

Exhibit L

Exhibit L



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Hey, Did Somebody Say Something Was Going On With The Oatmeal?

Jun 12, 2012 By Ken. Effluvia

Note: our entire series of posts about the Oatmeal v. Funnyjunk situation is now complied under the [Oatmeal v. Funnyjunk tag](#).

Yesterday afternoon, I started getting tweets and emails (to both my work and Popehat accounts) and Facebook messages tipping me to a bogus-lawsuit-threat-on-the-internet story. As of this writing I have received *thirty-one* tips and suggestions that I offer pro bono help to the recipient of the threat. For a while I was tempted to regard this as a reflection of my own notorious puissance, and my *look-at-me-I'm-the-fucking-BATMAN* attitude grew until it threatened to collapse into a noisy singularity of self-regard.

Then I realized: the flood of mail is not a reflection of me. The flood of mail is a reflection of [The Oatmeal being unspeakably awesome](#). I'm just the towel-boy they shout for to wipe the glistening beads of asskickery from The Oatmeal's noble brow.

Turns out I'm OK with that.

People were writing me because they know, from reading [this](#) or [this](#), or from seeing the [Popehat signal](#), or from posts [sparring with bogus-lawsuit-threateners](#), that I offer and coordinate pro bono help for bloggers faced with bogus defamation threats. The Oatmeal, unfortunately, is now the victim of such a threat.

























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No, wait. That's really not fair. Strike "victim" and "unfortunately."

The Oatmeal has responded to the legal threat in stand-up-and-cheer fashion. Go read it.

Here's the bullet. There's a site called [FunnyJunk](#). FunnyJunk lets its users post amusing things they find elsewhere, like videos and pictures and cartoons. Given the sort of people who hang out on FunnyJunk — a crowd I shall describe later — much of what is posted there is other people's work, scraped and slapped up without permission or attribution. FunnyJunk — which makes money from the advertising on its site, and gets traffic based on what is posted by its users on its site — [maintains that it does not support such conduct](#) and that it responds to copyright notices. Last year The Oatmeal [called bullshit on this model](#), and FunnyJunk and its flying monkeys [responded in classic passive-aggressive, whiny-entitled, mommy-mommy-he-beat-me-twice-at-Counterstrike-it's-not-FAIR form](#).




So. This week, The Oatmeal got a bogus legal threat from [Charles Carreon, ATTORNEY AT LAW](#). Mr. Carreon was [involved in the sex.com case some time ago](#), a fact he conceals in roughly the same way that Al Bundy conceals that he used to play football for Polk High. Mr. Carreon threatens a federal lawsuit for defamation and false advertising under the Lanham Trademark Act [sic]. He does so based on the fiction that FunnyJunk is "a competitor of the Oatmeal in the field of online humor." This is true in the sense that Sting is in competition with the homeless busker singing "Englishman in New York" in the subway. I can't do justice to The Oatmeal's [explanation of why the claims are factually bogus](#). I will note, however, that Mr. Carreon and FunnyJunk are by far the first people to try the "you named me when you said mean things about me; that's a trademark violation" gambit in a creative-like-a-preschooler-with-paste-and-glitter attempt to evade the protections of the First Amendment. Courts are increasingly [getting wise](#) to this [attempt to abuse trademark law to chill free speech](#). I'd explain more, but I'd prefer for FunnyJunk and Mr. Carreon to enjoy a voyage of legal discovery themselves at the appropriate juncture.


























Mr. Carreon, by the way, demanded that The Oatmeal take down its criticism, and demanded the sum of [TWENTY THOUSAND DOLLARS](#). The Oatmeal, instead, solicited money for wildlife and for cancer research, [and has already reaped five](#)

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

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times his \$20k ask. Thus The Oatmeal in the space of 24 hours has already accomplished more for humanity than the collective members of FunnyJunk could do in a lifetime, even if that lifetime terminated immediately by a collective donation of vital organs to what presumably would be an extremely lax and non-judgmental medical facility.

