C server. This could be done using HTTP, IRC or any other protocol.

How do they work?

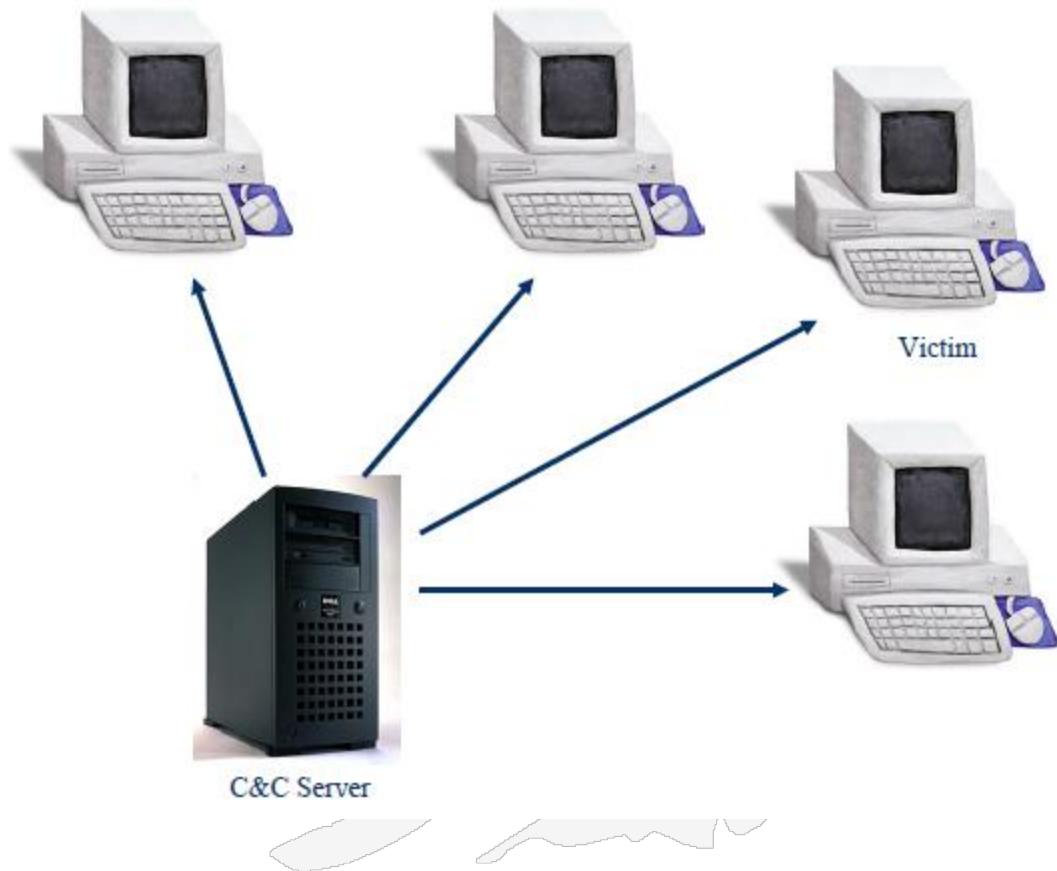


How do they work?



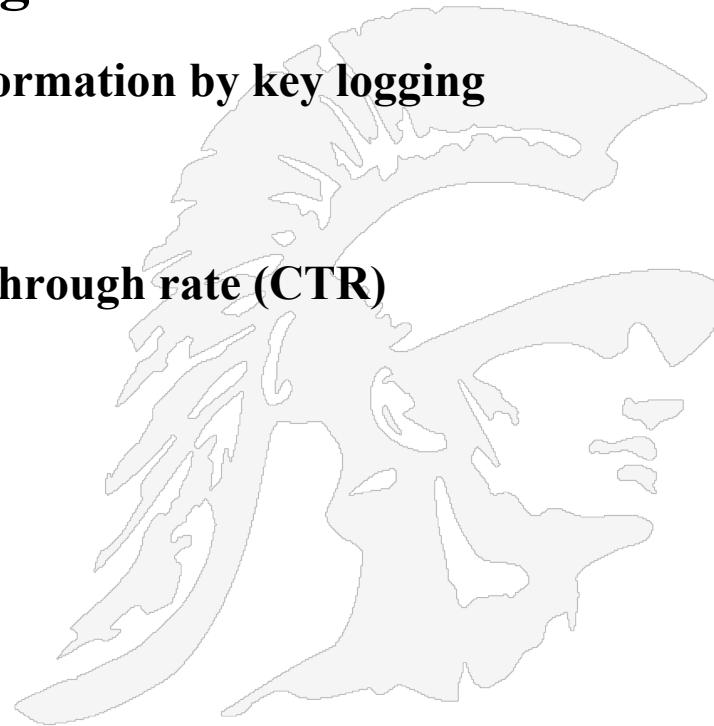
Botmaster

4. Repeat. Soon the botmaster has an army of bots to control from a single point



Botnet Attacks

- **Distributed Denial of Service (DDoS)**
 - Disable network services by consuming bandwidths
- **Information Leakage**
 - Retrieve sensitive information by key logging
- **Click Fraud**
 - Obtain Higher click through rate (CTR)
- **Identity Fraud**
 - Phishing Mail

