Subject: None of My Business
Posted by Manualblock on Sat, 24 Dec 2005 13:15:53 GMT
View Forum Message <> Reply to Message

Arguing points of law by quoting statute and taking whole sections of the Commercial Code time and again and pasting them into posts has been done to death. It seems to me if there were an actionable issue here one of the thousands of lawyers looking for work would take the case on. I don't mind argument to elucidate a point but the same exact sentences are being repeated ad nauseum.At this point it appears there will not be any action regarding behaviour modification of the parties here. I don't claim to be an authority on legal interpretation of copyright law but everytime one of these kinds of disputes arises it goes absolutely nowhere. That tells me there just might be lack of clear guidelines of rights and responsibilities and that is why no legal authority wants to get involved? What is the payback here? If you can't modify someones behaviour to your satisfaction through legal means with all of the lawyers available for hire then maybe you really don't have a case???So if that turns out to be true; then I ask..whats the point? Why not move on?Peerless may just have to be something that describes a certain series of parameters that we use as a guide to help determine what and how to build a transformer for certain applications. If there is significant loss of income to anyone as a result of people using that description; I haven't seen evidence of it in these posts.Happy Holidays and Merry Xmas and Happy Haunakka to all.

Subject: Re: None of My Business
Posted by MQracing on Sat, 24 Dec 2005 15:16:01 GMT
View Forum Message <> Reply to Message

MB wrote::::I don't mind argument to elucidate a point but the same exact sentences are being repeated ad nauseum.:::apologies. But when the same arguments are presented over and over again... (i.e., I can copy anything I want, I can call it whatever I want, I can use your tm whenever I want, etc) it might be the case that this same argument warrants the same reply. What I have tried to do is enrich the context... by using examples and logic... such as... if we allowed this behaviour unabated what would the forums look like content wise and what impact would that content have on ART's perception, role, and impact in the audio hobby.I've asked for instance... does ART want to be the home of the copycat? wherein a disaffected consumer (simply because a mfgr would not change or modify his product to the consumer's demand)can then offer copies of the product and use the name and good will of the company. And this is a POLICY issue. ART does and can control the content which is permitted to be posted. Rules are already in place for instance which does not permit the posting of pornographic images (even legal ones). :::...if there were an actionable issue here one of the thousands of lawyers looking for work would take the case on...:::Respectfully, this is a parochial view of the law. First thing any good lawyer is going to suggest is that you seek a solution outside of court or filing a lawsuit. And in fact, much of the legal system is set up to seek and encourage solutions to legal disputes before it has to go into a courtroom and before a jury. This is why (in part) you have discovery and often times various pre-trial hearings. And even the judges before trial will hear the basic arguments in chambers and see if he\she can get the parties to some agreement short of having a full blown trial.And, rather

than urging legal action... you should first think of the ramifications... for instance, ART would if any party were to file a legal suit re: some of the matters being discussed.... it would most likely involve Wayne and the ART forum since this is where the events have occurred. Do you really want to saddle Wayne with perhaps some legal expenses when it may be possible to discuss the matters intelligently, consider all the issues and ramifications and adopt a policy that is fair and just? Another consideration... before urging legal action... as I understand it one moderator (name withheld to respect his privacy) had already quit modding because of his concern about "legal jeopardy" (being named in a suit). So... this can and does have an impact on other people... and we shouldn't cavalier just urge everyone to sue everyone... and especially BEFORE exhausting every other reasonable and practical solution to the crisis at hand.Make no mistake.. I do have legal counsel who is fully aware of the issues involved here. But rushing into court may not be the best or most economic way of settling any of the relevant issues at stake here.And... I could post a lot more and can think of a lot more to add in response to your post... but I have to do some christmas shopping...perhaps I will add some additional thoughts to this post later in the day.meantime, Merry Christmas to all.msl

---

Subject: a short addendum...
Posted by MQracing on Sat, 24 Dec 2005 15:52:52 GMT
View Forum Message <> Reply to Message

msl wrote::::And, rather than urging legal action... you should first think of the ramifications... for instance, ART would if any party were to file a legal suit re: some of the matters being discussed.... it would most likely involve Wayne and the ART forum since this is where the events have occurred. Do you really want to saddle Wayne with perhaps some legal expenses when it may be possible to discuss the matters intelligently, consider all the issues and ramifications and adopt a policy that is fair and just?:::And lest this be misinterpreted as a criticism of Wayne.. he has already weighed in on the issue of trademarks... plese see post number #1450. Armed with that understanding and the realization that Wayne has stated his intent to honor trademarks and other intellectual property... I am much more inclined to seek out a rational, reasoned solution of what issues remain to be settled.msl

---

Subject: Re: a short addendum...
Posted by Manualblock on Sat, 24 Dec 2005 16:19:43 GMT
View Forum Message <> Reply to Message

Absolutely; that was my point. This concept is such a grey area that there really is no legal recourse unless you are a multi-million dollar entity with lawyers on retainer. You can't even get a restraining order enforced because of the tenous legal footing. The endless rounds of regurgitated rancor accomplishes nothing of any substance.I feel for all aggrieved parties; but two or more years of this has resulted in nothing of consequence accomplished.

