



Patrick P. Gunn
T: +1 415 693 2070
pgunn@cooley.com

November 19, 2013

Via Email To: [REDACTED]

Jordan French
Chief Executive Officer, Wiki-PR

Re: Wiki-PR and Paid Advocacy Editing

Dear Mr. French,

As you are aware, our law firm has been retained by the Wikimedia Foundation to support the Foundation's review of reports that Wiki-PR has been engaging in paid advocacy editing. The Wikimedia Foundation operates a number of websites, including Wikipedia, a free-content encyclopedia project that contains more than 30 million volunteer-authored articles in nearly 290 languages. With half a billion readers, Wikipedia is a critical informational resource for people all over the world.

The Wikimedia community of volunteer writers, editors, photographers, and other contributors has built Wikipedia into the world's most popular encyclopedia, with a reputation for transparency, objectivity, and lack of bias. When outside publicity firms and their agents conceal or misrepresent their identity by creating or allowing false, unauthorized, or misleading user accounts, Wikipedia's reputation is harmed. This practice, which sometimes referred to as sockpuppetry or meatpuppetry, is expressly prohibited by Wikipedia's Terms of Use.

Sockpuppetry and meatpuppetry are especially harmful when used to disguise secret works of advocacy purchased by clients to promote a particular product, idea or agenda. Such editing practices are improper and damaging for a variety of reasons. For one thing, they violate core community editing policies, such as neutrality and verifiability, and intentionally circumvent Wikipedia's policies on conflict of interest and editor misrepresentation. In addition, these practices pose a substantial burden on the volunteer Wikipedia community. By seeking to gain a commercial benefit from the Wikipedia brand, these publicity firms are attempting to profit from the substantial time and effort invested by the Wikipedia volunteer community. Furthermore, Wikipedia community members are effectively forced to shoulder the costs of for-profit, commercial paid advocacy editing because they must continuously search for false accounts and suspend them. This squanders valuable volunteer time, to the detriment of the entire Wikipedia community.

It is also clear that publicity firms engaging in paid advocacy editing on Wikipedia risk seriously damaging the reputations of their own clients. This is because companies involved in self-promotional activities on Wikipedia have come under heavy criticism from the press and the general public, with their actions widely viewed as inconsistent with Wikipedia's educational mission.

November 19, 2013
Page Two

As we have discussed with you previously, we have come to the opinion that, based on the evidence that we have to date, that agent(s) of your company have engaged in sockpuppetry or meatpuppetry to, among other things, make it appear as if certain articles are written by unbiased sources when in fact those articles are authored by Wiki-PR for money. As we have explained to you,¹ this practice violates the Wikimedia Foundation's Terms of Use, including but not limited to Section 4, which prohibits users from "[e]ngaging in [f]alse [s]tatements, [i]mpersonation, or [f]raud," and ". . . misrepresenting your affiliation with any individual or entity, or using the username of another user with the intent to deceive[.]"² This practice also gives rise to a number of potential legal claims, including statutory and common law fraud, unfair business practices, breach of contract, and trespass to chattels.

In addition to these practices, our investigation has also uncovered evidence suggesting that Wiki-PR may have confused correspondent(s) concerning its relationship with the Wikimedia Foundation. This concerns us given that the Wikimedia Foundation has sent you two previous letters charging prior misuse of our trademark on your site.³

As you are aware, the Wikimedia community – which consists of independent volunteers operating separately from the Wikimedia Foundation – recently banned Wiki-PR and its agents from further editing the Wikipedia site. The ban, adopted on October 25, 2013, reads as follows:

Employees, contractors, owners, and anyone who derives financial benefit from editing the English Wikipedia on behalf of Wiki-PR.com or its founders are banned from editing the English Wikipedia. This ban has been enacted because Wiki-PR.com has, as an organization, proven themselves repeatedly unable or unwilling to adhere to our basic community standards. This ban as a whole may be appealed at WP:AN at any time that Wiki-PR.com as an organization is willing to (a) divulge a complete list of all past sock and meatpuppet accounts that they have used, (b) divulge a complete list of all articles they have edited that they have received any financial benefit from whatsoever, and (c) pledge to, in the future, only edit under transparent, disclosed accounts and adhere as closely as they are able to all of Wikipedia's content policies. Individual accounts blocked under this ban may be unblocked if any uninvolved administrator honestly believes that it is more likely than not that the individual account in question is not connected to Wiki-PR.

¹ That this practice violates the Wikimedia Foundation's Terms of Use has also been made abundantly clear in the Wikimedia Foundation's recent public statement decrying the practice of paid advocacy editing. See Statement from Sue Gardner, Executive Director of the Wikimedia Foundation, in response to paid advocacy editing and sockpuppetry, *available at* http://wikimediafoundation.org/wiki/Press_releases/Sue_Gardner_statement_paid_advocacy_editing

² See Wikimedia Foundation Terms of Use, *available at* http://wikimediafoundation.org/wiki/Terms_of_Use.

³ Although this letter does not purport to cover these issues, we continue to investigate potential trademark violations and reserve the right to address them at a later time.

November 19, 2013

Page Three

In your communications with me and the Foundation, you have stated your intent to work with the community to satisfy its conditions for lifting the ban. Yet, yesterday, you admitted that Wiki-PR has continued to actively market paid advocacy editing services despite the ban - consistent with evidence that we have discovered independently. This is deeply troubling, and suggests that Wiki-PR is circumventing the ban at the same time it professes to engage with the community about complying with it.

To avoid additional injury, the Wikimedia Foundation hereby demands that Wiki-PR, its owners, employees, contractors, agents, and anyone acting on its behalf or in concert with it, **cease and desist from further editing of the Wikipedia website unless and until you** have fully complied with the terms and conditions outlined by the Wikimedia community. Furthermore, you must agree to comply with any policies, guidelines or requirements promulgated by either the Foundation (including its Board) or the Wikipedia community in the future, including, but not limited to, any rules affecting paid editing. Should you fail to comply with the terms of this cease and desist letter, Wikimedia Foundation is prepared to take any necessary legal action to protect its rights.⁴

Please contact me by November 22, 2013, to confirm that you have received this letter and understand that you, Wiki-PR, and its agents are prohibited from editing the Wikipedia website until you comply with the terms set forth above.

Sincerely,



Patrick P. Gunn

⁴ Given the potential for litigation, especially if Wiki-PR fails to comply with this cease and desist letter, Wikimedia Foundation further requests that Wiki-PR preserve all documents and other materials that may be relevant to this dispute, including, but not limited to, information pertaining to the user accounts Wiki-PR or anyone acting on Wiki-PR's behalf has used to create or edit articles.