

{ 2012 04 11 }

/// Facebook's Orwellian (black-is-white) definition of "clear and convincing" evidence



/// Donna Kline is a reporter for *Pittsburgh Business Report* and a former reporter for *Bloomberg* New York.

LEADER V.

FACEBOOK PRESS

BACKGROUND

1. Brief Summary (PDF)
2. Backgrounder (PDF)
3. Muppet Chat (PDF)

MOBILE QR-CODE:



Follow @DonnaKline1

Tweet

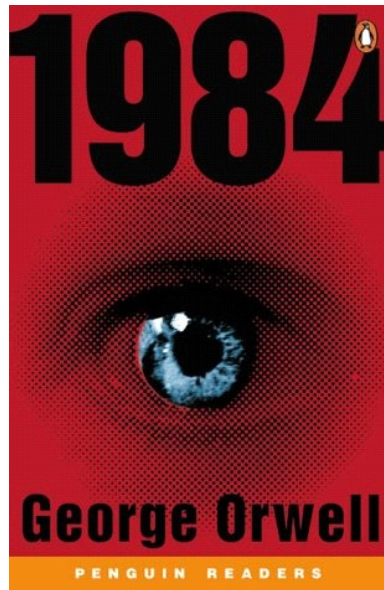
Tweet #TwitterStories

Tweet to

@DonnaKline1

PREVIOUS POSTS

/// Instagram-scam?



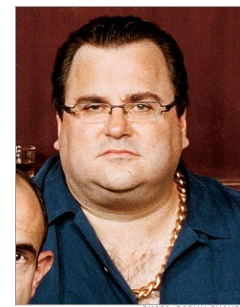
George Orwell's 1984

When Facebook employee Nick Bilton was asked how Mark Zuckerberg feels about privacy, Bilton laughed, "He doesn't believe in it." [Huffington Post](#), Jan. 2010.

[George Orwell's](#) novel *1984* introduced the maddening world of doublespeak where the bad were made to sound good. Facebook's definition of privacy is Orwellian since protecting privacy in Zuck-speak is an impediment to "engagement," which is a Facebook euphemism for selling your private information to advertisers to generate Facebook's revenue.

1. Privacy is an "old person's issue"

In perhaps an unguarded moment among compadres at the annual Davos conference in far off Switzerland, LinkedIn CEO Reid Hoffman (and large Facebook stockholder) said that privacy is "an old people issue." **HUH?** Don't believe me? [Click here](#) to watch him say it (at 13:00-13:11)! I don't know whether to call the police or a psychiatrist. Oh, I forgot, in the former Soviet Union (where Orwell's *1984* hellish prophesy actually became national policy), [the police and psychiatrists had adjoining offices](#). Ha Ha Ha. Let's see, healthcare information, financial information, trade secrets, personal thoughts, etc. etc. etc. GEESH!!! George Orwell is surely turning in his grave.



Reid Hoffman, CEO, LinkedIn; very early Facebook investor.
Photo: CNN Money

Hoffman is part of the so-called "[PayPal](#)" Mafia, holds 28.2% of Facebook B shares, was a prime mover in the murky Zuckerberg late-Harvard years in early to mid-2004 when the infringement of Leader's invention started. The new story emerging only now in 2012 (first source appears to be Wikipedia) is that Hoffman introduced Zuckerberg to Peter Thiel (another co-founder of PayPal) sometime in late 2003 or early-to-mid 2004. [1]. Curiously, Leader's patent detailing the "groups functionality" first published for public review on June 24, 2004. Thiel ostensibly invested the first \$500,000 in Facebook in the summer of 2004, but now it appears that Hoffman may have

/// Facebook's
Orwellian (black-is-
white) definition of
"clear and convincing"
evidence
/// Facebook
countersues Yahoo with
bogus patents?
Confirms reckless
mindset.
/// Facebook "Liked"
Leader's source code ...
before it didn't
/// Proof Fenwick &
West LLP did not
disclose Leader as prior
art to Facebook
/// MF Global + JP
Morgan + Goldman
Sachs + Harvard Grads
+ Politics = A big mess
/// What Facebook,
Accel Partners,
Goldman Sachs and
Fenwick & West don't
want us "muppets" to
know
/// Make up your
mind, Fenwick & West
LLP
/// Muppet Mania
/// Haughtiness in the
face of "literal
infringement"
/// Facebook *ordered*
pharma users to allow
comments, yet will not
return phone calls now
/// First thoughts after
leaving courthouse
March 5, 2012
/// Judges Selected
/// San Francisco CBS-
TV KPIX Coverage
/// NBC-TV4
(Columbus) Interview
with Leader founder
Michael McKibben
/// How Facebook

been coaching the young Zuck even earlier? (Remember that Accel Partners Chairman James Breyer let slip in a Euro video posted on this site ([here](#), Item 16) that Accel had contact as early as 2003; this is after he said in a 2005 Stanford video also posted on this site ([here](#), Item 16) that he had somehow "missed" the emergence of the Zuck until late 2004 or 2005?) Was LinkedIn Hoffman's reward from the cabal? The story discrepancies and coincidences are piling up!