The dispute led me to examine FunnyJunk. I found quite a few unattributed images that other people had created and posted elsewhere. I found people supporting The Oatmeal by saying that the FunnyJunk moderator was acting like "a Jew." I found people demanding to have The Oatmeal situation explained to them briefly; people too lazy to click links; people who would need others to provide them with an executive summary of a lolcat caption. I found people angry at The Oatmeal because they are entitled — not only to free content, not only to free content they can reach instantly on the internet, but entitled to their free content served directly to their cheeto-dusted fingers at their favorite ass-ugly hangout by their good pal, user nigg3rzuklol. FunnyJunk appears to be broken into three categories: (1) a few normal people who are unchoosy about where they view their reheated memes; (2) unloved and unwashed twelve-year-old boys, steeped in the internet tradition of poseur nihilism, the sort of twelve-year-old boys you hope will not hang out with your children, the sort of twelve-year-old-boys from the neighborhood who seem utterly unsupervised, unfed, and grimier than a crack-den's doorstep, the sort of twelve-year-old boys who inspire a secret and guilty sigh of relief and satisfaction when they are sent away to a secure "academy" and thereafter are only seen lurking, oddly dressed and glaze-eyed, in the back of family pictures; and (3) people whose lives are so unutterably sad that they feel cooler by hanging out with group (2).

So I guess what I'm saying is that I back The Oatmeal in this fight.

It's not going to go well for FunnyJunk. Even if the threat letter wasn't simply stagecraft — a big assumption — they're going to get curb-stomped in court, whether in initial motion practice or in a proctological discovery campaign waged by free-speech-supporting pro-bono lawyers (let's just say I'm not the only one offering to help). Their lawyer has just given himself +eleventy in "censorious twatwaffle" on Klout, and the Streisand Effect is looming.





























-  [Ansley commented on June 28, 2012: History In The Making](#)
-  [Namio commented on In The Name Of Science, A Contest](#)
-  [Allen commented on In The Name Of Science, A Contest](#)
-  [Namio commented on In The Name Of Science, A Contest](#)
-  [Adam Steinbaugh commented on In The Name Of Science, A Contest](#)
-  [CC commented on Your Pony Is In Good Hands With Popehat](#)
-  [Robert White commented on June 28, 2012: History In The Making](#)

past posts by month

posts by category

products and charities of which we approve, yet from which we make not one thin dime

-  [Curio City](#)
-  [Heavy Ink](#)
-  [Independent Animal Rescue](#)
-  [Monk's Trunk](#)

- Paul Cutler 
- People v. State 
- Periscope Depth 
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- Prison Movement 
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- Say Uncle 
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- SCOV Law 
- Shooting a Fly 
- Shylock Holmes 
- Simple Justice 
- Siouxie Law 
- Skippy the Bush Kangaroo 
- Something Better To Do 
- South Bend Seven 
- South Florida Lawyers 
- Space For Commerce 
- Spatial Orientation 
- Tempe Criminal Defense 
- The Criminal Lawyer 
- The Honest Courtesan 

Pack it up and go home, FunnyJunk. This isn't going to turn out well for you.

Edited To Add: Marc Randazza, whose First Amendment credentials are **extraordinary**, and who has routinely stood up against thuggish threat letters, has this to say about Mr. Carreon:

I have known Charles for a few years, and know him to be one of the good guys. I did ask him "what the fuck were you thinking?" when I first saw his letter.

I think he just made a judgment error, which is different from saying that this event exposes a latent character flaw. I've never known him to do anything like this before, and I am prepared to give him a First Amendment mulligan. Let he who has never fucked up before cast the first stone. Well, ok, cast stones even if you have fucked up — since he might have asked for it and he can likely handle it, but I ask everyone to try and remember that Charles has been on the right side of the good fight far more times than he's been on the wrong side. On balance, he's one of the good guys, and I think he's engaging in some valuable self-reflection right now — which is itself a sign that he is one of the good guys.

This doesn't change my evaluation of the letter in question. But Marc's word is worth a lot with me, and I recognize that anyone — perhaps especially a lawyer — can take a very wrong-headed approach to something on a bad day.

Second Edit: OK, with all respect to Marc, I take back my charitable thoughts based on his words about Charles Carreon. **According to MSNBC:**









Carreon tells me that Inman's blog post was interpreted as a complaint — similar to a DMCA takedown notice — and that the content the cartoonist listed in it was removed from the FunnyJunk website promptly. **He also explains that he believes Inman's fundraiser to be a violation of the terms of service of IndieGoGo, the website being used to collect donations, and has sent a request to disable the fundraising campaign.** (The fundraising website has only responded with an automated message so far.)

