
Subject: The long and the short of it
Posted by [Steve Eddy](#) on Fri, 23 Dec 2005 08:52:59 GMT
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I spent several hours today reading through the history of the whole L'Affaire Peerless and find myself not only mindboggled that it should have gone on for so long, but rather thoroughly disgusted with the whole mess. Here is the long and the short of it. First, the transformer design in question is not patented nor is it covered by trademark or copyright. To that end someone may obtain said transformer, take it apart to discover its design, and produce transformers using the same design. While this is just plain sleazy and unethical (and I would hope no one of good conscience would ever patronize someone engaging in such a thing) it is not illegal. However when someone making such a transformer uses the Peerless name in conjunction with selling said transformer it's a whole other ballgame. And I'll use Douglas' own words to illustrate this critical point. First, this transformer is not a Peerless. That is absolutely, positively, 100% correct. And PRECISELY why using the Peerless name in conjunction with selling the other transformer not only violates the rights of whomever owns the Peerless trademark, but several consumer protection laws as well. This extends to saying it is "based on" a Peerless transformer as it unfairly takes advantage of someone else's good name for the purpose of selling your own product. That would require a Peerless/Altec blueprint. That is absolutely, positively, 100% INCORRECT. Even if the transformer was made using a Peerless blueprint it would NOT be a Peerless transformer. What makes a Peerless transformer a Peerless transformer is its being MADE BY PEERLESS, or by whomever owns the trademark rights to the Peerless name, or by whomever that entity grants license to produce transformers using the Peerless name. Otherwise, it's just some other transformer. A Heyboer transformer. Or an E-Linear transformer. Or a PakProtector transformer. Or whatever the fuck name you want to stick on it OTHER than Peerless.se

Subject: Re: The long and the short of it
Posted by [Damir](#) on Fri, 23 Dec 2005 09:57:33 GMT
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A few OPTs that "Heyboer" made for Doug and his friends are not "Peerless S265Q", but "modified copy of old Peerless S265Q OPTs, with added E-linear taps, made by Heyboer". But, obviously - this mess isn't about those few OPTs, but nice theme for arguing (other themes are grid chokes, measurements, etc.). It's about deep disagreement that more and more becomes an irrational hate.

Subject: Re: The long and the short of it
Posted by [MQracing](#) on Fri, 23 Dec 2005 10:29:39 GMT
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Damir:The text you have in quotes... woud you provide the message number and forum where it is stated as such? Raheer, here is the text I find in 3 posts on the Group build forum;::E-Linear modified Peerless S265::please reference post numbers 1763, 1764, and 1765.It is not and cannot be a modified S265 since we are the only ones who can legitimately build Peerless transformers. Now... go back and read the text about "passing off" and about "misappropriation"... both of which define illicit and deceptive business practices. msl

Subject: Re: The long and the short of it
Posted by [Damir](#) on Fri, 23 Dec 2005 11:06:21 GMT
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I'd rather not, thanks... You know, technically, you don't have a claim to "Peerless" name, and DST has prior use. You have very flimsy "case", and none at all for the parts numbers. But, if I'd promise you that I won't abuse any "Peerless" OPT I can meet during the holidays - can you stop for now, because of the Christmas? You can write in "Word" all the weekend what you feel about it, and then post it there in Tuesday. Deal?

Subject: Re: The long and the short of it
Posted by [MQracing](#) on Fri, 23 Dec 2005 11:21:10 GMT
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Damir writes::::...you don't have a claim to "Peerless" name, and DST has prior use.....:you should not play lawyer... when your so ill equipped to do so. OTOH I do have a trademark attorney... who has evaluated all of our trademark claims and assures me that we are on solid legal ground. For your information... prior use of the Peerless namesake as a producer of electronic transformers goes back to 1934. And the test is "first use" of...and further, rather than you playing lawyer... why don't you read post number 1450 in the dungeon and read the following once again...

