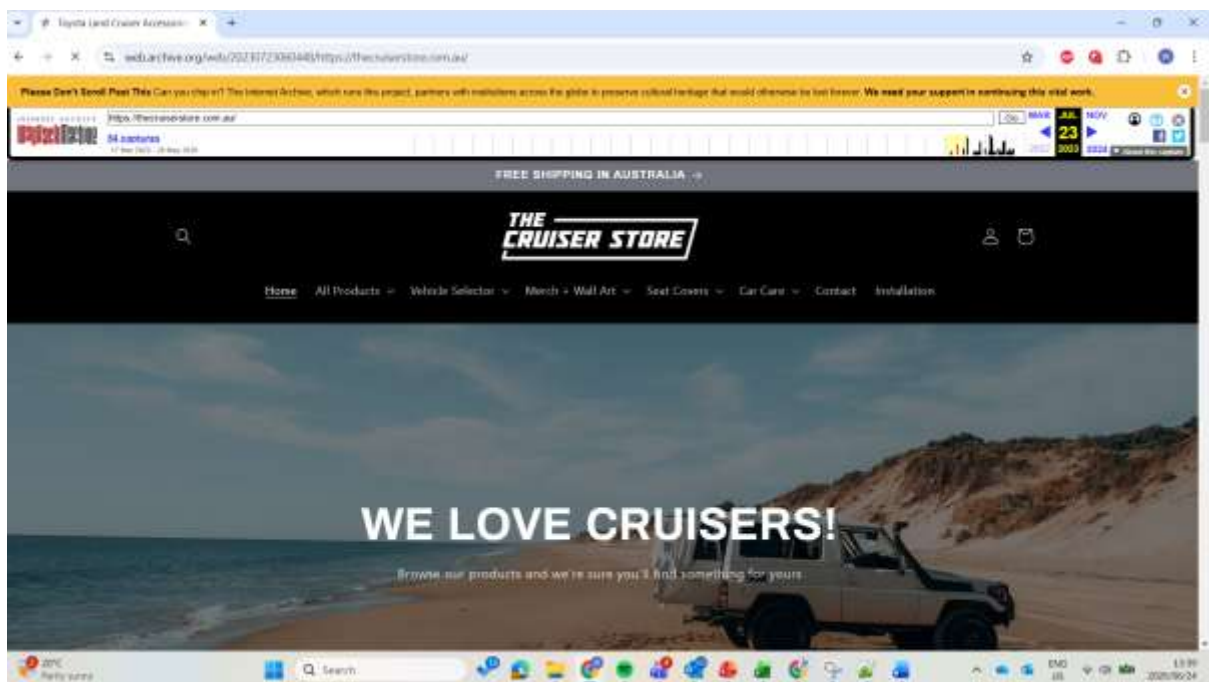


Annexure A

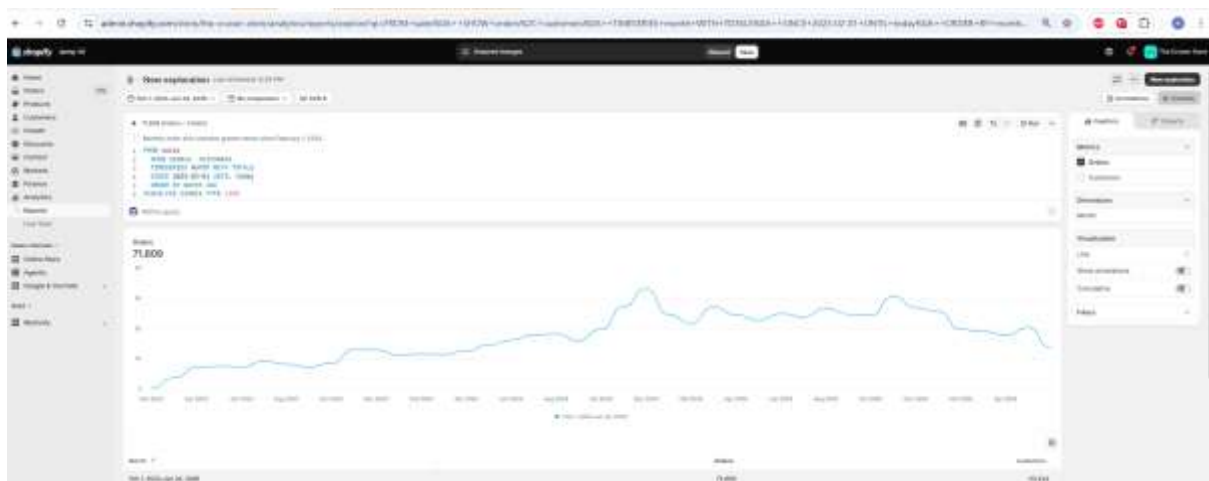
**Complainant's Rights and Trading
History**

2.1 Waybackwhen Machine



Archive.org (Wayback Machine) capture of **thecruiserstore.com.au** dated **23 July 2023**, demonstrating that The Cruiser Store website was publicly accessible and actively trading well before the registration and use of **cruiserstore.au**. This establishes The Cruiser Store's prior online presence and supports their longstanding use of the "The Cruiser Store" brand.
<https://web.archive.org/web/20230723060448/https://thecruiserstore.com.au/>

2.2 Shopify Report



Shopify reporting showing substantial customer activity and completed orders between **1 February 2023 and 24 June 2026**. This provides evidence that The Cruiser Store has operated as an established ecommerce business for several years prior to the appearance of the disputed domain.

2.3 GA4 Activity Report



Google Analytics 4 reporting showing approximately **2.7 million website sessions** during the previous calendar year. This demonstrates significant customer traffic, demonstrating the established reputation and market presence of The Cruiser Store.

2.4 Domain Registration Date

<https://whois.domaintools.com/thecruiserstore.com>

Whois Record for Thecruiserstore.com

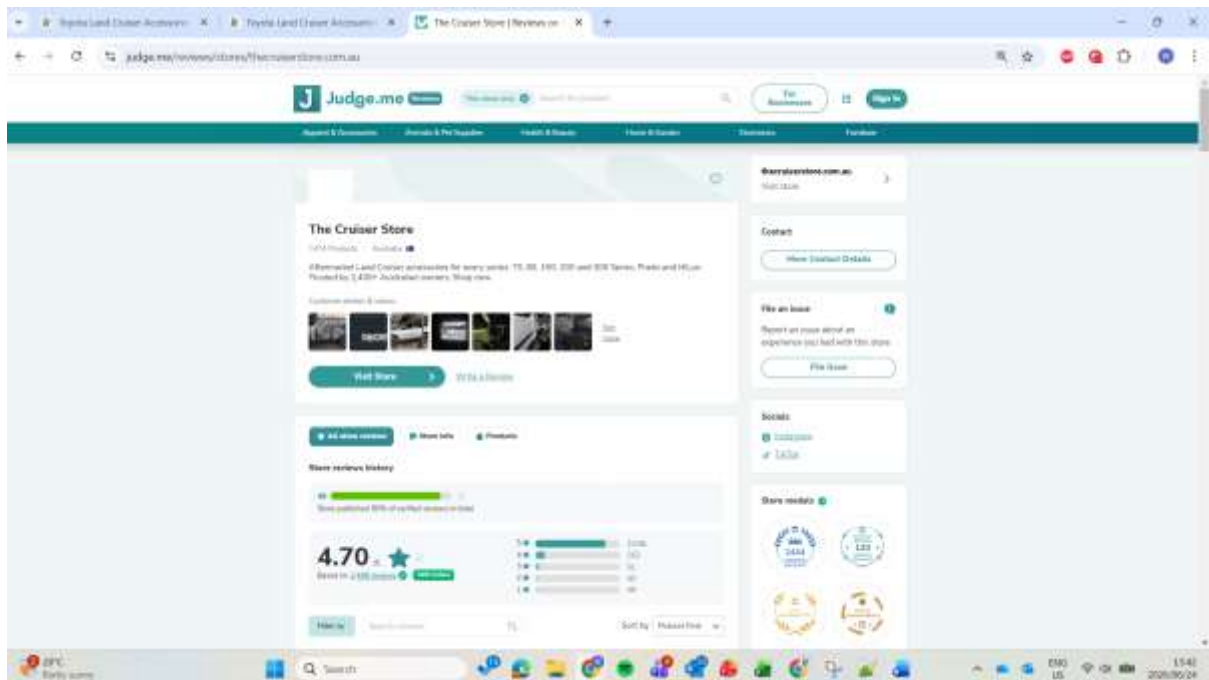
Domain Profile

Registrar	Squarespace Domains II LLC IANA ID: 895 URL: https://domains2.squarespace.com , http://domains2.squarespace.com Whois Server: whois.squarespace.com abuse-complaints@squarespace.com (p) +1.646-693-5324
Registrar Status	client, clientDeleteProhibited, clientTransferProhibited
Dates	1,265 days old Created on 2023-01-06 Expires on 2027-01-06 Updated on 2026-05-13
Name Servers	NS-CLOUD-C1.GOOGLEDOMAINS.COM (has 11,682,492 domains) NS-CLOUD-C2.GOOGLEDOMAINS.COM (has 11,682,492 domains) NS-CLOUD-C3.GOOGLEDOMAINS.COM (has 11,682,492 domains) NS-CLOUD-C4.GOOGLEDOMAINS.COM (has 11,682,492 domains)
IP Address	23.227.38.74 - 4,881,769 other sites hosted on this server
IP Location	- Ontario - Ottawa - Shopify Inc.
ASN	AS13335 CLOUDFLARENET - Cloudflare, Inc., US (registered Jul 14, 2010)
Domain Status	Registered And No Website
IP History	7 changes on 7 unique IP addresses over 20 years
Hosting History	3 changes on 2 unique name servers over 9 years

WHOIS record confirming that **thecruiserstore.com** was registered on **6 January 2023**, providing further evidence that their online brand and business existed well before cruiserstore.au.

2.5 TCS Social Proof

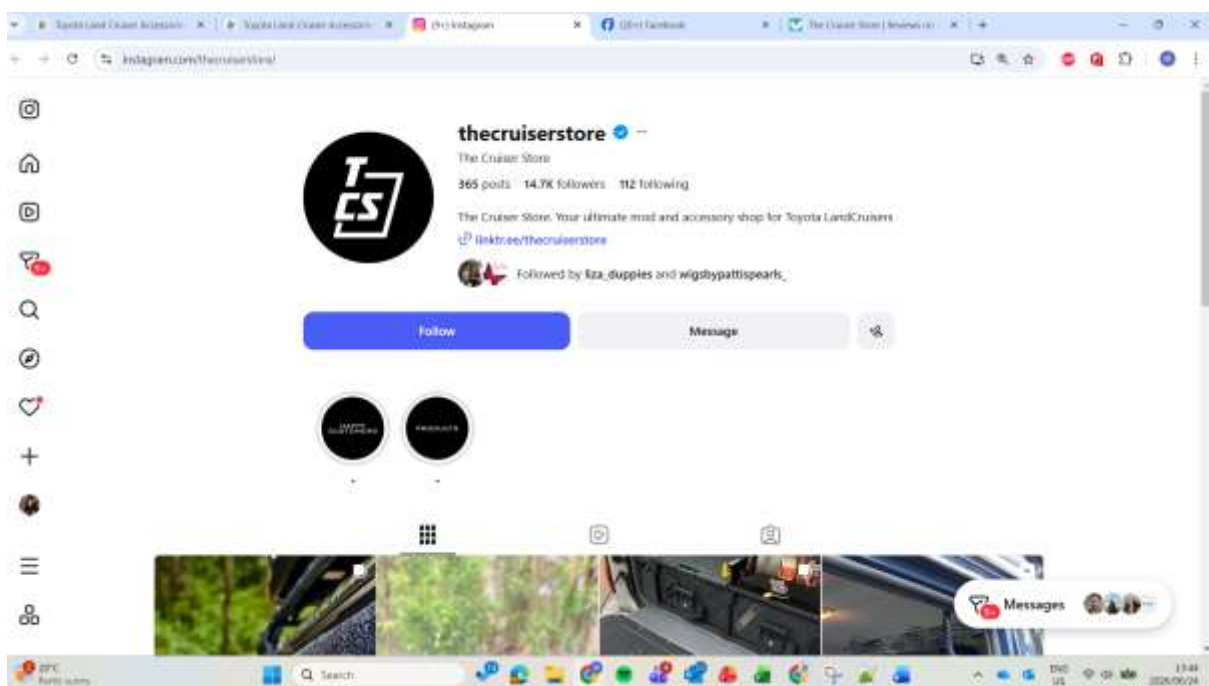
2.5.1 Judge.Me Reviews



Judge.me profile showing a **4.7-star rating from more than 2,400 verified customer reviews**. This demonstrates a substantial established customer base and significant goodwill associated with The Cruiser Store brand.

<https://judge.me/reviews/stores/thecruiserstore.com.au>

2.5.2 Instagram

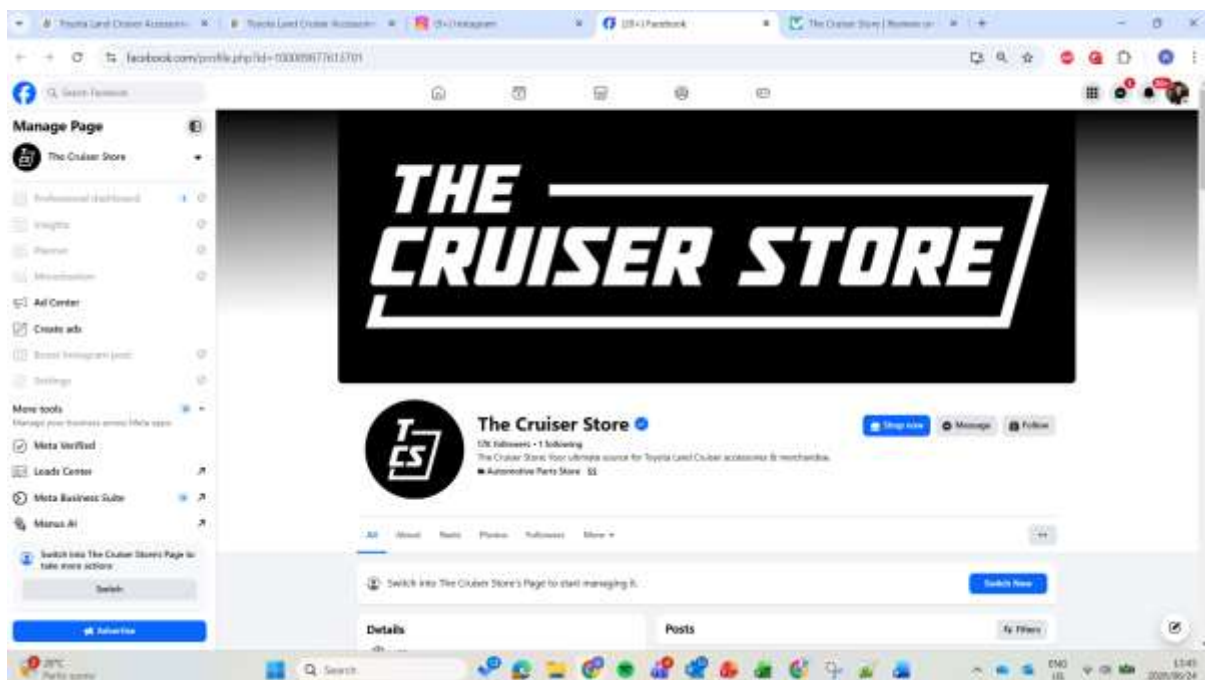


Official Instagram account for The Cruiser Store with approximately **14,700 followers**, demonstrating an established social media presence and customer community developed over several years - <https://www.instagram.com/thecruiserstore/>



Earliest Instagram post published on **3 March 2023**, demonstrating continuous public use of The Cruiser Store branding from early 2023.

