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**Mark Lemley**

July 4 at 10:22am ·

Apparently there is not enough fake news for the US government. Below is an email from a State Department official asking for my help in starting a "fake Twitter feud."

Seriously.

Good Morning! My name is H-----, and I am reaching out to you from the State Department's Bureau of Economic Affairs. I gave you call a little earlier this morning, but I thought I would follow up with an email as well.

Currently, I am working on a social media project with the Office of Intellectual Property Enforcement. This summer, we want to activate an audience of young professionals- the kind of folks who are interested in foreign policy, but who aren't aware that intellectual property protection touches every part of their lives. I think the law school students at your institution may be the type of community that we would like to engage. Additionally, we know that your law school is ranked among the top schools in Intellectual Property law, and thus our campaign may not only be fun, but relevant for you all as well.

So a little bit of a recap from the message that I left you this morning. The Bureau of Economic and Business Affairs wants to start a fake Twitter feud. For this feud, we would like to invite you and other similar academic institutions to participate and throw in your own ideas!

The week after the 4th of July, when everyone gets back from vacation but will still feel patriotic and summery, we want to tweet an audacious statement like, "Bet you couldn't see the Independence Day fireworks without bifocals; first American diplomat Ben Franklin invented them #bestIPmoment @StateDept" Our public diplomacy office is still settling on a hashtag and a specific moment that will be unique to the State Department, but then we invite you to respond with your own #MostAmericanIP, or #BestIPMoment. Perhaps it will an alumni defending intellectual property in the courts or an article that your institution has produced regarding this topic.

Some characters from the IP community here in DC have agreed to participate with their own tweets: US Patent and Trademark Office, the Copyright Alliance, the Motion Picture Association of America, the Copyright Office, and the Recording Industry Association of America. We hope to diversify this crowd with academic institutions, sports affiliations, trade associations, and others!

Please give me a call or email me with any questions, comments, or concerns. I look forward to hearing from you soon!

Sincerely,

H-----

Official  
UNCLASSIFIED

Like Share

101

30 shares

57 Comments

[View previous comments](#)

49 of 57



**Jill Schmidt** ???

Like · July 4 at 10:43am



**Vickie Brewster** That email is so poorly written that it makes me sick. I'm befuddled why they would want to do this "fake Twitter feud" under any circumstance. Just very weird but that is this administration - weird.

Like · July 4 at 10:44am



**Cathy Gellis** THIS IS FOR REAL???????????

Like · July 4 at 10:45am



Cathy Gellis replied · 2 Replies



**AX Bartow** Jeebus.

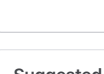
Like · July 4 at 10:46am

**Eugene Novikov** The thing that convinces me this is real is how little sense it

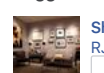
People You



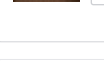
**Jacquie Cheng** likes The Wirecutter's link.



**Ray Locker** "just saw Amelia Earhart at the Farragut North CVS."



**Gab May Pel O'Quin** replied to Lorenia Aquino Mendoza's comment.



**Jamie Nestor and Russ Frieson** are now friends.



**John D Repka** likes Kevin Ostler's post.

Friend Requ



English (US) · Français (Fra






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





YOUR PAGES

TheYellowDailyNews

CONTACTS

- Simon Lutrin
- Noah Shachtman
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- Carlos Leija
- Michelle Lane
- Jay B Gaskill 4m
- Jason Gittens 3m
- Shawn Ray 30m
- Holly Chafey 11h
- Angel Galvan-Raich 27m
- Justin Scheck 4m
- Jamie Moss
- Darren Koepp 8h
- Joy Bowen Glenwright 1h
- Kris Woods 50m
- Evan Hansen

