

15 May 2014

Brandon Shollenberger

VIA EMAIL: Brandon.shollenberger@gmail.com

Dear Mr Shollenberger

UQ Research and Innovation

Director, Research Partnerships

Ian G Harris

CRICOS PROVIDER NUMBER 00025B

Your email dated 10 May – “Your TCP Data Has Been Leaked”

I am a solicitor acting for The University of Queensland.

I refer to your email dated 10 May addressed to Mr John Cook, an employee of The University of Queensland.

In your email you state that you are in possession of “undisclosed material” related to Mr Cook’s publication entitled “The Consensus Project”. You have listed some of the undisclosed material in your possession which is part of a data set.

You further state that “no obligations have been placed upon me regarding any of this material” and that you “intend to begin sharing material this weekend, but I make no claim for first publication.”

The intellectual property in the data set (the “IP”) you have in your possession is owned by The University of Queensland. The University of Queensland has contractual obligations to third parties regarding the IP. Any publication of the IP will expose the University to civil actions from third parties. The University of Queensland reserves its right to take any and all legal action against any person, including you, who publishes the IP and exposes The University to liability.

Furthermore, The University of Queensland has conducted a forensic investigation and it appears that the site where the IP was housed has been hacked and that this is a matter that requires referral to US law enforcement agencies.

The University of Queensland owns the copyright in this letter and you are advised that any publication by you of this letter, or persons acting in concert with you, will constitute an infringement of The University’s copyright. The University of Queensland reserves its right to take any and all legal action against any person, including you, who publishes this letter.

You are advised that the publication of defamatory comments about The University of Queensland or its employees on a publicly accessible website such as a blog is a matter which The University of Queensland takes seriously.

By this letter The University of Queensland hereby demands that you immediately cease and desist from the following:

1. any and all activities that involve the use or disclosure in any manner of the IP; and
2. any further correspondence with Mr Cook.

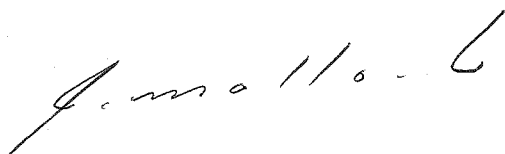
Furthermore, you are advised that any publication of this letter and/or any publication of defamatory comments about The University of Queensland by you will be the subject of action by The University.

This cease and desist applies to you individually or to any other individuals or entities acting in concert or participation with you.

In the event you choose to ignore this cease and desist demand, The University of Queensland will take all necessary steps to preserve its position and it holds you liable for all loss and damage caused to it by you. The University reserves its right to take any and all legal action against you including a demand for damages, losses, attorney fees and costs, together with injunctive relief seeking an immediate court order to restrain you, your agents and assigns from engaging in any conduct impacting The University of Queensland in any jurisdiction, including Australia and the United States of America.

Any response you may have should be directed to me.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Jane Malloch', written in a cursive style.

Jane Malloch

Head Research Legal

Acting Director Research Partnerships

The University of Queensland