2. Digital Peeping Toms?



Digital Peeping Toms, or Velour Blinds?

Mr. Zuckerberg has been in the process of redefining words like "more engagement" in social-speak to mean **MORE REVENUE FOR ME AND MY CABAL OF INSIDERS** like Reid Hoffman. ([Click here](#) for CNET's Molly Wood's list of "big winners" aka "The Cabal of Digital Peeping Toms.") In Zuck's world protecting privacy is an impediment to "engagement." Well of course it is. We get

it Mr. Zuckerberg. Meep, meep.

Facebook was recently smacked with a 20-year sanction for deceiving consumers about privacy by the Federal Trade Commission. [USA Today](#), Nov. 30, 2011. "Privacy" in our actual English language means "freedom from intrusion." However, in Zuck-speak privacy is evil because it prevents Facebook from selling front-row seats in your backyard so well-heeled advertisers can view your online activity through your kitchen window.

3. Facebook attorneys carried the Zuck's Orwellianism into the *Leader v. Facebook* court room

At the *Leader v. Facebook* trial Facebook's attorneys persistently misrepresented a snippet of Michael McKibben's video-taped deposition. They confused the jury with it, repeated it on no less than 17 pages of their appeal brief, and then stated it yet again in front of the three-judge US Court of Appeals for the Federal Circuit panel on Mar. 5, 2012. I was at this hearing and heard it myself.

Here's Michael McKibben's actual video-taped testimony:

(Beginning of videotape deposition excerpt of Mr. McKibben:)

Q. Did you have any technique for identifying differences between various iterations of Leader2Leader product?

A. As I'm speaking here today, I believe that our developers kept track of that. But the name they gave to it, I don't remember.

Q. Can you identify any iteration of the Leader2Leader product that, in your opinion, did not implement what's claimed in the '761 patent?

A. That was a long time ago. I — I can't point back to a specific point.

(Conclusion of videotape deposition excerpt of Mr. McKibben.)

Q. Now, Mr. McKibben, at some point in time, you had the Leader2Leader product implemented; correct?

A. As I've tried to explain, Leader2Leader is a suite of applications. It's a brand name. There is no such thing as completion of a brand name.

tricked the jury –
 YouTube
 /// New friends?
 /// Did Someone Prod
 the Media?
 /// Facebook: The New
 “Too Big To Fail?”
 /// Big trouble ahead
 for the Facebook IPO?
 – PBR / YouTube
 /// What happens on
 March 5th, 2012?
 /// More on FB’s S-1
 omissions & other
 conflicts of interest
 /// Big trouble ahead
 for Facebook IPO?
 Backgrounder
 /// My take on the MF
 Global debacle: It could
 have been a customer
 /// Comments on EU
 reform announced Oct
 27, 2011

ARCHIVE OF POSTS

Select Month 6

CALENDAR:

April 2012

M T W T F S S

1

2 3 4 5 6 7 8

9 10 11 12 13 14 15

16 17 18 19 20 21 22

23 24 25 26 27 28 29

30

« Mar

RECENT

COMMENTS

Frederick S.C. on ///

Instagram-scam?

LindaW on ///

Facebook’s Orwellian

(black-is-white)

definition of “clear and

convincing” evidence

There’s a lot of technologies within the suite of applications. Some were more developed than others at different times.

Q. The Leader2Leader platform, at some point in time, you had that implemented; correct?

A. I’m trying to help you here, but Leader2Leader is not a technology. It is a brand name for a suite of technologies. So the answer is various pieces of the product were done at different times.

—*Leader v. Facebook*, Fri. Jul. 23, 2010, Trial Tr. 10841:6 (PDF p. 104) to 10842:17 (PDF p. 105).

[Leader v. Facebook – Trial Transcript, Fri. Jul. 23, 2010, Trial Tr. 10841:6 \(PDF p. 104\) to 10842:17 \(PDF p. 105\)](#)

