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No EToy for Christmas

Posted by [jamie](#) on Friday December 03, @09:15AM
 from the silenced-night dept.

It's been a long week for etoy.com. On Monday, a judge issued a preliminary injunction fining them \$10,000 each day that their website was hosted at their domain. They shut it down right away, of course. They're just internet artists. They don't have six billion dollars like the company that filed the suit: eToys.com. It's beginning to look a lot like Christmas. Click More. **Update:** For more information about etoy, see the freshly-updated dmoz category.



etoy was founded in 1994 by a group of European artists who worked on the cutting edge, doing performance art at techno events and raves. Their focus has always been on the internet as new medium; this interview gives a feel for their perspective.

They picked the name "etoy" literally by consensus and running code. Being from Italy, England, and Switzerland, physical collaboration was difficult, so they got together on an IRC channel and went through a list of random names generated by a perl script. When "etoy" came up, they all knew that was the name they wanted; they first used it in October of 1994. In October 1995 they put up their website at etoy.com.

Christmas 1995 came and went.

In 1996, etoy won their first artistic award. Their work typically blurs the line between real world and art; in this case, they had undertaken to demonstrate how important and yet how fragile the system of search engines was. By subverting the meta tags of prominent websites like Playboy, they pulled inexperienced surfers to their site, where they put in a plug for Kevin Mitnick, and had a few laughs at the newbies' expense. They called it the "Digital Hijack."

A curious kind of art. In 1996 it was original enough to win an award from Ars Electronica. Nowadays everyone knows the trick, the search engines find it and disregard it, and some underhanded websites try to make a fast buck by stealing trademarks - but etoy did it first, for fun.

Christmas 1996 came and went.

In June 1997 etoys.com, with an S, began operations. It wasn't until

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October that their website went online. They filed for a U.S. trademark on their domain, at which point etoy got a little alarmed and filed for their own trademark on their own domain. Maybe because they're based in Europe, or maybe for some other reason, etoy says their application is still pending on some technicalities.

Another Software Spy
License to Surf
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Australian Gov't OKs Its
Spies to Crack Servers

But it doesn't matter when their trademark is granted. Their website went online in October 1995, two full years before etoys', and it's date of first use that's important - not the date of filing.

Christmas 1997 came and went.

Christmas 1998 came and went.

But now it's 1999, the year of the e-tailer. Suddenly etoys.com, with an S, has gone public and is worth six billion dollars. Meanwhile etoy.com, without an S, again putting the spotlight on corporations and society, has raised money by "selling shares" of itself. I'm not quite sure how they did it, but at an artists' gathering, a half-serious, half-mocking exhibition-slash-fundraising they pulled in something over ten thousand dollars. (Which they then donated to their friends in the U.S., also working at the boundary of society and corporations, RTMark, best-known for their George W. Bush parody site.)

In the year of the e-tailer, what kind of speech scares corporations more than anything? Disrespect. Artists who don't play by the rules. People who don't understand that business is serious business.

Etoys.com, with an S, wants etoy.com, with no S. They offered money. At one point they were offering cash and (mostly) stock that would have been worth almost half a million dollars. No sale.

But that should give us an idea of how much they're willing to spend on lawyers.

Finally, in September, eToys filed a lawsuit against etoy, on the grounds that a potential customer had mistakenly gone to the wrong site and had seen the message that - if they wanted to enjoy etoy.com to its fullest extent - they should download "the fucking flash plugin." They also didn't like the pierced breasts or etoy's sense of humor.

To be precise, they claim that "the antisocial, obscene, and offensive images associated with defendants' use of the mark 'etoy,' both on the Internet and elsewhere, have tarnished the ETOYS® mark and the eToys brand name..."

Let this be a lesson to anyone whose domain is coveted by a multi-billion-dollar company: careful with the F-word.

In October and November the case was bounced from an L.A. court to U.S. District Court, and finally to a California State Court. In late November the judge refused a request to let the European artists attend the proceedings by teleconference. In those proceedings, the judge was told that the artists had engaged in "digital hijacking" (the 1996 project), and had sold shares of stock without being properly regulated on an official stock exchange (the 1999 fundraising exhibition). Worst of all, they were hosting *illegal hardcore pornography* (which was actually just a link to another site).

They claim:

"Defendants use the mark ETOY indiscriminately and in random association with unrelated concepts. For example, on the etoy web site alone, defendants use the mark ETOY in conjunction with other, randomly selected words to create phrases such as: 'etoy.research,' 'etoy.eternity,' 'etoy.timezone,' 'etoy.history,' 'etoy.servers,' 'etoy.strategy,' 'etoy.journeys,' 'etoy.universe,' and 'etoy.crew.'