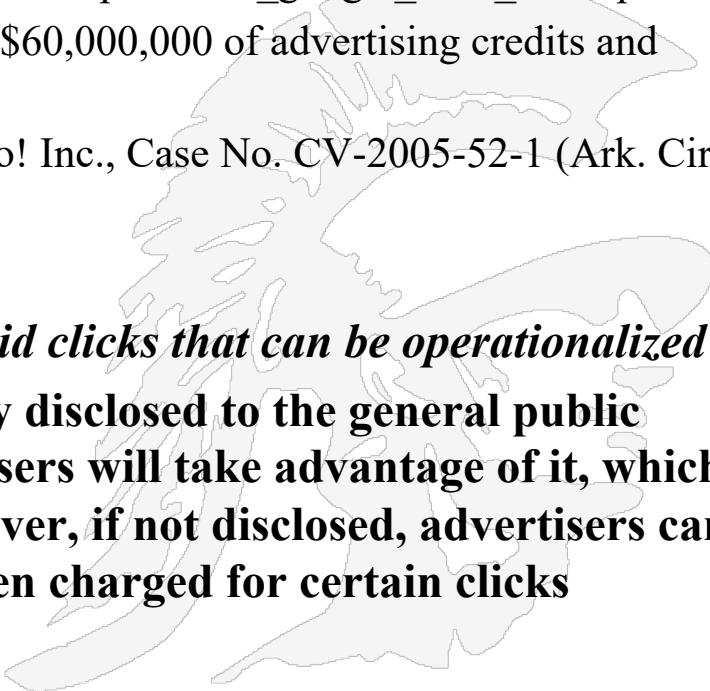


Google Reports To Advertisers

- When advertisers are billed by Google, they receive reports describing the clicking and billing activities.
- *One problem* with these reports, however, is that these statistics are aggregated by Google over some time period. The ***smallest unit of analysis is one day***.
- For example, the number of invalid clicks on an ad detected by Google (or any other related statistic) can *only be reported on a daily basis*
 - In other words, advertisers cannot know if a particular click on a particular ad was marked as valid or invalid by Google, and Google refuses to provide this information to advertisers.
- ***The Fundamental Problem***
 - The advertiser has the right to know why a particular click was marked as valid by Google (when the advertiser thinks that it is invalid)
 - However, if Google discloses this information it opens itself to click fraud on a massive scale because by doing so it provides certain hints about how its invalid click detection methods work

Tuzhilin's Fundamental Problem

- As part of a legal case (The Lane's Gifts v. Google), Prof. Alexander Tuzhilin (of NYU) wrote a report on Google's approach to detecting invalid clicks
 - http://googleblog.blogspot.com/pdf/Tuzhilin_Report.pdf
- Google settled the case on May 19, 2006
 - See his ruling at http://googleblog.blogspot.com/pdf/lanes_google_final_order.pdf
 - As part of the settlement Google agreed to \$60,000,000 of advertising credits and \$30,000,000 amount in attorney fees
 - Lane's Gifts and Collectibles LLC v. Yahoo! Inc., Case No. CV-2005-52-1 (Ark. Cir. Ct. complaint filed Feb. 17, 2005).
- Tuzhilin's main conclusion:
- *There is no conceptual definition of invalid clicks that can be operationalized*
- An operational definition cannot be fully disclosed to the general public because of the concerns that unethical users will take advantage of it, which may lead to a massive click fraud. However, if not disclosed, advertisers cannot verify or even dispute why they have been charged for certain clicks



Tuzhlin's Attempt to Define Performance of Online Filters

- A *true click is either valid or invalid*, assuming that we know the “absolute truth” about the validity of all the clicks (which is not the case)
- Google filters can *label a click as either valid or invalid*. These two dimensions (the actual click vs. click labeling by filters), give rise to the following *confusion matrix*

		Click classified by filters as	
		Invalid	Valid
Actual Click	Invalid	True Positive (TP)	False Negative (FN)
	Valid	False Positive (FP)	True Negative (TN)

True Positive (TP) is an invalid click that is correctly identified as invalid

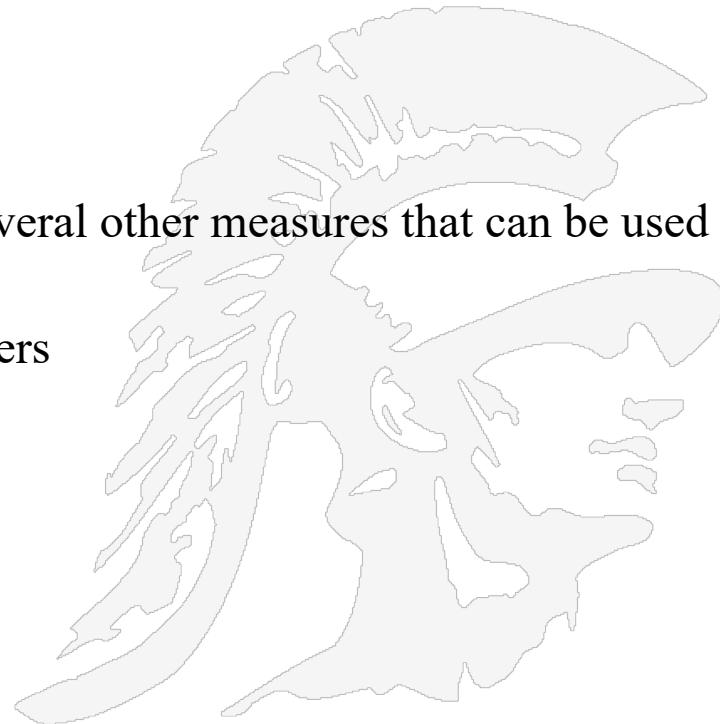
True Negative (TN) is a valid click that is correctly identified as valid

False Positive (FP) is a valid click that is incorrectly identified as invalid

False Negative (FN) is an invalid click that is incorrectly identified as valid

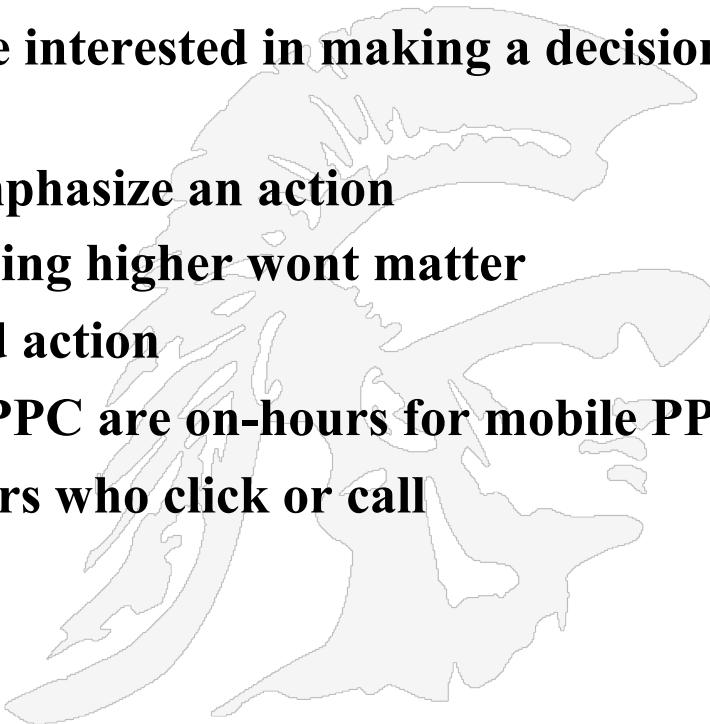
Tuzhlin's Attempt to Define Performance of Online Filters

