

# **EXHIBIT R**



## Here's The Truth: Shiva Ayyadurai Didn't Invent Email

from the *let's-try-this-again* dept

So, yesterday we wrote about how Nick Denton had **settled** all the remaining legal disputes that Gawker had involving three lawsuits filed by lawyer Charles Harder. Most of the attention was paid to the big one -- the settlement with Hulk Hogan. We, however, focused on one of the other cases, since it was one that we followed closely and which showed how Peter Thiel **was full of shit** in claiming he only bankrolled these anti-Gawker lawsuits to "protect privacy" (and, yes, it's hilarious to see the early backer of both Facebook and Palantir pretending to care about privacy).

The case of Shiva Ayyadurai is the really telling one. For almost five years now, we've been among those explaining why Shiva Ayyadurai's claim that he invented email is **complete bullshit**. It's not true. Not even remotely. What does appear to be true is that as a fairly bright kid, Ayyadurai was working for a small college in New Jersey and he wrote an electronic messaging program for the school, which he named Email. It was not the first. It was not the last. It was nothing special. Nothing about what Ayyadurai did was new -- even if he came up with the ideas entirely on his own. Basically every feature that he put in the application was previously discussed on open mailing lists and RFCs about the internet and the messaging systems that would be grafted onto it -- sometimes many years earlier. Ayyadurai tries to rely on the fact that he got a copyright for *his program* as proof, hoping to confuse people who don't understand the difference between a copyright and a patent. As we've noted in the past: Microsoft has a copyright on the "Windows" operating system. That doesn't mean it invented windows-based graphical user interfaces (because it did not).

Apparently, part of the settlement involved Ayyadurai **getting \$750,000** along with the agreement to take down the article (it's not entirely clear to me if the article was still up, since Univision had **already** taken it down). As plenty of people quickly noted on Twitter **this was insane**. Ayyadurai has spent many years **falsely claiming to have invented email** and trying to **tarnish the obituaries** of Ray Tomlinson who was critical in the creation of email (though was humble enough to admit that no one individual actually "invented" email). And now he was getting paid hundreds of thousands of dollars for suing a news site that **correctly explained the actual truth: Shiva Ayyadurai did not invent email**. I'm sure a good chunk of that money is going to Charles Harder. Who knows if any of it makes its way back to Peter Thiel, who recently explained that he had to help Hulk Hogan because mere **"single digit millionaires"** couldn't fight back.

In response to this, Ayyadurai has **put out a self-congratulatory press release** claiming that the settlement supports his blatantly false claims:

*Certain of the settlement terms are incorporated within Gawker Media's latest proposed plan of liquidation, filed today, and include a proposed settlement payment to Dr. Ayyadurai and removal of the article at issue. More details will be forthcoming. Dr. Ayyadurai stated: "History will reflect that this settlement is a victory for truth."*

No, it's not. It's a victory for bullshit. It's a victory for trying to rewrite history and smear the actual truth. And it was aided by Peter Thiel. I do wonder, though, if Ayyadurai continues to sue publications that properly point out that he is not telling the truth, and targets us, if Thiel will come to our aid. Hell, I'm not even a single-digit millionaire. So, clearly, he's going to help us out, right?

Let's discuss some truth: **Ayyadurai did not invent email**. Ayyadurai also filed a highly questionable lawsuit over a news story **correctly** claiming he did not invent email. Ayyadurai's case was only settled because Nick Denton and what remains of Gawker recognized that it was easier to move on with things and end these cases. For Peter Thiel to champion this and for Ayyadurai to claim that his little spat -- which got caught up in the whirlwind of a billionaire's personal grudge -- is a "victory for truth" is complete bullshit. That's the truth.

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Sorry women: [http://m.theregister.co.uk/2016/12/08/winter\\_is\\_come](http://m.theregister.co.uk/2016/12/08/winter_is_come) time for the touches and pitchforks, I think.

**Dark Helmet:** Touches and pitchforks is my new favorite typo win

**Jeffrey Nonken:** hah. Well, mobile interface. That's my excuse.

**Vidiot:** WaPo article on copyright fight gets it wrong, of course... ASCAP and MPA seen as the Office's only constituents. How about us citizens instead?

<https://www.washingtonpost.com/news/arts-and-entertainment/wp/2016/12/09/congressional-panel-calls-for-independent-copyright-office>

**Mike Masnick:** well, they do quote new head of the ALA too, and he's good

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