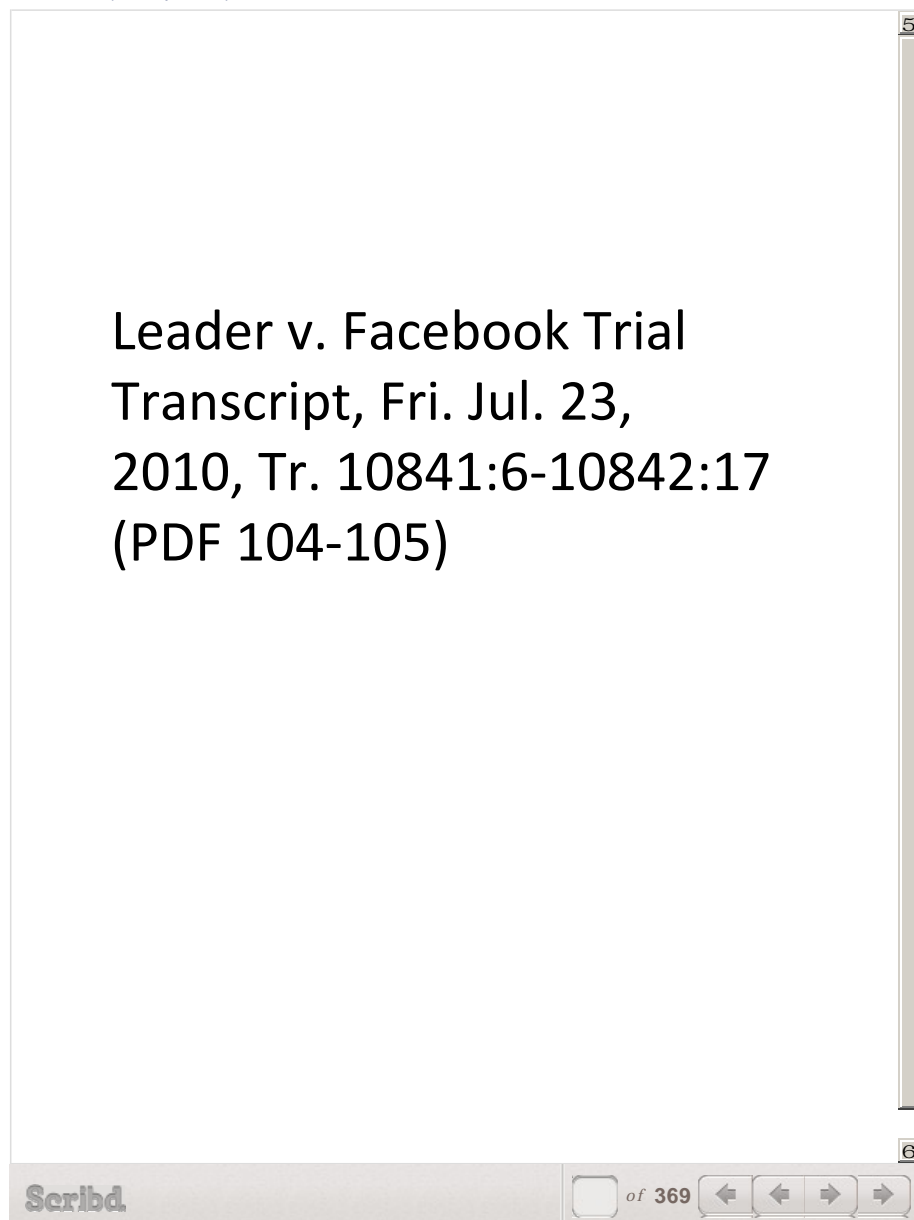


Fig. 1 – *Leader v. Facebook* Trial Transcript, Fri. Jul. 23, 2010. Leader inventor Michael McKibben’s video taped testimony snippet played twice to the jury, starting at p. 104. Facebook stated at the Federal Circuit Hearing on Mar. 5, 2012 that “we asked Mr. McKibben, “Can you identify any version of Leader2Leader that didn’t practice the patent?” He can’t identify any version.” As one can read here Mr. McKibben said nothing of the kind. Trial Tr. 10841:6 (PDF p. 104) to 10842:17 (PDF p. 105).

Now, are you ready for this? Here’s Facebook’s remarkable interpretation of what you just read:

LindaW on ///
Facebook's Orwellian
(black-is-white)
definition of "clear and
convincing" evidence
Bill Cole on ///

Facebook's Orwellian
(black-is-white)
definition of "clear and
convincing" evidence

LindaW on ///
Instagram-scam?
Mike Strall on ///
Instagram-scam?
Darren on ///

Instagram-scam?
Christy Crenshaw
on /// Instagram-
scam?

Steve Williams on ///
Facebook's Orwellian
(black-is-white)
definition of "clear and
convincing" evidence

Christy Crenshaw
on /// Facebook's
Orwellian (black-is-
white) definition of
"clear and convincing"
evidence

Darren on ///
Facebook's Orwellian
(black-is-white)
definition of "clear and
convincing" evidence

winston smith on ///
Facebook's Orwellian
(black-is-white)
definition of "clear and
convincing" evidence

bg761 on ///
Facebook's Orwellian
(black-is-white)
definition of "clear and
convincing" evidence

Linda W on ///
Facebook's Orwellian
(black-is-white)
definition of "clear and

"We asked Mr. McKibben. Can you identify any version of Leader2Leader that didn't practice the patent. He can't identify any version."

—Thomas Hungar, Facebook Attorney, Mar. 5, 2012, Federal Circuit Hearing Transcript 27:3-5.

WHAT????!! THAT IS NOT WHAT HE SAID. What he said was that *he didn't remember*, but that the Leader developers had that information. Did Facebook ask any of the developers? Curiously, not a one. What was the jury doing during this testimony? It is appearing more and more to me that Facebook's twisted story had them so confused that they must've switched off and said the heck with it, we'll just give this one to Facebook so we can get out of here. That's all I can figure, because Facebook's only other support for this concocted story is Interrogatory No. 9 which the justices weren't buying either.