*****Posted by colinhester [65.27.130.154] on September 15, 2005 at 21:05:17:In Reply to: Re: in addition to other concerns..... posted by MQracing on September 15, 2005 at 20:46:18:I think the issue of the "Peerless" ownership has been resolved to both Wayne's and my satisfaction. It's clear you have ownership, and this board will respect your TM rights.....Colin*
<http://audioroundtable.com/Dungeon/messages/1450.html>

*****at least when Colin was the mod over on Group Build there was some objectivity and no HIDDEN AGENDA. You on the other hand have only been interested in seeing how you can harm our legitimate business interests and provide cover for Dougie.No wonder your forum is moribund. Your putting too much effort in how to dress up sleazy, deceptive business practices and too little effort into promoting a healthy audio environment.Also... again... the issue of registration of trademarks is not even close to being a determinative test... as federal registration of trademarks is not a requirement for the existence of

a trademark.Again... try to read and comprehend the descriptions of what constitute's "passing off" and "misappropriation". And why these are condemned as deceptive business practices.msl

Subject: Re: The long and the short of it
Posted by [Damir](#) on Fri, 23 Dec 2005 11:49:43 GMT
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Haha, don`t want to talk in Colin`s name, but you know - all the good people from "Group Build" forum have the same opinion about you and your behaviour...that you are just the troll and "Dungeon" fool.You are not good enough for "Group Build", sorry...

Subject: Re: The long and the short of it
Posted by [MQracing](#) on Fri, 23 Dec 2005 11:59:15 GMT
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Dungeon fool? You seem to be both unable to control yourself as well as unable to grasp any of the legal or ethical issues involved... no doubt.. due to your hidden agenda and hurt feelings.But that's ok... by excercising your power indiscreetly and gloating about you banning me from grope build... only makes me moreso aware that you've decimated your readership by 20 percent and that your moderated forum is in it's death throes...you've done a great job over there Damir since taking over the reins from Colin.msl

Subject: three days ago you were singing my praises...
Posted by [MQracing](#) on Fri, 23 Dec 2005 12:22:47 GMT
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Damer wrote:"You are not good enough for "Group Build", sorry..."though just three days ago Damer posted the following on his grope build fourm;:::Now, that`s a good info, thanks! Must find a time to read it more carefully...:-):::So who is the dungeon fool who has fallen into an apparent psychosis?Hope you find your meds.

Subject: Re: three days ago you were so-so normal...
Posted by [Damir](#) on Fri, 23 Dec 2005 13:40:36 GMT
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And dealing with Trolls is similar like with all risky animals - sometimes you must pat it on its head, sometimes you must feed it, and sometimes punish it...

Subject: Re: The long and the short of it
Posted by [Damir](#) on Fri, 23 Dec 2005 13:46:22 GMT
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Unable to control? You didn't understand yet that I pretty much control your behaviour here - just feed you with something stupid here and there and watch your angry replies...entertainment for all!

Subject: hey... maybe you'll have to reactivate your action man....
Posted by [MQracing](#) on Fri, 23 Dec 2005 13:52:15 GMT
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ooow... the lethal invalid jute-esque fantasy man of Damir's...have you sent him my way yet?Has he flown jetfighters under bridges?Posted by Damir_the real one on February 13, 2005 at 05:54:29on AA.:A friend of mine, ex-special forces, now with an invalid pension (3 times wounded in battle), but in good shape, has plenty of time, has a sense of humour, but the kind of man you can't BS with. Honest and brave, doesn't like bad people - but he wouldn't kill anybody without a reason.:He knows almost nothing about tube electronics, but it's alright - nor do many other people here.::

Subject: your a poor seer....
Posted by [MQracing](#) on Fri, 23 Dec 2005 14:02:35 GMT
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Perhaps you will get a new crystal ball under your try as your old one really appears to be out of focus.No anger at all. Just the origination of substantive posts and then the quick retorts to your (can depend on) vacuous replies which are surely to follow.hoping you get a new crystal ball for christmas.msl

Subject: Re: hey... maybe you'll have to reactivate your action man....
Posted by [Damir](#) on Fri, 23 Dec 2005 14:10:02 GMT