- Given the total number of clicks N , we can identify the number of TP , TN , FP and FN clicks.
- Note that $TP + TN + FP + FN = N$.
- and the accuracy rate of a filter is equal to
 $(TP + TN)/N$
- and the error rate to
 $(FP + FN)/N$.
- In addition to these measures, there are several other measures that can be used for determining performance of the filters
- But Google refuses to publish these numbers



Features of Pay-per-Click on Mobile

1. Google offers both pay-per-click and pay-per-call ads for mobile devices
 - an ad can have a link and a phone number
2. Google suggests that mobile ad campaigns should be distinct from desktop campaigns
3. Mobile searchers are generally more interested in making a decision rather than doing research
4. As a result choose keywords that emphasize an action
5. Bid for positions one and two, anything higher wont matter
6. Target based on location, device and action
7. Day-parting: off hours for desktop PPC are on-hours for mobile PPC
8. Include special offers for mobile users who click or call

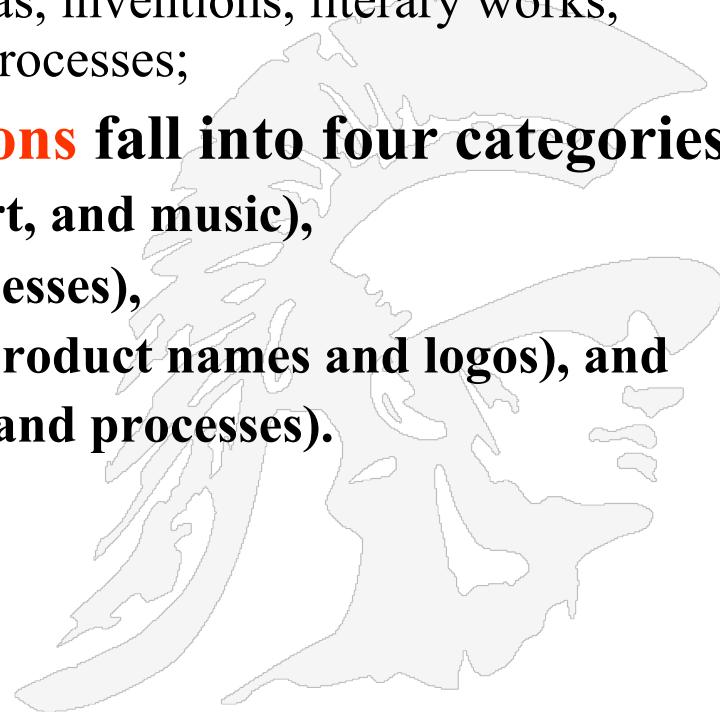


Legal Issues and Search Engines



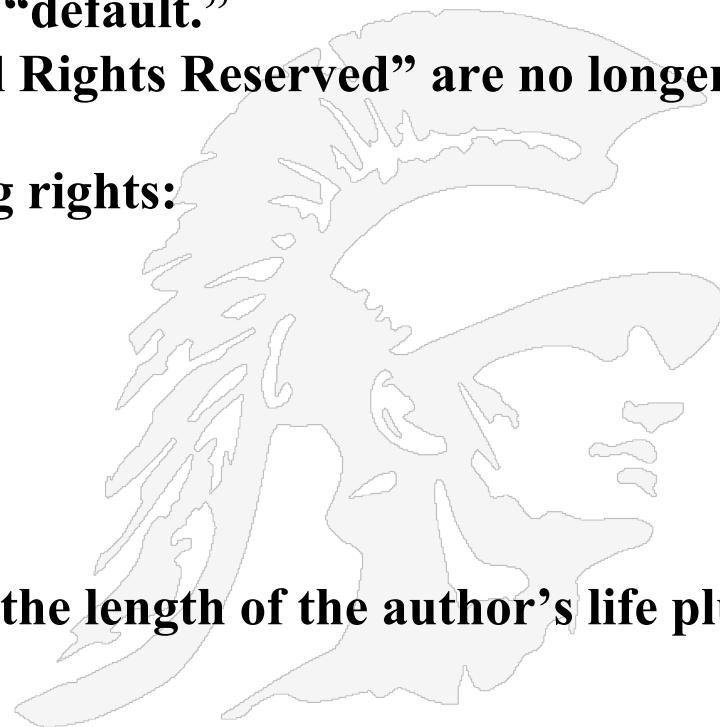
What is Intellectual Property

- **Content of the human intellect deemed to be unique and original and to have marketplace value—and thus to warrant protection under the law.**
 - Intellectual property includes: ideas, inventions, literary works, chemical, business, or computer processes;
- **Intellectual property **protections** fall into four categories:**
 1. **copyright (for literary works, art, and music),**
 2. **patents (for inventions and processes),**
 3. **trademarks (for company and product names and logos), and**
 4. **trade secrets (for recipes, code, and processes).**



What is Copyright

- The U.S. Copyright Act, 17 U.S.C. § 102(a), extends copyright protection to “original works of authorship fixed in any tangible medium of expression . . .”
- A work is protected by copyright law *automatically* when it is created and fixed in a tangible medium of expression. That is, the author owns the work and obtains rights to it by “default.”
- The “©” symbol and the words “All Rights Reserved” are no longer required in America,
- A copyright owner has the following rights:
 - Reproduction Right
 - Adaptation Right
 - Distribution Right
 - Public Performance Right
 - Public Display Right
- The term of copyright protection is the length of the author’s life plus fifty years.



What Items are Copyrighted

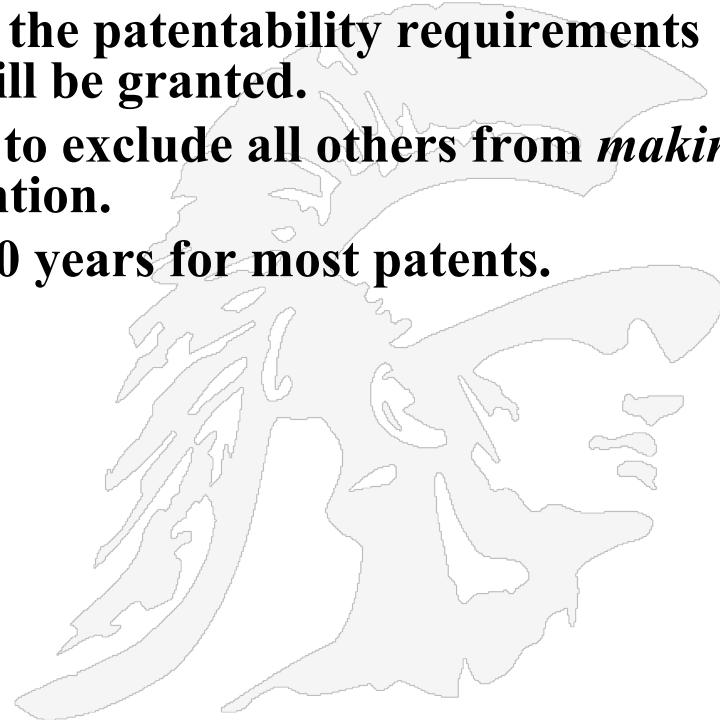
- Books
- Maps
- Charts
- Engravings
- Prints
- Musical compositions
- Dramatic works
- Photographs
- Web pages