2.5.3 Facebook



Official Facebook page for The Cruiser Store with approximately **17,000 followers**, demonstrating an established online presence and customer engagement prior to cruiserstore.au.

<https://www.facebook.com/profile.php?id=100089877613701>

The Cruiser Store's Post



The Cruiser Store 
May 6, 2023 · 

Now stocking Huracan Fab seat adaptors for Cruisers! Check them out here --
<https://thecruiserstore.com.au/collections/seat-adapters>



 Boost this post to get more reach for The Cruiser Store.

 13

 2





Most relevant ▾

Facebook post published on **6 May 2023**, illustrating that The Cruiser Store was actively promoting products under its brand throughout 2023, well before the disputed website appeared.

Annexure B

Respondent Identification

1.2 Respondent

Company	445 Pty Ltd
ACN	685 124 949
ABN	83 685 124 949
Trading As	Cruiser Store / cruiserstore.au
Domain	cruiserstore.au
Domain Registered by	Michael McFarland
Contact Email	domains@ausmedia.biz
Business Email	info@cruiserstore.au
Registrar	Synergy Wholesale Accreditations Pty Ltd (Nexigen Digital)
Registry Domain ID	8b865fb05a1e4ae4abcb58385b770961-AU
Last Modified	30 August 2025
Domain Status	serverRenewProhibited - Not Currently Eligible For Renewal
Platform	Shopify (confirmed via cdn.shopify.com)
Name Servers	ns1/2/3.nameserver.net.au
Stated Location	Surry Hills, NSW (footer text)

6.1 WHOIS Data (auDA)

Domain Name	cruiserstore.au
Registry Domain ID	8b865fb05a1e4ae4abcb58385b770961-AU
Registrar	Synergy Wholesale Accreditations Pty Ltd
Registrar URL	synergywholesale.com/partner-lookup
Abuse Contact	registry-abuse@nexigen.digital +61.383999483
Registrant	445 PTY LTD
Registrant ID	ACN 685124949
Eligibility Type	Company
Registrant Contact	Michael McFarland
Contact Email	domains@ausmedia.biz
Last Modified	30 August 2025
Domain Status	serverRenewProhibited - Not Currently Eligible For Renewal
DNSSEC	Unsigned
WHOIS Last Updated	10 March 2026

6.2 Domain Name Confusion Analysis

Complainant Domain	thecruiserstore.com.au
Respondent Domain	cruiserstore.au
Difference	Removal of 'the' prefix; use of .au TLD vs .com.au
Name Similarity	Identical core: 'cruiserstore'
Business Name Status	Business name 'Cruiser Store' unavailable - too similar to existing registrations
auDRP Relevance	Domain is confusingly similar to complainant's trade mark / trading name

The .au TLD is, if anything, more authoritative and Australian than .com.au, meaning consumers may be more likely to trust cruiserstore.au as the 'official' Australian site when searching for 'cruiser store australia'.

The complainant confirms that the business name 'Cruiser Store' is not available to be registered in Australia because it is considered too similar to existing market names, which itself constitutes evidence of the likelihood of confusion.

Dear Ian,

auDA Case: 00172373
Domain Name(s): cruiserstore.au

We refer to your enquiry about the creation date of the above domain name. The creation date of cruiserstore.au is 2025-08-27.

We understand that this information has been requested for the purpose of lodging a complaint under the au Dispute Resolution Policy (auDRP). You can find information about the auDRP including how to lodge a complaint, here: <https://www.auda.org.au/au-domain-names/complaints-and-disputes/au-disputes/the-audrp-process/>.

We trust this information has answered your enquiry. If you have any further questions, please contact us again.

Regards

auDA Compliance Team
au Domain Administration Ltd (auDA)
T 1300 732 929
E general@auda.org.au
<http://www.auda.org.au>

Please include the string ref100D6F02VqSL.1I500RFOoMtig:ref in the body of all future correspondence with regards to this case.

Dear Ian,

auDA Case: 00172373

Domain Name(s): cruiserstore.au

We refer to your enquiry about the creation date of the above domain name. The creation date of cruiserstore.au is 2025-08-27

We understand that this information has been requested for the purpose of lodging a complaint under the au Dispute Resolution Policy (auDRP). You can find information about the auDRP, including how to lodge a complaint, here: <https://www.auda.org.au/au-domain-names/complaints-and-disputes/au-disputes/the-audrp-process/>.

We trust this information has answered your enquiry. If you have any further questions, please contact us again.

Regards

auDA Compliance Team .au Domain Administration Ltd (auDA)

T 1300 732 929

E general@auda.org.au

<http://www.auda.org.au>

Please include the string ref100D6F02VqSL.1I500RFOoMtig:ref in the body of all future correspondence with regards to this case.



Kyron Sales <kyron@thecruiserstore.com>

Fwd: auDA Case: 00172373 cruiserstore.au [ref:100D6F02VqSL!500RF0oMtig:ref]

1 message

The Cruiser Store <info@thecruiserstore.com>
To: Kyron Sales <kyron@thecruiserstore.com>

13 July 2026 at 10:05

Hi Kyron

Please see email from auDA for our records.

Ian

----- Forwarded message -----

From: auDA General <general@auda.org.au>

Date: Mon, 13 Jul 2026 at 18:04

Subject: auDA Case: 00172373 cruiserstore.au [ref:100D6F02VqSL!500RF0oMtig:ref]

To: info@thecruiserstore.com <info@thecruiserstore.com>



Dear Ian,

auDA Case: 00172373

Domain Name(s): cruiserstore.au

We refer to your enquiry about the creation date of the above domain name. The creation date of cruiserstore.au is 2025-08-27

We understand that this information has been requested for the purpose of lodging a complaint under the au Dispute Resolution Policy (auDRP).

You can find information about the auDRP, including how to lodge a complaint, here: <https://www.auda.org.au/au-domain-names/complaints-and-disputes/au-disputes/the-audrp-process/>.<https://mail.google.com/mail/u/4/?ik=2005ad5b0c&view=pt&search=all&permthid=thread-f:1870586110963850588&simpl=msg-f:1870586110963850588>

1/2

7/13/26, 10:13 AM

The Cruiser Store Mail - Fwd: auDA Case: 00172373 cruiserstore.au [ref:100D6F02VqSL!500RF0oMtig:ref]

We trust this information has answered your enquiry. If you have any further questions, please contact us again.

Regards

auDA Compliance Team

.au Domain Administration Ltd (auDA)

T 1300 732 929

E general@auda.org.au<http://www.auda.org.au>

Please include the string ref:100D6F02VqSL!500RF0oMtig:ref in the body of all future correspondence with regards to this case.

Important Notices

Please do not remove the internal reference fields on email the subject line or body of the email message.

This email may contain information which is confidential and/or subject to legal privilege and is intended for the use of the named addressee only. If you are not the intended recipient, you must not use, disclose or copy any part of this email. If you have received this email by mistake, please notify the sender and delete this message immediately.

info@thecruiserstore.com<https://thecruiserstore.com.au/><https://mail.google.com/mail/u/4/?ik=2005ad5b0c&view=pt&search=all&permthid=thread-f:1870586110963850588&simpl=msg-f:1870586110963850588>

2/2

Annexure C

Cease and Desist Correspondence

12 March 2026

Attn: 445 Pty Ltd t/a cruiserstore.au (ABN: 83 685 124 949)

By Email: info@cruiserstore.au

Dear Sir/Madam

RE: CEASE AND DESIST – COPYRIGHT INFRINGEMENT, PASSING OFF AND MISLEADING AND DECEPTIVE CONDUCT

We act for Ian du Plessis, the proprietor of the business known as “**The Cruiser Store**” (our client), which operates an established online retail business selling accessories and parts for Toyota Land Cruiser vehicles through the websites **thecruiserstore.com** and **thecruiserstore.com.au**. The Cruiser Store has been trading in Australia since February 2023 and has developed substantial goodwill and reputation in its brand name, logo, product photography, and product descriptions.

1. YOUR CONDUCT

It has come to our client’s attention that you are operating a website at the domain **cruiserstore.au** which appears to be a near-identical copy of our client’s business. We have reviewed your website and has identified the following conduct:

1. You are trading under the name “Cruiser Store”, which is substantially identical to our client’s established trading name “The Cruiser Store”, differing only by the removal of the word “The”.
2. You are using a logo that is effectively identical to our client’s logo, which is an original artistic work in which copyright subsists.
3. You are reproducing our client’s original product photographs on your website without authorisation. These photographs were personally created by or on behalf of our client and are original works in which copyright subsists under the *Copyright Act 1968* (Cth). They are not stock images from suppliers.
4. You are using product descriptions that are very similar or identical to those appearing on our client’s website, which are original literary works protected by copyright.
5. The overall appearance of your website is so closely modelled on our client’s website that, from the perspective of an ordinary consumer, your site could easily be mistaken for our client’s business.

2. LEGAL BASIS

2.1 Copyright infringement

Our client is the owner of copyright in the product photographs, product descriptions, logo and other original content displayed on **thecruiserstore.com** and **thecruiserstore.com.au**. Your reproduction of these works on your website without the licence or consent of our client constitutes an infringement of our client’s exclusive rights under sections 31 and 36 of the *Copyright Act 1968* (Cth). Our client is entitled to seek injunctive relief, damages or an account of profits, and additional damages under section 115(4) where the infringement is flagrant.

The wholesale copying of our client's product images and descriptions – which are original works created by or on behalf of our client, not generic supplier content – constitutes flagrant infringement that would justify an award of additional damages.

2.2 Passing off

Our client has established substantial goodwill and reputation in the name "The Cruiser Store" and its associated branding since the business commenced trade in February 2023. By operating a website under the name "Cruiser Store" with near-identical branding, you are making a misrepresentation to the public that your business is, or is connected with, our client's business. This misrepresentation is likely to cause, and is in fact causing, damage to our client's goodwill through diversion of customers and potential reputational harm. These elements constitute the tort of passing off.

2.3 Misleading and deceptive conduct

Your conduct in operating a website that is substantially identical in name, branding, product imagery, and product descriptions to our client's established business constitutes conduct that is misleading or deceptive, or is likely to mislead or deceive, in contravention of section 18 of the *Australian Consumer Law* (Schedule 2 to the *Competition and Consumer Act 2010* (Cth)). Consumers are likely to be misled into believing that your website is operated by, or is associated with, our client. Our client is entitled to seek injunctive relief and damages under sections 232 and 236 of the Australian Consumer Law.

3. DEMANDS

Our client hereby demands that you comply with the following requirements within **seven (7) days** of the date of this letter:

- (a) Immediately cease trading under the name "Cruiser Store" or any other name that is substantially identical to or deceptively similar to "The Cruiser Store".
- (b) Immediately remove from your website and all other platforms (including social media, advertising, and any cached or archived content) all product photographs, product descriptions, logo, and any other content that has been copied or reproduced from our client's website.
- (c) Immediately cease all use of branding, trade dress, or other get-up that is confusingly similar to our client's brand.
- (d) Provide written confirmation to this office, within fourteen days, that you have complied with each of the above demands.
- (e) Provide an undertaking that you will not, at any time in the future, reproduce or substantially reproduce any content from our client's website or engage in conduct that amounts to passing off or misleading and deceptive conduct in relation to our client's business.

4. RESERVATION OF RIGHTS

Our client reserves all of its rights to commence legal proceedings against you without further notice should you fail to comply with the above demands within the time stipulated. In any such proceedings, our client will seek:

- (a) Injunctive relief to restrain the infringing conduct.
- (b) Damages or, at our client's election, an account of profits arising from the infringement of copyright.
- (c) Additional damages for flagrant copyright infringement pursuant to section 115(4) of the *Copyright Act 1968* (Cth).
- (d) Damages for passing off and misleading and deceptive conduct.

(e) Costs on an indemnity basis.

Our client is also currently lodging takedown requests with Shopify and Google in respect of the infringing content.

This letter is sent in compliance with our client's obligations under the *Civil Dispute Resolution Act 2011* (Cth) and constitutes a genuine attempt to resolve this dispute. In the event of failure to comply with the demands set out in this letter, our client will be at liberty to commence proceedings without further notice.

Nothing in this letter constitutes a waiver of any of our client's rights, whether past, present or future.

Yours faithfully

Anja Pich

Senior Lawyer

Lawpath Legal Pty Ltd



domains@ausmedia.biz



Mail

Re: New customer message on March 14, 2026 at 7:05 am External Inbox x

Chat



domains@ausmedia.biz

to me

Meet

Your client's claims of copyright infringement are based on a false premise. Every product image and description on cruiserstore.au is original content generated via Artificial Intelligence. As these works lack a human author, your client has no copyright claim over them. Any attempt to provide "fake" evidence to Shopify or Google to effect a takedown will be met with immediate legal action for unjustified threats under Section 202 of the Copyright Act 1968 (Cth), and I will hold your client liable for all resulting loss of trade.

Regarding the name "The Cruiser Store," I note that Toyota Motor Corporation owns the trademark for "Cruiser." Your client has no legal right to claim a monopoly over a name that is already a trademark infringement of a global manufacturer.

I have already initiated contact with Toyota's legal department to clarify the status of your client's business name and their unauthorized use of Toyota's intellectual property. If your client wishes to take this to court, I am happy to roll the dice. However, be advised that if I lose my site, your client—who is also "trading off" Toyota's trademark—will almost certainly lose theirs as well.

I suggest your client reconsider their aggressive stance before they attract further attention from the actual trademark owners. I will not be bullied by a business that has no more right to the "Cruiser" name than I do.

Reply

Forward



Share in chat

New



Anja Pich <anja.pich@lawpath.com.au>

Re: New customer message on March 14, 2026 at 7:05 am

Anja Pich <anja.pich@lawpath.com.au>

Mon, Mar 16, 2026 at 1:57 PM

To: domains@ausmedia.biz

Bcc: Ian du Plessis <ianduplessisa@gmail.com>

Dear Sir/Madam,

We refer to your response to our letter dated 12 March 2026. Your assertions are rejected in their entirety.

Copyright infringement

Your claim that your content was generated by artificial intelligence does not constitute a defence to copyright infringement. The issue is not how your content was created - it is that our client's original product photographs and descriptions appear on your website. These photographs were personally created by or on behalf of our client and are not supplier stock images. If your purportedly "AI-generated" images are identical to our client's originals, the inference is that our client's copyrighted works were used as source material. The reproduction of copyrighted works without consent is infringement under sections 31 and 36 of the Copyright Act 1968 (Cth), regardless of the method of reproduction.

As to your threat of proceedings under section 202 of the Copyright Act for unjustified threats, we note that section 202 provides a complete defence where the person making the threat would be entitled to bring proceedings for copyright infringement. On the evidence available to our client - including detailed side-by-side comparisons of product images, descriptions, branding, and trade dress - our client's claims are clearly well-founded. A claim under section 202 would not succeed.