In response to Judge Kimberly A. Moore's challenge of Facebook attorney Mr. Hungar's interpretation of this snippet of Mr. McKibben's testimony, Mr. Hungar responded:

"But, but, but."

—Thomas Hungar, Facebook attorney, Mar. 5, 2012, Federal Circuit Hearing Transcript 28:5.

[Leader Tech v. Facebook, Case No. 2011-1366 \(Fed. Cir.\) Hearing Transcript, Mar. 5, 2012, Tr. 28:5.](#)

Leader Tech v. Facebook.
Case No. 2011-1366 (Fed.
Cir.), Hearing Transcript,
Mar. 5, 2012, Tr. 28:5

convincing” evidence
 RobertC on ///
 Facebook’s Orwellian
 (black-is-white)
 definition of “clear and
 convincing” evidence
 Steve Williams on ///
 Facebook’s Orwellian
 (black-is-white)
 definition of “clear and
 convincing” evidence
 newbe on /// What
 Facebook, Accel
 Partners, Goldman
 Sachs and Fenwick &
 West don’t want us
 “muppets” to know
 newbe on /// What
 Facebook, Accel
 Partners, Goldman
 Sachs and Fenwick &
 West don’t want us
 “muppets” to know
 bradh on /// Facebook
 countersues Yahoo with
 bogus patents?
 Confirms reckless
 mindset.
 Tex on /// Proof
 Fenwick & West LLP
 did not disclose Leader
 as prior art to Facebook

CATEGORIES

Current Positions
 Economic Analysis
 Investigation

SEARCH BLOG

Search Now

META

Log in
 Entries RSS
 Comments RSS
 WordPress.org

READER

LOCATIONS:

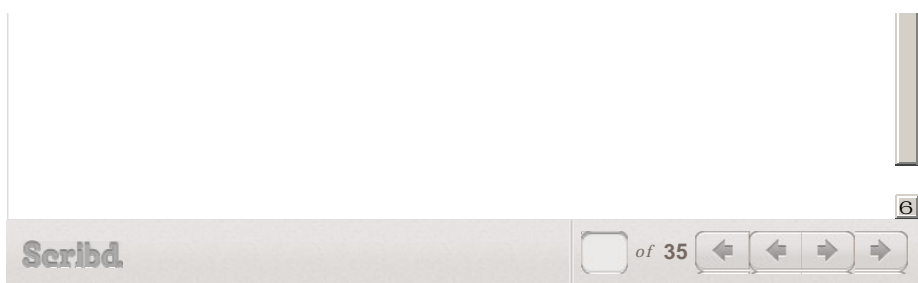


Fig. 2 – *Leader Tech v. Facebook, Case No. 2010-1366 (Fed. Cir.)* Hearing Transcript, Mar. 5, 2012. This page 28 (line 5) displays Facebook’s attorney Thomas Hungar’s response to Judge Moore’s challenge of his interpretation of Michael McKibben’s video-tape deposition testimony. Note that Mr. Hungar’s subsequent reference to “Digital Leaderboard” is another novel argument and reference to evidence that was NEVER argued to the jury. Therefore, the jury could not have opined one way or the other on this yet-another freshly-minted post-trial Facebook argument.

4. Hey Facebook. The world has been down this black-is-white path too many times! Isn’t it time to do better?

As the saying goes, when you live by the sword, you die by the sword (or the Kool-Aid)!!! Facebook, are you actually trying to get the venerable second highest court in the United States to buy the idea that the text in red below is “clear and convincing?” Do you have no shame in taking a straightforward statement that a person doesn’t remember and interpreting it as a universal supposed “clear and convincing” admission about Leader2Leader for all time? And that is enough to overturn a validly issued United States patent? *Why* are you wasting the court’s time with this nonsense? Oh, that’s right, the M-O-N-E-Y.

Leader Technologies, Inc. v. Facebook, Inc., 08-cv-862-JJF-LPS (D.Del. 2008), Trial Transcript 1084:6 (PDF p. 104) to 10842:17 (PDF p. 105).

Clear and convincing evidence?

(Beginning of videotape deposition excerpt of Mr. McKibben:)

Q. Did you have any technique for identifying differences between various Iterations of Leader2Leader product?

A. As I’m speaking here today, I believe that our developers kept track of that. But the name they gave to it, I don’t remember.

Q. Can you identify any iteration of the Leader2Leader product that, in your opinion, did not implement what’s claimed in the ‘761 patent?

A. That was a long time ago. I -- I can’t point back to a specific point.

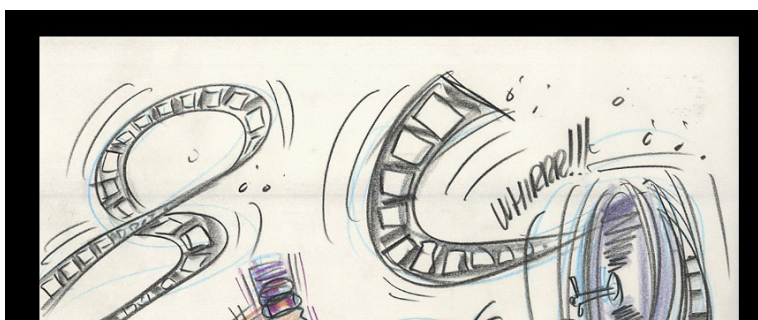
(Conclusion of videotape deposition excerpt of Mr. McKibben.)