4617 readers
BY FEEDBURNER

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- [This 'n That](#) 
- [Throatpunch](#) 
- [Tremble the Devil](#) 
- [Unwashed Advocate](#) 
- [Velvet Revolution](#) 
- [Veteran Psychiatrist](#) 
- [Whipped Cream Difficulties](#) 
- [White Rock Kitchens](#) 
- [Who Is Your Lawyer?](#) 
- [Wil Wheaton](#) 
- [Windypundit](#) 
- [WoPSR](#) 
- [Young Hip & Conservative](#) 

adoption links

- [2 Worlds 1 Family](#) 
- [A Birth Project](#) 
- [Adopt-A-Tude](#) 
- [Anti-Racist Parent](#) 
- [Ethnically Incorrect Daughter](#) 
- [Heart, Mind, and Seoul](#) 
- [Peter's Cross Station](#) 
- [Thirdmom](#) 

So, The Oatmeal tried to turn this into something good — something that would benefit wildlife protection and cancer research — and Charles Carreon had a snit and tried to shut it down because it was embarrassing to him and his client?

Fuck him. He's vermin. He's not forgivable. Let any good he has ever done be wiped out. Let the name "Charles Carreon" be synonymous with petulant, amoral censorious douchebaggery.

(Sorry, Marc.)

Third Edit: In fairness to Marc, I gave him a shot at amending his prior statement, which he did:

Despite my earlier charitable comments, I can not find any words to defend trying to shut the fundraiser down. I can't even gin up a minor benefit of the doubt on that one. I can see an ill-considered demand as a mistake in judgment while hoping to gain an advantage for your client. But taking a shot at the fundraiser would not do that – it would just be lashing out to hurt bears and cancer patients? Holy fucking shitballs inside a burning biplane careening toward the Statue of Liberty, Captain! I hope that the reporter merely got the story wrong, because if not, that's more fucked up than a rhino raping a chinchilla while dressed up in unicorns' undergarments.

Fourth Update: In [in this follow-up post](#) I critique Carreon's suggestion that his letter was not bullying, but making fun of it is.

Fifth Edit: Welcome, really alarmingly large number of [Darts & Droids](#) readers. We are Star Wars geeks here, though we more often write about free speech and abuse of the legal system and stuff. To prove our bona fides, and show the connection between your favored topics and ours, [the talented PencilBloke](#) made you a drawing:





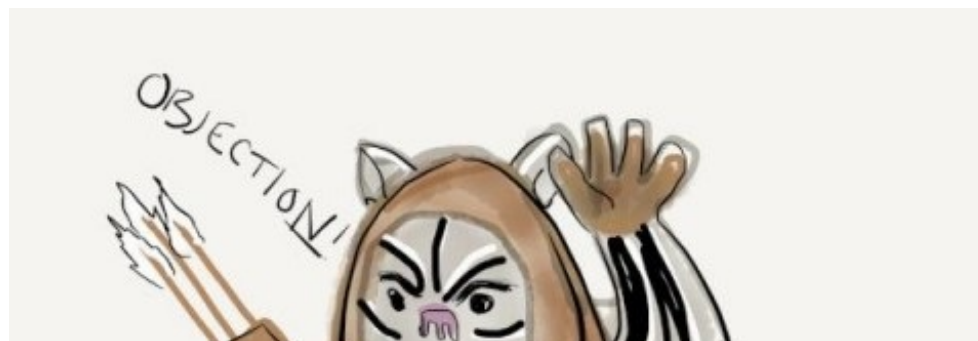
Sixth Edit: OK, our legal department is insisting that I make clear that I am not claiming that Charles Carreon is in Ewok. As far as I know, he is not. He actually more reminds me of JarJar. I'm not saying that FunnyJunk is an Ewok either. It's more like the Sarlacc Pit.

Seventh Edit: More litigious Ewoks:

Nathan Burney's Ewok achieves personal service whilst on meth:



Gretchen Koch's Ewok is better dressed than I am. Not that that's a high bar, most days:





Last 5 posts by Ken

- [Planet Valenti Muzzled: Another Restraining Order Against A Blogger](#) - June 28th, 2012
- [Your Pony Is In Good Hands With Popehat](#) - June 28th, 2012
- [Megaupload Update: New Zealand Ruling On Kim Dotcom Search](#) - June 28th, 2012
- [The Popehat Invasion](#) - June 28th, 2012
- [The Oatmeal v. FunnyJunk: Request For Pro Bono Help In Bay Area](#) - June 27th, 2012



[Free Speech](#), [Lawyers Behaving Badly](#), [Legal Threats](#), [Oatmeal v. FunnyJunk](#) [81 Comments](#)



61 Comments

eddie • Jun 12, 2012 @10:37 am



I frequently depend on knowyourmeme.com to provide me with



executive summaries of lolcat captions.

