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Dear all

Re: Inappropriate conduct by Hasbro external lawyers in Australia

First, please accept my sincere apologies for bothering you but I really wasn't sure who to contact to resolve this increasingly troubling issue so I am contacting you all in the hopes that one of you can assist me so that I can be left alone.

My name is [pocket] and I am a Nerf fan and amateur blogger located in Canberra, Australia. At my blog that was located at urbantaggers.com, I wrote reviews and articles about Nerf products for fun. I have been doing this since June 2010. It is a hobby and I do not do it for profit. Hasbro has received a lot of money from me and others as a result of my Nerf hobby and blog. I do not write about or endorse counterfeit products.

I source content from my blogs by scouring the Internet for images, buying products off auction sites like ebay.com and taobao.com and receiving "scoops" from netizens who are usually anonymous or who use Internet handles which might as well be anonymous.

Recently I had the good fortune (although now it definitely seems to be a misfortune), to receive emails from Hasbro in Australia offering me some free merchandise if I would give them my address. I did so, only to receive a letter from Mr Robert Arnold who works for Hasbro's lawyers in Australia, Baker & McKenzie. I have attached copies of all relevant correspondence for your review but will summarise their content in this email.

They wrote to me about images I had on my blog about a N Strike Elite Rampage Nerf product. These were apparently confidential given that the product was not yet officially released in Australia. These images are available on the Internet at other sites (for instance here: <http://www.perfectoys.gr/showprod.php?id=18850>) so while I liked the idea of having an early scoop, I didn't see a big issue with posting them. Nonetheless, when I received the letter from Mr Arnold, I took the images down, explaining (as you will see from the attached correspondence) that I don't always keep source details once I posted images but gave him some tips about how to do a targeted Internet search.

Mr Arnold kept asking for details of the source and I kept telling him I couldn't help him and that he was wasting his time. Oddly enough, at the same time, Hasbro was still sending me emails (attached) saying that they liked my blog and wanted to give me free merchandise to give away to readers!

In Mr Arnold's latest letter dated 30 March 2012 (attached), Mr Arnold kept insisting on wanting to 'talk and it turned out that he was actually interested in some earlier scoops from 2011 regarding Vortex Nitron" and "Rayven" products. This was kind of annoying because if he had advised me from the beginning what he was after, I could have referred him to ebay and taobao which is where I got those products to write reviews i.e. they were available on the Internet. I wrote a draft reply but real life got busy so I didn't get around to sending it to him.

Imagine my surprise when on 22 April 2012 – a Sunday – I returned home and was advised by my neighbours that two strangers had been lurking very suspiciously around our apartment block. One was a woman and the other was described a rather thuggish looking male who resembled a repo-man. After I returned to my apartment, I then had the woman come to the entrance of my apartment complex:

- A woman calling herself "Christine" said that she was from Nerf's lawyers and she wanted to talk to me.
- She wanted to record our conversation – I said no.
- She asked me where I got the products, I told her ebay and taobao. She had never even heard of Taobao even though it's an extremely well-known website (ranked #14 in the world, #1 in China). Even though Baker & McKenzie is not a first tier law firm, it is at least an international firm which has offices in Asia and has Chinese-language speakers so I would have expected them to know about taobao
- She insisted I must know who the sellers were. I said that I did not remember and even if I did, if you go even to ebay.com.au you will see that vendors call themselves all kinds of odd names like ticklesandbananas and boingboing etc so they might as well be anonymous
- I don't speak Chinese so told her she would have to do her own taobao searches
- She told me Hasbro love my blog and what I've done to promote their products freely
- She then said that I would hear back from the lawyers again

Hasbro is probably spending a fortune on its lawyers who:

- are chasing the wrong person (me)
 - sent someone all the way to Canberra to chase the wrong person (me)
 - • have never heard of Taobao but if you look at Wikipedia, you will see that it is the Asian eBay equivalent and the hugest auction site most popular website in China. It is operated by the Alibaba Group and should be very well-known, especially to someone like Mr Arnold whose website profile says he worked in Hong Kong at one point
 - do not seem to know or want to know how to do a basic Internet search to find things that are freely available on the Internet.
- That is an issue for Hasbro and its legal budget but for my own part, I find the conduct of the law firm in question extremely troubling:
- I do not think that law firms should send intimidating people to lurk outside the homes of individuals on a Sunday when the person in question (me) has not done anything wrong and has taken down the images in question
 - I do not think that law firms should keep harassing me when:
 - o I clearly do not have any information for them and they should be focussing on whoever is leaking information/material from Hasbro and not hobby bloggers who do not have any special access i.e. I do not know anyone who works at Hasbro
 - o I have already told them that if I get any such scoops in future, I'll either tell the person to go away or I'll post a URL to the source so that Bakers does not contact me
 - As mentioned, I do not think that law firms should send staff to intimidate me in my own home but if they really have to do so, they should not to do this without warning – if I had known they were coming, I might have had the opportunity to have a lawyer present etc.

Accordingly:

- Hasbro – I most humbly request that you ask your external lawyers to stop contacting me and especially stop showing up at my home unannounced when I have told them everything I know already
- Baker & McKenzie partners – please consider the tactics that your staff are using to obtain information and ask them to not rely on me to do the work that your law firm is being paid to do (web searching, web investigating, basic knowledge of online auction sites, Chinese language assistance),
- Office of the Legal Services Commissioner – I do not wish to lodge a formal complaint but I DO feel that Baker & McKenzie is not behaving appropriately and I would like them to stop behaving in this manner.

Thank you very much in advance. Any assistance would be most appreciated!

Kind regards

pocket

Addresses List

- Brian D. Goldner, President and Chief Executive Officer of Hasbro, Inc.
- John Loiars, Director, Global Brand Marketing on Nerf at Hasbro, Inc.
- Holger Kraetschmer, Senior Global Brand Director at Hasbro
- David Peattie, Managing Director Australia & New Zealand at Hasbro
- Paul Vanasse, Global Director of IP and Enforcement at Hasbro
- George Khoury, Customer Strategy & Marketing Manager, Pacific at Hasbro
- Sam Barillaro, Online Marketing at Hasbro Australia
- Scott Mota, Marketing Manager Pacific at Hasbro Australia
- Chris Freeland, National Managing Partner, Baker & McKenzie Australia
- Bruce Hambrett, National Chairman, Baker & McKenzie Australia
- Laurie Robertson, Global Director of Business Development & Marketing
- Office of the Legal Services Commissioner, New South Wales