Subject: so then...
Posted by PakProtector on Sat, 24 Dec 2005 21:06:12 GMT
View Forum Message <> Reply to Message

seems to me that the best course of action might be that we start talking about settling this in a way that will keep it settled. So, I'll say it again in public: call when ever you like, and we can try to sort this out. If you want my number, email me, and I'll send it to you.MB, actually, in about the year and a half since the disagreement commenced, it has only escalated. Since I am not going to vanish like his last opponent, either it will get settled, or the escalation will likely continue.cheers,Douglas

Subject: so, it is settled then.
Posted by PakProtector on Sat, 24 Dec 2005 23:19:20 GMT
View Forum Message <> Reply to Message

I am going to go on digging into old designs, and Mike is going to continue smoking dope and believing he has some legitamate claim to controling them and or me.Glad we got that out of the way.cheers,Douglas

Subject: no negotiations.....
Posted by MQracing on Sat, 24 Dec 2005 23:23:27 GMT
View Forum Message <> Reply to Message

Doug. Sorry. I've said it before and I'll say it one more time. I will not be extorted nor will I negotiate with someone to have them stop doing something they should not be doing in the first place.If you think your threats to escalate the crisis will make me "negotiate" ... please reconsider. There is absolutely no basis to negotiate with you on. I will seek out a resolution of the relevant issues with the owners of this board (where you have been waging your illicit campaign) but I will not negotiate with you to get you to cease doing the things you shouldn't be doing in the first place.Just as I would not negotiate with a house burgler to get him to stop ripping off my physical possessions nor will I negotiate with those who would misappropiate my intellectual property and free ride on the good will of my company. It will not happen.We can get along perfectly well (i.e., we can co-exist peacefully) in the audio community if you cease using our name, our goodwill and cease misappropiating our intellectual property. I have and would wish you well... if you ever decided to take the high road and behave as an honest businessman. If you want to be in the transformer business... well wishes and good luck... but do it as Steve Eddy has previously suggested... on your own merits and reputation NOT on ours.happy hollidays,msl

Subject: a point of clarification....
Posted by MQracing on Sat, 24 Dec 2005 23:32:20 GMT
View Forum Message <> Reply to Message

Douglas wrote::::I am going to go on digging into old designs,::I think sometimes there is the mistaken impression that the designs that Doug has been misappropiating for his own gain are... as he keeps saying "old" and with that the inference that they have been abandoned or that they do not represent an ongoing product line. Nothing could be further from the truth. The designs which he seeks to misappropiate and then hawk on ART... were bought and paid for by me and are a source of income for my family. Just as I would not break into his home and take his money... I would exect that he and everyone else would respect the intellectual property rights of others including mine.msl

Subject: you misunderstood(again)
Posted by PakProtector on Sat, 24 Dec 2005 23:34:11 GMT
View Forum Message <> Reply to Message

I am not threatening you with escalation, or anything for that matter. I don't want anything to do with your reputation. Not a single bit. You established it quite thoroughly on RAT, and are living up to it again.So go and find something else to accuse me of, and I'll find another good reason to laugh at your insanity.cheers,Douglas

Subject: so you own every OPTx rights ever produced?
Posted by PakProtector on Sat, 24 Dec 2005 23:40:56 GMT
View Forum Message <> Reply to Message

I think not.Don't worry, there are a few that you mistakenly claim to own that are in the que for teardown. It's all a control isue with you Mike, and when you don't have it, you claim to have it. Which has led us here. You don't have any, and I'm surry that it bugs you, but I don't feel like easing your discomfort even in the slightest.Which one of my friends are you going to call next, to pump for information and claim to be a friend working on the project with me? It is easy to see what you're about, just look at what you're accusing others of doing to you.cheers,Douglas

Subject: Re: so then...
Posted by Manualblock on Sun, 25 Dec 2005 04:02:50 GMT
View Forum Message <> Reply to Message

At some point you have to let the past be the past. But truth be told from an outsiders view I have no right to hold an opinion; I am just commenting on the seeming futility of continuing the battle. If you can't beat 'em; join 'em.It's after 12A Dec 25th; Merry Christmas to ye.