Owen • Jun 12, 2012 @10:39 am



Ahh...exactly what I was expecting. Can someone post this on FunnyJunk? I don't want to actually visit that site...

Mad Rocket Scientist • Jun 12, 2012 @10:40 am



The Oatmeal is a GOD. I hope he has a lawyer or three lined up to waffle stomp funnyjunk

Suz • Jun 12, 2012 @10:46 am



Great post, Ken. I don't often have time to read Matt's comments, but yesterday I made time, and yes I saw you there. Kudos to you! I hope this little kerfuffle (so to speak) goes down as one of the Great Moments in the History of Bitch-slapping Stupid Bullies.

Narad • Jun 12, 2012 @10:55 am



Something tells me The Oatmeal's response will not be transcended in my lifetime. I honestly cannot remember the last time I've laughed this long and hard.

Scott Jacobs • Jun 12, 2012 @11:18 am



Hey Ken... Have you heard what is going on with The Oatmeal?

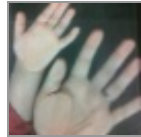
Reuven • Jun 12, 2012 @11:18 am



"I found people supporting The Oatmeal by saying that the FunnyJunk moderator was acting like "a Jew.""

Well, then, there are no clean hands in this and I'm not going to have a dog in this race.

dullgeek • Jun 12, 2012 @11:42 am



Do not forget, sir, that *you* have a well deserved award for badassery. You are a legend in your own right. And, as one who reads both of you, I immediately thought that the combination of the pope-meal-oat-hat would be all kinda previously unmeasured awesome.

So don't be so humble. (A phrase I suspect you rarely hear.)

Dan • Jun 12, 2012 @11:57 am



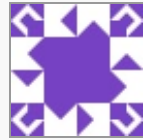
As a reformed habitual cartoon doodler and a fellow Sriracha zealot, I love and admire The Oatmeal. I strongly recommend reading The Oatmeal's take on the zombie apocalypse.

joe • Jun 12, 2012 @12:00 pm



That is some funny shit. The Oatmeal sounds like a bit like a non-lawyer version of Ken and he certainly has the appropriate level of snark in his response to FunkyJunk's lawyer.. The only thing missing was a light swizzle of some legal precedents at the end explaining exactly how they were going to get waffle stomped to the curb if they pursued a lawsuit against The Oatmeal. I also noted in the demand letter from Charles Carreon the statement "Your false statements injured FunkyJunk in its trade, business, or profession." I have yet to figure out exactly how or to what extent or if in fact such a thing were even possible given FunkyJunk's audience/user base and business model.

perlhaqr • Jun 12, 2012 @12:05 pm



Wow. That response from the Oatmeal is pretty amazingly badass and awesome. 😊

I really hope I never end up a target of his squirrely wrath. Then again, I try to avoid acting like that much of a sawtoothed douchnozzle, so I probably don't have to worry about it all that much.

Scott Jacobs • Jun 12, 2012 @12:24 pm



I have yet to figure out exactly how or to what extent or if in fact such a thing were even possible given FunkyJunk's audience/user base and business model.

Well, duh... Calling out theft does tend to make it harder to steal...

Rob • Jun 12, 2012 @1:27 pm

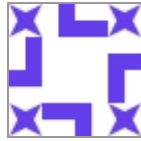


This post is *almost* as funny as The Oatmeal's response to the lawsuit, which is high praise indeed, as The Oatmeal's response was fucking hilarious.

By the way, I think you missed a NOT in this sentence:

I will note, however, that Mr. Carreon and FunnyJunk are by far the first people to try the "you named me when you said mean things about me; that's a trademark violation" gambit...

ShelbyC • Jun 12, 2012 @1:35 pm



Unfortunately, the streisand effect works to funnyjunk's advantage here, I'm sure they're getting loads of traffic in response to all this.

Bill H • Jun 12, 2012 @1:49 pm



"I found people supporting The Oatmeal by saying that the FunnyJunk moderator was acting like "a Jew.""

Well, then, there are no clean hands in this and I'm not going to have a dog in this race.

Pretty good bet that was a moby, Reuven. We had a similar problem even more despicable than that about a year ago at AoSHQ, when a commenter for LGF came to a thread, planted a couple of racism bombs, then when they weren't removed immediately (it was the middle of the night), LGF claimed it spoke to how racist Ace and the Moron Herd really was.