I posted this in the thread where we're into finding the right characteristic of the moderator, my ironic/funny (and I said that) response is that we need special forces man for that, I have a friend just like that. And if you think that's not possible, think about it - ten years just passed after the war in my country. Tens of thousands dead, hundreds destroyed tanks, tens of MIGs thrown down, many towns and villages destroyed/burned, hundreds of thousands displaced persons, many war invalids, etc. Someone did it, for sure. But, that's not the thematic, and I don't want to talk about it. I found this citation from other forum much better:"> Brat Ludwig wrote:> > Andrew had little to do with Magnequeef's fall: by then we had all> > pretty much pegged Mike Lefevre as a fraud, an idiot, and a raging> > hard-on."

Subject: Mike is 'Good' enough...

Posted by [PakProtector](#) on Fri, 23 Dec 2005 15:59:38 GMT

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I am sure of it. I will await his proof of being good, by way of making a contribution. Such as proposing a design, fielding questions, and otherwise providing support. I do doubt he'll be able to do this, as I suspect his goal lies elsewhere. You see, Mike, there is no selective enforcement of the rules around here, as you'd expect to find somewhere else. I have no 'IN' with the moderation, and don't discuss things like how many posts got deleted. Speaking of which, why don't you go call AA and see how many it was before Labor Day, 04? You might need all three of your thumbs to count them.....)I have hope you'll stop taking drugs and realize what sort of lunacy you have been trying to sell, but I doubt it will happen. I would welcome your attempts to prove me wrong....)cheers,Douglas

Subject: Re: The long and the short of it

Posted by [colinhester](#) on Fri, 23 Dec 2005 17:28:49 GMT

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Mr. LaFevre, I kindly ask that you leave my name out of this discussion. I quit moderating GB after the last round. This is a hobby for me and is supposed to be fun; this clearly is not.....Happy Holidays, Colin

Subject: Re: The long and the short of it

Posted by [Steve Eddy](#) on Fri, 23 Dec 2005 19:21:07 GMT

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A few OPTs that "Heyboer" made for Doug and his friends are not "Peerless S265Q", but "modified copy of old Peerless S265Q OPTs, with added E-linear taps, made by Heyboer". But what you don't seem to grasp here is that "Peerless" cannot be used in the course of selling those transformers. Even if you're saying they are a "modified copy of old Peerless..." That's an unfair use of someone else's trademark and good name to sell your product. Look, there's simply no earthly reason for bringing up the Peerless name and model number in the context of Douglas' transformer EXCEPT as an attempt to associate his product with the good name and reputation of someone else. That's not just sleazy and unethical, but illegal and actionable as well. If Douglas' transformer cannot stand on its own merits, i.e. electrical specifications and performance, features, Douglas' name and reputation, etc., then he has no business selling them in the first place.se

Subject: Nice take Steve...

Posted by [PakProtector](#) on Sat, 24 Dec 2005 02:33:10 GMT

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but coming from the MQ camp, it is hardly surprising. You have reached the same conclusions as your Iron source, and you aren't really in a position to say anything otherwise. Just because Mike is in error in more than one place, you'll have to follow suit or suffer the consequences. Nice MQ sockpuppeting, right out of the Jute Wars. Sorry to see nothing has changed, and nobody has learned anything.cheers,Douglas

Subject: Re: Nice take Steve...

Posted by [Steve Eddy](#) on Sat, 24 Dec 2005 03:10:55 GMT

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but coming from the MQ camp, it is hardly surprising. You have reached the same conclusions as your Iron source, and you aren't really in a position to say anything otherwise. Just because Mike is in error in more than one place, you'll have to follow suit or suffer the consequences. Nice MQ sockpuppeting, right out of the Jute Wars. Sorry to see nothing has changed, and nobody has learned anything. Oh but there are always opportunities to learn things. For example, your post gives us the opportunity to learn firsthand what an ad hominem argument is and that you don't even know what sockpuppeting is. Please take notes, class. There will be a test on Monday.se

Subject: Re: Nice take Steve...