-  makes.  
Like · 11 · July 4 at 10:47am
-  **Michael Alcamo** I hope that person isn't licensed anywhere as an attorney!  
Like · 1 · July 4 at 10:48am
-  **Alex Tabarrok** WTF? I don't even get how the tweet relates to an IP feud.  
Like · 2 · July 4 at 10:50am · Edited
-  **Mark Lemley** Curiously, Facebook suggests I add a Donate button to this post. Perhaps we could fund fake Twitter feuds?  
Like · 17 · July 4 at 10:50am
-  **Cathy Gellis** It's also astonishingly inept. "Write to everyone who has ever been involved with IP, regardless of their position" is a terrible way to surreptitiously start a feud.  
Like · 1 · July 4 at 10:51am  
 Cathy Gellis replied · 2 Replies
-  **Andrew McLaughlin** (Memo to future presidential transition team: rename to Office of Intellectual Property and Fair Use Enforcement.)  
Like · 4 · July 4 at 10:53am
-  **Mary Hodder** WTF? That's ridiculous.  
Like · 1 · July 4 at 10:54am
-  **Brittan Heller** Gah?  
Like · 1 · July 4 at 10:54am
-  **Anupam Chander** Inept in yet another way: I'm no historian, but a quick Google search suggests that the Franklin bifocals invention story undermines the IP maximalist claim: Franklin apparently didn't take out patents, saying "... as we enjoy great advantages from the... [See More](#)
- 

**Benjamin Franklin - Wikipedia**  
Benjamin Franklin FRS, FRSE (January 17, 1706 [O.S. January 6, 1705][1] – April 17, 1790) was one of the...  
EN.WIKIPEDIA.ORG
- Like · 15 · July 4 at 10:57am  
 Chris Sagers replied · 2 Replies
-  **Steven Spriggs** This actually just seems like a fun thing designed to share information and be an interesting/viral thing. I can see being concerned that it's start by the government, but it seems right out of the playbook of a corporation. Think Wendy's or prominent brands. Perhaps based on the people tweeting it might not make it to young people who might see these facts, but I don't think this is egregious.  
Like · 3 · July 4 at 10:58am  
 Vernon M. Winters replied · 4 Replies
-  **Dwayne Kennemore** Don't think of it as fake news. Think of it as a rap battle.  
Like · 7 · July 4 at 10:58am  
 Nikki Pope replied · 4 Replies
-  **Mary Eisenhart** Good lord.  
Like · 1 · July 4 at 11:04am
-  **Laura Quilter** .... gross.  
Like · July 4 at 11:04am
-  **Joshua Lamel** we need to takeover the hashtag if this happens. all about copyright trolls and offensive cases and bad patents "I made a great peanut butter and jelly sandwich today. I should apply for a patent. #MostAmericanIP  
Like · 7 · July 4 at 11:08am
-  **Joshua Lamel** My business just got seven demand letters mere weeks after closing our series B. #MostAmericanIP  
Like · 6 · July 4 at 11:09am
-  **Laura Quilter** I would really prefer for the US State Dept to not spend time astro-turfing for various Big Content companies, and instead do, you know, FOREIGN AFFAIRS. I think there's enough work in all the unfilled vacancies that even the BEA staff could kick in.  
Like · 9 · July 4 at 11:10am
-  **Sherwin Siy** #MostAmericanIP ? How about #NotAllAmericanIP ?  
Like · 3 · July 4 at 11:11am
-  **Alexandra J. Roberts** "our public diplomacy office is still settling on a hashtag."  
Like · 4 · July 4 at 11:17am  
 Chris Sagers replied · 1 Reply
-  **Cathy Gellis** The RIAA/MPAA cuddling up to the Trump Administration is really not a good look. (Worse than usual.)

Like · 4 · July 4 at 11:17am



**Alexandra J. Roberts** of all the audacious statements on twitter, the one about bifocals and ben franklin will surely stand out as PARTICULARLY audacious

Like · 3 · July 4 at 11:19am



Mark Lemley replied · 3 Replies



**Christine Peterson** Our tax dollars at play.

Like · 2 · July 4 at 11:24am



**Daria Roithmayr** The thing that makes me laugh most is the advance planning and coordination for a viral feud. As though this Administration doesn't know how to do one organically. 🙄

Like · 7 · July 4 at 11:37am · Edited



**Michael Barclay** Send them this tweet.

<https://twitter.com/DanielJHemel/status/881707603373543424>



Daniel Hemel on Twitter

"Art I § 8 cl 8 gives Congress power to create IP. It does not create any right, & it does not stand in way of..."