Subject: Re: so then...
Posted by PakProtector on Sun, 25 Dec 2005 11:12:59 GMT
View Forum Message <> Reply to Message

Well, I have no interest in beating him. Even less in joining him. the battle is over as far as I am concerned. If his case were different, such as in a few examples he's brought up, I'd take an other course.Merry Christmas to you and yours MB.cheers,Douglas

---

Subject: and one more
Posted by PakProtector on Fri, 30 Dec 2005 01:53:04 GMT
View Forum Message <> Reply to Message

Well Mike, I am *NOT* going to grant your demand to stop playing with old transformers(or new one's should I wish). If there were some legitimacy to your claim, or some issue other than your nasty control-freak behaviour, it would be another story.Since you seem to keep missing this:I am not selling called peerless. If somebody else wants to buy what I have designed, that is fine with me. I provide them the source, or failing that, the means to accomplish it themselves. I have absolutely no interest in keeping secrets I turn up along the way. If it works I say so, if it does not, that can be published as well. cheers,Douglas

---

Subject: Re: and one more
Posted by 12in Driver on Sat, 31 Dec 2005 02:13:25 GMT
View Forum Message <> Reply to Message

Copycat?
http://www.handbag.com/relationships/friendsfamily/copycats/

Subject: just say no to piracy
Posted by MQracing on Sat, 31 Dec 2005 06:10:47 GMT
View Forum Message <> Reply to Message

..

Subject: good job Mike...
Posted by PakProtector on Sat, 31 Dec 2005 11:18:17 GMT
View Forum Message <> Reply to Message

you've managed to produce two anonymous goons. I think you had more in the RAT War with Jute...you must be slipping.cheers,Douglas

Subject: Have to own something first Mike...
Posted by PakProtector on Sat, 31 Dec 2005 11:21:36 GMT
View Forum Message <> Reply to Message

and just because you own a copy yourself does not mean you own every copy. But you can continue to say it...I'm sure you believe it. Put down the joint, and let your body de-tox for a week and see if your POV doesn't change as your mind clears.cheers,Douglas

Subject: another ad hmoinen response by dugie
Posted by MQracing on Sat, 31 Dec 2005 13:36:04 GMT
View Forum Message <> Reply to Message

Seems you name call and attack anyone who puts up a substantive post. I thought the article described your behaviour pretty well. I've thought for quite some time the biggest problem is that you lack an appropiate amount of self-esteem. And the article posted by 12in Driver... hits that nail directly on the head."copycats are more likely to be insecure...""Often they are lacking in confidence and aping someone they really would like to resemble."sort of like your having a queer eye for the straight guy.

Subject: Deja Vu
Posted by Damir on Sat, 31 Dec 2005 13:59:51 GMT
View Forum Message <> Reply to Message

Subject: and the flashback is???
Posted by MQracing on Sat, 31 Dec 2005 14:28:49 GMT
View Forum Message <> Reply to Message

That you and Mr. Vinyl went back and forth 100 times in a thread... with each of you contributing approx 50%?Relevance?

Subject: Re: good job Mike...
Posted by 12in Driver on Sat, 31 Dec 2005 16:45:28 GMT
View Forum Message <> Reply to Message

What does my post have to do with Mike. There are plenty of good people that think you are an ass!

Subject: everything
Posted by PakProtector on Sun, 01 Jan 2006 16:31:42 GMT
View Forum Message <> Reply to Message

so continue in your best RAT fashion.cheers,Douglas

Subject: Re: everything
Posted by 12in Driver on Sun, 01 Jan 2006 21:44:03 GMT
View Forum Message <> Reply to Message

What is your obsession with rats? Is that the only meat you can afford to eat? Do you deep fry them or are you watching your cholesterol?

Subject: I'll type slowly so you can follow along...

Posted by PakProtector on Sun, 01 Jan 2006 21:49:09 GMT
View Forum Message <> Reply to Message

so pay attention. R.A.T. has nothing to do with rats, save for your mentor Mike and the guy he was fighting with named Jute. Read some more history, and it might make sense to you.cheers,Douglas

Subject: reducing misery
Posted by 12in Driver on Sun, 01 Jan 2006 22:25:26 GMT
View Forum Message <> Reply to Message

May I suggest that you take some jute, make a rope and then hang yourself. You seem to be very depressed. Please do this and take us all out of your misery.

Subject: no thanks
Posted by PakProtector on Sun, 01 Jan 2006 23:15:41 GMT
View Forum Message <> Reply to Message

your conlcusions are a laugh and a half. vintage magnetqueef tactics. bye.cheers,Douglas