Use of the name "Cruiser Store"

Your assertion that our client has no rights in the name "The Cruiser Store" because Toyota holds a trademark for "Cruiser" is legally misconceived. Our client's rights arise from the common law tort of passing off and under section 18 of the Australian Consumer Law, based on the substantial goodwill our client has established in its trading name, logo and brand identity since February 2023. These rights do not depend on a registered trademark. The word "cruiser" is a generic descriptor for a vehicle type used across the automotive aftermarket industry. Our client's claim is not based on exclusive use of the word "cruiser" - it is based on the wholesale replication of The Cruiser Store's name, branding, product imagery and trade dress in a manner that is misleading and deceptive.

Takedown requests

Our client has lodged takedown requests with Shopify and Google in respect of the infringing content on your website. Those requests are supported by the evidence of infringement and are made in good faith. Any suggestion that these requests constitute "fake evidence" is rejected.

Compliance deadline

Our client's demands as set out in our letter of 12 March 2026 remain in full force. The seven (7) day compliance period applies. If you fail to comply, our client will commence legal proceedings without further notice, in which our client will seek injunctive relief, damages or an account of profits for copyright infringement (including additional damages under section 115(4) for flagrant infringement), damages for passing off and misleading and deceptive conduct and costs on an indemnity basis. This letter and your response will be relied upon in any such proceedings.

Nothing in this letter constitutes a waiver of any of our client's rights.

Kind regards,

Anja Pich
Senior Lawyer
Lawpath Legal Pty Ltd

Legal services are provided by Lawpath Legal Pty Ltd (ABN 23 647 966 783). We are liability limited by a scheme approved under *Professional Standards Legislation*.

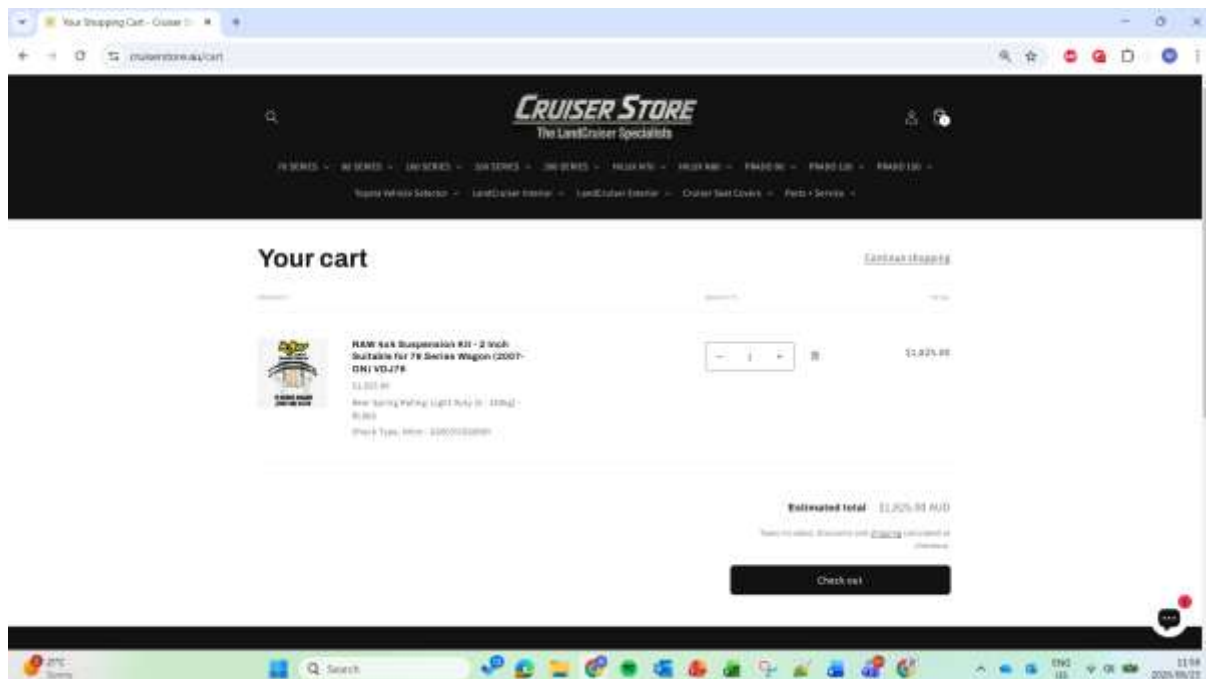
[Quoted text hidden]

Annexure D

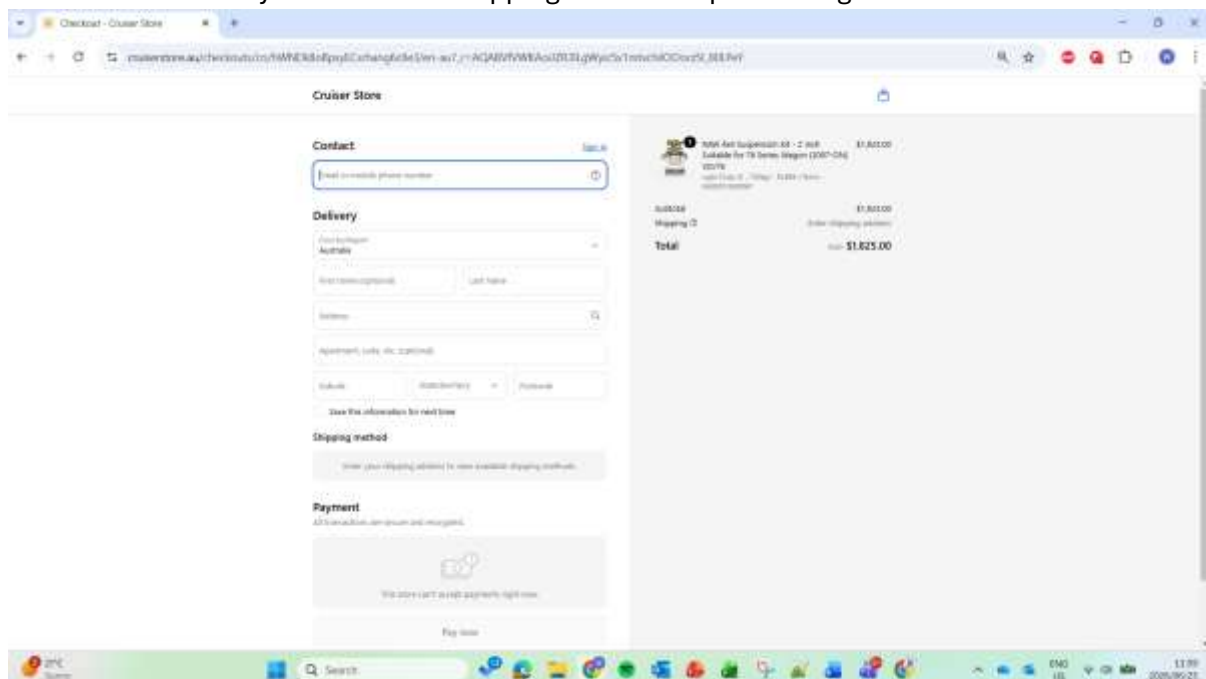
Lack of Legitimate Interest

5.1 Checkout Failure

Please see screenshots below illustrating with timestamps how the store is not accepting any payments right now.



Product successfully added to the shopping cart before proceeding to checkout.



A test purchase was attempted on cruisestore.au. A product was successfully added to cart and the checkout process was commenced. At the payment stage, the Shopify checkout displayed the message: "This store can't accept payments right now." No payment method options were presented. This indicates that the disputed website was unable to process customer purchases at the time the evidence was collected, undermining any claim that the domain was being used for genuine independent ecommerce trading.

Significance for auDRP — Bad Faith Use:

- A store that cannot process payments has no legitimate commercial purpose. Its sole function is to present as a credible retail store — specifically one that consumers may mistake for The Cruiser Store — without conducting any actual trade.
- This directly supports the auDRP element that the domain is being used in bad faith: the respondent is using the domain to attract consumers searching for The Cruiser Store, without providing any legitimate retail service in return.
- The inability to process payments also undermines any argument by the respondent that they have legitimate interests in the domain as an active trading business. A business cannot claim legitimate trading use of a domain if its store fundamentally cannot sell anything.
- This is consistent with a pattern of behaviour designed to cause brand confusion and divert the complainant's customers, rather than to operate a genuine competing retail business.
- The Shopify "can't accept payments" error indicates the respondent has not completed Shopify's payment gateway setup — a basic requirement for any legitimate online store. This suggests the site was built for appearance, not operation.

5.2 Unfinished Shopify Template Content

<https://cruiserstore.au/policies/terms-of-service>



The Terms of Service page contains unresolved Shopify template text, including “[NOTE TO MERCHANT]” and “[LINK]” placeholders. This suggests the site is incomplete/template-driven and undermines any claim that it is a genuine, independently operated ecommerce business.

5.3 Empty Public Collection Pages



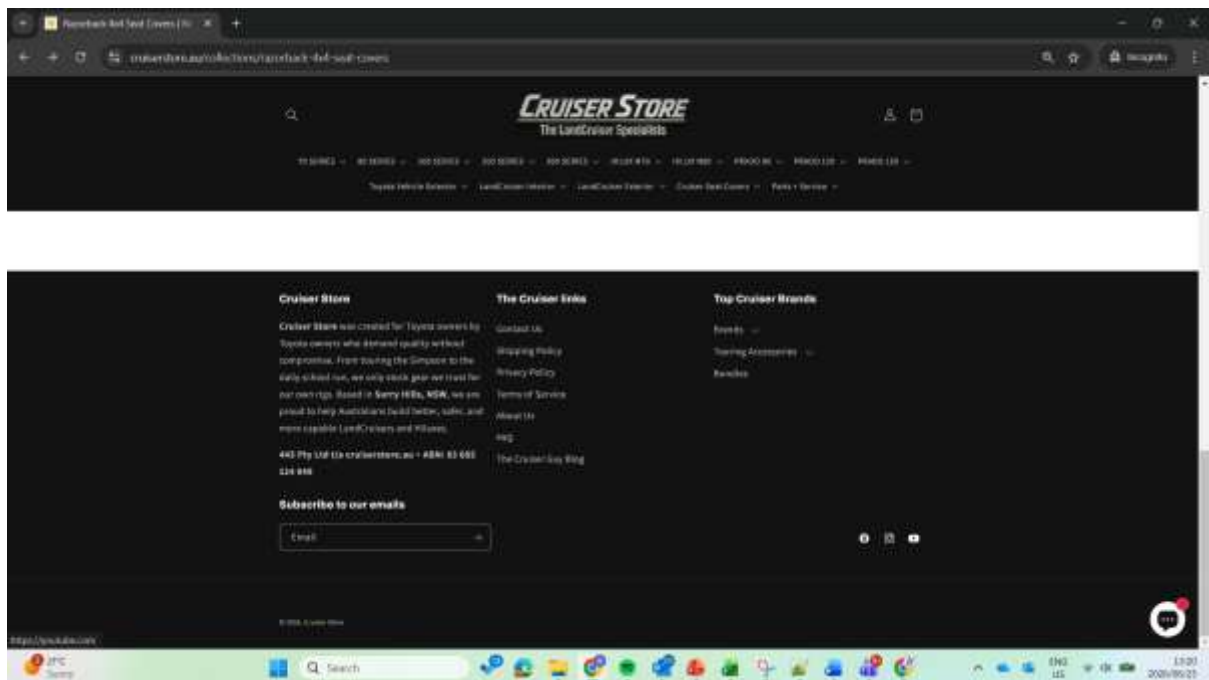
<https://cruiserstore.au/collections/wiper-blades>



<https://cruiserstore.au/collections/razorback-4x4-seat-covers>

Multiple publicly accessible collection pages contain no products while remaining indexed and accessible to customers. This indicates that substantial portions of the website remain incomplete and undermines any claim of an independently developed ecommerce operation.

5.4 Incomplete Social Media Setup



The site's social link resolves to a generic YouTube page rather than a branded channel. This supports the view that the website is incomplete and lacks an independent brand presence.

Annexure E

Actual Market Confusion and Supplier Evidence

4.1 Supplier Confusion – MSA 4x4



Email received from an authorised supplier describing a customer who mistakenly believed cruiserstore.au was the official The Cruiser Store website. The supplier independently questioned the legitimacy of the disputed website and raised concerns regarding the accuracy of its content. This provides direct evidence of actual marketplace confusion.

“Hi team,

I was made aware yesterday of an inaccurate listing on what a customer thought was your website – but it doesn’t seem to be your official website...

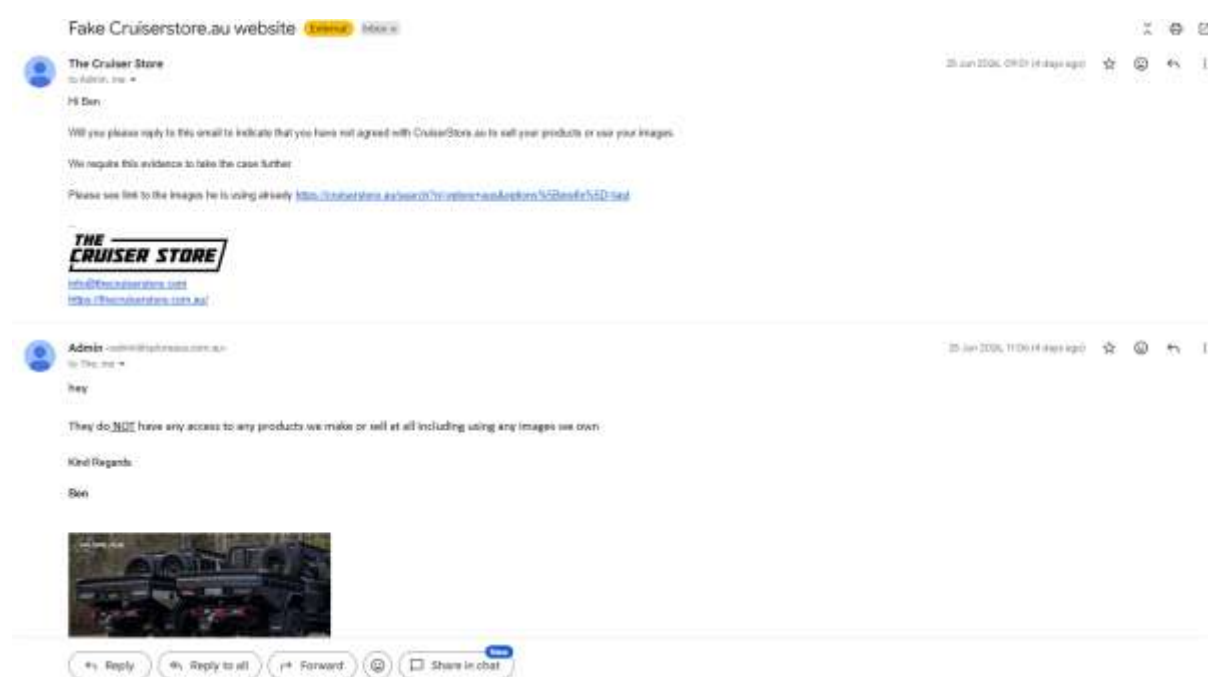
I am not sure if it is fake, or a scam, but I thought I would bring it to your attention in case

[Cruiser Store - LandCruiser Parts & Accessories Australia FREE POSTAGE](#)