Q. Now, Mr. McKibben, at some point in time, you had the Leader2Leader product implemented; correct?

A. As I’ve tried to explain, Leader2Leader is a suite of applications. It’s a brand name. There is no such thing as completion of a brand name. There’s a lot of technologies within the suite of applications. Some were more developed than others at different times.

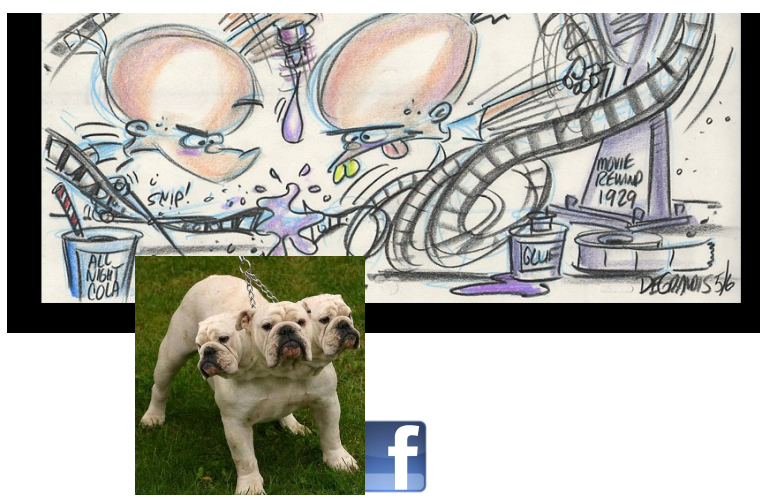
Q = (FACEBOOK) MR. RHODES:
 A = (LEADER) MR. MCKIBBEN:

5. Does Facebook play anything straight up?



OPINION

This is an opinion blog. Any information contained or linked herein should be independently verified and should be considered the sole opinion of the writer. Free Speech and Freedom of the Press are protected by the First Amendment of the U.S. Constitution and other local, state, national and international laws.



Bits of video can be made to say whatever one wishes when one is intent on taking the subject matter out of context



Cooley Godward LLP video-taped deposition of 'Honest Abe' Lincoln

6. Facebook/Cooley-Godward-speak (Facebook's attorneys* in *Leader v. Facebook*) of Abraham Lincoln's Gettysburg Address

* Facebook's Cooley Godward attorneys include Heidi Keefe, Michael Rhodes, Mark Weinstein, Jeffrey Norberg, Theodore Ulliyot (inside counsel for Facebook) and Samuel O'Rourke (inside counsel for Facebook).

Honest Abe's Actual Words: "Four score and seven years ago" = 87 years

Cooley/Facebook-speak: "~~Four score and~~ seven years ago" = 87 years

Facebook/Cooley-Godward-speak: "Mr. Lincoln has guilty knowledge! He said that the American Revolution occurred just "seven" years ago and that he gave the speech in "Getty."

Cooley-speak's Appeal Brief after Mr. Lincoln appeals this deception: **Pg. 1 – Lincoln's a Liar! Pg. 2 – Lincoln's a Liar! Pg. 3 – Lincoln's a Liar! Pg. 4 – Lincoln's a Liar! Pg. 5 – Lincoln's a Liar! Pg. 6 – Lincoln's a Liar! Pg. 7 – Lincoln's a Liar! Pg. 8 – Lincoln's a Liar! Pg. 9 – Lincoln's a Liar! Pg. 10 – Lincoln's a Liar! Pg. 11 – Lincoln's a Liar! Pg. 12 – Lincoln's a Liar! Pg. 13 – Lincoln's a Liar! Pg. 14 – Lincoln's a Liar! Pg. 15 – Lincoln's a Liar! Pg. 16 – Lincoln's a Liar! Pg. 17 – Lincoln's a Liar!** (. . . There, we said it 17 times; now its a newly-minted attorney fact. The muppets in the jury and the appeals court will fall for this 'cause we're attorneys who swore an oath to tell the truth and not mislead the public.) 😊

Facebook called Michael McKibben a liar on 17 pages of its appeal brief in *Leader v. Facebook*. [Click here](#) for an analysis.

7. Facebook's accusations against McKibben are out-of-character

Ironically, Michael McKibben is friend to numerous moral and spiritual leaders around the world. He has proven himself trustworthy in the midst of highly-charged world events. In the 1970's he worked extensively with then [Cardinal Karol Wojtyła](#) in Communist Poland to promote human rights and spiritual life through a youth movement named [Sacrosong](#), and later in a special audience in St. Peter's Square at the Vatican after Cardinal Wojtyła became [Pope John Paul II](#). He also worked in Poland with [Lech Wałęsa](#) and [Solidarity](#) during their formative days in 1980. Also in the late '70's and early '80's, in addition to working with dozens of human rights leaders in the USSR, he worked with Soviet/Russian composer [Aleksandra Pakhmutova](#), who collaborated with his wife Nancy in recording her music, including an English-lyrics version of her famous song "[We Can't Live Without Each Other](#)." Those lyrics are apropos to this blog topic (truth vs. lies) when this Soviet-American collaboration exhorts "We always speak in lies, it's our disguise. Oh please, speak truth to me, be strong, be wise."