So, I would take the alleged anti-Semitism of The Oatmeal and it's so-called "defenders" with a shaker of salt.

joe • Jun 12, 2012 @1:52 pm



Scott – actually what I meant was it did not appear that users/audience of FunkyJunk altered their use of the FunkyJunk site as a result of The Oatmeal's request asking the FunkyJunk to remove his stolen content. Therefore I couldn't see how The

Oatmeal's request could have injured or damaged FunkyJunk's business. And, was commenting to the effect their lawyer was spouting nonsense with no proof of damages to back it up.

Scott Jacobs • Jun 12, 2012 @2:51 pm



I know, Joe...

I just wanted to call them thieves. 😊

SPQR • Jun 12, 2012 @3:03 pm



That response was as good as the old legendary "Some moron is writing letters using your name" response.

Chris • Jun 12, 2012 @3:09 pm



I really hope someone posts the letter comic response to funnyjunk

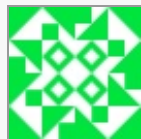
Jesse • Jun 12, 2012 @3:21 pm



I wonder if Washington state has a SLAPP statute that provides for attorney's fees. If so, this lawsuit could be funny.

Also, I really want a t-shirt that reads: "THE INTERNET IS AN ARCHIVE, IDIOT."

Bret • Jun 12, 2012 @4:02 pm



Jesse,

A summary of Washington's anti-slapp statute is here:

<http://www.citmedialaw.org/legal-guide/anti-slapp-law-washington>

It appears to be modeled after the California statute and does allow for "your attorneys' fees, your court costs, and an automatic statutory damage award of \$10,000".

Pete • Jun 12, 2012 @4:20 pm





people who would need others to provide them with an executive summary of a lolcat caption

Oh. Oh my. It's like Ferrari and Audi and Porsche got all their engineers into a warehouse (with A/C and refreshments) and said to them "You do not make engines now. You make *words*."

And lo the entire team did labor for weeks and months, and then gave up all hope and entered into deepest despair upon seeing this one snippet of brilliance.

Anonymous • Jun 12, 2012 @6:15 pm



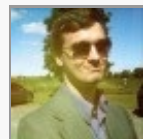
Okay, <http://www.petulantamoralcensoriousdouchebaggery.com> now created and pointing to Charles Carreon's website. (As soon as DNS propagates.)

Jack B. • Jun 12, 2012 @6:22 pm



If Inman would illustrate Marc Randazza's quotes in this post, it would probably add up to something deserving of being displayed in The Louvre, next to the Mona Lisa.

Michel • Jun 12, 2012 @6:37 pm



So, when is this fellow going to join Jack Thompson in the ineffably incandescent hell that is reserved for disbarred and defrocked attorneys and barristers?

Matthew Cline • Jun 12, 2012 @7:32 pm

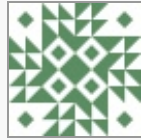


To be fair, about him taking a shot at the fund raising: the fund raising *is* tied into an insult about his mother having sex with a bear,



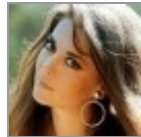
so he might not be entirely rational about it.

flip • Jun 12, 2012 @7:36 pm



I am not surprised that there are people out there on the net who don't understand copyright. In fact, I deal with plenty of plagiarism from people who you'd think would know better, let alone those who are ignorant on the subject. I even had one person accuse me of lying simply because I was younger than them. What is it with people who think that just because something is on the net it's ok to use it for their own purposes?

jess • Jun 12, 2012 @8:13 pm



Gotta love Randazza's comments — - - -

"But taking a shot at the fundraiser would not do that – it would just be lashing out to hurt bears and cancer patients? Holy fucking shitballs inside a burning biplane careening toward the Statue of Liberty, Captain! I hope that the reporter merely got the story wrong, because if not, that's more fucked up than a rhino raping a chinchilla while dressed up in unicorns' undergarments."

Here is to hoping Carreon has in fact (1) realized the error of representing this particular cause/client and (2) not gotten into a pantywhuffle over The Oatmeals charity and tried to shut it down.