- Paintings
- Drawings
- Sculptures
- Motion pictures
- Computer programs
- Sound recordings
- Choreography
- Architectural works



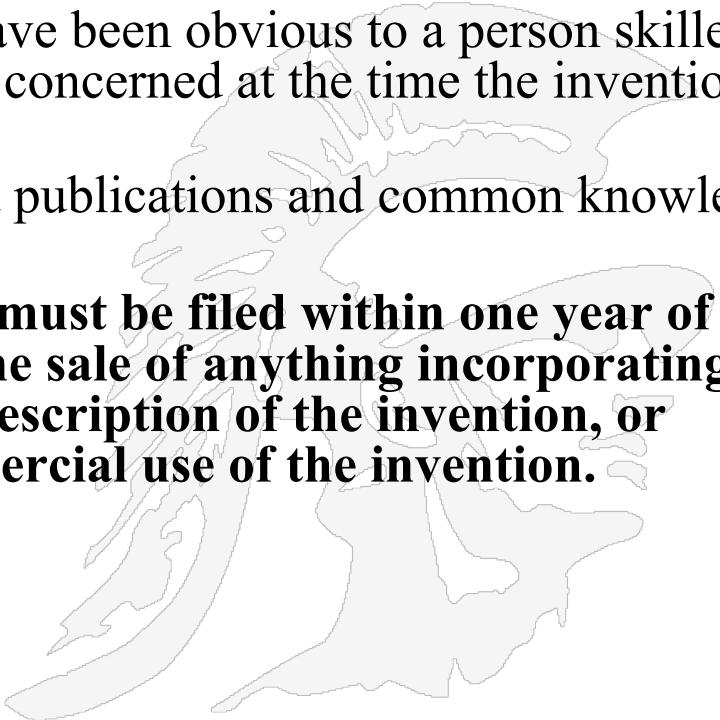
What are Patents

- In the United States, a person may patent any invention that is new, useful and, non-obvious.
- Unlike copyrights, the inventor must register the patent with the United States Patent Office.
- If the Patent Office determines that the patentability requirements have been satisfied, then a patent will be granted.
- The owner of a patent has the right to exclude all others from *making, using, selling, or importing* the invention.
- This exclusive right is granted for 20 years for most patents.



Patents and Prior Art

- In order to pass the non-obvious, or novel, requirement, the invention must not have been revealed in some form of “prior art.”
 - Prior art is defined as the body of public knowledge that predates the date of invention.
 - That is, the invention would not have been obvious to a person skilled in the art with which the invention is concerned at the time the invention was made.
 - Prior art includes prior patents and publications and common knowledge in a field.
- In the United States, an application must be filed within one year of the date of first sale or offer of sale or the sale of anything incorporating the invention, within one year of a description of the invention, or within one year of a public or commercial use of the invention.



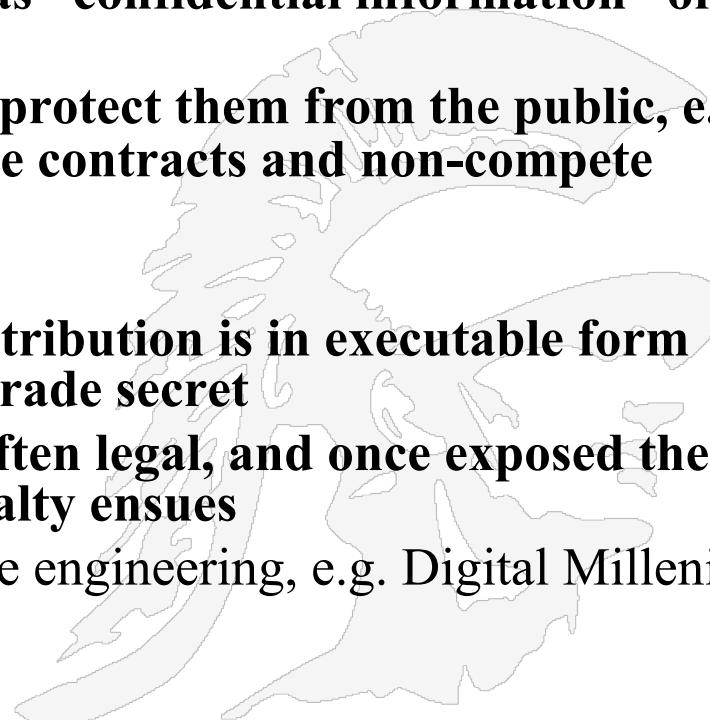
What are Trademarks

- A trademark is a word, words, phrase, symbol or design that is legally registered as representing a company or product.
- Applications for registering a trademark in the US are done through the US Patent and Trademark Office USPTO, www.uspto.gov
- The USPTO attempts to ensure that no one else receives a registration for an identical or similar mark
 - But they do not police the misuse of trademarks; that is up to the owner
- Some famous trademarks



What are Trade Secrets

- A *trade secret* is a formula, practice, process, design, instrument, pattern, or compilation of information which is not generally known or reasonably ascertainable, by which a business can obtain an economic advantage over competitors or customers. (Wikipedia.org)
- Trade secrets are often referred to as “confidential information” or “classified information”
- Companies with trade secrets must protect them from the public, e.g. by having people sign non-disclosure contracts and non-compete clauses
- Trade secrets can last indefinitely
- Computer programs whose only distribution is in executable form allows the source code to remain a trade secret
- Reverse engineering a program is often legal, and once exposed there is no longer a trade secret and no penalty ensues
 - There are laws that prevent reverse engineering, e.g. Digital Millennium Copyright Act (DMCA)



Is Google Responsible for the Content it Points To?

- Should Google *not* be allowed to provide links to
 - pornographic websites
 - child pornographic websites
 - Nazi, white supremacist, racist websites
 - Revenge porn websites
 - websites containing damaging or libelous information about an individual



Some Recent Court Cases

Google IS Responsible

The South Australian Supreme Court this week found that Google is legally responsible when its search results link to defamatory content on the web.