"By using the mark ETOY in this random, indiscriminate manner, defendants cause both ETOY and the ETOYS® mark to lose any distinctive, signifying meaning."

Serious business.

The lawyers also kindly suggested that, since at least one etoy member is from Switzerland, they really would be more suited to a website in the .ch domain: etoy.ch. Never mind the years of work and the reputation that the artists have built around etoy.com - we all know that "dot-com" belongs to America!

Faced with a torrent of buzzwords, the judge issued a preliminary injunction barring etoy from: operating a website in the etoy.com domain; associating their domain name with the "digital hijack"; or selling their "shares" in the U.S.

Penalty for disobeying the injunction: \$10,000 per day in fines.

On November 30, etoy.com shut down its Apache webserver. Its last access came from the eToys law firm (which has been monitoring it closely). They had no choice, really. In fact, when I talked with a member of etoy, he was very nervous about saying things which might get him in more legal trouble. Suddenly, the artists are afraid to speak.

How can this be, when, as the Village Voice wrote in an excellent article, this lawsuit doesn't even pass the "giggle test"? It's absurd to think that one website can shut down another for having a *similar*

domain name - when the second site is not a domain poacher and has been operating two years *longer* than the first.

The date of the next court hearing, at which this preliminary injunction will surely be overturned: December 27th. How convenient! Just after the Christmas shopping season.

If you'd like to see more about etoy, their domain is down of course, and I don't know of any mirrors, but their fans have constructed a site at toywar.com that has some information. And etoy may put some or all of its site back online at its IP number (not name!):
146.228.204.72:8080.

Good rules have been written to prevent things like this from happening. Unfortunately, the rules have not taken effect yet for most domains. Even after they do take effect, their legal status will be uncertain until they are tested in court.

Those rules are ICANN's [Domain Name Dispute Resolution Policy](#). This policy ensures that the conditions under which a domain name can be disputed are strictly limited. For such a dispute even to proceed, a complainant must assert that *each* of three things is true:

- your domain name infringes on a trademark;
- you have "no rights or legitimate interests" to your domain;
- and your domain name is being used "in bad faith."

As long as you're operating in good faith, or you have any legitimate interest in your domain, there is not even cause to bring up a dispute over a domain. Clearly this puts etoy.com on firm ground, because regardless of the trademark issue (which should be resolved once their mark registration is granted) they win on the other two points. This doesn't stop clueless judges from issuing injunctions, of course. But having these rules codified as official policy will give the legal system better guidelines to operate by.

These rules went into effect for some domain name registries on Wednesday, but will not apply to the most popular registry, Network Solutions, until January.

I can't even complain to eToys.com. I clicked all over their website looking for an email contact address and couldn't find one. When I filled in the web form to ask that someone get in touch with me for this story, all I got was a email form letter:

It is our goal to respond to all order-related e-mail within 24 hours. If your e-mail is not order-related, we will do our

best to take care of your questions, concerns and suggestions as soon as possible.

It's 72 hours later, so my email must not have been sufficiently order-related.

In the meantime, I can at least have the satisfaction of taking my order-related business elsewhere this holiday season. I'm sure eToys couldn't care less, but it will serve me as a small comfort during the remaining 22 holy shopping days. In a world run by retailers, e-tailers, and lawyers, I need everything I can get to help me make sense of the bizarre orgy of spirituality-soaked commerce that serves as the endcap of each year. Ho ho ho.

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The supreme court (Score:1)

by Ex Machina (xm@GeekMafia.dynip.DELETE.meat.DELETE.com) on Friday December 03, @09:23AM EST (#2)

(User Info) <http://GeekMafia.dynip.com/>

One of these STUPID cases should be taken all the way to the supreme court to set a precedent.

(Ex Machina) "Cheering the masses with his evil Osmond smile."