Otherwise I can see Ken and Marc's comments of "petulant, amoral censorious douchebaggery" and "more fucked up than a rhino raping a chinchilla while dressed up in unicorns' undergarments" being forever burned into the "internet archive" alongside the image of

<http://www.naderlibrary.com/chasflag4.jpg>

Max Kennerly • Jun 12, 2012 @8:19 pm



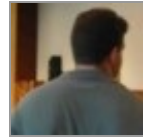
As I wrote at my site, there's a lurking half-legitimate issue in there about whether making accusations of intentional infringement is



something separate and apart from filing a DMCA notice, and thus could in theory expose content creators who make public accusations of intentional infringement against user-generated-content sites to liability. I just don't think this case, factually, is really set up to raise that issue, this is pure trolling of a party (The Oatmeal) with a legitimate grievance.

I really do wonder what FunnyJunk and Carreon expected out of this.

ElamBend • Jun 12, 2012 @8:47 pm



I think I may have to memorize Randazza's eloquence as a model example of effusive shock and aspire to come sorta close.

Hal 10000 • Jun 12, 2012 @9:58 pm



"Holy fucking shitballs inside a burning biplane careening toward the Statue of Liberty, Captain! I hope that the reporter merely got the story wrong, because if not, that's more fucked up than a rhino raping a chinchilla while dressed up in unicorns' undergarments."

I rarely actually laugh out loud but good gravy! It's almost lyrical.

Gonzo • Jun 12, 2012 @10:57 pm



Hooray! I just like that something I sent to Ken got mentioned, even at 1/31 diffusion! Good lord, i hope that when I'm a guy with a paunch i'm this popular.

Hank Roberts • Jun 13, 2012 @8:17 am



> Given the sort of people who hang out on FunnyJunk ...
> much of what is posted there is other people's work,
> scraped and slapped up without permission or attribution.

These Internet users are a series of tubes, you know.

Tubes are users who are long, hollow, and empty.

They are pipes — they copypaste from one webpage to another, without attribution, without citation, and without thinking.

But why?

HK • Jun 13, 2012 @12:04 pm

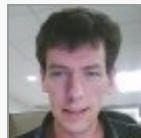


ShelbyC • Jun 12, 2012 @1:35 pm

Unfortunately, the streisand effect works to funnyjunk's advantage here, I'm sure they're getting loads of traffic in response to all this.

Except that curious clicks to confirm that you are a thief and a douche bag is not the same as traffic that grows your site. In other words, you have to keep the new visitors, or you just have a one day spike because you're a jerk.

James Salsman • Jun 13, 2012 @2:18 pm



Forget the sites' squabbling. We need an opinion on who can reliably insure the expected \$1 million in cash for the photo shoot.

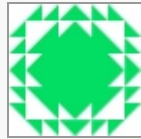
ReadCarefully • Jun 14, 2012 @4:58 am



> Well, then, there are no clean hands in this and I'm not going to have a dog in this race.

If you'd read more carefully you would've realized this was FUNNYJUNK users who were saying this.

DiMono • Jun 14, 2012 @6:00 am



Hey, I thought you should know that I did some search digging on funnyjunk, and I found that not only is the site ripe with stolen material, but the search results are *literally* hardcoded to provide no results if you search for it by name. Search for **cyanide happiness** and you get nothing; search for **cyanide** on its own and you get over a thousand C&H comics, many of which say cyanide & happiness right in them. So FJ is more interested in hiding the fact that they're stealing copyrighted content than they are with removing it.

I wrote a detailed article about it [here](#), complete with screenshots since it's likely they will have suppressed the results of the searches I used as well by now.

That they're trying to get the fundraiser shut down is despicable and new, though, so now I'm off to edit that information into my article.

Scott Jacobs • Jun 14, 2012 @6:47 am



Welcome from RT, DiMono!

T. J. Brumfield • Jun 14, 2012 @7:29 am



It is a logical fallacy to say that Inman's cause isn't just because one random asshat on the internet made a racist comment and agrees with Inman. That doesn't mean that Inman is a racist, nor that his cause is predicated on racism.