This song went on the official [1980 Olympic](#) Gold Medalist film produced by Pakhmutova and her poet husband Nikolai Dobronravov. Over 200,000 copies were distributed in news kiosks across the Soviet Union, and it was performed on Soviet national TV produced by Yevgeny Ginzburg; probably the only Gospel concert of its kind in the history of the former Soviet Union. This occurred eight years before the [collapse of Communism in the USSR](#). McKibben and his groups did this during the years surrounding President Carter's [boycott](#) of the 1980 Moscow Summer Olympics over the Soviet Union's invasion of Afghanistan! If this weren't enough, also around 1980 he organized Protestant-Catholic concerts in Belfast during the height of "[The Troubles](#)," prompting one member of the House of Lords to describe that effort as perhaps more effective than all the pronouncements of the [British House of Lords](#). In then-[apartheid](#) South Africa, McKibben's band and [Andraé Crouch](#) organized the first-ever black-white integrated concert tour.

More recently, McKibben's Leader Technologies supported [life saving and disaster recovery](#) for the entire State of Louisiana in the aftermath of Hurricane Katrina—the only working large-scale collaboration system that remained working for the state and federal agencies as they worked to save people from housetops and recover. He also supplied substantial counter-terror support after 9/11, including to Homeland Security's first large-scale simulation of an attack on United States schools, hospitals and churches ("soft targets"). He has still not been paid for much of this quiet effort on behalf of our national security and safety.

So you see, Facebook's Orwellian-speak accusations against Mr. McKibben are totally out-of-character with his history. [Click here](#) to read more.

Hmmmm. Video deposition snippets are dangerous in the hands of unscrupulous attorneys, aren't they?

Meep, meep.



Stay tuned! Much more to come.

* * *

Footnotes:

[Back^](#) [1] Ried Hoffman. “Hoffman arranged the first meeting between Mark Zuckerberg and Peter Thiel, which led to Thiel’s initial \$500,000 angel investment in the company. Hoffman invested alongside Thiel in Facebook’s very first financing round.” *Wikipedia*. Accessed Apr. 10, 2012.

Credits:

1. George Orwell 1984 Book Cover. *Penguin Readers*. Accessed Apr. 10, 2012.
2. Reid Hoffman Photo. *CNN Money*. Accessed Apr. 10, 2012.
3. Make This Pledge Orwellian Poster. *Blogspot*. Accessed Apr. 10, 2012.
4. Peeping Tom Photo. *Cutcaster*. Accessed Apr. 10, 2012.
5. Scribd documents. *Scribd*, Public Domain. Accessed Apr. 10, 2012.
6. Facebook logo button. Facebook. Accessed Apr. 10, 2012.
7. Finster Film Splicers. *Frederatorblogs*. Accessed Apr. 10, 2012.
8. Three-headed Bulldog. *Blogspot*. Access Apr. 10, 2012.
9. Facebook Illuminati Symbol. *Gawker*. Accessed Apr. 10, 2012.
10. Beaker. The Muppet characters are believed to be the property of [The Walt Disney Company](#). Accessed Apr. 11, 2012.
11. Cooley Godward attorney photos Michael Rhodes, Mark Weinstein, Heidi Keefe, Jeffrey Norberg. [Cooley Godward LLP](#). Accessed Apr. 11, 2012.
12. Theodore Ullyot and Samuel O’Rourke photos. Facebook. Accessed Apr. 11, 2012.
13. Abraham Lincoln photo. [The White House Museum](#). Accessed Apr. 11, 2012.

Posted by [Donna Kline](#) on Wednesday, April 11, 2012, at 7:10 am.

Filed under [Investigation](#).

Follow any responses to this post with its [comments RSS](#) feed.

You can [post a comment](#) or [trackback](#) from your blog.

{ 11 }


Comments


1. **Steve Williams** | April 11, 2012 at 6:21 pm |




[Permalink](#)

We muppets, living in the illustrious land of Oceana, should be grateful to Big Brother Zuck for allowing us not to be shackled with the chains of reason and logic. As one who continually practices “thoughtcrimes”, I’d like to point out that not remembering the exact details of a past situation does not constitute a flat-out denial of said facts. If “ignorance is strength”, as George Orwell so eloquently opined, then Mr. Unger should be hailed as a “Mental Giant”, for his brilliant utterances...”But, but, but”. When will the “Kool-aid” drinkers realize that, in by doing so, you are violating the very commandments you espouse, that of self-indulgement. And to the “Inner party” member, Reid Hoffman (Linked-In CEO), the only reason I can tell that you’d be looking in my kitchen window is to see what I’m putting on the dinner table (lose a few buddy).
Meep, meep!

