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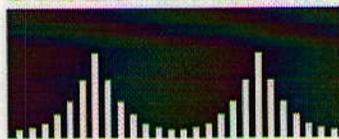
Cisco Systems updates blogging policy in light of Troll Tracker defamation suits

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By Michelle Massey, Texarkana Bureau

TEXARKANA -- After two defamation lawsuits were filed against Cisco regarding the Patent Troll Tracker Web site, Cisco announced it has learned some valuable lessons and has amended its corporate blogging policy.

CISCO SYSTEMS



Cisco admits these changes are the result of Cisco's IP director disclosing that he had authored the Patent Troll Tracker blog, which commented on issues in which Cisco was involved. The IP director and author of the previously anonymous blog, Richard Frenkel, is facing accusations from two East Texas patent lawyers that his comments regarding the filing time of a suit alleged the attorneys had engaged in criminal conduct.

The patent lawyers argue that because Frenkel is employed by Cisco and Frenkel's immediate supervisor knew of the blog, Cisco is liable for damages.

In the Official Cisco Blog, Cisco wrote that through this regrettable situation it has learned some important lessons.

First, Frenkel's comments were his own and no one required him to write on any specific topic, but because of Frenkel's employment, he should have made clear his relationship.

Therefore, "Cisco takes responsibility for the content of the blog."

Second, Cisco believes its employees used poor judgment when suggesting topics for the blog or disseminating the blog's information without disclosing the author as an employee of Cisco's.

To address these lessons, Cisco amended its blogging policy to read, "If you comment on any aspect of the company's business or any policy issues the company is involved in where you have responsibility for Cisco's engagement, you must clearly identify yourself as a Cisco employee in your postings or blog site(s) and include a disclaimer that the views are your own and not those of Cisco. In addition, Cisco employees should not circulate postings that they know are written by other employees without informing the recipient that that source was Cisco."

Cisco goes on to state that Frenkel is free to continue blogging as the Patent Troll Tracker but in compliance with Cisco's revised policy.

"Rick has many fans who appreciate the information he collects and disseminates on patent litigation trends and recognizes his blog as an important voice in the on-going national dialogue on patent issues," the Official Cisco Blog states.

Attorney John Ward Jr. of the Ward and Smith law firm in Longview filed the original defamation lawsuit in county court on Nov. 7, 2007, with the intent to depose someone from Google, who hosted the anonymous site. Shortly after the blogger's identity was revealed, attorney Ward amended the complaint naming Frenkel and Cisco as defendants.

On March 13, Ward removed the case to the Texarkana Division of the Western District of Arkansas. Judge Harry F. Barnes is assigned to the case.

Attorney Eric Albritton of the Albritton Law Firm in Longview also filed suit against Cisco and Frenkel on March 3 in county court. Cisco removed the case to the Tyler Division of the Eastern District of Texas on March 14. Judge Michael H. Schneider is assigned to the case.

Ward v Cisco and Frenkel Case No. 4:08cv04022

Albritton v Cisco and Frenkel Case No 6:08cv00089

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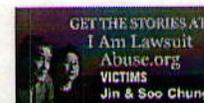
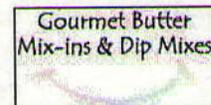
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