<http://www.nizkor.org/features/fallacies/guilt-by-association.html>

TexasSwede • Jun 14, 2012 @10:31 am



Teh funny thing is that Charles Carreon has a blog (comments only for registred users), where he seemingly is critical of Youtube being able to host illegal/copyrighted content and not being sued:

<http://www.charlescarreon.com/notable-cyber-law-cases/caveat-creator-dmca-google/2010/06/23/>

"That's a distorted reading of "right and ability to control." Google has the right and ability to delete every single video on the whole site, or to just turn it off altogether. Google has the right and ability to delete every single video on the whole site, or to just turn it off altogether. To say they have no "ability to control" infringing videos until they know that they are infringing is like saying I can't control my appetite until I know the caloric content of my food. If I were Viacom, not that I want to be Viacom, I would tell my lawyers to appeal on the grounds that the district judge distorted the meaning of the statute here."

and

"Please don't take me for a copyright hawk, but this seems like a ruling that benefits a company that has made a habit of turning other people's work into their payday, and is being encouraged to keep on doing it."

and finally:

"Google's general knowledge that there was a whole lot of infringement happening on YouTube didn't mean that it was obligated to start screening for infringing content or hunting it down once it was posted, because their job is just to have an effective takedown system to remove content once the creator tells them it's infringing. The burden of discovering infringing content never shifts to the Online Service Provider, and it's always the copyright holder's job to find it and identify it by URL."

Ken • Jun 14, 2012 @12:53 pm



Make sure to view the latest updates to the post.

Kevin • Jun 14, 2012 @1:41 pm



As a recent law school grad struggling to find a job an IP, I'm pretty



disappointed that nobody has even moved for Chapter 10 sanctions against Carreon. It's a shame the state Bars are so shy about sanctioning(or even disbaring) attorneys for non-stealing-your-clients'-money ethical violations. I don't mind losing out to seasoned attorneys with more skills and experience than I have to offer, but it does bother me that men like Carreon, whose main talent seems to be knowing how to be just thuggish and unethical enough to be effective and avoid prosecution, are out there taking a large share of the business all while making the profession look bad.

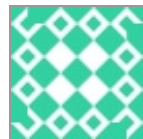
Ken • Jun 14, 2012 @1:45 pm



Well, Kevin, one impediment would be that no one has filed suit yet, preventing anyone from moving for anything. Also, I'm not sure what you mean by Chapter 10 sanctions. Do you mean under Texas' code of civil procedure? Because I'm not aware of any connection of the case to Texas.

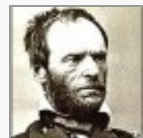
I agree, though, that State Bars should be more vigorous.

Niedermeyer's Dead Horse • Jun 14, 2012 @1:46 pm



Oh my! For a moment there I thought you were talking about the head Ewok, Ace from Ace of Spades.

Patrick • Jun 14, 2012 @3:21 pm



What is Chapter 10? Is this some Canadian thing?

SPQR • Jun 14, 2012 @3:55 pm



Unless he means Fed rules FRCP 10 ... err, plus 1. Yeah, that's the ticket.



Inuzuka • Jun 15, 2012 @1:26 am



Heh, gotta say I'm one of the Darths & Droids fans.

This is an awesome story and I hope the money The Oatmeal manages to collect doubles and is put to good use.

Kevin • Jun 15, 2012 @3:20 am



Thanks for the catch, I did actually mean Rule 11. I've been reviewing my bankruptcy code for an interview, and got it a bit mixed up in my head.

Your point is well taken that the rules governing complaints can't take effect until a complaint is filed, even when a letter is deliberately filed to give the impression that one has been. I was assuming, given Carreon's ballsiness and apparent complete lack of self-awareness, that he must have acted on one of his threats at some point in his career and actually filed one of these baseless suits. Having read a bit more about him, I realize he's probably a lot smarter than I give him credit for, and that his scheme probably still works even if he has to back down every time a potential defendant is ready to go to trial.

Anonymous • Jun 15, 2012 @7:57 am



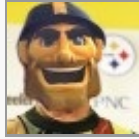
Oh, he went and changed his website. Now it's just forwards to an ad for his book, along with an "apology"(?) at the top, and a link to download it for free.

SuperExec • Jun 15, 2012 @8:14 am



What's a lolcat? Please Cc my super-hot new secretary.

Jesse • Jun 15, 2012 @11:38 am



Okay, if somebody could retcon the infamous ex parte graphic into a super-heroic ewok, my life would be complete

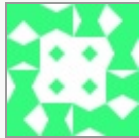
Joan of Snark • Jun 17, 2012 @7:52 am



Bravo, sir.

Am I the only one who reads "Carreon" as "carrion"?

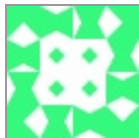
Menachem • Jun 17, 2012 @11:53 pm



So, in supporting The Oatmeal, the "valiant" and "righteous" of the internet find it ok to make fun of Jews.

Irony, except to those of us who are Jewish who would have otherwise sided with The Oatmeal.