TWITTER.COM

Like · 1 · July 4 at 11:40am



**David Hricik** Is this method patentable?

Like · July 4 at 11:49am



**Eric Goldman** Apparently our government has substantial expertise in fake news

Like · 2 · July 4 at 11:51am



**Dave Asprey** This is why no one who knows how to do social media would work for the government

Like · 1 · July 4 at 11:53am



**Jessica Silbey** Fuck this.

Like · 4 · July 4 at 12:02pm



Joshua Lamel replied · 1 Reply



**Carole Craska** Can we keep everyone in Washington busy with this kind of thing for the next 3.5 years. That way they won't do as much damage as they proposed a few months ago.

Like · 1 · July 4 at 12:24pm



**DC Toedt** Whoever "H" is that sent you the email, please consider giving him or her a break, and even communicating privately about what a silly idea it is. The email sounds like it came from a naïve young eager beaver. We all [foul] up, especially when we're ne... [See More](#)

Like · 4 · July 4 at 12:33pm · Edited



Bob Schwartz replied · 2 Replies



**Jeanne Fromer** This would all be fine and maybe even fun except for the categorizing of this as a "fake Twitter feud." How tone deaf. Ugh!

Like · 1 · July 4 at 12:48pm



**David S. Levine** I'll publicize via Hearsay Culture if you'd like (seriously). If not, IT'S WAR.

Like · 4 · July 4 at 1:18pm



**Ian Ballon** Since the State Dept is no longer engaged in diplomacy, what better way to kill time than start a fake twitter war!

Like · 4 · July 4 at 1:26pm



**Bennet Kelley** Sad so many are participating

Like · July 4 at 1:42pm



**Sheila JD** Unreal. F\*ck that.

Like · 1 · July 4 at 1:55pm



**David Gulbransen** What, you don't want to "activate an audience of young professionals"???

Like · 1 · July 4 at 2:18pm



**Harold Rosenthal** Insane. Now here's a budget item we can cut. I'm going to forward it to some reporter friends. I won't use your name unless you say it's OK.

Like · July 4 at 2:33pm



**Peter Conti-Brown** The sheer obtuse earnestness of this makes me heart hurt for the little toiling bureaucrat trying to make government work fun.

Like · 6 · July 4 at 2:33pm



**Steven A. Hirsch** I don't even get it. What State Department (or even broadly governmental) purpose or policy does this exercise seek to advance?

Like · 2 · July 4 at 3:58pm

Elizabeth Ann Betty Morgan OMG. No words.

 Like · 1 · July 4 at 4:47pm

 **Aaron Jacobs** Hey Ailsa Chang. . . .  
Like · July 4 at 7:31pm  
 Aaron Jacobs replied · 1 Reply

 **Chris Sagers** I love it that MPAA and RIAA are in on it  
Like · 2 · July 4 at 9:51pm

 **Lancelin Pierre**  


Like · 2 · Yesterday at 1:04am

 **Rob Kar** An (honest) question: are you sure this is itself real--ie, a communication from an actual State Dep official? I ask because another possibility is that this is a new front in Russian-funded or other propaganda to get people not to trust what official... [See More](#)  
Like · 1 · 20 hrs  
 Rob Kar replied · 4 Replies

 **Mark Lemley** It has now made the press. <https://www.techdirt.com/.../state-dept-enlists-hollywood...>



**State Dept. Enlists Hollywood And Its Friends To Start A Fake Twitter Fight...**  
TECHDIRT.COM

Like · 6 · 18 hrs

 **Joe Mullin** Other than the writer's utterly tone-deaf use of the term "fake Twitter feud" to describe what really amounts to simplistic online marketing, I don't see how this is particularly different than pro-IP marketing done by the USPTO, the Copyright Office, ... [See More](#)  
Like · 2 · 16 hrs

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