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Trademark case: The Prudential Insurance Co. of America v. PRU.COM, USA

Thomas Long (Wolters Kluwer Legal & Regulatory US) · Monday, April 17th, 2023

The Chinese company acted with the requisite bad faith under the ACPA when it bought and re-registered the domain name, which was identical to several registered trademarks owned by the insurance and financial services giant.

A Chinese Internet company that distributes financial and economic information to Chinese consumers had the bad faith intent to profit from the disputed domain name PRU.COM when it purchased the domain name from its original registrant and re-registered the name while using it to direct Internet users to a page that included advertisements displaying PRU-formative trademarks owned by Prudential Insurance Company of America, the U.S. Court of Appeals in Richmond has held. A district court's grant of summary judgment in favor of Prudential on its Anticybersquatting Consumer Protection Act (ACPA) claims was affirmed, including the district court's order that the domain name be transferred to Prudential. The district court properly exercised in rem jurisdiction over the PRU.COM domain name because personal jurisdiction was lacking over the domain name's owner, the Chinese company. The court also held that the Chinese company was not entitled to the benefit of the ACPA's safe harbor provision because it could not have reasonably believed that its registration of PRU.COM was lawful (*The Prudential Insurance Co. of America v. PRU.COM*, January 24, 2023, Thacker, S.).

Case date: 24 January 2023

Case number: No. 21-1823

Court: United States Court of Appeals, Fourth Circuit

A full summary of this case has been published on [Kluwer IP Law](#).

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