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October 18, 2017

Sundar Pichai
Chief Executive Officer
Google Inc.
1600 Amphitheatre Parkway
Mountain View, CA 94043

Dear Mr. Pichai:

I write concerning the proliferation of counterfeit products throughout our economy, and specifically what role search engines have in protecting consumers from fraudulent online advertising. Counterfeiting websites offer cheap, low-quality goods to those searching for authentic products, simultaneously cheating consumers and legitimate businesses.

As you know, there is a thriving market for counterfeit goods. According to the Organization for Economic Co-operation and Development (OECD), nearly half a trillion dollars of global imports are counterfeited or pirated. There is a growing online component to this piracy: websites often use stolen images from legitimate businesses to advertise their products and trick consumers, but their final products rarely live up to consumers' expectations. Beyond disappointing consumers, counterfeit products can endanger lives with auto parts that fail or medicine that makes people ill.

Unfortunately, counterfeiting websites have exploited search engines to further their deception. For example, one of Google, Inc.'s offered products to advertisers is AdWords, which in keyword searches displays the advertisement above other search results. Fraudulent websites use this prominent placement as part of their strategy to trick consumers and portray their products as authentic. With this advertising product, Google may be lending credence to counterfeiting websites and facilitating the defrauding of consumers.

Responding to the proliferation of counterfeiting websites requires a coordinated response between government and business. Companies such as Google must be a part of the solution, and the company has a responsibility to protect the consumers who use your search engine. This includes taking reasonable steps to ensure that these advertisements are screened before posting, and providing clear guidance for removing counterfeiters. Furthermore, it has been brought to my attention that Google has removed numerous counterfeiter websites from its organic search results, but continued to allow these websites to populate their AdWords searches. This would suggest turning a blind eye to the issue, which is unacceptable.

Businesses such as yours have a clear role to play in combatting counterfeit goods. Consumer safety is an important issue the Senate is actively working on. I am seeking information to inform that process and value your input on how your company is responding to these

counterfeiting websites and how you are preventing consumer confusion on this issue. Information specific to the process in which Google verifies that their AdWords customers are legitimate businesses and not fraudulent websites and your company's written guidance for what conduct warrants removing advertisements, as well as your policies on refusing advertisements in AdWords after the company has been removed from organic searches would be extremely helpful in informing our analysis in determining what action must be taken.

If you have any questions, please reach out to me or my Chief Counsel Alice Lugo at 202-224-4744. I look forward to your prompt response on this matter.

Sincerely,

A handwritten signature in blue ink that reads "Robert Menendez." The signature is fluid and cursive, with a prominent initial "R" and a long, sweeping underline.

ROBERT MENENDEZ
United States Senator