[Reply to This | Parent]

- Re:The supreme court by xscarecrowx (Score:1) Friday December 03, @09:36AM EST
 - Re:The supreme court by Anonymous Coward Friday December 03, @01:23PM EST
- Re:The supreme court by Anonymous Coward Friday December 03, @09:55AM EST
 - Re:The supreme court by AugstWest (Score:1) Friday December 03, @11:30AM EST
 - Re:The supreme court by Anonymous Coward Friday December 03, @03:15PM EST
 - Re:The supreme court by Anonymous Coward Friday December 03, @03:18PM EST
- Boycott Etoys.com by popo (Score:1) Friday December 03, @09:59AM EST
 - Re:Boycott Etoys.com by Anonymous Coward Friday December 03, @10:41AM EST
- eToys by Anonymous Coward Friday December 03, @11:00AM EST
- Business won't let these cases reach Supreme Court by Anonymous Coward Friday December 03, @11:25AM EST
- Re:The supreme court by sherpajohn (Score:2) Friday December 03, @11:52AM EST
 - Re:The supreme court by bungalow (Score:1) Friday December 03, @12:33PM EST
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Timely and useful: Thank You Slashdot (Score:5, Interesting)

by FreeUser on Friday December 03, @09:25AM EST (#3)

(User Info) <http://jean.nu/>

5 of 27

06/12/99 18:51

This is *exactly* the kind of timely and relevant news I for one keep reading slashdot for.

I have yet to start my Christmas shopping, and intend to do most of it on-line (for my nefew, four nieces aged one to six, and various other relatives). I probably would have wound up using etoys.com for at least some purchases, but in light of these events I will make a point in not doing so.

Those of us (in the US at least) conscientious enough vote every couple of years. ALL OF US vote with our money (dollars, yen, euros, whatever) every day. It is my profound pleasure to vote against the fucks at etoys.com for what they have done this Christmas season.

[Reply to This | Parent]

Re:Timely and useful: Thank You Slashdot (Score:4, Interesting)
by turg (slashdotmail@dramaturgy.net) on Friday December 03, @09:38AM EST (#29)
(User Info) <http://dramaturgy.net/>

Be sure to write etoys and (Very Politely) tell them this.

-

"I am not trying to prove that I am right... I am only trying to find out whether." -Bertolt Brecht

[Reply to This | Parent]

- Re:Timely and useful: Thank You Slashdot by gorilla (Score:2) Friday December 03, @11:59AM EST
 - Here's mine by Anonymous Coward Friday December 03, @12:45PM EST
 - Re:Timely and useful: Thank You Slashdot by elyard (Score:1) Friday December 03, @12:58PM EST
 - Another letter to eToys by Yosemite Sue (Score:1) Friday December 03, @01:31PM EST
 - More comments, keep sending them! by krisitna (Score:1) Friday December 03, @01:55PM EST
 - Re:Timely and useful: Thank You Slashdot by Deosyne (Score:1) Saturday December 04, @05:48AM EST
- Re:Timely and useful: Thank You Slashdot by The Salamander (Score:1) Friday December 03, @09:39AM EST
 - Re:Timely and useful: Thank You Slashdot by Anonymous Coward Friday December 03, @10:40AM EST
 - Re:Timely and useful: Thank You Slashdot by Anonymous Coward Friday December 03, @12:18PM EST
- For even _more_ info this 'blunder'. by Anonymous Coward (Score:1) Friday December 03, @11:57AM EST
 - Re:For even _more_ info this 'blunder'. by Catullus (Score:1) Friday December 03, @02:23PM EST
- Re:Timely and useful: Thank You Slashdot by seaportcasino (Score:1) Friday December 03, @02:30PM EST
- Re:Timely and useful: Thank You Slashdot by Anonymous Coward Friday December 03, @06:17PM EST
- 1 reply beneath your current threshold.

My personal favorite... (Score:1)

by GoNINzo ([gonzo\(at\)ironman.planetquake.com](mailto:gonzo(at)ironman.planetquake.com)) on Friday December 03, @09:25AM EST (#4)
(User Info) <http://ironman.planetquake.com/~gonzo>

My personal favorite of this argument is that they suggested that they change the domain to 'etoy.co.ch'.

'Might makes right' is something that should be and can be fought on the digital frontier. Now what can we do about this, instead of just blustering and going 'that's wrong!' Suggestions?

--

Gonzo Granzeau

"Nothing the god of biomechanics won't let you into heaven for.." -Roy Batty

[Reply to This | Parent]

- Re:My personal favorite... by Trombone8vb (Score:2) Friday December 03, @09:52AM EST
- WRITE TO eTOYS CEO TOBY LENK (tlenk@etoys.com) by mx80 (Score:1) Friday December 03, @03:18PM EST

I see a countersuit (Score:1)

by meckardt (meckardt@yahoo.spam.com) on Friday December 03, @09:26AM EST (#5)
(User Info) <http://www.geocities.com/meckardt>

Based on the facts as stated in this article, I would say that the people from the etoy site would have the basis for a counter suit against EToys. And since EToys is worth \$6 billion, it seems they can afford a multi-million dollar settlement.

Maybe with that, the etoy people can afford to get themselves a better address... one that won't be confused with a stupid toy company.