Posted by [PakProtector](#) on Sat, 24 Dec 2005 03:45:59 GMT

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you're so much more experienced at this...either way, you are one of Mike's goons, just like the RAT episodes. The only question I have is: what happens when you need to disagree with him?cheers,Douglas

Subject: Re: Nice take Steve...

Posted by [Steve Eddy](#) on Sat, 24 Dec 2005 04:18:25 GMT

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you're so much more experienced at this...either way, you are one of Mike's goons, just like the RAT episodes.You're being redundant. We've already covered the ad hominem argument. Or is that the extent of your repertoire?The only question I have is: what happens when you need to disagree with him? Um, what happens when I need to disagree with him is... I disagree with him. What sort of silly question is this?se

Subject: Happy Hollidays to you.

Posted by [MQRacing](#) on Sat, 24 Dec 2005 15:26:02 GMT

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Putting aside our disagreements for a moment. Here's wishing you and your family the merriest of the holliday season.msl

Subject: Silent Night

Posted by [Damir](#) on Sat, 24 Dec 2005 20:39:35 GMT

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Thanks, the same to you and your family - Merry Christmas!

http://www.worldsecuritynetwork.com/showArticle3.cfm?article_id=8857&topicID=48

Subject: Nope.

Posted by [PakProtector](#) on Sun, 25 Dec 2005 00:21:12 GMT

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MSL:It is not and cannot be a modified S265 since we are the only ones who can legitimately

build Peerless transformers. You are the only one who can label what you build a Peerless TX. There is a significant difference between that and your wild, all-encompassing claims. You may claim what ever you want, and up to a point, it's amusing. The fact of the matter is you have no legal rights to sole ownership of the design. Sole ownership of your copies is about all you can truthfully claim. If you think you bought something else, you were misled, and not just a little. cheers, Douglas

Subject: if I needed another point, I'd use it
Posted by [PakProtector](#) on Sun, 01 Jan 2006 01:04:26 GMT
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but it's not a very complicated or legitimate argument you guys are making. why does it need a something complicated. Mike is a fool for believing he has complete control over an ancient design. His tactics are the same as the last time he got into a public disagreement. The first time I saw Jute's name mentioned on AA there was a whole lot of 'be quiet you'll wake up his ghost'. No mention of the nastiness contributed by your parts supplier Mike. as to this one>>>What sort of silly question is this? it is obvious, and either you're blind and foolish(unlikely), or you think it can't happen to you. Why not ask him how a CT choke works. How half the turns can have both half and a quarter the end to end inductance. Maybe another question is needed, in case Mike as actually learned something. For the record, I doubt it. The RAT war didn't teach him anything useful, chief among them being that as the last one standing, you can rewrite history to suit the story/audience at hand. Mike is a nasty control freak, and the proof is all over this forum, and RAT. If you still need his personal goodwill, and/or wish to remain one of his customers, I can see why you'd choose to ignore the truth, and actually deny it. There is no other reason to support his position, and only those who fall into those categories are doing it. Like I said, it is quite simple. cheers, Douglas

Subject: a suggested practicum for Douglas
Posted by [MQracing](#) on Sun, 01 Jan 2006 15:08:31 GMT
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Dougie asserts::::Mike is a fool for believing he has complete control over an ancient design.:::I try not to engage you... as I realize your starved for attention... but... I find this claim to be fascinating. Can you offer a definition of what or when a design becomes "ancient"? Yesterday, I was talking to a friend who is also in the audio trans business... and he prays that he never falls on your radar screen... anyway... he suggested a practical learning plan that you should try out with your various theories... what he suggested was for you to build "copies" (i.e., clones) of one or more of the following products... here's an "ancient" product... so surely ALL the rights must have evaporated by now... why not build a clone Bose 901 speaker... it was originally designed in 1968. So it's approx a 37 year old design. Go buy a pair in the second hand market and then "clone" it... then start hustling your clone on the GB forum.... be sure to use Bose's name and