2. **RobertC** | April 11, 2012 at 10:01 pm | [Permalink](#) 
- DONNA, THANK YOU THANK YOU THANK YOU. What's been nagging me for years is the absolute vacuousness of the Zuck's "dude vision." It never made sense to me how his "I thought, like, it might be kinda cool, ya know, dude" explanations for the beginnings of Facebook could've sparked this technology revolution. It made me kind of depressed to think that such substance could have emerged from such shallow thinking. Now we know! He stole it from somebody who sunk 150,000 man-hours and \$10 million into the hard work of real invention, and his immoral M-O-N-E-Y dudes fueled the theft from 2004 to today. Donna, you have opened my eyes and restored my faith in my instincts!!!! Your brief bio on McKibben shows me that a caring, thoughtful and courageous person is behind the invention...
- His story is a movie! His children are kicking butt professionally. The apple doesn't fall far from the tree? Doctor, nurse, designer, civil rights activist, NCAA Champion, Ivy League Champion.... every parent's dream. How did he pull off getting a Gospel group on Soviet TV and the Olympic Film in a militantly atheistic state while Carter was boycotting the Olympics? That link you included says he has friends who were imprisoned for "anti-Soviet activity." He has worked with some of the moral heroes of the 20th and 21st Centuries in the Pope John Paul II and Lech Walesa. Wow!!!!!!!!!!!! Maybe he can use those skills to fix Washington while he's at it. LOL. (not kidding)
- <http://www.merriam-webster.com/dictionary/vacuous>

3. **Linda W** | April 12, 2012 at 10:36 am | [Permalink](#) 
- Now that we're seeing that Facebook plays nothing straight up, what's with this paying a BILLION dollars for Instagram (with a "B" !!!!)? This smells to high heaven. Hope the super sleuths are digging into this. Here's what I think... they borrowed money from one group of thieves (whoops, bankers) to pay it to another group in their same "cabal?" I am taking bets.

4. **bg761** | April 12, 2012 at 12:10 pm | [Permalink](#) 
- "Does Facebook play anything straight up?"
- Clearly NO. Could there be a connection between Facebook and Instagram that is trying to be covered up? 🙄
- Does Matt Cohler know something that Mark Zuckerberg doesn't want the public to know. The connections are unbelievable!!!!!!!! He worked for Peter Thiel at Linked In in 2004. Became VP of Product Development at Facebook in 2005. (Remember that was the year Accel Partners' Jim Swartz and Ping Li received Leader's confidential business plan).

He left Facebook in 2008 amongst a flurry of other departures. HMMMMM! Then he joined Benchmark Capital. Benchmark invested in Instagram in Feb. 2011 and then he joined the Board there.

According to Wikipedia.org , Instagram was only worth \$25 million on Feb 2, 2011, \$500 million on April 3, 2012 and that was after raising only \$50 million from VC's. SOMETHING STINKS!!!!

Could it be a payoff? Is there information that needs to stay quiet. Doesn't this seem strange to anyone else?????

Here's the MATH:

THIEL + COHLER + ZUCKERBERG + NO REVENUE + NO INTELLECTUAL PROPERTY + \$3 BILLION LINE-OF-CREDIT = WORTH \$1 BILLION TO KEEP COHLER QUIET?

<http://www.siliconbeat.com/2012/04/09/todays-other-big-instagram-derby-winner-former-facebook-exec-matt-cohler-of-benchmark/>

5. **winston smith** | April 12, 2012 at 8:12 pm |



[Permalink](#)

I have a question that I would like to pose to the people at Facebook, "If everything involving your IPO filing, everything involving the supposed facebook patent filings, everything involving shady business acquisitions, all the rumors of pay-offs and kick backs, all of the well-documented privacy infringements:

If these are all legit and on the up and up, why will not one individual, one representative of facebook, answer any questions, any phone calls, emails, or at least respond to these blogs and defend Facebook's position? Do you have something to hide? Or, have you so muddied the waters with inaccuracies, lies, and half-truths, that it's hard for even yourselves to see thru the murkiness that you created? And on another tangent, why no other reporter (thank you Donna), hasn't picked up the proverbial ball and ran with it is beyond me. Are all you other (reporters) scared to report the truth? Does it always have to be about an insidious crime like murder, rape, or terrorism? If lies and deception is your niche, well, then come on in!

6. **Darren** | April 14, 2012 at 1:16 pm | [Permalink](#)



Facebook, an advocate of Cyber Intelligence Sharing and Protection Act (CISPA), released a statement Friday afternoon explaining that the company backs the bill because it allows it to receive information about cyber threats. Kaplan said the company would not use CISPA to share private information about its users to the government.

In the news article,

<http://mashable.com/2012/04/14/new-cispa-draft/>, this morning about new CyberSecurity that the Federal Government is working on. Facebook states, "The concern

is that companies will share sensitive personal information with the government in the name of protecting cybersecurity,” wrote Joel Kaplan, vice president of U.S. public policy at Facebook.