In this long-running case, Dr Janice Duffy has been trying for more than six years to clear her name and remove links to defamatory material when people search for her using Google. The court found that once Google was alerted to the defamatory material, it was then under an obligation to act to censor its search results and prevent further harm to Dr Duffy's reputation

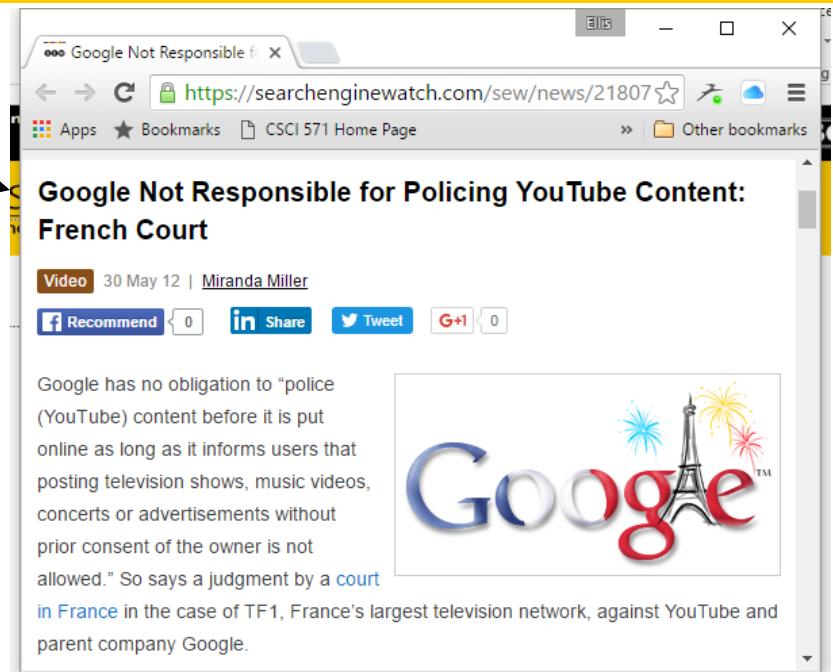


Some Recent Court Cases

Google IS NOT Responsible

Google has no obligation to “police (YouTube) content before it is put online as long as it informs users that posting television shows, music videos, concerts or advertisements without prior consent of the owner is not allowed.”

So says a judgment by a court in France in the case of TF1, France’s largest television network, against YouTube and parent company Google.



The screenshot shows a web browser window titled "Google Not Responsible for Policing YouTube Content: French Court". The URL is <https://searchenginewatch.com/sew/news/21807>. The page content discusses a court judgment in France stating that Google has no obligation to police YouTube content. It includes a small image of the Google logo with fireworks over the Eiffel Tower.



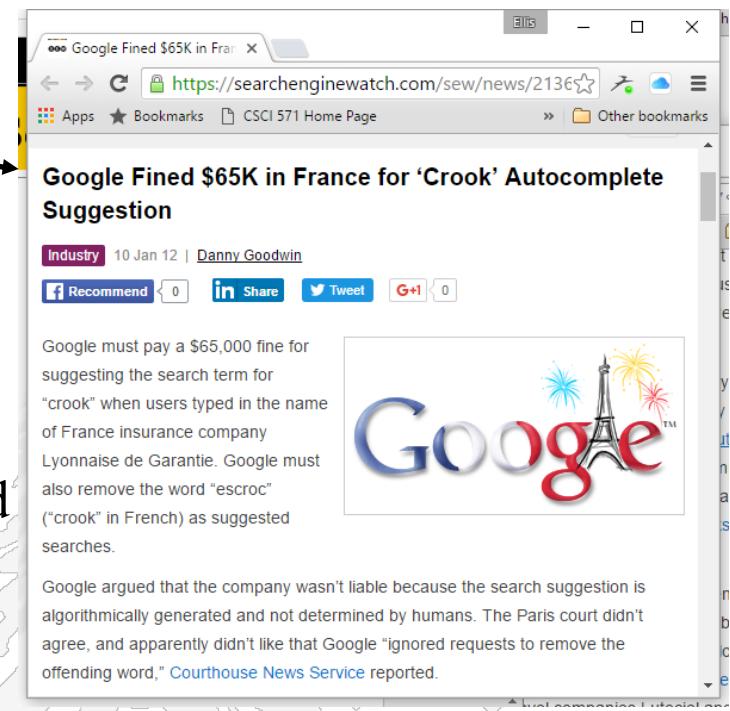
Some Recent Court Cases

Google IS Responsible

Google must pay a \$65,000 fine for suggesting the search term for “crook” when users typed in the name of France insurance company Lyonnaise de Garantie. Google must also remove the word “escroc” (“crook” in French) as suggested searches.

Google argued that the company wasn’t liable because the search suggestion is algorithmically generated and not determined by humans.

The Paris court didn’t agree, and apparently didn’t like that Google “ignored requests to remove the offending word,”

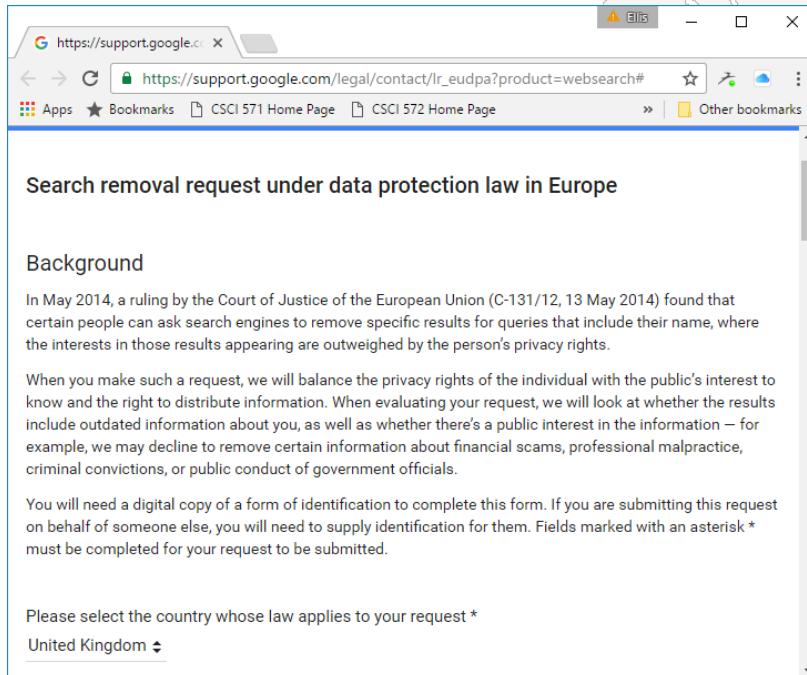


A screenshot of a web browser window titled "Google Fined \$65K in France for 'Crook' Autocomplete Suggestion". The URL is <https://searchenginewatch.com/sew/news/2136>. The page content discusses Google's fine and the search suggestion issue. Below the text is a Google logo with fireworks over the Eiffel Tower.

