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They say imitation is the sincerest form of flattery -- That may be true, but it is also the **basis for numerous lawsuits...** mine included.

Digital Times® was my vision, and protecting this intellectual property has been important to my professional life. In previous legal cases against Ziff-Davis, Reed-Elsevier, etc. positive judgements protecting my mark have been generated by the U.S. Patent & Trademark office.

I understand that one of the most important objectives of business is to gain *Brand* recognition & that Web advertising spending this year is expected to be \$55 *billion*. However, this branding campaign by Target stores appears to be a case of '*Search Engine Marketing Gone Wild*.' Will anyone actually find '**Digital Times**' at Target? haha

Question: Does **Target's** use of Digital Times damage the goodwill of the 'real' Digital Times? Does it diminish my trademark and copyright?

Now I find that the former editor of PC Magazine and Editor in Chief of FamilyPC, *Robin Raskin* along with the **Consumer Electronics Association, has formed a group calling itself *Living In Digital Times LLC***. This is misleading for consumers *and* damaging to my Brand and trademark, and we are actively engaged in a lawsuit against Ms. Raskin. Ms. Raskin's attorney has not answered my attorney's phone calls. In my opinion, this is an example of **Bad Faith**. "Bad Faith is both a test and a principle that is applied in the process of protecting intellectual property belonging to trademark owners. also I feel that this NEW organization with the domain name of **www.livingindigitaltimes.com** "has intentionally attempted to attract, for commercial gain, Internet users to their website or other location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of their web site or location or of a product or service of a web site or location."

-founder and editor, Digital Times®

From The Heart'



It is with great joy that I am able to report that my husband has been successfully recovering from his June fall.

We were terribly worried as many of you have been over the health and welfare of your elderly friends and relatives. To that end, I feel obligated to mention two shocking incidents in terms of care:

Medicine in the Digital Age... or *PLEASE* be your own advocate and get a 2nd opinion:

1) Recently, my breast cancer surgeon was reported to have removed an 'unidentified mass' from a patient. It turned out to be a perfectly healthy kidney.

2) That same surgeon was in the media again... this time over the death of a patient. She responded to her partner Doctor's post-operative patient that 'you're not really experiencing any unusual pain, dear' and prescribed more Lortab. Turns out, the partner Dr. had used an improper clamp during surgery and punctured the patient's liver. The patient's bile was circulating in her system. The family finally took her to ER, but she died anyway.



TWITTER news...

<http://twitter.com/ustraderep>

United States Trade Representative is giving the public a chance to voice its opinion about **U.S. copyright policies and how best to manage intellectual property enforcement around the world.** The Entertainment Consumers Association advocates for a careful balance between brand owners and consumers.

In May, TWITTER's **Trust and Safety Division** transferred squatter Arthur Spollen's use of **@digitaltimes** to me because of my Trademark. This was a watershed moment, due to the increased use of TWITTER posts in business.

Twitter's Early Bird Exclusive Offers: Per Direct Marketing News, A new eCommerce service being launched allows Twitter and select advertisers to promote time and supply-sensitive deals on products, services and events, such as concert tickets. Consumers are led to the point of purchase after a few clicks. Twitter users who subscribe to **@earlybird** will see the offers in their feeds.

Twitter's "**Promoted Trends**" ads are considered ingenious, because they believe it's the perfect way to generate revenue from the popular social network **without infuriating users.** It was rumored that Twitter was planning to put ads into the streams of Tweets -- a repeat performance of the annoying, interruption-based advertising we're seeing on TV, radio and in print magazines.

It's hard to imagine users reacting positively to a Coca-Cola ad inserted between *personal updates from friends*. Twitter recently banned "in-stream" advertising. While the restriction does prevent Twitter search results from becoming littered with paid advertisements, it also threatens a handful of third-party services that pay users to place ads in their streams. Instead, Twitter is embracing new ad formats dubbed "Promoted Tweets" and "Promoted Trends."

Promoted Tweets: appear in search results -- search for "Toy Story 3" and the top Tweet is a message from @DisneyPixar. In other words, You'll see ads only when you're searching for a relevant term.

Promoted Trend: example: "Toy Story 3" appears beneath the most-discussed topics on the site. Brands long to be a part of the conversation, and Promoted Trends create buzz around a product or service without vexing the user. **The problem? The cost for this type of advertising is in the "tens of thousands" of dollars, shutting out medium and small businesses.**

[Netflix offers Movie Streaming via Wii](#)



We have basic 9.95 one-movie-at-a-time **Netflix** service, recently upgraded to \$10.95/mo. for **Blu Ray** quality films. To my surprise, we were offered a CD to install Netflix streaming to our **Wii** console.

Mind you, I only use my Wii for casual gaming and fitness routines; I previously saw no useful reason for obtaining an Internet connection thru my Wii, so this is a new experience. I haven't tried it yet, but installation instructions seem clear: 'Place your instant disc in your Wii to get your activation code... Enter Code field..... Activate field... Will let you know how it goes.
-editor

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Sandra Knowles Kinnaird,
Founder & Editor

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