

BY E-MAIL (dana@lanschool.com, ben@lanschool.com)

Ben Cahoon and Dana Doggett dba LanSchool Technologies LLC ("LanSchool")

Dear Sirs:

I am overjoyed to hear that you have fixed the "potential security flaw" in LanSchool (which I informed you of in 2004 and 2006) in version 7.1 of LanSchool, released in May of 2008. It is however unfortunate that this news had to come by way of your lawyer threatening legal action, in an e-mail received on August 5th 2008.

Computer Science Canada ("CompSci.ca") and myself have always respected the intellectual property of others and taken steps to remove any content we believe to be in violation of Canada's intellectual property laws. However, we also respect Fair Dealings and freedom of speech and will not remove content from our site when we believe it is not infringing or is covered under fair use, which I believe to be the case in this incident. As such, we are not prepared to censor the review, author's opinions, or comments. Nor are we prepared to destroy the intellectual property of the author, in the form of the proof-of-concept source code and the compiled application "LanSchooled".

However, at the moment we are willing to

1. Replace the logo shown with an image that LanSchool Technologies does not own the copy right too, even though we believe the current usage is permissible under nominative fair use.
2. Add a notice on the pages talking about the "potential security flaw", that were made by me, informing readers that you claim the flaw has been fixed in version 7.1. Such notice has already been in place, at the top of the wiki page, since 2007.
3. Add a notice to the pages, created by me, linking to or containing references to the "LanSchooled" program stating that "LanSchooled" is an exploit for a possible security flaw in older versions of LanSchool, and that it is claimed to be fixed in version 7.1; and stating that "LanSchooled" is not LanSchool and is not made by LanSchool Technologies. However we do not believe calling the program "LanSchooled" to be a violation of your trade mark or that any reasonable person could confuse the two.
4. Add a notice to the pages I have made talking about the "potential security flaw" and LanSchool, stating that all statements on the page are the opinion of the author. Though we believe this to already be self-evident to a reasonable reader and is stated in the wiki disclaimer and the CompSci.ca Terms of Service.

Even though we are willing to do the above, we still firmly believe that the pages in question have in no way violated LanSchool Technologies LLC intellectual property.

It has also come to my attention that Dana Doggett has claimed that she has sent me many e-mails since the "potential security flaw" was apparently fixed. I have yet to receive anything from Dana Doggett or anyone from LanSchool Technologies LLC, besides the legal threat from your lawyer. I would like to think this means that you simply had my contact information incorrect or out of date and this is merely a misunderstanding.

I look forward to hearing from you and resolving this matter in a fair and honest manner that will reflect upon your company in the best possible light.

Yours truly,
Daniel Servos