Mike Eckardt meckardt@yahoo.nospam.com

Just remove the spam to email me.

[Reply to This | Parent]

- Re:I see a countersuit by Calidon (Score:1) Friday December 03, @09:45AM EST
- Re:I see a countersuit by Anonymous Coward Friday December 03, @10:07AM EST
- Re:I see a countersuit by Anonymous Coward Friday December 03, @10:39AM EST
- I am going to file a lawsuit! by Anonymous Coward Friday December 03, @10:48AM EST
- Damn right, and criminal charges too. by freakho (Score:2) Friday December 03, @01:01PM EST
 - Anti SLAPP!! by Anonymous Coward Friday December 03, @01:54PM EST

Nice website you have here... (Score:0, Interesting)

by Anonymous Coward on Friday December 03, @09:29AM EST (#7)

...it would be a SHAME if something HAPPENED to it!

I'm not advocating this... But if all of the people who thought this was unfair would start just ONE ping process pointing at etoys.com, it would ruin their Christmas, too.

[Reply to This | Parent]

- Re:Nice website you have here... by Anonymous Coward Friday December 03, @09:40AM EST
 - Re:Nice website you have here... by Kintanon (Score:2) Friday December 03, @09:57AM EST
 - Re:Nice website you have here... by Nodatadj (Score:2) Friday December 03, @11:09AM EST
 - Re:Nice website you have here... by Anonymous Coward Friday December 03, @11:19AM EST

- Re:Nice website you have here... by Marcio Silva (Score:1) Friday December 03, @04:06PM EST
- Re:Nice website you have here... by Sangui5 (Score:1) Friday December 03, @07:11PM EST
 - Re:Nice website you have here... by MoToMo (Score:1) Friday December 03, @09:59AM EST
- Re:Nice website you have here... by Anonymous Coward Friday December 03, @02:08PM EST
- Re:Nice website you have here... by CSG_SurferDude (Score:1) Friday December 03, @02:33PM EST
- <http://anon.free.anonymizer.com/Re:Nice website yo> by Anonymous Coward Saturday December 04, @04:23PM EST

Supreme court ruling anyone? (Score:3, Funny)

by tweder on Friday December 03, @09:29AM EST (#8)

(User Info) <http://porteighty.net/>

It's very sad to live in a day when having a domain name that's *similar* to another company's can get your site pulled under threat of heavy fines. What's particularly aggravating is the fact that they were around long before eToys was (especially if we look at internet time). Looks like I'd better hurry and register **slashdoot.org**.

[Reply to This | Parent]

Oh please... (Score:1, Interesting)

by Anonymous Coward on Friday December 03, @09:30AM EST (#9)

a) Who cares.. b) How stupid would you feel if you wonder into your favorite RadioShack (or Tower Records) only to find yourself in RadioShucks or Tower Ripcords run of the mill crazy place :) We are all very brave when time comes to protect something we do not really care about. O yes, right, if we do not stop that today, tomorrow some big corporation will come and sue you to take away your precious name, Johnny:) Wake up and look at REAL problems...

[Reply to This | Parent]

- Shut up you anonymous ass ... by EatAtJoes (Score:1) Friday December 03, @10:04AM EST
- Re:Oh please... by parc (Score:1) Friday December 03, @10:43AM EST
 - Re:Oh please... by Anonymous Coward Friday December 03, @12:04PM EST
- Re:Oh please... by Anonymous Coward (Score:1) Friday December 03, @01:53PM EST
- you should read the story 1st by CrAlt (Score:1) Friday December 03, @09:04PM EST

jurisdiction? (Score:0)

by Anonymous Coward on Friday December 03, @09:30AM EST (#10)

so on internet related matters, anyone can sue anyone anywhere on earth using only local rules (and trademarks and the like)? how do they expect to enforce the ruling anyway? ask switzerland for extradition of the criminals? or was the judge convinced switzerland is one of the fifthysomething states?

[Reply to This | Parent]

- Re:jurisdiction? by Anonymous Coward Friday December 03, @09:35AM EST
- Thankfully No by SilverFate (Score:1) Friday December 03, @09:45AM EST
- Re:jurisdiction? by Trombone8vb (Score:1) Friday December 03, @11:01AM EST
 - Re:jurisdiction? by Zemran (Score:1) Friday December 03, @01:58PM EST

am i missing something? (Score:4, Insightful)

by pal on Friday December 03, @09:31AM EST (#12)

(User Info)

how on earth does a us district court impose fines on european citizens (regardless of WHY)? isn't there a jurisdictional problem here? is the machine running the site located in the united states? if not, why would they take it down?