The website itself is very inaccurate – the photos of the MSA mirrors are not real and potentially AI

Please let me know if we can be of any further assistance“

4.2 Supplier Evidence – Xplore Aus (Unauthorised Use of Products and Images)

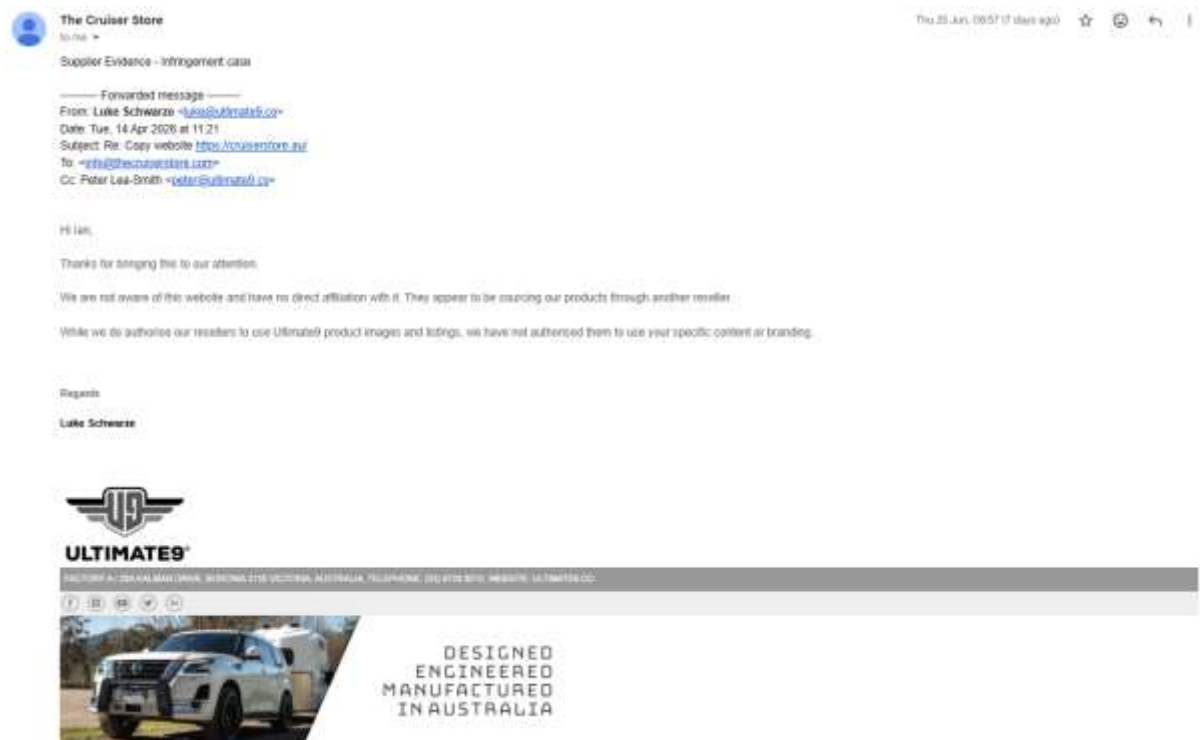


Email correspondence from Xplore Aus confirming that cruiserstore.au has never been authorised to sell Xplore Aus products or use Xplore Aus owned images.

In response to an enquiry from The Cruiser Store, Xplore Aus confirmed that **cruiserstore.au has no authority to advertise, sell or distribute its products, nor to use its proprietary product images**. This independently corroborates that content displayed on cruiserstore.au has been published without the supplier's knowledge or permission and further supports the conclusion that the disputed website is not operating as an authorised retailer.

This evidence is particularly significant because it comes directly from the intellectual property owner whose products and images appear on the respondent's website. It demonstrates that the respondent is holding itself out as an authorised supplier despite having no commercial relationship with Xplore Aus.

4.3 Ultimate9 - Confirmation of No Direct Affiliation and Unauthorised Use of The Cruiser Store Content



Email correspondence from Ultimate9 confirming that it has no direct affiliation with cruiserstore.au and has not authorised the use of The Cruiser Store's content or branding.

In response to an enquiry from The Cruiser Store, Ultimate9 confirmed that it was **not aware of cruiserstore.au and has no direct commercial relationship with the website**. While Ultimate9 noted that its product images and listings may be supplied to authorised resellers, it expressly confirmed that **it had not authorised cruiserstore.au to use The Cruiser Store's proprietary content or branding**.

This independently supports the conclusion that cruiserstore.au has reproduced The Cruiser Store's intellectual property without authorisation and is presenting itself in a manner that is likely to mislead consumers regarding its relationship with both The Cruiser Store and recognised industry suppliers.

Annexure F

Copying Evidence

3.1 Logo / branding comparison

Logo	Description	Link
	The official The Cruiser Store logo, used consistently across The Cruiser Stores website, social media channels, and marketing materials.	https://thecruiserstore.com.au/
	Archived copy of the cruiserstore.au logo captured on 13 January 2026 , showing a near-identical reproduction of The Cruiser Store logo with only the word " THE " removed. This supports the conclusion that the disputed website adopted branding deliberately designed to resemble The Cruiser Store.	https://web.archive.org/web/20260113105652/https://cruiserstore.au/password
	Current cruiserstore.au logo. Although subsequently modified, it retains visual similarities to The Cruiser Store established branding and demonstrates an evolution following the initial copied logo.	https://cruiserstore.au/

3.2 Navigation/Menu comparison

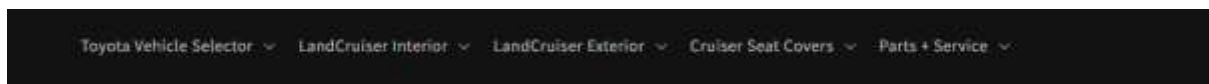
Comparison of the navigation structures used by both websites. The disputed website reproduces a highly similar vehicle taxonomy and menu organisation to that developed by The Cruiser Store, supporting the inference that the site's architecture was copied rather than independently designed.



<https://cruiserstore.au/> Navigation layout



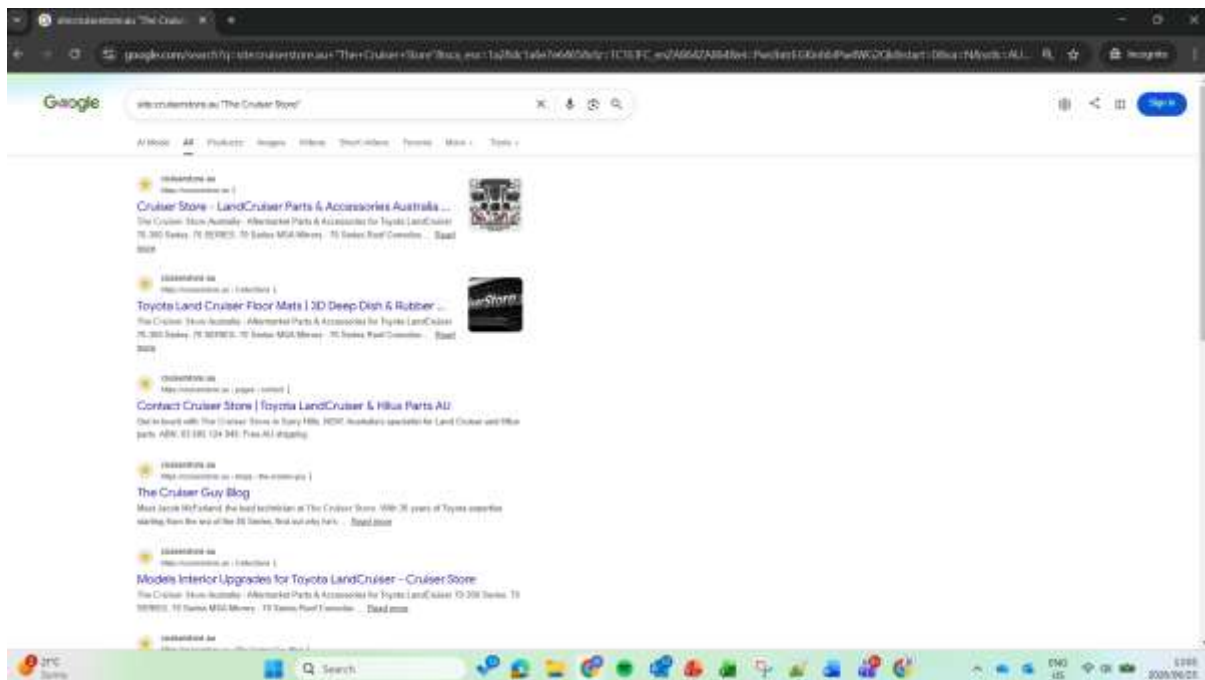
<https://thecruiserstore.com.au/> Navigation layout



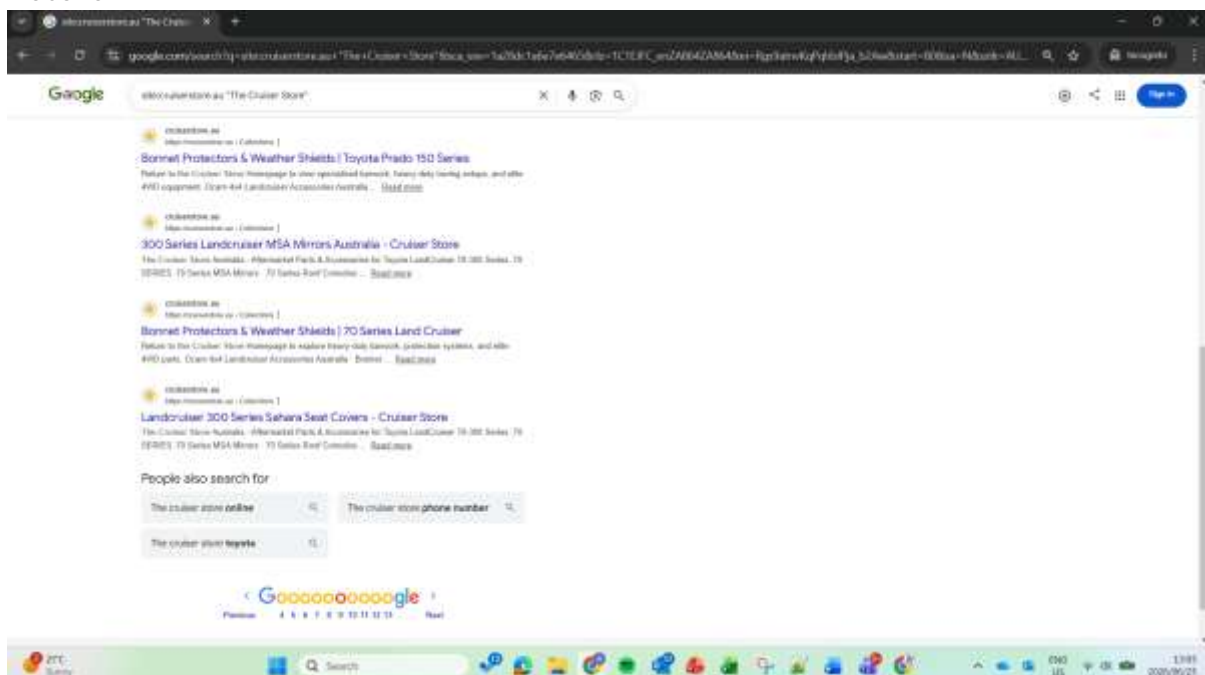
<https://cruiserstore.au/> Old navigation layout from 13th April 26

<https://web.archive.org/web/20260413142349/https://cruiserstore.au/>

3.3 Search Metadata Showing “The Cruiser Store”



Google search results for cruiserstore.au display multiple indexed pages containing references to “The Cruiser Store”, including wording associated with The Cruiser Store’s legitimate business. A search of Google's index identified at least 13 pages where cruiserstore.au still references “The Cruiser Store”. This indicates that these are not isolated errors but repeated remnants of copied branding or metadata throughout the website. As these references are visible in Google's search results, they have the potential to mislead consumers into believing cruiserstore.au is associated with or operated by The Cruiser Store before they even visit the website.



Over 13 pages of Google results

https://www.google.com/search?q=site:cruiserstore.au+%22The+Cruiser+Store%22&sca_esv=1a28dc1a6e7e6465&rlz=1C1EJFC_enZA864ZA864&ei=gws9auO9EMWyhbIP45bdkAI&start=70&sa=N&sstk=AU9db-BtkWbbPkM9t1H6RmJoiA3U1FTvWpdpGnUYTvZHdqskwturFm516ZgfNm6mUhG-QyHalKifG1oXwrqel8sVvpBaoeAFxl-itWr_XiGf_ZrSDvSTPDa89LLpfVdhDuU4&ved=2ahUKewiji6_Hn6KVAxVFWUEAHWNLFyI4UBDx0wN6BAgyEAI&biw=2048&bih=972&dpr=0.94

3.4 Direct “The Cruiser Store” Reference on Infringing Site



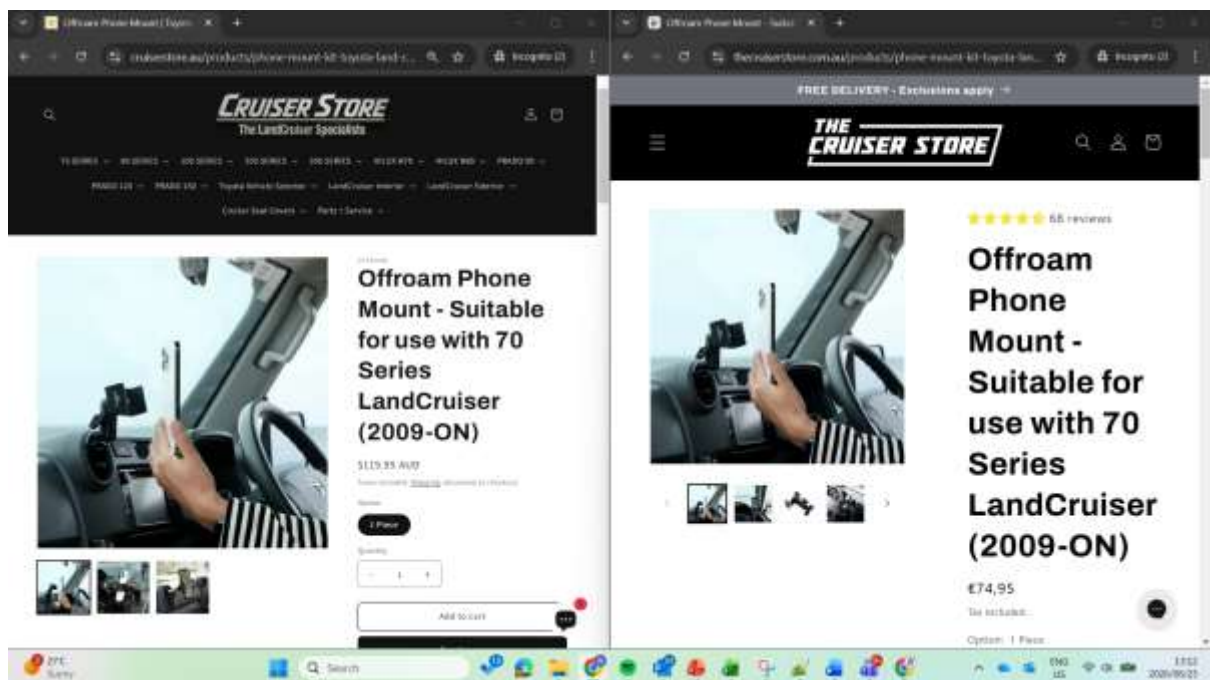
*“I’ve lived through the 80 Series era, mastered the 100s and 200s, and now I’m focused on keeping the newest Toyotas on the tracks at **The Cruiser Store.**”*

*“**The Cruiser Store Builds:** A behind-the-scenes look at the specialised rigs we’re fitting out.”*

The disputed website contains a direct textual reference to “The Cruiser Store” within its own blog content. This is strong evidence of incomplete relabelling and supports the position that cruiserstore.au copied or cloned content associated with The Cruiser Store’s business.