goodwill and make sure you remind the readers of the "likeness piracy" of your 9001 clone to the original (yeah, just try to change the number a lil' bit)... be sure to try to skirt any legal issues by claiming that you've made some modifications to the original design. And, then, wait and see what Bose's reaction might be. Second product you might like to try cloning... try making and marketing a very thick speaker cable... make sure you show and tell the readers that it is a 'clone' or a 'copy' of the original Monster Cable (R) product that was introduced in the early seventies if my recollection is correct. Now... can't be anything proprietary about a 30 plus year old speaker cable design, can there? And given that the original cable design is thirty plus years old... that should satisfy your "ancient" requirement... so offer a group buy on GB of some Monster Cable (R) look-a-likes (no matter the age of the product) and be real sure to use Monster Cable's (R) namesake and goodwill in promoting your "knock off" speaker cables... want to see Monster Cable's reaction? Or, do the above and say your knock off is better than the original because you are using a "better" dielectric to cover the conductors. Give it a try if you feel lucky. Doug... you have this crazy warped notion that if you buy a product then you have acquired all the rights to the design of that product. So... for a third test... pick up a really old (say first generation) Audio Research preamp.... clone it... be sure to use Audio Research's namesake and be sure to tell folks that it is identical to the original except for some minor modification you've made (say a change in the volume control from a potentiometer to a stepped atten)... and then be brazen and email Audio Research a link to the offer you post on the GB forum.

Subject: keep repeating it Mike...

Posted by [PakProtector](#) on Sun, 01 Jan 2006 17:54:29 GMT

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it will come true eventually...All these friends of yours, all with no names, just like your goons around here. Get a grip, and try some other tactic than your old RAT BS. cheers, Douglas

Subject: give Bose or Monster Cable (r) a try Doug....

Posted by [MQracing](#) on Sun, 01 Jan 2006 19:34:26 GMT

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hey... I put up a substantive post... that by abstraction should give you something to think about...and your only reply is to remind me that your the SECOND kook that I've bumped into after 17 years of being in business? well... compared to bill gates... I guess at two kooks and counting I am not doing so bad...msl

Subject: the common thing is you...

Posted by [PakProtector](#) on Sun, 01 Jan 2006 20:08:32 GMT

and so are your actions. But, I don't expect you to learn very quickly. You certainly learned a lot with several people trying to teach you energy conservation and PP loading. Also, why would I want to copy something I know doesn't work? But thanks for the invitation.cheers,Douglas

Subject: two faced to boot....

Posted by [MQracing](#) on Sun, 01 Jan 2006 21:13:17 GMT

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Doug wrote::::Also, why would I want to copy something I know doesn't work? But thanks for the invitation.:::so... then why did you copy our xfmr design and then use our goodwill and namesake to hawk it for a profit (which you admit to doing finally)?let me guess your next move... you improved the design radically... you weren't smart enough to design your own trans... you rip off our design... you hawk it using our name and our goodwill... and when your called on it finally...my guess is that you'll declare that your a tranney guru\genuius and that you made the copycat version a whole lot better...yeah... yeah... just the vacuous words of a conman...

Subject: it isn't yours alone Mike...

Posted by [PakProtector](#) on Sun, 01 Jan 2006 21:33:16 GMT

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if you could prove that, you would have done so a long time ago. All we have are your claims, and those of your goons. Big deal.And it is a lot better. I, and anybody else who wants one, can use it in an original circuit in ways David Sarser never anticipated. Big deal. It isn't anything you can't do as well. I invite you to do so.There is no con BTW. besides your vacuous head that is.cheers,Douglas

Subject: holy great mother...

Posted by [MQracing](#) on Sun, 01 Jan 2006 22:49:28 GMT

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..

Subject: NO

Posted by [PakProtector](#) on Tue, 03 Jan 2006 16:06:12 GMT

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I think one is quite enough...not that two would be more useul than one.cheers,Douglas