(ps - i don't know if i would file this under censorship. do you have a section for corporate extortion?)

- pal

[Reply to This | Parent]

Re:am i missing something? (Score:5, Interesting)

by Phrogman (atho@pagans.org) on Friday December 03, @10:11AM EST (#83)
(User Info) <http://www.omphalos.net>

Its all part of the American Empire. The US is the functional equivalent of a world Empire - courtesy of their economic strength and the US military which backs it.

Somehow we have let corporations become the law of the world. They have greater rights than the individual - because they have more money than that individual. This case is going to be **very** important - if Etoys.com wins this, then the entire domain name scheme is meaningless. If I register a good name, all that matters is how much money someone has if they want to take it from me. And what about .net and .org? I own a .net and the .com equivalent is registered to a company already, what if they dislike my content, can they have me shut down? I sure as hell can't afford a lawyer for more than a day.

In an equally meaningless lawsuit, and to show how patently stupid this judgement is, if I were the folks at Etoy I would now turn around and sue Network Solutions for selling them the Etoy.com domain when it was going to violate another company's copyright only a few years after the sale. Surely NS should have seen that, right?
It would make as much sense as this lawsuit.

Of course the biggest problem that the Etoy.com folks have is that their not US citizens. Were they US citizens there would be much more of a public and media outcry in the States, but since they are foreigners(sic) they have less attention/importance/rights in the world.

I suggest we promulgate a complete ban on dealing with Etoys.com - and try to convince as many other folks to boycott it as well. How 'bout a "Why I don't shop at Etoys.com" graphic you can display on your website and link to this story?
Perhaps a grass roots democratic demonstration of our collective displeasure might garner some results...

[Reply to This | Parent]

- Re:am i missing something? by Znork (Score:1) Friday December 03, @11:16AM EST
 - Re:am i missing something? by Jonathan C. Patschke (Score:2) Friday December 03, @01:13PM EST

- Here's a graphic to use by Phrogman (Score:2) Friday December 03, @10:50PM EST
 - etoy's official toywar graphics by mx80 (Score:1) Friday December 03, @11:21PM EST
- Word of the Day -- "promogulate" by Keeper Friday December 03, @10:51PM EST
- Re:am i missing something? by Anonymous Coward Friday December 03, @02:46PM EST

We need courts with e-Judges (Score:0)

by Anonymous Coward on Friday December 03, @09:31AM EST (#13)

How about a select set of courts that have judges who REALLY understand the internet, computers, etc.? Then we can send cases like this to those courts, and no stupid ass injunctions like this would ever take place... Just an idear. -thomas

[Reply to This | Parent]

ICANN rules don't override law (Score:3, Insightful)

by turg (slashdotmail@dramaturgy.net) on Friday December 03, @09:31AM EST (#14)

(User Info) <http://dramaturgy.net/>

Maybe I'm missing something but I don't think the ICANN rules will prevent this type of lawsuit.

First, national trademark law overrides the agreement -- the agreement can't prevent people from defending their trademark (or it would erode everyone's trademarks -- trademark law is generally 'defend it or lose it').

Second, the agreement is between ICANN and the *current owner* of the allegedly infringing domain, not the person/entity doing the suing -- it's even possible the plaintiff has never heard of ICANN. And even if they do own domains, thus having entered into this agreement with ICANN, the agreement applies to domains they *already own*, not other people's domains that they don't like.

-

"I am not trying to prove that I am right... I am only trying to find out whether." -Bertolt Brecht

[Reply to This | Parent]

- Re:ICANN rules don't override law by SilverFate (Score:1) Friday December 03, @09:48AM EST
 - Re:ICANN rules don't override law by silvwolf (Score:1) Friday December 03, @03:24PM EST
- Re:ICANN rules don't override law by twinpot (Score:1) Friday December 03, @09:54AM EST
- Re:ICANN rules don't override law by wolf- (Score:1) Friday December 03, @08:29PM EST

No E-Toys (Score:1)

by Dr Caleb (thedarkknight_hates_spam)@(spam&eggs)hushmail.co) on Friday December 03, @09:32AM EST (#15)

(User Info)

Does anyone remember the good old days? When Gopherspace could get you anything you could think of? When the internet was a place for sharing ideas? Who let big business in here anyway? It's all one big commercial now!

A journey of a thousand miles begins by me getting my ass off the couch...