“Facebook has no intention of doing this and it is unrelated to the things we liked about HR 3523 in the first place — the additional information it would provide us about specific cyber threats to our systems and users.”
😏


YOU HAVE GOT TO BE KIDDING ME!!!

Remember the FTC ruling!

<http://www.usatoday.com/tech/news/story/2011-11-29/facebook-settles-with-ftc/51467448/1>


If you believe that statement after reading all the quotes by Mark Zuckerberg and Associates, then here is your glass of Kool-Aid!!! 😏 :-\

Meep Meep!

7. **Christy Crenshaw** | April 14, 2012 at 1:44 pm | 
[Permalink](#)

Bad muppets, bad. You are thinking. In George Orwell's world of the novel *1984* you would be locked up.

See <http://en.wikipedia.org/wiki/Thoughtcrime>

8. **Steve Williams** | April 14, 2012 at 3:54 pm | 
[Permalink](#)

@ christy ...meep meep!

9. **Bill Cole** | April 17, 2012 at 10:09 am | [Permalink](#) 

This sort of unprincipled contradictory squirming in legal argumentation is a direct consequence of our fundamentally flawed model of software patents. The USPTO was basically handed over to the managers of the software industry 18 years ago and as anyone who has worked in the field can testify, that is the worst possible group to be trusted with sorting out real innovation from hand-waving hogwash or with strategic planning for long-term sustainability. As a result, we have a horrible mess of patents that never should have been awarded being used by a mix of Underpants Gnomes, Patent Trolls, and Entrenched Giants to fight battles among themselves over who gets to collect rents off of whose actually successful work. That war makes the creation of new software for the open market a game of huge risks played with lawyers as much as programmers. In the final analysis it is impossible to know whether a piece of software whose authors believe it to be completely original and unlike anything else in existence is an infringement of some dusty old patent that has never had a working implementation brought to market or which was written so broadly that its owners can use it in lawsuit blackmail.

The result of this has been a complete unmooring of software patent lawsuits from any semblance of ethics or pragmatism. The purpose of patents is supposed to be to promote innovation by assuring inventors temporary monopolies on their inventions. Issuing software patents indiscriminately has perverted that into a mechanism for blocking entrance into the software market. This case may be the exception to the trend in that Zuckerberg may have specifically known of Leader's work and specifically cribbed from it, but if you look at the Leader patent with an understanding of the state of the field at the time, it looks like a fraud on the patent system. Unfortunately, that does not set Leader apart from the rest of the software industry, and Facebook isn't about to fight a case on the general illegitimacy of software patents. So they are left with making a case on whatever legal technicalities they can grasp at.

10. **LindaW** | April 17, 2012 at 1:06 pm | [Permalink](#)



Dear Bill,

I generally agreed with your assessment until you painted the Leader v. Facebook case with your sweeping "off with their heads" brush strokes. You said "but if you look at the Leader patent with an understanding of the state of the field at the time, it looks like a fraud on the patent system."

Apparently you have not delved into the Leader history like I have. Michael McKibben began inventing in 1997. Google had not even started and we had not even had the "browser wars" yet. So that is the only part of your assessment that I don't think squares with the facts. The state of the art now that everyone takes for granted called "social media" wasn't even on anyone's radar then, so your comment about "the field at the time" also does not square with the facts. There was no "social" field when McKibben was inventing. Heck, we were only just seeing the first commercial websites then. Ordering online was just beginning. No large-scale collaboration of the kind McKibben envisioned (and we now take for granted) was occurring then. Client-server was king then. And by the way, word has it that a special website was put up at the beginning of the Leader v. Facebook case that invited programmers from around the planet to submit prior art that could defeat Leader's patent. I am told Facebook culled through those and argued the pick of the litter. The result at trial: "No prior published art." That's a fact.

11. **LindaW** | April 17, 2012 at 1:35 pm | [Permalink](#)



Dear Bill,

I found your turn of phrase "unprincipled contradictory squirming in legal argumentation" humorous and more to the point.

I think our problem is a LEGAL PROFESSION that has LOST ITS MORAL FOOTING. If these "unprincipled"

attorneys were run out of the profession, I predict things would improve. Instead, these people become politicians, bureaucrats, and... patent litigators!!! No wonder our democracy is in such a mess. We need to prohibit attorneys from being employed in areas of civic life where their backs are scratched by mischief, like patenting. Then the “real invention” emerging from real entrepreneurs and inventors like Michael McKibben and Leader Technologies can be properly protected by honest brokers. In the current junkyard-dog-run-amok legal environment, inventors are harassed by unscrupulous attorneys like Facebook’s Cooley (CHA CHING) Godward attorneys who have a vested interest in keeping the system constantly inflamed with conflict and frivolity (attorney maxim: “in conflict and frivolity there is profit”).

Post a Comment

*Your email is never published nor shared. Required fields are marked **

Name *

Email *

Website

Comment

Submit comment

« [/// FACEBOOK COUNTERSUES YAHOO WITH BOGUS PATENTS? CONFIRMS RECKLESS MINDSET.](#) [/// INSTAGRAM-SCAM?](#) »