

April 20, 2017

We represented The National Sapphire Company in connection with what was the most malicious, cold-blooded, and sustained attack against a business online that I have ever witnessed in seventeen years of practicing law. A former IT consultant from India had programmed trap doors and kill switches into the company's Website. After he was terminated, he brought the site down, which took substantial effort to get back online and secure. He also registered confusingly similar variants of the company's trademark in domain names, and flooded the Internet with hundreds of false and defamatory reviews and posts, posing as customers of the company, and disparaging their product and services. He accused NSC of lying about their sapphires being natural, about shoddy service, over inflated prices, and similar types of complaints. He posted these complaints both on blogs and sites where people discuss engagement rings and jewelry, and on scam sites, such as Ripoff Report and Pissed Consumer. In my experience, the scam sites are themselves scams to get business owners to pay extortionate fees for the removal of often defamatory material. They also refuse to remove defamatory content, even when presented with a Court Order. The ex-IT consultant also harassed NSC daily by email and phone, posing as customers and making threats, and artificially inflated the costs of NSC's keyword advertising by clicking on their Google ads.

After we were able to negotiate a resolution and consent judgement against the developer, which also required the company to make substantial payments — essentially payoffs for him to stop harassing the company — we received a Court Order, which directed that the links be disabled. We submitted the Court Order to Google, and Google disabled the links. We submitted a second list of links, which were comprised of similar content, and Google complied again, but Google declined to remove additional links when we submitted a third list. Over time, the scam sites changed the URL addresses for the defamatory reviews, and those reviews began to start appearing again when users searched for, "The Natural Sapphire Company" and "reviews." My understanding of what Michael did was to cut and paste the new links into the existing order — something, which he should not have done — but it is understandable how he might think that since the Order covered the removal of links to the same exact content, and faced with irreparable harm to his business, that what he was doing was not wrong.

Please let me know if I can be of further assistance.

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