[Reply to This | Parent]

Wow (Score:5, Interesting)

by finkployd (mark@NOSPAM.earnestdesigns.com) on Friday December 03, @09:32AM EST (#16)

(User Info) <http://earnestdesigns.com/mark>

Three stories in a row about big business screwing over little people in a globalist setting. Very interesting. Throw in the Co\$ story, and ./ is becoming a dangerous, subvertive site that needs to have some government agency shut it down before it causes some civil unrest. Hear that FBI/BATF/CIA/WTO/etc? Something needs to be done about this site! Think about the children!

Finkployd

Sig (appended to the end of comments you post, 120 chars)

[Reply to This | Parent]

- No joke, but ... by Eric Green (Score:2) Friday December 03, @10:48AM EST
 - Pat Buchanan would be a genius... by Wakko Warner (Score:1) Friday December 03, @11:29AM EST
 - Re:No joke, but ... by dilger (Score:1) Friday December 03, @11:47AM EST
 - Re:No joke, but ... by Anonymous Coward Friday December 03, @02:03PM EST
 - It was a joke by fusiongyro (Score:2) Friday December 03, @07:46PM EST
- Re:Wow by Anonymous Coward Friday December 03, @05:21PM EST

How can this be enforced? (Score:1)

by Nicolas MONNET (nico@nospam.monnet.to) on Friday December 03, @09:32AM EST (#17)

(User Info) <http://nicolas.monnet.to>

How can an US court enforce a \$10000 fine on Europeans? Also ... in this kind of cases, I *think* that normally, at least here in France, the ruling court should be the in the defendants' jurisdiction. But IANAL.

--

Join the most interesting thread">

[Reply to This | Parent]

- Re:How can this be enforced? by fprintf (Score:1) Friday December 03, @10:51AM EST
 - No! by Nicolas MONNET (Score:1) Friday December 03, @11:09AM EST
 - Re:No! by drewpt (Score:1) Friday December 03, @01:01PM EST
 - Re:No! by Nicolas MONNET (Score:1) Friday December 03, @03:31PM EST
 - Re:How can this be enforced? by Anonymous Coward Friday December 03, @11:16AM EST
- Re:How can this be enforced? by Zemran (Score:1) Friday December 03, @02:09PM EST

Jurisdiction? (Score:0)

by Anonymous Coward on Friday December 03, @09:33AM EST (#18)

Where was the etoy.com web server physically located? I don't think Californian courts have jurisdiction in Switzerland or in the U.K. At least not yet. Either way, I think that what eToys (with an S) did is disgusting.

[Reply to This | Parent]

- Re:Jurisdiction? by Anonymous Coward Friday December 03, @10:05AM EST
 - Re:Jurisdiction? by Anonymous Coward Friday December 03, @11:21AM EST

... (Score:5, Insightful)

by Signal 11 (signal11@mediaone.net?Subject=Slashdot) on Friday December 03, @09:33AM EST (#19)

(User Info) <http://www.malign.net>

This has been forwarded to my friends and family not to shop there.

Now to the heart of the matter - we already know who's going to win this one. The domain dispute policy will be amended to allow etoys to exercise it's unfair domain grab, and in a few months nobody will care. That's how it happened with dozens of other sites, modulo a few featured here on slashdot. The question is, of course, why haven't we forcefully lifted control from the government and InterNIC? We have the authority to reprogram our own, personal DNS servers with whatever information we see fit. People are under the impression that the internet will fall apart if we don't maintain The One True Registry. Well... my vote is for The One True Democratic Registry. We need a digital haven - some place on the planet where politicians can stick a hot poker up their butt if they disagree with the content or purpose of the site (or for that matter, greedy corporations). Freedom of speech taken to it's logical conclusion.

My vote? Sysadmins of the world, unite! Form a second registry *and use it*. In the meantime.. anybody know if there's a country around that I can get enough access to kick of a "digital haven" - a country with no laws barring any online conduct and outside WTO and US control?

--

"Why, oh why didn't I take the blue pill?"

[Reply to This | Parent]

- [.not ?](#) by Anonymous Coward (Score:1) Friday December 03, @09:47AM EST
- Re:... by Bogey (Score:2) Friday December 03, @09:53AM EST
 - Why not use both name servers? by Anonymous Coward Friday December 03, @02:57PM EST

Re:... (Score:4, Informative)

by humphrm (rm-f@linuxstart.com) on Friday December 03, @10:00AM EST (#71)
(User Info) <http://www.famille.org/mikehd.html>

This has been forwarded to my friends and family not to shop there

And, in fact, your friends and family will be much better off. I found that except for ONE item on my son's wish-list, all were cheaper at other toy sites and even at brick-and-mortar sites than at etoys.com.