Google Required to Comply with EU's Right to be Forgotten

- In May 2014, the European Union found that certain people can ask search engines to remove specific results for queries that include their name.
- When you make such a request, Google will be looking at whether the results include outdated information about you, as well as whether there's a public interest in the information
- this website contains a form for content removal
- https://support.google.com/legal/contact/lr_eudpa?product=websearch#

this decision is limited to the European Union and does NOT currently apply to the United States



Search removal request under data protection law in Europe

Background

In May 2014, a ruling by the Court of Justice of the European Union (C-131/12, 13 May 2014) found that certain people can ask search engines to remove specific results for queries that include their name, where the interests in those results appearing are outweighed by the person's privacy rights.

When you make such a request, we will balance the privacy rights of the individual with the public's interest to know and the right to distribute information. When evaluating your request, we will look at whether the results include outdated information about you, as well as whether there's a public interest in the information – for example, we may decline to remove certain information about financial scams, professional malpractice, criminal convictions, or public conduct of government officials.

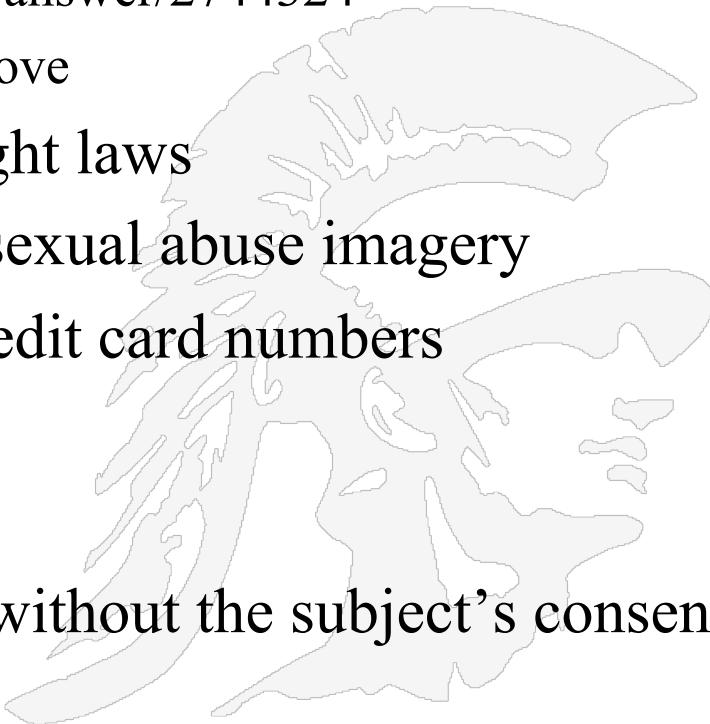
You will need a digital copy of a form of identification to complete this form. If you are submitting this request on behalf of someone else, you will need to supply identification for them. Fields marked with an asterisk * must be completed for your request to be submitted.

Please select the country whose law applies to your request *

United Kingdom

Google's Removal Strategy for US Customers

- It is not impossible to persuade Google to stop listing certain types of information in its search results,
- Google's Removal Policies page,
<https://support.google.com/websearch/answer/2744324>
- Given a legal request Google will remove
 - material that violates copyright laws
 - Material that contains child sexual abuse imagery
 - Images that show bank or credit card numbers
 - personal signatures
 - Social Security numbers
 - revenge porn photos posted without the subject's consent.



Google – Ads – Legal Suits



Google Takes Ads From Companies Doing Illegal Things

Google Sued by Investor Over Ads for 'Illegal' Online Canada Drug Imports

By Karen Gullo - Aug 29, 2011 9:01 PM PT

Recommend   

QUEUE  

Google Inc. (GOOG) and its directors were sued by a shareholder who claims they breached their fiduciary duty by facilitating illegal imports of prescription drugs, leading to a \$500 million settlement with the U.S. government.

Chief Executive Officer Larry Page and the company's board knew or should have known it was illegal for pharmacies outside the U.S. to ship prescription drugs into the country, according to a complaint filed yesterday in federal court in [San Jose, California](#), by a Pennsylvania woman who owns Google shares. The so-called derivative lawsuit was filed on behalf of the company and its investors.

Google Responsible

Google's \$500 million forfeiture, which represents its revenue from displaying such ads through AdWords, is one of the biggest in U.S. history.

According to the U.S. Attorney's Office for the District of Rhode Island which investigated Google's advertising practices in this case, the company was aware since 2003 that foreign pharmacies are advertising drugs to US consumers through its ad network.

Copyright Ellis Horowitz 2011-2018

Google Settles Pharma Ads Lawsuit for \$500 Million

ezeedata You should have the best quality data in the top search engines for shopping, sign up today! Get Started for FREE Today!

* First 500 people get it for free, new customers only

- Use it for FREE
- No obligations
- Next big thing to SEO

Provided by [ezeedata.com](#)

SHARE:  0   

[Ads by Google](#) [Google Adwords ADS](#) [Advertising Google](#) [Google Adwords PPC](#) [Google Adwords](#)

Google has agreed to pay \$500 million in order to a lawsuit brought by the US government in connection to its profits from ads for non-controlled drugs.

The Justice Department initiated legal action against Google because the company agreed to [Canadian pharmacies](#) despite knowing that importing non-FDA-approved drugs into the U.S. is illegal.

"The importation of prescription drugs to consumers in the United States is almost always unlawful because the FDA cannot ensure the safety and effectiveness of foreign prescription drugs that are not FDA-approved because the drugs may not meet FDA's labeling requirements; may not have been manufactured, stored and distributed under proper conditions; and may not have been dispensed in accordance with a valid prescription," the DOJ explains.

just meet online together

Google's AdSense Displays Ads on Parked Sites and Charges Advertisers



Google Settles AdWords Lawsuit For \$20 Million

By Tameka Kee
 @GeekyChic
 Apr 1, 2009 1:47 PM ET

The list of companies and individuals suing Google for the way it runs its search ad business is a long one: including everyone from biggies like American Airlines to one-off advertiser lawsuits. And settling its latest AdWords-related lawsuit could ultimately cost Google (NSDQ: GOOG) up to \$20 million, according to Mediastop.