Menachem • Jun 17, 2012 @11:58 pm



Note – My above post is not saying all people, or even all supporters of The Oatmeal, are anti-Semitic. I'm just really exasperated at how easily people in general feel that they can make fun of Jews for no other reason than to get a laugh or make a point that has nothing to do with us.

Ken • Jun 18, 2012 @7:13 am



Note – My above post is not saying all people, or even all supporters of The Oatmeal, are anti-Semitic. I'm just really exasperated at how easily people in general feel that they can make fun of Jews for no other reason than to get a laugh or make a point that has nothing to do with us.

Menachem: I'm not sure I follow. I see something in my post calling out FunnyJunk for having anti-Semitic material, but I don't see anything mentioning Carreon's ethnic or religious heritage. Where are you seeing this making fun of Jews?

Grifter • Jun 18, 2012 @7:30 am



I'm guessing it's the reference to "I found people supporting The Oatmeal by saying that the FunnyJunk moderator was acting like "a Jew.""

Ken • Jun 18, 2012 @7:33 am



Yes. In a paragraph condemning FunnyJunk and the things people post there. Isn't it completely clear, between the sentence, the context, and the quotation marks, that the reference is condemning racism, not condoning it?

Grifter • Jun 18, 2012 @7:40 am



Right. But it was a comment from someone defending the Oatmeal, so I believe the commenter was expressing frustration about that; the comment wasn't a dig on you or the article. At least that's how I read it.

Menachem • Jun 18, 2012 @9:02 am

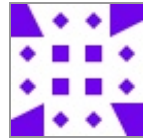


Grifter has it spot-on. I love your article(s) on the subject, and love The Oatmeal. I'm just tired of seeing my culture and people made



fun of even by people who are standing up for what otherwise is the "right" thing. Not a dig on you or a defense in any way of how moronic Funnyjunk and Carreon are acting.

i love a good tale of ass-hattery • Jun 20, 2012 @8:57 am



how could a winner like charles carreon (or is it carrion) have fallen so far into the mire?
hmm... seems he has issues with comingling – twice he has been disciplined for "for violating his duty to maintain client funds in trust" maybe he needs money to pay his visa bill?

Sample Statements • Jun 21, 2012 @11:10 am



You can still have a perfect meal at oatmeal.

20 Trackbacks

- Jun 12, 2012: [The Oatmeal rocks - SLUniverse Forums](#)
- Jun 13, 2012: [FunnyJunk menaces The Oatmeal with nastygram - Overlawyered](#)
- Jun 13, 2012: [SayUncle » readership](#)
- Jun 13, 2012: [No Fair! You Hit Me Back! | hogewash](#)
- Jun 13, 2012: [The Oatmeal/FunnyJunk Kerfuffle | Geek/Lawyers](#)
- Jun 14, 2012: [Notes on Two Idiots Peddling Poetry – The Ugly Mug – 13 June 2012 | John F. Buckley](#)
- Jun 17, 2012: [Interesting Links, June 17, 2012 | An Eclectic Mind](#)
- Jun 17, 2012: [Carry On Suing! : Losing it](#)
- Jun 18, 2012: [The Case of The Oatmeal v. FunkyJunk and Charles Carreon](#)
- Jun 18, 2012: [The Oatmeal and The Army... « Verbal Assassinations](#)
- Jun 18, 2012: [A tale of the stupid: The Oatmeal, FunnyJunk and Charles Carreon \(via Dear Author\) « Her Hands, My Hands](#)

- Jun 18, 2012: [The Streisand Effect Strikes Again... - The Minuteman | The Minuteman](#)
- Jun 19, 2012: [But the weapon was licensed and registered | Aimpoint](#)
- Jun 19, 2012: [Funnyjunk and The Oatmeal... | Shilo Walker](#)
- Jun 19, 2012: [ATTENTION Please – Bloggers Unite!! | Bohemian Beautiful](#)
- Jun 20, 2012: [WTF Wednesday – Naked Model Arrested Sues NYPD « Clantly Scad: Dyslexistentialist Commentary of the Culturally Incorrect Kind](#)
- Jun 20, 2012: [The Oatmeal – “una de abogados” | Clueless...](#)
- Jun 21, 2012: [The Case of The Oatmeal v. FunnyJunk and Charles Carreon « Chantal Halpin](#)
- Jun 25, 2012: [Charles Carreon -v- The Internet - antispin](#)
- Jun 26, 2012: [Free Speech: The Right to Call Someone an Asshat](#)

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