Examples:

- LeapFrog Phonics Bus: \$19.98 at Noodle Kidoodle, \$29.99 at eToys. \$24.99 at ToyTime.
- New Bright Power Horse Loader: \$19.99 at Noodle Kidoodle, \$34.99 at eToys, \$21.99 at ToyTime.
- The popular Elmo's Radio Controlled Roadway was also \$60 at eToys up until yesterday, when ToyTime put it on sale at \$39 and so eToys matched it. Up to that time, eToys was \$10 more than the brick-and-mortar venue.

In my opinion, eToys is just capitalizing on the growing popularity of e-commerce without *actually* offering the benefit that e-commerce is supposed to provide: lower prices. They've got their gorilla advertising dollars to spend on T.V. ads to get people shopping there, but an intelligent consumer would soon quickly learn that their prices aren't the best.

[Reply to This | Parent]

- Re:... by drewpt (Score:1) Friday December 03, @01:04PM EST
 - Re:... by Deluge (Score:1) Friday December 03, @01:37PM EST
 - Re:... by humphrm (Score:1) Friday December 03, @01:40PM EST
- Re:... by Anonymous Coward Friday December 03, @10:22AM EST
- Re:... by ddstreet (Score:2) Friday December 03, @10:24AM EST
- Re:... by yek401 (Score:1) Friday December 03, @10:35AM EST
- Alternative Authority by Anders Andersson (Score:1) Friday December 03, @11:40AM EST
- There already are multiple root nameservers by ddstreet (Score:1) Friday December 03, @11:47AM EST
 - Re:There already are multiple root nameservers by Anders Andersson (Score:1) Friday December 03, @12:39PM EST
- You're talking disobedience of a sort. by matman (Score:2) Friday December 03, @12:12PM EST
 - Please, oh, PLEASE, no organizations!!! by m.o (Score:1) Friday December 03, @03:13PM EST
 - Re:Please, oh, PLEASE, no organizations!!! by matman (Score:1) Friday December 03, @04:22PM EST
 - Re:You're talking disobedience of a sort. by Signal 11 (Score:2) Sunday December 05, @11:58AM EST
- Great idea! by Inoshiro (Score:2) Friday December 03, @12:27PM EST
 - Re:Great idea! by Signal 11 (Score:1) Friday December 03, @12:43PM EST
 - Re:Great idea! by Inoshiro (Score:1) Friday December 03, @04:12PM EST
- Re:... by Anonymous Coward Friday December 03, @04:50PM EST
- Dear God, that's an idea. by Spirilis (Score:1) Friday December 03, @05:32PM EST

- Re:... by Anonymous Coward Saturday December 04, @04:22AM EST

First come, first serve? (Score:3, Interesting)

by legoboy (j-browne@usa.net) on Friday December 03, @09:35AM EST (#20)

(User Info)

First come, first serve? Listen to the money talk.

Domain Name: ETOY.COM

Record created on 13-Oct-1995.

Domain Name: ETOYS.COM

Record created on 03-Nov-1997.

If a tree falls on an anonymous coward yelling 'First Post' in the forest, does anybody hear?

[Reply to This | Parent]

- Maybe etoy.com could sue eToys.com in the UK? by DragonHawk (Score:2) Friday December 03, @08:05PM EST

can we say BOYCOTT boys and girls? (Score:1)

by Oo.et.oO on Friday December 03, @09:35AM EST (#22)

(User Info)

that's good. now say it again with me:

BOYCOTT etoys.com (with an s)

they are not getting any of my hard earned \$\$.

this kind of shite gives me the chills.

[Reply to This | Parent]

- Re:can we say BOYCOTT boys and girls? by Anonymous Coward Friday December 03, @11:02AM EST
 - I just canceled my DC order from them :) by CrAlt (Score:1) Friday December 03, @09:10PM EST
- Re:can we say BOYCOTT boys and girls? by alexy (Score:1) Friday December 03, @11:59AM EST
- Re:can we say BOYCOTT boys and girls? by Anonymous Coward Friday December 03, @12:50PM EST
- My complaint letter to eToys.com by Anonymous Coward Friday December 03, @01:09PM EST
 - Re:My complaint letter to eToys.com by Anonymous Coward Friday December 03, @03:54PM EST
- Boycott letter by Driph (Score:1) Friday December 03, @02:21PM EST

Well, laws don't apply to the big boys (Score:1)

by pngwen on Friday December 03, @09:36AM EST (#23)

(User Info)

Remember, money controls the government. I'm sure that eventually it will be illegal to register a domain if you don't own the trademark to each of the letters in it. Oh well.