<https://cruiserstore.au/blogs/the-cruiser-guy/jacob-the-cruiser-guy-mcfarland-35-year-toyota-expert>

3.5 Exact Product URL and Title Match



<https://cruiserstore.au/products/phone-mount-kit-toyota-land-cruiser-70>

<https://thecruiserstore.com.au/products/phone-mount-kit-toyota-land-cruiser-70>

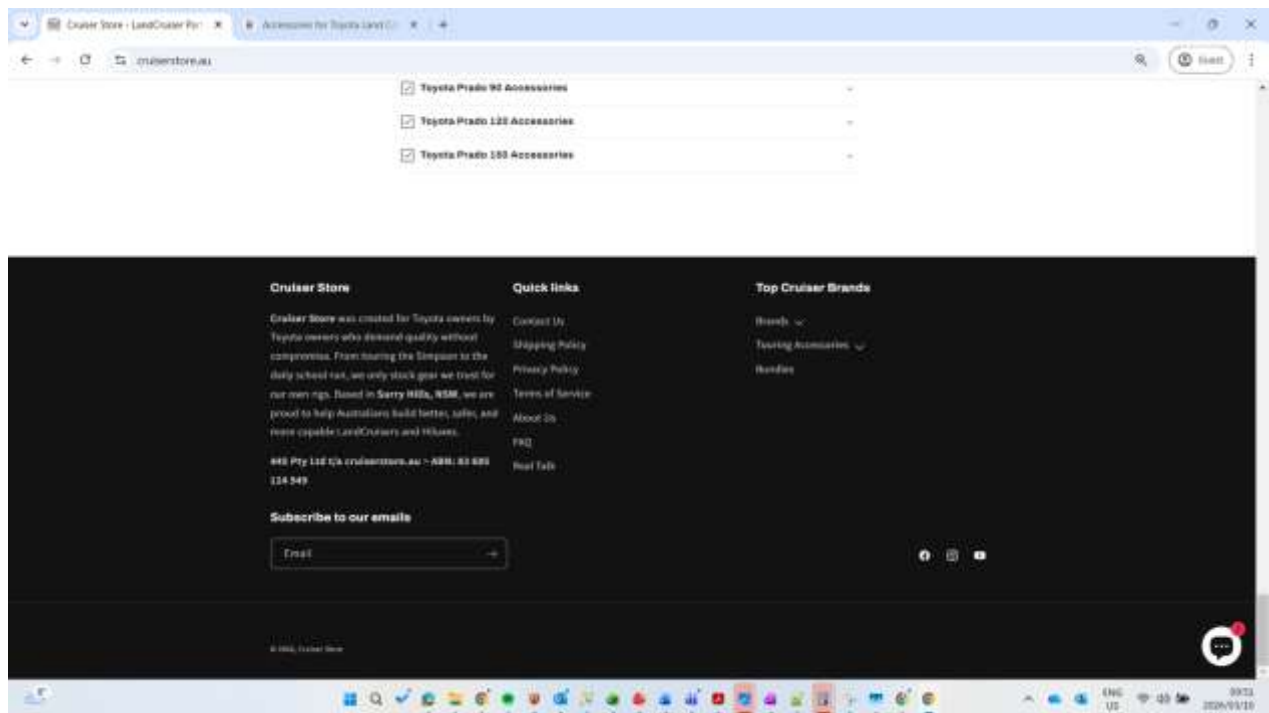
Both websites use the same product slug and materially the same product title for the Offroad 70 Series phone mount. This supports copying of both product architecture and site structure, extending beyond merely selling the same third-party product.

3.6 Additional Pre-C&D Copying Evidence

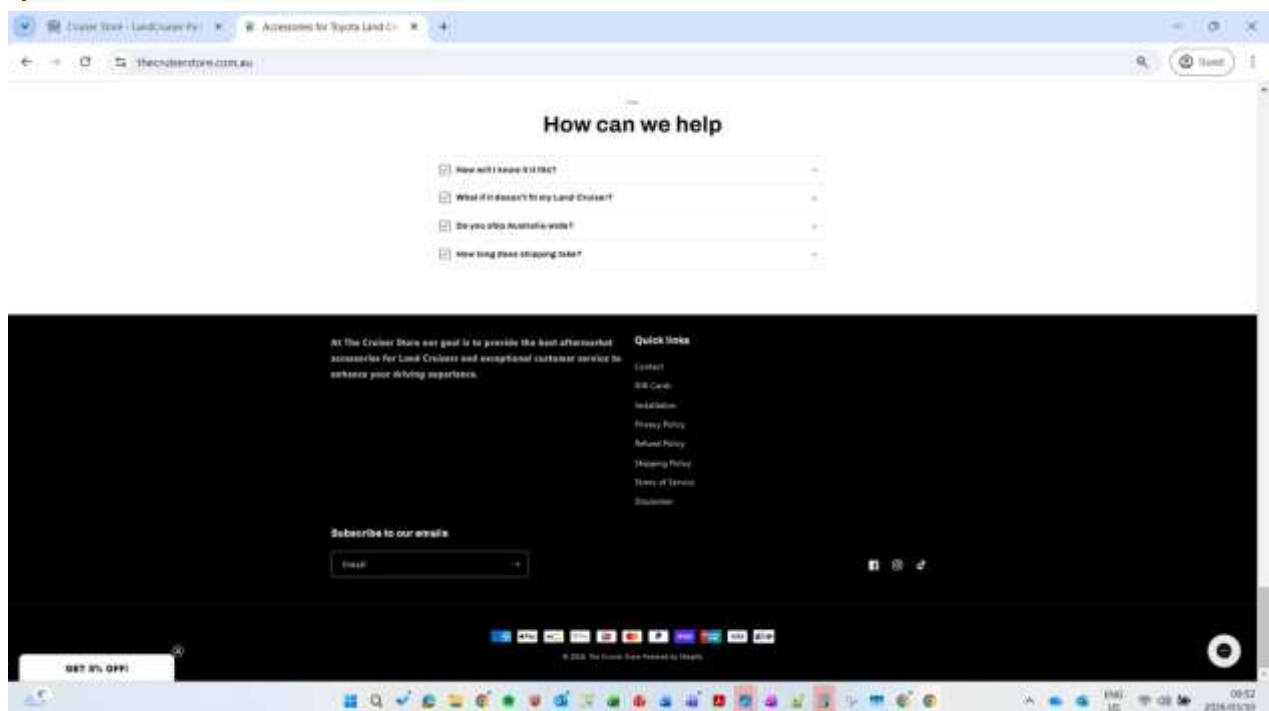
3.6.2. Homepage footer

The footer structure, link organisation, and layout were copied. Both footers use black background with white text, identical link groupings, and newsletter signup.

