

NetChoice *Promoting Convenience, Choice, and Commerce on The Net*
Steve DelBianco, President and CEO
1401 K St NW, Suite 502
Washington, DC 20005
202-420-7482
www.netchoice.org



Sen. Senator Bob Onder, Chair
Senate General Laws Committee
Missouri Senate
201 W Capitol Ave, Rm. 331
Jefferson City, Missouri 65101

February 6, 2018

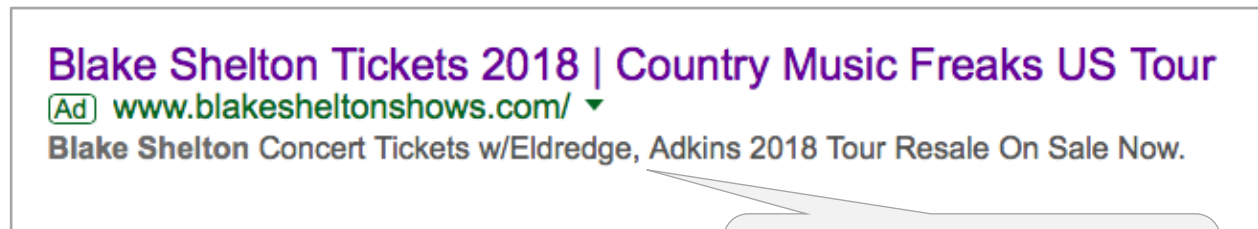
RE: Support for SB 952, Relating to Deceptive Internet Domain Names

Dear Chairman Onder and members of the committee:

We ask that you pass SB 952.

Fans across Missouri regularly search online for tickets to their favorite concerts and shows. Unfortunately, many fans are misled by deceptive domain names in search results, which are designed to trick fans into thinking they are seeing unsold seats offered by the venue.

Take for example, a search for “Blake Shelton Scottrade”, who’s performing at Scottrade on Feb 24. Here’s the top search result we see:



Despite the domain name, this site has no affiliation with Blake Shelton, his concert, or any venues.

The domain name (BlakeSheltonShows.com) is designed specifically to deceive fans into thinking they are seeing the artist or venue’s website, where they expect to see unsold seats.

In fact, this ad is not for Blake Shelton or his tour, but is a website owned by TicketMagic, a ticket-reseller with an “F” rating from the Better Business Bureau.¹

¹ In addition, according to the Better Business Bureau, TicketMagic has 21 complaints filed against it. In the Bureau’s latest investigation, they “were unable to locate the identified addresses and mail sent was returned as ‘undeliverable’ or ‘address unknown’.” See Better Business Bureau *available at* <https://www.bbb.org/connecticut/business-reviews/event-ticket-sales/ticketmagic-com-inc-in-east-haven-ct-87124953>

These deceptive domains add no value for consumers when unsold seats are still available at the venue/promoter website. When a show is sold-out, fans will often turn to trusted secondary market websites where they can see a larger selection of resale seats.

But deceptive websites like BlakeSheltonShows.com are luring Missouri fans into over-paying for a small selection of resale seats – without seeing all the seats that are actually available. The Better Business Bureau has logged hundreds of complaints against these tactics.

This deception can extend beyond the domain name and to the linked website, where fans continue to believe they are engaging with the actual artist or venue. Take for example the website of “BlakeSheltonShows.com”:

The screenshot shows a website for Blake Shelton. At the top, it says "Blake Shelton" with navigation links for "Concerts", "Sports", "Theatre", and "Other". It is powered by TicketMagic and features a "Money Back Guarantee" banner. The main content area is divided into "Blake Shelton Events" and "Venue Information".

Blake Shelton Events

Blake Shelton is on his 2018 Country Music Freaks Tour with special guests Trace Adkins, Brett Eldridge & Carly Pearce and plays shows across North America. Get tickets for the shows BEFORE they sell out -- with no busy signals or waiting rooms!

TICKETS ON SALE NOW
No password, offer code or fan club membership required

Event	Venue	Date/Time	Action
Blake Shelton	Ole Red Tishomingo, OK	Fri 2/9/18	View Tickets
Blake Shelton	Ole Red Tishomingo, OK	Sat 2/10/18	View Tickets
Blake Shelton, Brett Eldredge, Carly Pearce & Trace Adkins	BOK Center Tulsa, OK	Thu 2/15/18 7:00pm	View Tickets
Blake Shelton, Brett Eldredge, Carly Pearce & Trace Adkins	United Supermarkets Arena	Fri 2/16/18 7:00pm	View Tickets

Venue Information

Venue Policies
Most concert venues prohibit recording devices, laser pointers, weapons, backpacks, coolers and bottles. Purses and bags are subject to search. Re-entry is not permitted.

Disclaimer
All tickets include our [MONEY BACK GUARANTEE](#) and will arrive before the event. Depending on the shipping method chosen, a direct signature may be required.

This website is not affiliated or owned by Blake Shelton, Brett Eldredge, Carly Pearce, Trace Adkins, Stubhub, AXS, Tickets.com, Ticketmaster, Live Nation nor any venue, talent or booking agency, tour manager, artist representative, promoter, production company, performer or sports franchise. This is a resale marketplace. Ticket prices may be above or below face value.

This is the website at BlakeSheltonShows.com – it has no affiliation with the artist, the tour, or the venue.

As you can see, there is little to alert Missouri fans that this site has no affiliation with the artist, tour, or venue. These deceptive sites may have fine-print disclosures about their lack of affiliation with the artist or venue, but such disclosures are rarely noticeable to fans.

A good way to stop this deception is to prohibit artist or venue names from being used in domain names.

Other states have taken action to stop these deceptive domains. Nevada recently enacted a law criminalizing these deceptive domain names. The Connecticut Attorney General and the Federal Trade Commission settled with two notorious deceptive domain operators, resulting in a permanent injunction and \$1.4 million in fines.²

² Federal Trade Commission, *TicketNetwork and Marketing Partners Ryadd and Secure Box Office Settle Charges of Deceptively Marketing Resale Tickets* (July 24, 2014)

Missouri should join other states in stopping this deception. SB 952 gives your Attorney General the power to take action against these bad actors. Moreover, SB 952 is narrowly written to avoid unintended consequences, since it is limited to those who *intentionally* use these misleading domain names.

We ask that you take the steps to arm your Attorney General with the tools to stop these bad actors and protect Missouri fans from this deception.

To that end we ask that you pass SB 952.

Sincerely,



Steve DelBianco

President and CEO, NetChoice

NetChoice is a trade association of e-Commerce and online businesses. www.netchoice.org