I'm sure that some slashdot readers could give some legal advice to the guys over at etoy.com. And if you are a corporate lawyer, shame on you. You should not defend the monsters.

I am the penguin that codes in the night.

[Reply to This | Parent]

There are always a few addresses you can use... (Score:5, Informative)

by stienman on Friday December 03, @09:36AM EST (#24)

(User Info) <http://www.ubasics.com/adam>

There are always a few addresses you can use...

admin@etoys.com

abuse@etoys.com

sales@etoys.com

legal@etoys.com

webmaster@etoys.com

hostmaster@etoys.com

And, of course, they would be more impressed if we snail-mailed them and *gasp* called them or faxed them:

eToys

3100 Ocean Park Blvd., Suite 300

Santa Monica, CA 90405

US

Administrative Contact:

- Admin, eToys

- admin@ETOYS.COM

- (310) 664-8100 Voice

- (310) 664-8101 Fax

Technical Contact, Zone Contact:

- eToys HostMaster

- hostmaster@ETOYS.COM

- (310) 664-8100 Voice

- (310) 664-8101 Fax

Billing Contact:

- Admin, eToys

- admin@ETOYS.COM

- (310) 664-8100 Voice

- (310) 664-8101 Fax

I suppose that those who host their DNS info really don't have anything to do with it, but it might be a reminder for them to know who their customers *really* are if we sent a *very* polite email referencing this article, and asking what their opinion of their customer's actions are...

DNS Servers:

NAME.ROC.FRONTIERNET.NET

NAME.PHX.FRONTIERNET.NET

NS1.IDEALAB.COM

NS2.IDEALAB.COM

PLEASE be nice in any and all communications with anyone! (Man, I wish I didn't have to say that!) We can be nice and still express displeasure in someone's actions.

-Adam

"Never ascribe to malice that which is adequately explained by incompetence" - Napoleon Bonaparte.

[Reply to This | Parent]

Re: There are always a few addresses you can use... (Score:5, Informative)
by Anonymous Coward on Friday December 03, @10:03AM EST (#75)

For those of you in the US. Express your view via voice, it will cost them more:

Customer Service Contact

If you would like to speak to a customer service representative about your order, please call us at 1-800-GO-ETOYS (1-800-463-8697). We are open 24 hours a day, seven days a week.

[Reply to This | Parent]

- Moderate UP, please? by DanJose52 (Score:1) Friday December 03, @11:14AM EST

I called the 1-800 number and ... (Score:4, Informative)
by ChrisLynx (chrislynx@yahoo.com) on Friday December 03, @02:12PM EST
(#245)
(User Info)

I had a polite conversation with the operator there. First I confirmed with her that eToys.com is really sueing etoy.com. Then I confirmed with her that etoy.com has been in operation longer than eToys.com. She admitted both.

She claimed that eToys.com is not trying to shut them down, but trying to get them to move. She claimed that the case is not about trademark infringement, but that children might want toys and type-in "www.etoy.com" off of the top of their heads. She mentioned at least three times throughout the conversation how much pornography and cursing were on the etoy.com web page, and how bad it would be for children to see that. Basically eToys.com is claiming to be doing a public service, not defending a trademark.

You can believe that, or you can disbelieve that. I'm just reporting what the customer service department told me.

[Reply to This | Parent]

- Re:I called the 1-800 number and ... by Anonymous Coward Friday December 03, @07:26PM EST
- SAVE THE CHILDREN! by CrAlt (Score:1) Friday December 03, @08:27PM EST
 - Re:SAVE THE CHILDREN! by Felinoid (Score:1) Saturday December 04, @08:50AM EST
- Talk to IdeaLab (parent company) too by turg (Score:2) Friday December 03, @10:54AM EST
 - Re:Talk to IdeaLab (parent company) too by shinji (Score:1) Friday December 03,

@11:14AM EST

- Boycott free software? What's the point? by Nicolas MONNET (Score:1) Friday December 03, @11:22AM EST
 - Re:Boycott free software? What's the point? by dhwang (Score:1) Friday December 03, @12:14PM EST
 - Re:Boycott free software? What's the point? by dhwang (Score:1) Friday December 03, @12:18PM EST
 - Re:Talk to IdeaLab (parent company) too by isaac_akira (Score:1) Friday December 03, @06:36PM EST
- Re:Talk to IdeaLab (parent company) too by mx80 (Score:1) Friday December 03, @10:36PM EST
- CEOs name for letters: Mariam Naficy & Varsha Rao hv tuu (Score:2) Friday December 03