SEE ALSO: Google Sued Over Ad Rates, But Wins Separate, Street Views Court Challenge

The class-action lawsuit was filed by two small business advertisers in 2005: Minnesota-based printing company CLRB Hanson Industries and N.J.-based Howard Stern (not the radio personality); they argued that Google had charged them more for ads on certain days than they'd agreed to pay for. Google countered that it had only overcharged them to make up for days when it under-delivered ads, but still those to end the litigation with a settlement. Both plaintiffs will receive \$20,000; Google agreed to pay their lawyers more than \$5 million. Other affected advertisers will get AdWords credits.

Google IS Responsible



Google Dodges Lawsuit Over Ads On Undeveloped Websites

By Jeff Roberts
 @jeffjohnroberts
 Jan 6, 2012 6:35 PM ET

A federal judge in California turned down a would-be class action lawsuit that sought millions of dollars in refunds for companies whose ads appeared on parked or error web pages.

In a ruling on Thursday, U.S. District Judge Edward Davila said he would not allow the class action to go forward because it was more appropriate for companies who had bought the ads to show any alleged harm on an individual basis.

SEE ALSO: Google Settles AdWords Lawsuit For \$20 Million

The case, which was filed in 2008, said Google's ad-selling practices were unfair and deceptive under California law. The ads in question were those which appeared on "parked domains" which are registered but undeveloped websites, and on placeholder pages that appeared instead of error messages.

The plaintiffs claimed that these sites left a negative impression and that Google (NSDQ: GOOG) had failed to inform them their ads would appear there. The search giant replied that a click-through ad on these sites was equally valuable and that its policies disclosed where the ads would appear.

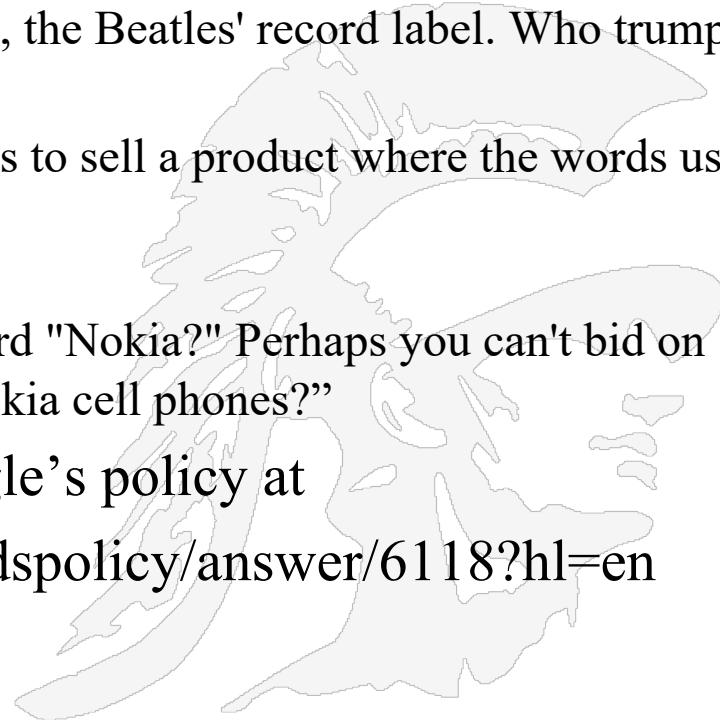
Google avoids a class action suit

The ads in question were those which appeared on "**parked domains**" which are registered but undeveloped websites, and on placeholder pages that appeared instead of error messages. The plaintiffs claimed that these sites left a **negative impression** and that Google had **failed to inform them** their ads would appear there.

Can a Search Engine Sell Ads on Trademarked Terms?

- **Some thorny examples:**

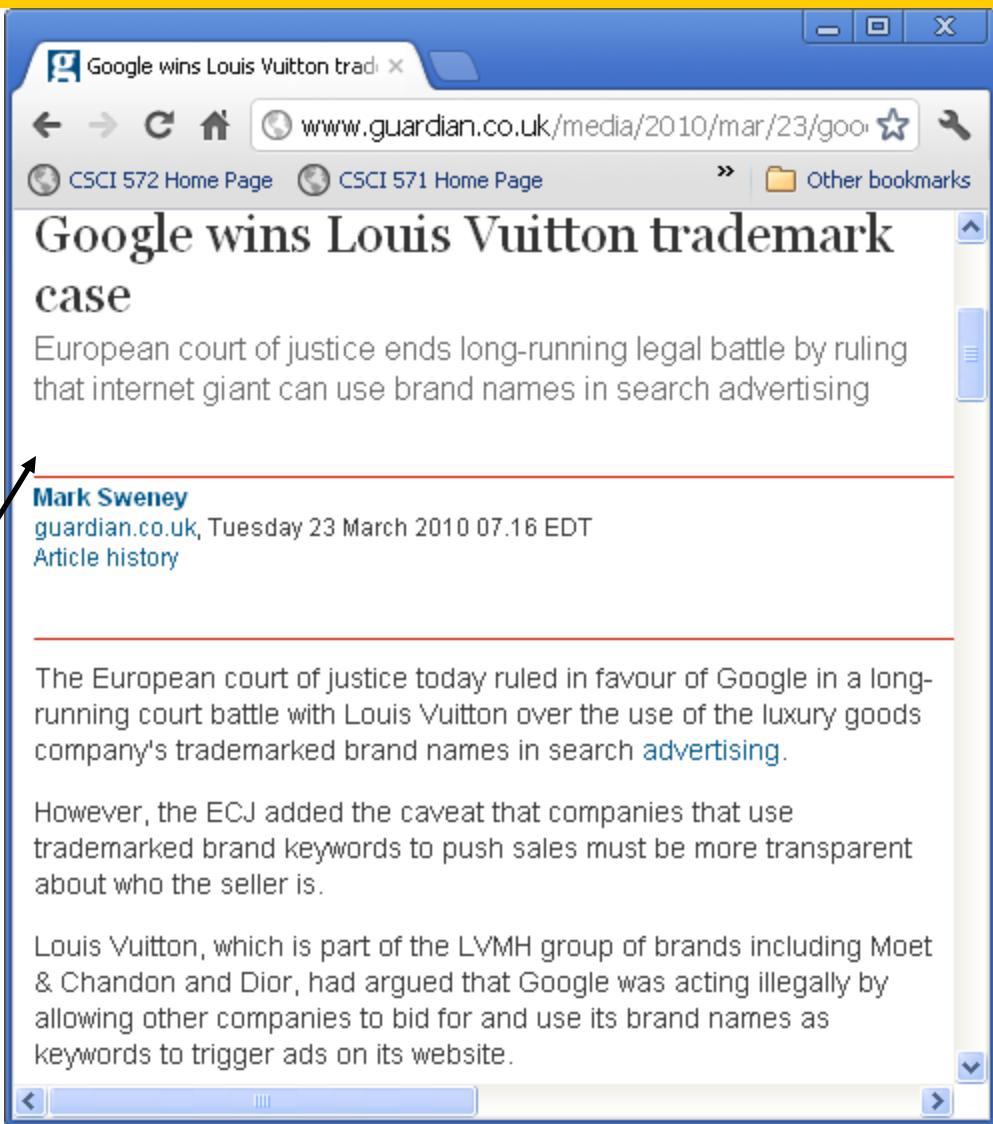
1. In France, “Egg” is the name of a bank and “Orange” is a cell phone company. Do you ban anyone from bidding on those words?
2. What should be done when two or more people have a trademark on the same word, such as Apple Computers and Apple Corp, the Beatles' record label. Who trumps whom?
3. What should be done when someone wants to sell a product where the words used to describe it are a trademark. For example,
 - let's say you sell used cell phones.
Are you prevented from using the word "Nokia?" Perhaps you can't bid on "Nokia," but can you bid on "used Nokia cell phones?"