[RESPONDENT] cruiserstore.au — Footer

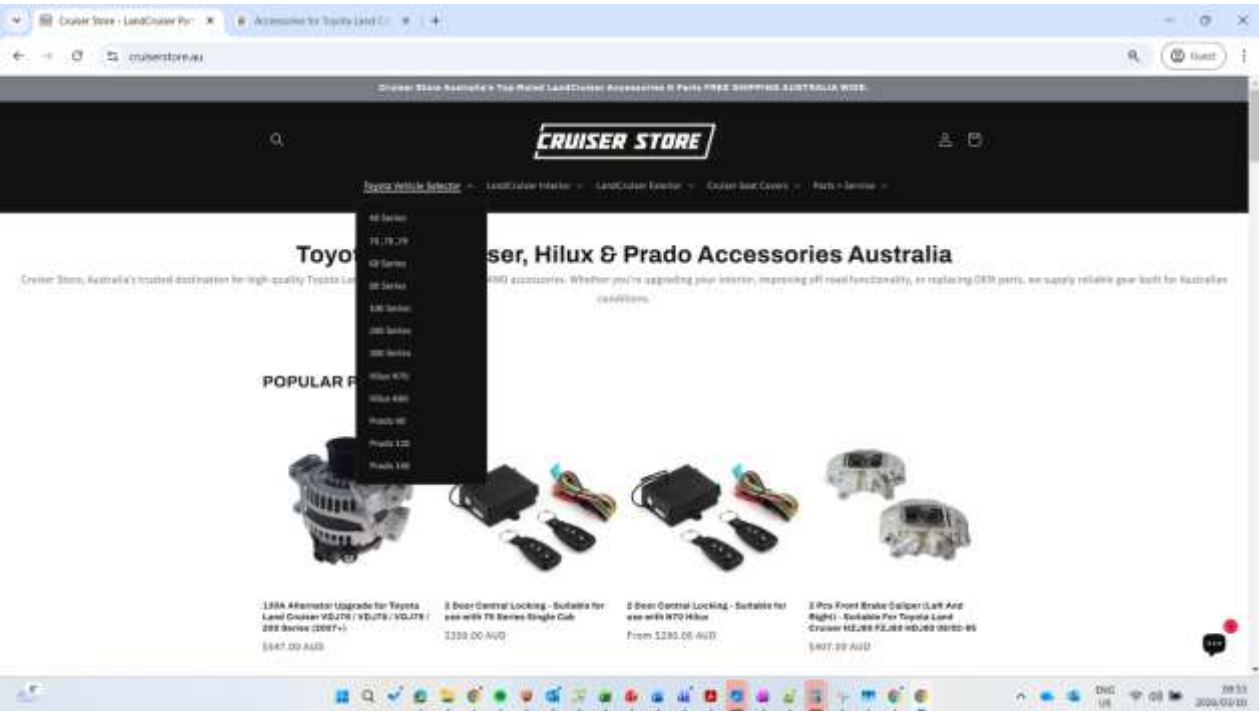


[COMPLAINANT] thecruiserstore.com.au — Footer

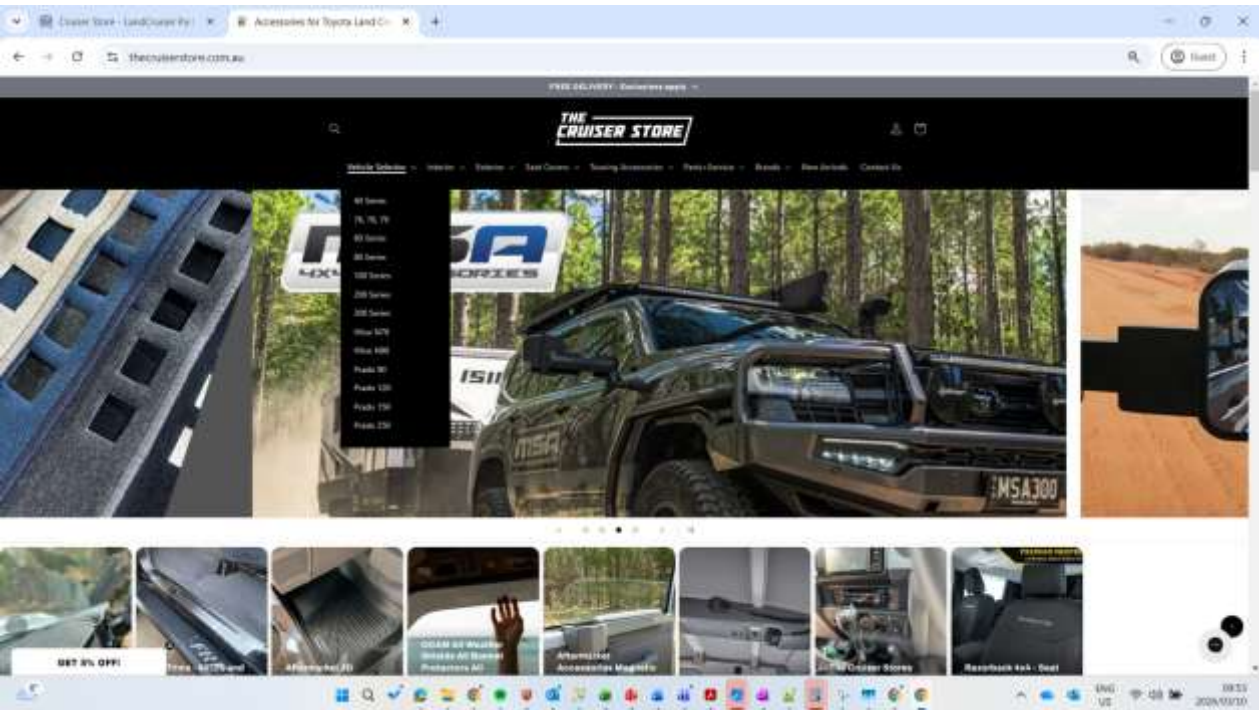


3.6.3. Navigation - Vehicle Selector

[RESPONDENT] cruiserstore.au — Vehicle Selector dropdown



[COMPLAINANT] thecruiserstore.com.au — Vehicle Selector dropdown

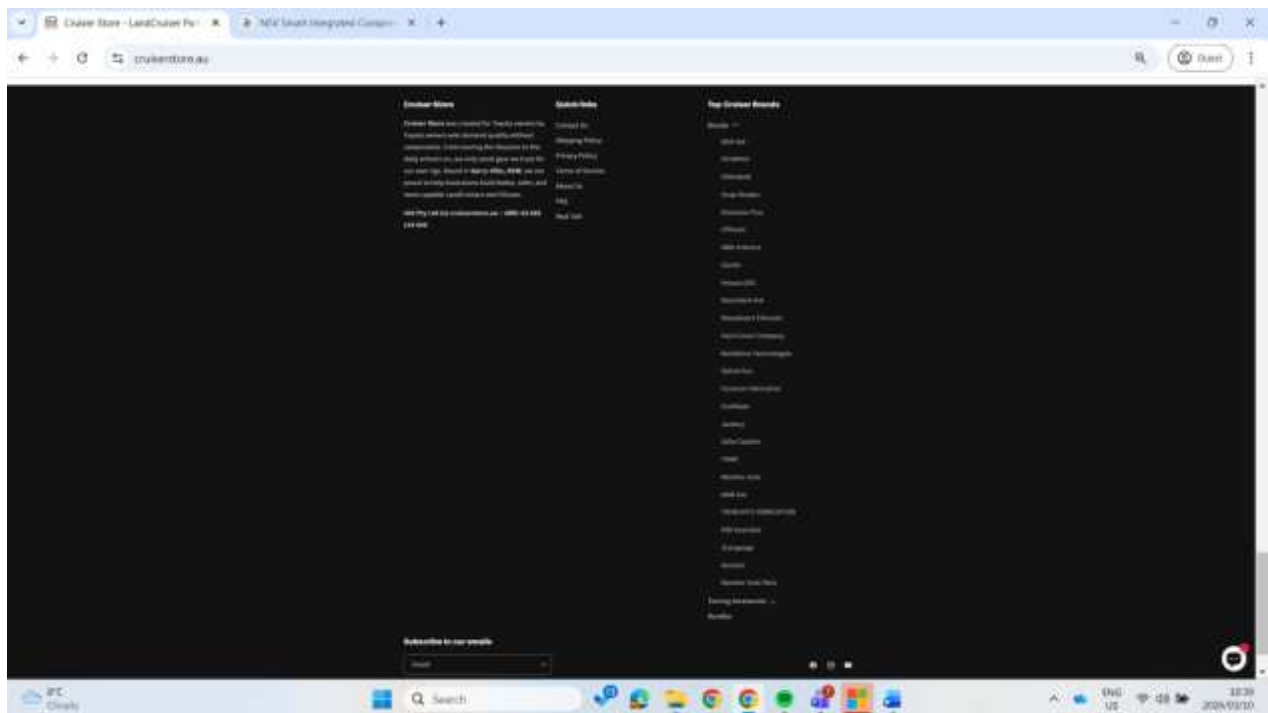


3.6.4. Navigation – Brands

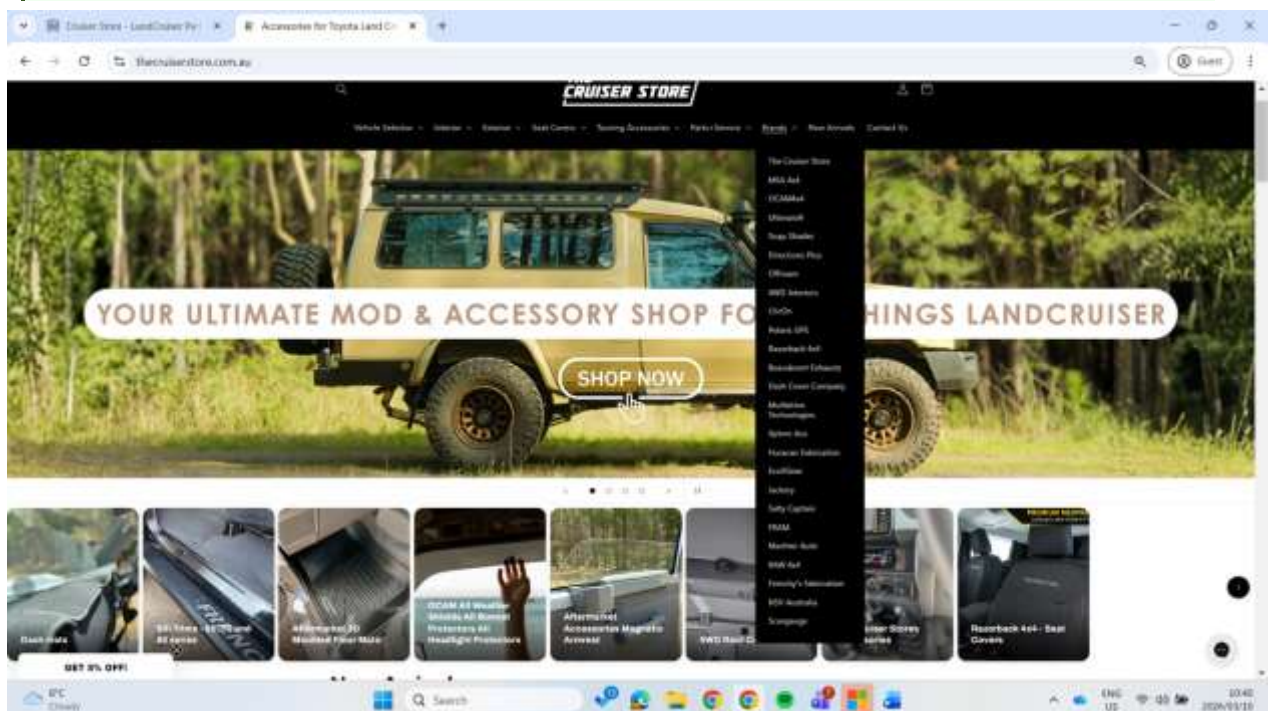
CRITICAL: The respondent reproduced the complainant's exact, curated list of brands. This is not a generic industry list — it is the specific selection of brands chosen by the complainant and represents a substantial reproduction of original commercial content.

We have confirmation from brands such as MSA4x4, Xplore Aus and Ultiamte 9 that they do not affiliation with this brand. Thus highlighting the intent to cause brand confusion.

[RESPONDENT] cruiserstore.au — Brands list (exact copy)



[COMPLAINANT] thecruiserstore.com.au — Original Brands list



3.6.5. Product Page - NSV Smart Integrated Compressor System

URL comparison: Respondent: cruiserstore.au/products/nsv-smart-integrated-compressor-system-suitable-for-use-with-toyota-landcruiser-70-series Complainant:

thecruiserstore.com.au/products/nsv-smart-integrated-compressor-system-suitable-for-use-with-toyota-landcruiser-70-series-dual-cab

This image was created by COMPLAINANT – this is COMPLAINANT's Intellectual property and it was copied by the RESPONDENT.

[RESPONDENT] cruiserstore.au — NSV Compressor product page



[COMPLAINANT] thecruiserstore.com.au — NSV Compressor product page

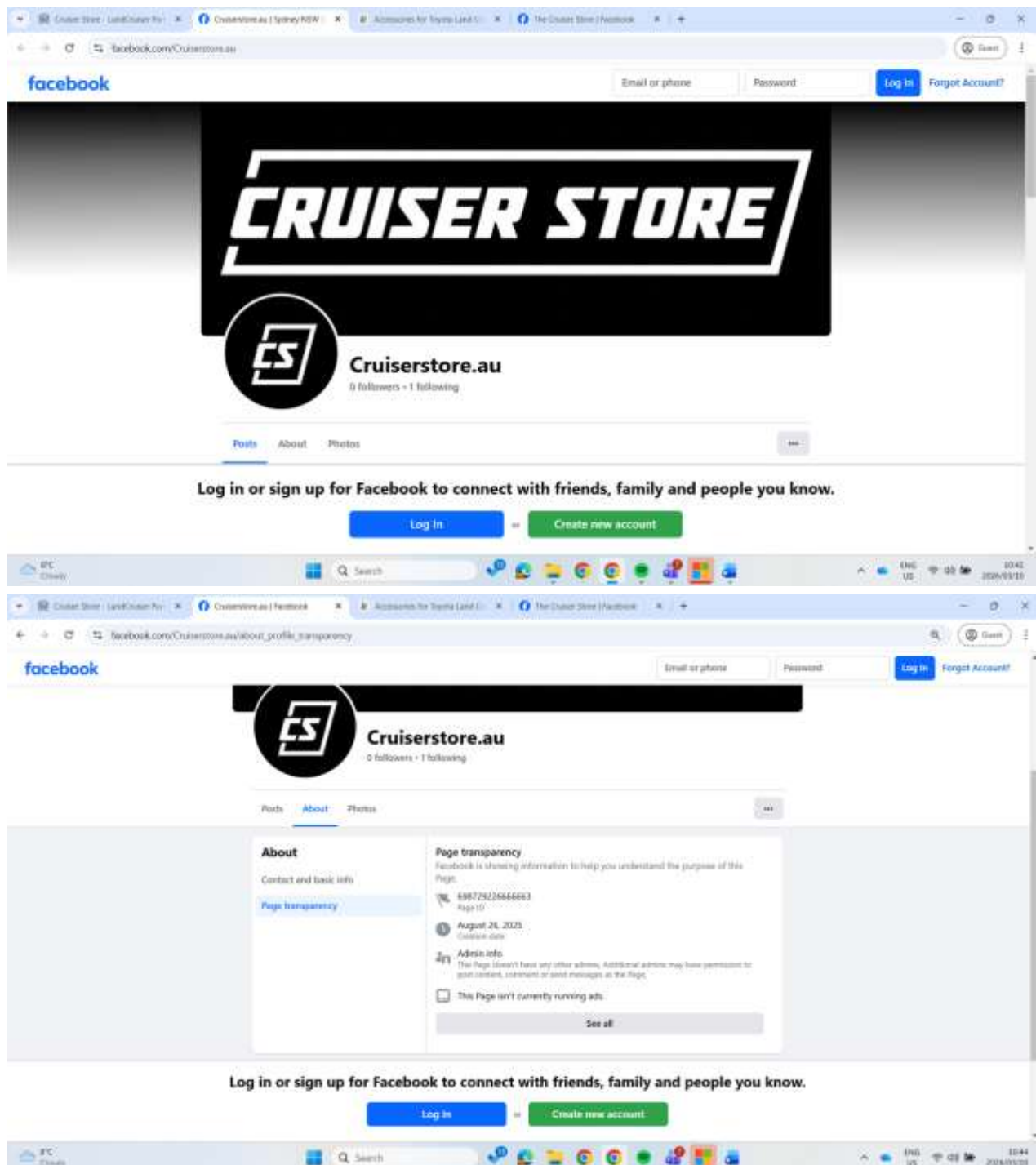


3.6.6. Facebook Account Comparison

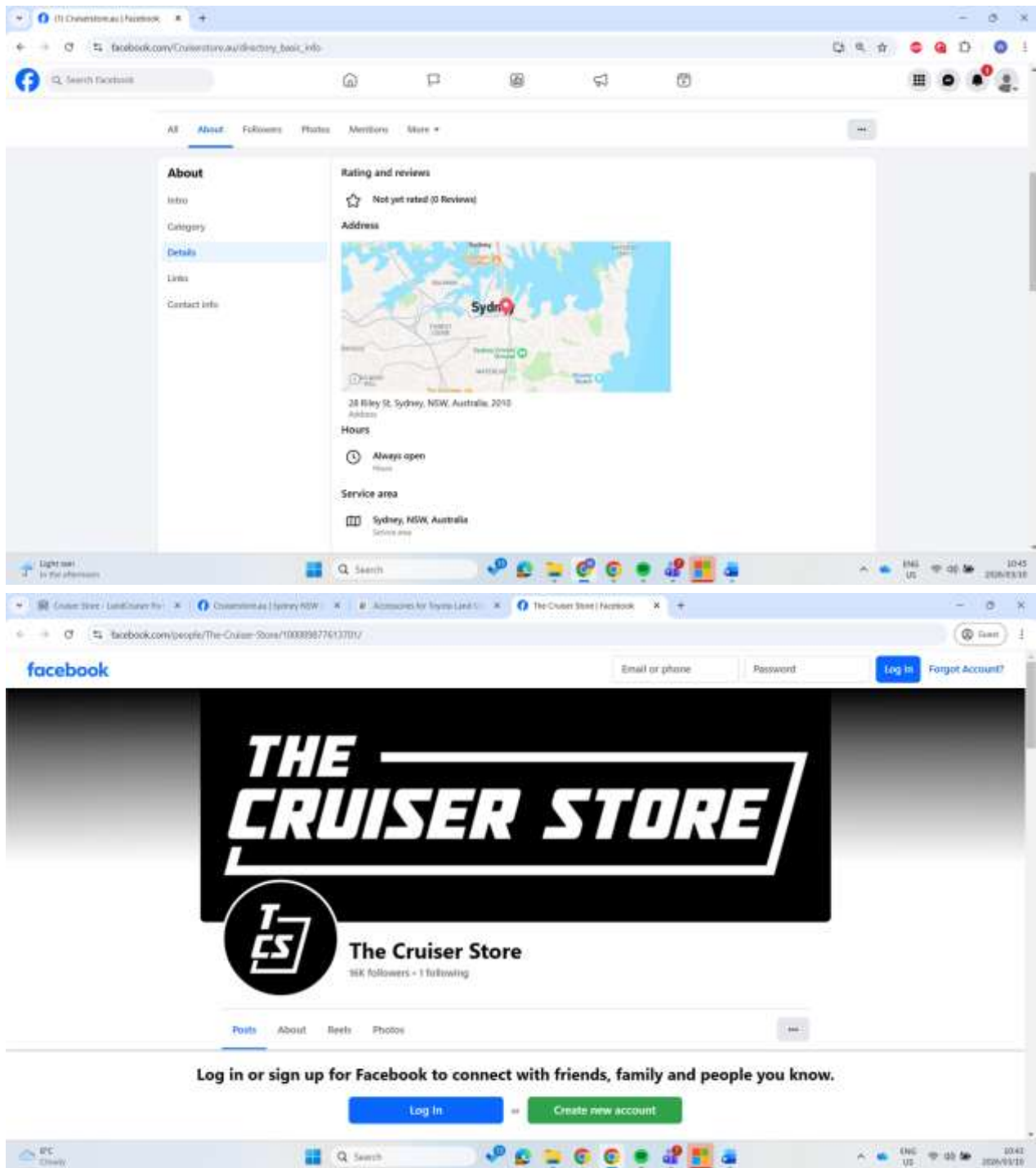
The respondent created a Facebook page (facebook.com/Cruiserstore.au) that mirrors the complainant's page (facebook.com/people/The-Cruiser-Store/100089877613701/), using confusingly similar branding and content.

The RESPONDENT only removed “the” from the logo and also the “t” in the compacted logo. This is aimed at causing brand confusion and damage our brand.

[RESPONDENT] cruiserstore.au — Facebook page



[COMPLAINANT] thecruiserstore.com.au — Facebook page (original)



The full original pre-C&D screenshot bundle is attached as Appendix 1. The selected screenshots above represent the clearest examples of copied branding, site structure, product presentation and social media impersonation.

Annexure G

Timeline and Current Evidence

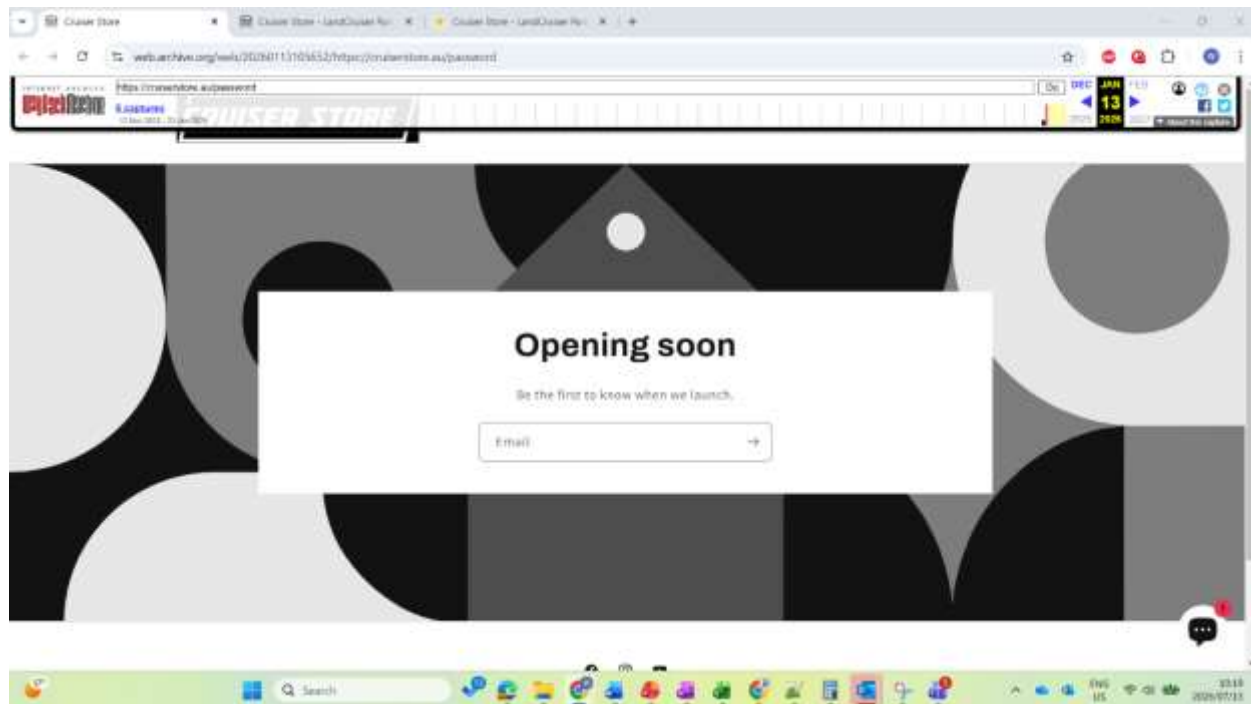
7. Timeline

7.1 Timeline of events

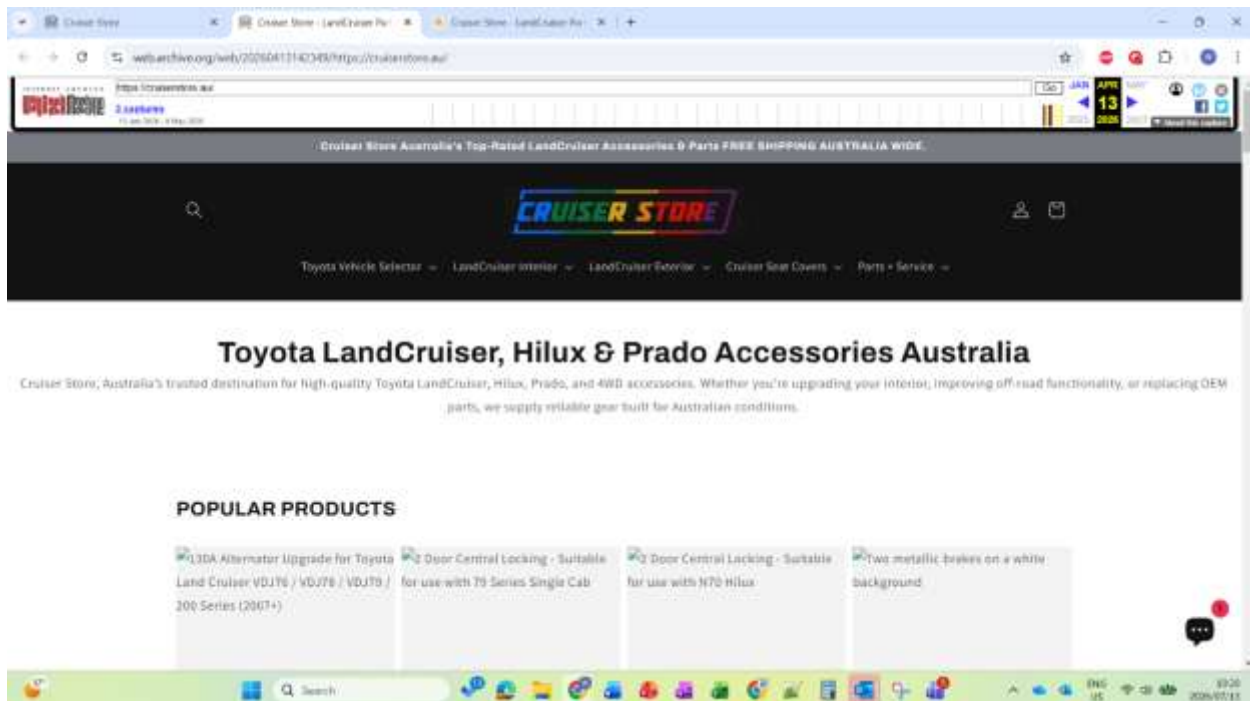
Date	Event
February 2023	The Cruiser Store begins trading at thecruiserstore.com.au - establishes goodwill and reputation in the Australian LandCruiser accessories market.
Pre-March 2026	445 Pty Ltd registers cruiserstore.au and launches website that substantially replicates the complainant's site structure, navigation, branding, product images and descriptions. Original evidence captured (see Section 5 - Original Evidence, pre C&D).
12 March 2026	Formal Cease and Desist letter issued by Lawpath Legal Pty Ltd on behalf of Ian du Plessis. Demands: (1) cease trading as 'Cruiser Store'; (2) remove all copied content; (3) cease using confusingly similar branding; (4) provide written confirmation of compliance within 14 days.
Post March 2026	Respondent makes superficial changes to the website - altering some product images using AI tools. No written confirmation of compliance provided. Domain not surrendered. Site continues operating under same brand name and domain causing ongoing confusion.
4 June 2026	Current evidence captured by live crawl. Website remains active at cruiserstore.au. Still trading as 'Cruiser Store - The LandCruiser Specialists'. Same navigation structure, same brand colours (black/white), same ABN (83 685 124 949), same Surry Hills NSW address, CRUISERSTORE.AU watermarks on all product category images. No compliance with C&D demands.

8. Appendix

Wayback Machine capture of cruiserstore.au dated 13 January 2026, showing the website in Shopify's default 'Opening Soon' password-protected state prior to public launch.



Wayback Machine capture of cruiserstore.au dated 13 April 2026, showing the website in its original operational state after launch, displaying the copied branding, navigation structure, and product content



Annexure H

SEO Traffic Diversion Report (StudioHawk, 20 July 2026)

The Cruiser Store Traffic Diversion

SEO impact summary

Prepared for The Cruiser Store by StudioHawk
20 July 2026

Why this document exists

A website trading as cruiserstore.au is diverting traffic from The Cruiser Store, using near-identical branding and product language to capture search traffic intended for the real business. This document sets out what that traffic diversion looks like from an SEO perspective: how the fake site is building visibility, how much of its traffic is coming directly from people searching for the real brand, and how it appears in Google alongside thecruiserstore.com.au.

A note on the data

For thecruiserstore.com.au, Search Console data has been used directly, so those figures are verified, not estimated. For cruiserstore.au, there is no Google Analytics or Search Console access, which is expected. For that side of the picture, Semrush, a third-party SEO platform with visibility into any public domain, has been used to estimate the scale of the problem from the outside. Any Semrush figure in this report should be treated as an estimate of the fake site's performance, not a verified count.

1. Impact on The Cruiser Store's search performance

Search Console data for The Cruiser Store's branded queries ("the cruiser store", "cruiser store" and close variants) was pulled over the last 16 months, the maximum Search Console retains, and split into two periods either side of the point where the fake site's authority and ranking activity started climbing. This is first-party data from The Cruiser Store's own Search Console account, not a third-party estimate.

Metric	Baseline (18 Mar 2025 to 18 Feb 2026)	Impact window (19 Feb 2026 to 12 Jul 2026)	Change
Clicks per day (avg)	99.4	23.4	down ~76%
Impressions per day (avg)	204.5	167.8	down ~18%
Average CTR	48.5%	13.9%	down ~35 points
Average position	1.2	1.6	essentially unchanged

The key finding

Impressions and average position for The Cruiser Store's branded searches have barely moved, the real site is still showing up for these searches about as often as before, and still ranking essentially first. What has collapsed is click-through rate, down from 48.5% to 13.9%. That points to click diversion rather than any drop in The Cruiser Store's own visibility. People are searching for The Cruiser Store, seeing its listing, and a large share of them are clicking a different result instead, most likely 'cruiserstore.au' sitting directly beneath it, as shown in section 4.

Applying the baseline daily click rate across the 143 days of the impact window would predict roughly 14,200 branded clicks. Actual clicks in that window were 3,350. That is an estimated 10,800 or more fewer branded organic clicks than the prior trend would predict, over about four and a half months.

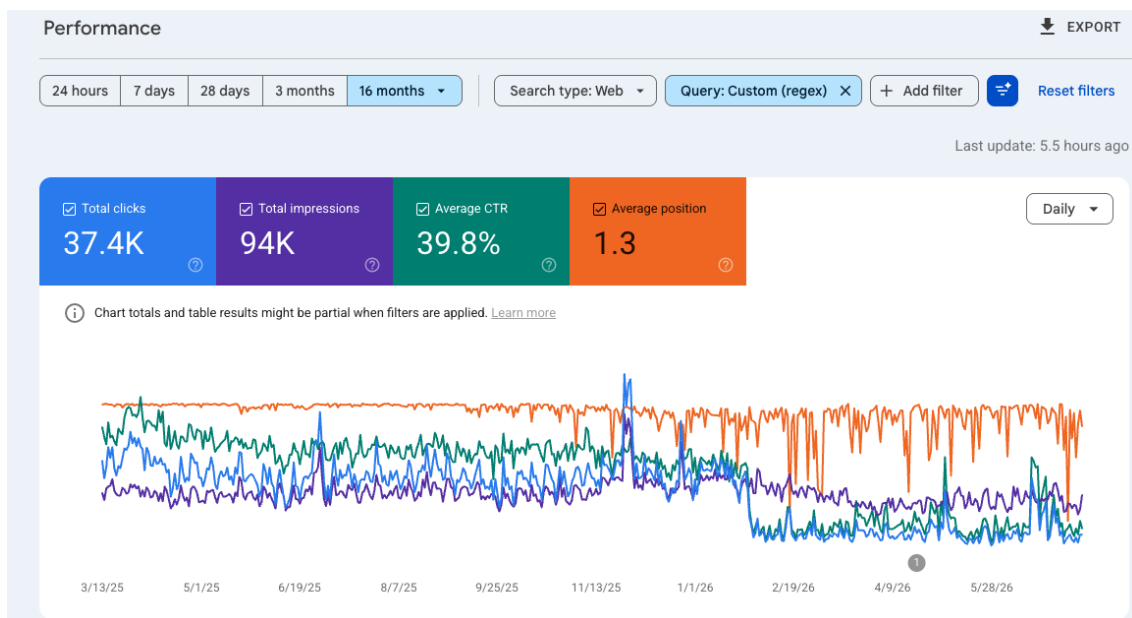


Exhibit 1: Search Console, Performance report, branded queries, last 16 months

Note the divergence around mid February 2026: clicks and CTR (blue/teal) drop to a sustained lower band, while average position (orange) stays essentially flat near position 1.



Exhibit 2: Search Console, Compare view, baseline vs impact window

The comparison isolates the two periods directly: total clicks fell from 33.5K to 3.35K and impressions from 68.9K to 24K, while average position moved only slightly, from 1.2 to 1.6. Average CTR is the metric that collapsed, from 48.5% to 13.9%, confirming the drop is about people clicking a different result rather than The Cruiser Store ranking or appearing less often.

2. How the fake site is building visibility

We ran a full backlink audit on cruiserstore.au using Semrush's Backlink Analytics tool. The headline numbers:

Metric	cruiserstore.au (fake site)
Authority Score	18
Referring domains	263
Total backlinks	1,120
Referring IPs	280

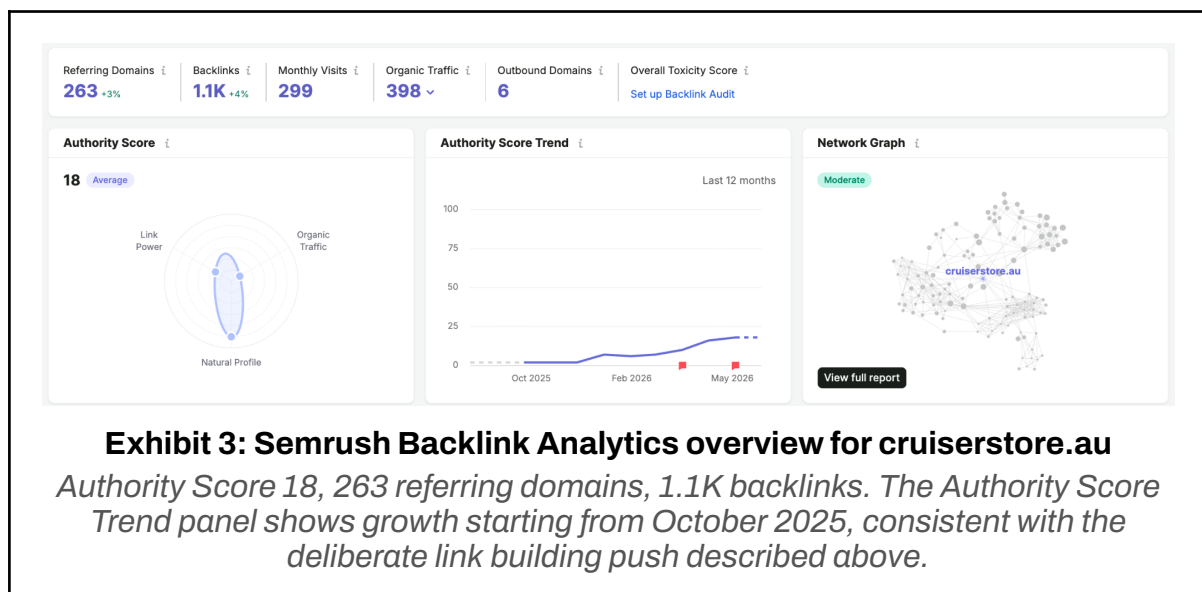
The link profile is large but low quality

- 81% of the 263 referring domains (212 domains) sit at Authority Score 0 to 10, essentially no real authority.
- Only 8.7% of referring domains (23 of 263) are Australian .au domains, despite the site presenting itself as an Australian store. 53.6% are generic .com domains.

- Authority Score sat flat at 2 for most of 2025, then climbed steadily from October 2025, reaching 18 today. That pattern points to a deliberate, sustained link-building push rather than organic link-earning.

The anchor text points to a rushed, mass-produced launch

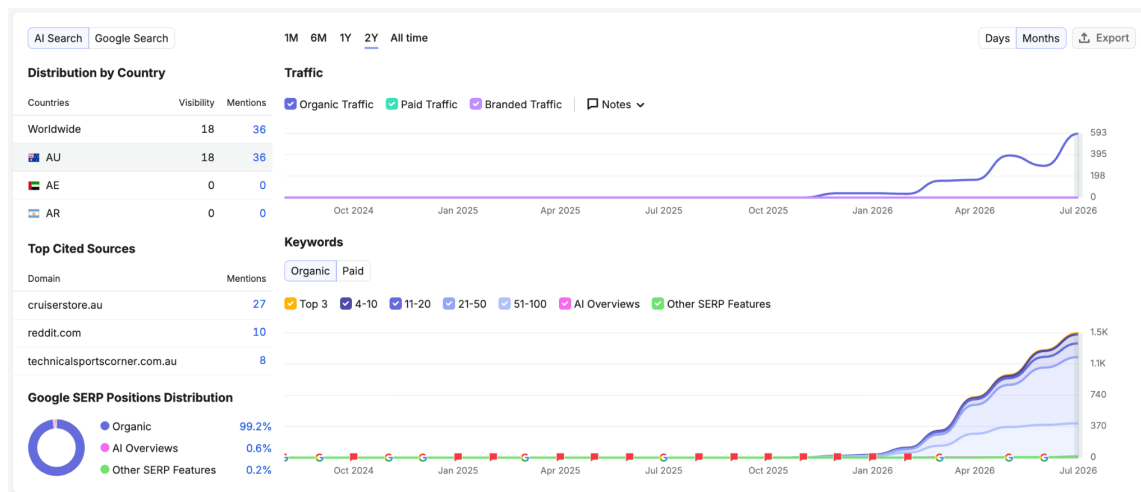
A large cluster of highly specific commercial anchors, phrases like "toyota hilux aftermarket products", "toyota land cruiser modifications" and "battery management systems", all landed within a three-day window (8 to 11 April 2026) across a small number of domains. That is consistent with the site's full product catalogue being mass-submitted for indexing shortly after launch, rather than genuine editorial linking built up over time.