- Louis Vuitton is a famous maker of handbags, shoes, and other such items
- Google was sued by Louis Vuitton who said they could not sell ads using Louis Vuitton as the keywords.
- The European Court of Justice ruled in favor of Google selling ads on brand names
- In the Vuitton case, a search for vuitton at Google France shows the company's web site as the very first listing. It's hard to argue that Google is somehow preventing users from finding the site because it also carries ads linked to the Vuitton name.

Google IS NOT Responsible

A Search Engine Can Sell Ads on Trademarked Terms



The screenshot shows a web browser window with the title "Google wins Louis Vuitton trad..." and the URL "www.guardian.co.uk/media/2010/mar/23/go...". The main content of the article is as follows:

Google wins Louis Vuitton trademark case

European court of justice ends long-running legal battle by ruling that internet giant can use brand names in search advertising

Mark Sweney
guardian.co.uk, Tuesday 23 March 2010 07.16 EDT
[Article history](#)

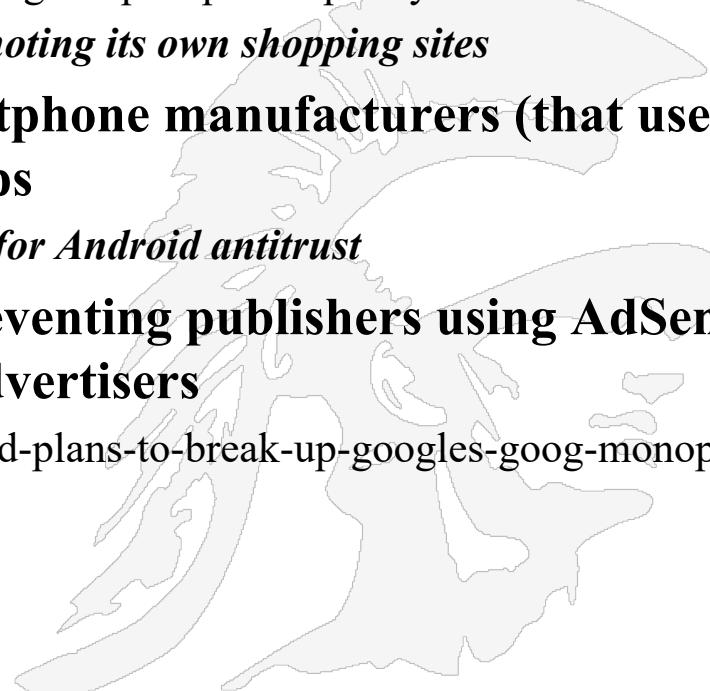
The European court of justice today ruled in favour of Google in a long-running court battle with Louis Vuitton over the use of the luxury goods company's trademarked brand names in search [advertising](#).

However, the ECJ added the caveat that companies that use trademarked brand keywords to push sales must be more transparent about who the seller is.

Louis Vuitton, which is part of the LVMH group of brands including Moet & Chandon and Dior, had argued that Google was acting illegally by allowing other companies to bid for and use its brand names as keywords to trigger ads on its website.

Google Sued by European Union

- Three outstanding antitrust charges
- 1. April 2015 Google accused of favoring its own comparison-shopping services over others
 - Google's response is here <https://blog.google/topics/public-policy/the-search-for-harm/>
 - ***Google fined 2.4Billion Euros for promoting its own shopping sites***
- 2. April 2016 Google is forcing smartphone manufacturers (that use Android) to pre-install Google apps
 - ***In 2018 Google fined \$5 billion by EU for Android antitrust***
- 3. July 2016 Google is accused of preventing publishers using AdSense from displaying ads from other advertisers
- <http://qz.com/798791/these-are-the-eus-reported-plans-to-break-up-googles-goog-monopoly-powers/>



Oracle Sues Google Over Java

- At issue in Oracle v. Google is whether Oracle can claim a copyright on Java APIs and, if so, whether Google infringes these copyrights.
 - When it implemented the Android OS, Google wrote its own version of Java. But in order to allow developers to write their own programs for Android, Google's implementation used the same names, organization, and functionality as the Java APIs
- In May 2012, Judge William Alsup of the Northern District of California ruled that APIs are not subject to copyright.
- Oracle appealed Judge Alsup's ruling. On May 9, 2014, the Federal Circuit issued a decision reversing Judge Alsup and finding that the Java APIs are copyrightable, but leaving open the possibility that Google might have a fair use defense
- On October 6, 2014, Google asked the U.S. Supreme Court to review the Federal Circuit's decision. In June 2015 the Supreme Court denied Google's petition. The case will now return to the district court for a trial on Google's fair use defense
- On May 26, 2016 the jury decided in favor of Google declaring their use of the APIs to be "fair use".
- On March, 2018 Oracle appealed the decision and the judge decided in Oracle's favor, saying that Google's use of the APIs had NOT been fair use
- The case was sent back to lower court to determine the damages