The fake site has only recently become visible

A separate visibility tracking tool, covering both traditional Google Search and AI powered search, shows cruiserstore.au's organic traffic and keyword footprint sitting at essentially zero from late 2024 through most of 2025. Visibility only starts appearing around November 2025, then accelerates sharply from around February 2026 onward, reaching 1,476 tracked keywords by July 2026.

Even at that total, most of its rankings remain weak. 787 of those 1,476 keywords sit in positions 21 to 50 and 393 in positions 51 to 100, with only 14 in the top 3. All of its visibility is Australia specific, worldwide and Australia only mentions are identical, confirming this is a single market operation rather than an established international presence. The timing lines up with everything else in this report: Authority Score began climbing in October 2025, and the heaviest backlink and content activity landed in April 2026, all consistent with a site that has only existed in any meaningful way for the last eight to nine months.



3. How much branded traffic is being redirected

We then pulled cruiserstore.au's full organic keyword footprint from Semrush's Organic Research tool.

Metric	cruiserstore.au (fake site)
Estimated monthly organic traffic	397 visits
Total organic keywords ranked	1,446
Estimated monthly traffic value (Semrush Traffic Cost metric)	\$263

The key finding

"the cruiser store" and "cruiser store", the two core branded search terms, both rank at position 2 for the fake site and together account for roughly 41% of all its estimated organic traffic. That means an estimated 160 or more of the fake site's ~397 monthly visits are people searching directly for The Cruiser Store and landing on the fake site instead.

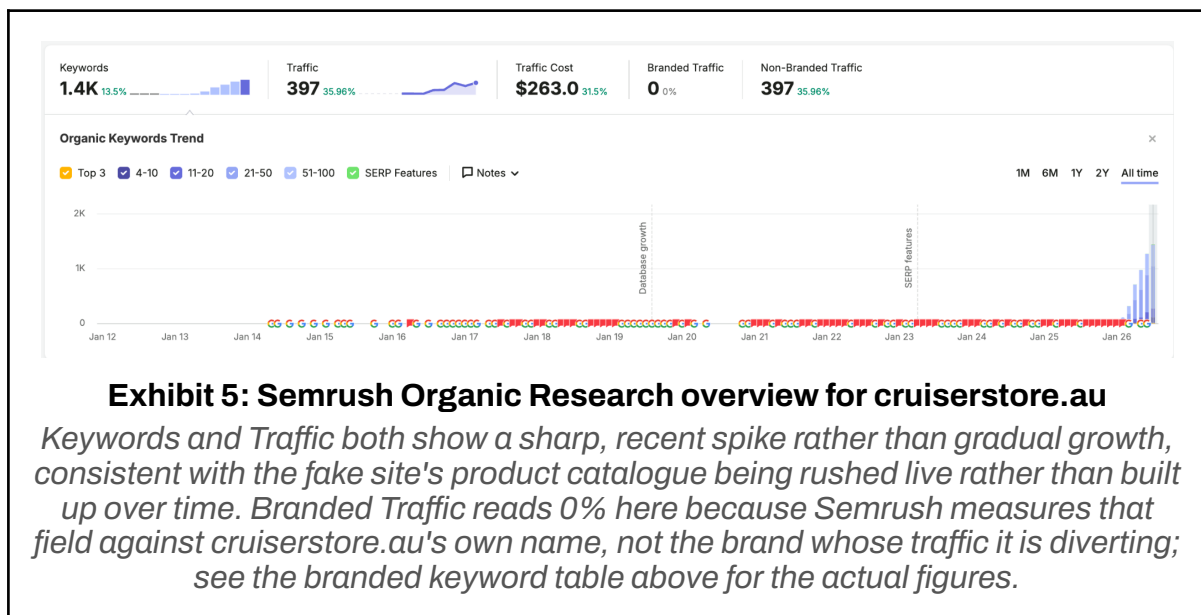
Branded and near-brand keywords the fake site ranks for

Keyword	Position	Monthly search volume
the cruiser store	2	2,900
cruiser store	2	1,900
landcruiser store	3	260

Keyword	Position	Monthly search volume
land cruiser store	2	210
cruiser shop	7	140
the cruiser shop	4	110
landcruiser shop / land cruiser shop	4	90
cruiserstore	2	70
the landcruiser store	2	70
where is the cruiser store located	1	70

The real business is far bigger, but is still losing branded search share

Semrush's competitor comparison shows thecruiserstore.com.au (the real site) ranks for roughly 2,900 organic keywords against the fake site's 1,446, and the two sites compete head to head on 199 of those keywords. The real business is more established and far larger overall, but that scale advantage does not stop it from losing a meaningful slice of branded search traffic to the fake site. Worth noting too, cruiserstore.au also ranks for the brand names of two other competitors in the same niche.



4. What this looks like in Google

We searched both core branded terms directly in Google (Australia) to see how the two sites sit alongside each other.

- Searching “the cruiser store”: thecruiserstore.com.au ranks first with full sitelinks. Immediately below it, cruiserstore.au appears as the next result.
- Searching “cruiser store”: the same pattern repeats. thecruiserstore.com.au ranks first, and cruiserstore.au is the very next organic web result underneath it.

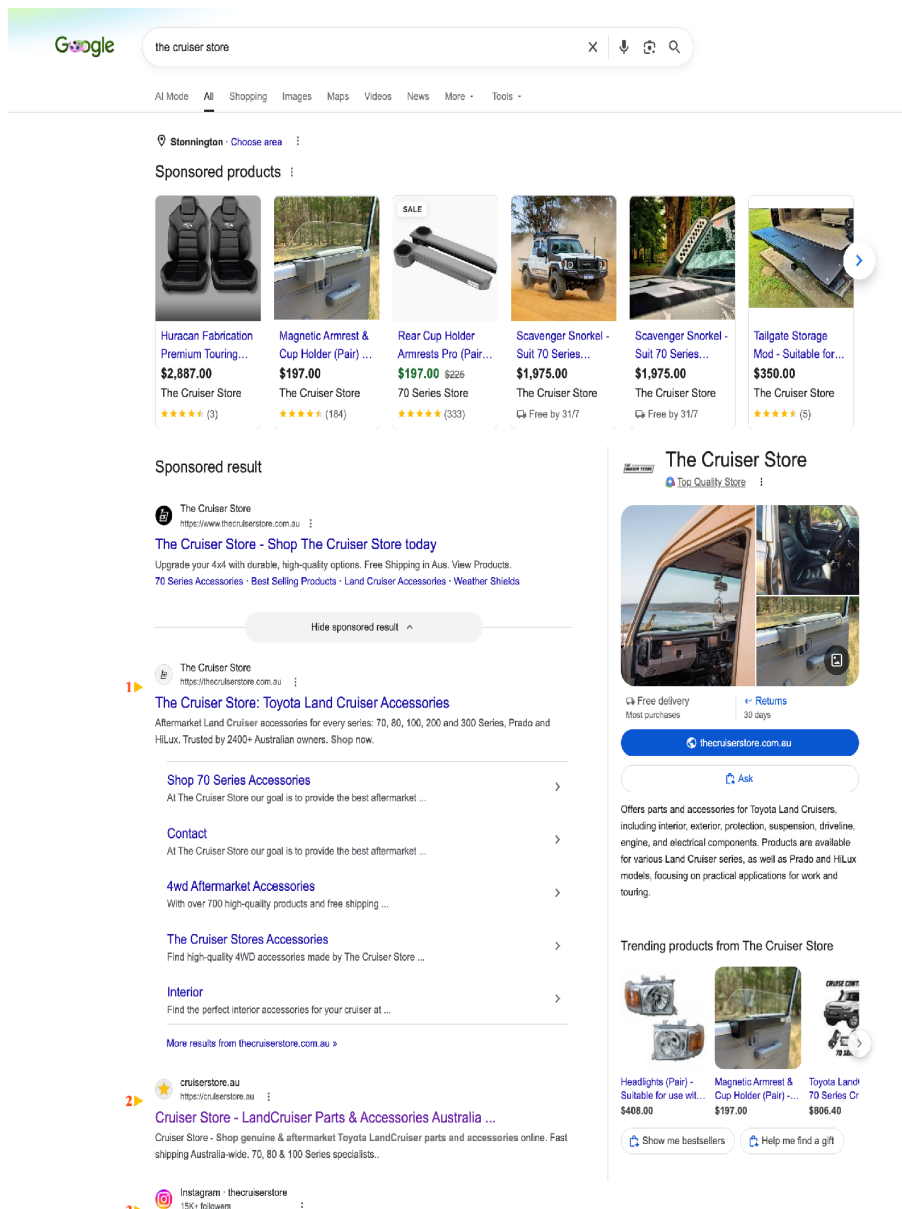


Exhibit 6: Google search, "the cruiser store" (Australia)

Position 1 is thecruiserstore.com.au. Position 2 is cruiserstore.au, appearing directly beneath it.

Google

cruiser store

AI Mode All Shopping Images Videos Maps News More Tools

Stonnington Choose area

Sponsored products

Rear Cup Holder Armrests Pro (Pair)
\$197.00 \$225
70 Series Store
★★★★★ (333)

Huracan Fabrication Premium Touring...
\$2,457.00
The Cruiser Store
★★★★★ (3)

One Stone 70 Series Landcruise...
\$219.00 Summit 4WD
Free by 31/7

Magnetic Armrest & Cup Holder (Pair)
\$197.00
The Cruiser Store
★★★★★ (184)

Centre Console (Full Length) - 76/79 D...
\$1,297.00
70 Series Store
Free by 3/8

Scavenger Snorkel - Suit 70 Series...
\$1,975.00
The Cruiser Store
Free by 31/7

Sponsored results

The Cruiser Store
<https://www.thecruiserstore.com.au>

The Cruiser Store - Shop The Cruiser Store today
Upgrade your 4x4 with durable, high-quality options. Free Shipping in Aus. View Products. Free Shipping Available. Chat Support Available.

70 Series Store
<https://www.70seriesstore.com.au>

70 Series Store Australia | Australia's #1 70 Series Parts
Upgrade Your 70 Series With High-Quality Accessories & Parts Suitable For 70 Series Models

Hide sponsored results

The Cruiser Store
<https://thecruiserstore.com.au>

The Cruiser Store: Toyota Land Cruiser Accessories
Aftermarket Land Cruiser accessories for every series: 70, 80, 100, 200 and 300 Series, Prado and Hilux. Trusted by 2400+ Australian owners. Shop now.

Shop 70 Series Accessories
At The Cruiser Store our goal is to provide the best aftermarket ...

4wd Aftermarket Accessories
With over 700 high-quality products and free shipping ...

Contact
At The Cruiser Store our goal is to provide the best aftermarket ...

The Cruiser Stores Accessories
Find high-quality 4WD accessories made by The Cruiser Store ...

Interior
Find the perfect interior accessories for your cruiser at ...

More results from thecruiserstore.com.au

cruiserstore.au
<https://cruiserstore.au>

Cruiser Store - LandCruiser Parts & Accessories Australia ...
Cruiser Store - Shop genuine & aftermarket Toyota LandCruiser parts and accessories online. Fast shipping Australia-wide. 70, 80 & 100 Series specialists.

70 Series Store
<https://70seriesstore.com.au>

70 Series Store® - Australia's #1 70 Series Parts & Accessories
Australia's #1 70 Series Land Cruiser Parts & Accessories Store - 30000+ Happy Customers - Find the right part, fast - Free Shipping* - 30-Day Returns ...

Popular products

Fluid Ladies Vintage Cruiser...
\$249.00 \$599
Anaconda
4.7 ★★★★★ (6)

Tahwalhi Cruiser Skateboard
\$89.99
rebel
5.0 ★★★★★ (1)

Fluid 7 Speed Beach Cruiser Bike
\$249.00 \$599
Anaconda
4.0 ★★★★★ (1)

The Cruiser Store Gift Voucher 100
\$100.00
The Cruiser Store
Free delivery

Headlights (Pair) - Suitable for use with...
\$468.00

Magnetic Armrest & Cup Holder (Pair)
\$197.00

Toyota Land 70 Series Cr
\$806.40

Show me bestsellers Help me find a gift

Exhibit 7: Google search, "cruiser store" (Australia)

The same pattern repeats: thecruiserstore.com.au at position 1, cruiserstore.au at position 2 directly beneath it, with 70seriesstore.com.au, an unrelated legitimate competitor, at position 3.

Summary

The Cruiser Store's own Search Console data shows branded clicks down an estimated 76% on a daily basis since mid February 2026, while impressions and average position have barely moved. That pattern points squarely to click diversion, people finding The Cruiser Store in search and then clicking a different result, rather than any loss of its own visibility or rankings.

cruiserstore.au has built a large but low-quality backlink profile, and is capturing an estimated 41% of its own organic traffic directly from people searching for The Cruiser Store by name. In Google, it sits immediately beneath the real site for both of the main branded search terms, with a presentation designed to look like a legitimate, established store.

The Search Console figures above are verified, first-party data from The Cruiser Store's own account. The figures on the fake site itself remain an indicative picture built from third-party data, since there is no way to access Google Analytics or Search Console for a site StudioHawk does not manage.

Appendix: Full keyword list

The keywords below are the ones cruiserstore.au has begun ranking for since November 2025.

[cruiserstore.au organic keyword export \(Semrush, pulled 20 July 2026\)](#)

Full export of all 1,446 keywords cruiserstore.au currently ranks for in Google, spanning branded terms, generic product searches, and the weaker long tail positions referenced above. Pulled directly from Semrush on 20 July 2026.

Annexure I

Pattern of Bad Faith Conduct

screenshot for summit4x4store.au (file: "summit4x4store WHOIS") confirming same registrant (445 Pty Ltd / Michael McFarland)

Whois
Identify for everyone

Domains Hosting Websites Email Security Whois Deals

Enter Domain

summit4x4store.au Updated 1 second ago

Domain Information

Domain:

summit4x4store.au

Updated On:

2026-03-19

Status:

serverRenewProhibited

Name Servers:

ns1.onlinebettingnz.com
ns2.onlinebettingnz.com

Registrar Information

Registrar:

Synergy Wholesale Accreditations Pty Ltd

URL:

https://synergywholesale.com/partner-lookup

Abuse Email:

registry-abuse@nexigen.digital

Abuse Phone:

+61.383999483

Registrant Contact

Name:

Michael McFarland

Organization:

445 PTY LTD

Technical Contact

Name:

Michael McFarland

screenshot of summit4x4store.au website showing profane content and copycat logo

SUMMIT 4x4 STORE

fuck you

fuck you

THE SUMMIT OF OFF-ROAD PERFORMANCE

Engineered for the Outback. Built for the Bold.

Google search result showing summit4x4store.au indexed with profane content



screenshot of summit4x4store.com.au (the Complainant's legitimate Summit 4x4 Store site for comparison)

