

PUBLIC-SOURCE REFERENCES TO CRITICAL OR SATIRICAL IMPERSONATIONS

Websites opened in names of individuals who are being criticized:

<http://keitholbermann.com> (criticism of political commentator Keith Olbermann); <http://sirpeterscott.com> (criticism of Sir Peter Scott, the former chancellor of Kingston University); <http://harvey-mars.com/> (criticism of attorney Harvey Mars); <http://robert-lloyd-goldstein.com/> (criticism of Robert Lloyd Goldstein, a professor of clinical psychiatry at Columbia University); <http://harrietmiers.blogspot.com/> (mocks former White House counsel Harriet Miers); <http://patrickjfitzgerald.blogspot.com/> (mocks Patrick J. Fitzgerald); <http://samuelalito.blogspot.com/> (mocks Justice Samuel Alito); <http://tomdelay.blogspot.com/> (mocks Tom Delay); see also <http://www.algorelabs.com/> (mocks Al Gore).

Groups like the Yes Men open websites that look exactly like the sites of the companies and organizations they are criticizing. See, e.g., http://www.museumofhoaxes.com/hoax/archive/permalink/the_yes_mens_bhopal_hoax/ and <http://tedfellows.posterous.com/chevron-spoofed-in-a-fantastic-hoax-by-the-br> (copycat versions of official websites of Dow Chemical and Chevron; reporter who called the fake Dow Chemical phone number listed on one of these sites believed he was having a conversation with a Dow representative).

Raphael Golb has himself been impersonated on the “unorthodox-jew” website. <http://theunorthodoxjew.blogspot.com/2009/02/open-letter-to-rabbi-matisyahu-salomon.html>. Websites opened by blogger Geoff Hudson in names of Raphael Golb (<http://raphaelgolb.blogspot.com/>) and Norman Golb (<http://normangolb.blogspot.com/>) contain critical comments about many DSS scholars.

Fake accounts have been opened on a myriad of social networking sites including, e.g., Friendster and Facebook. See, e.g., Danah Boyd, “None of This is Real,” at <http://www.danah.org/papers/NoneOfThisIsReal.pdf> (describing the interactions between large numbers of “Fakesters” and “Pretendsters” on the Friendster site); <http://news.softpedia.com/news/Facebook-s-Inner-Workings-Facilitate->

[Impersonation-160245.shtml](#) (bloggers from the “TechCrunch” site created a fake Facebook profile of Google’s CEO Eric Schmidt; “tens of friend requests started pouring [in] soon after the rogue account was created using a real email address that belonged to [Schmidt]. YouTube’s founder Chad Hurley and Facebook’s own Vice President Elliot Schrage were amongst the people who befriended the fake Eric Schmidt”). See also <http://www.businessinsider.com/are-a-third-of-facebooks-users-fake-2010-7>

Even a highly respected political commentator has had the idea of purchasing a domain name and email address in the name of someone he wishes to criticize. See <http://www.observer.com/2010/media/tucker-carlson-has-some-fun-keith-olbermanns-expense> (New York Observer reported that a “series of insane emails that purportedly came from Keith Olbermann were actually the work of Tucker Carlson’s conservative news site....” The journalist who received the emails, told *The Observer* that he “believed the emails to be coming from Olbermann.” The emails came from the address keith@keitholbermann.com, which was actually an email account and a website owned by Tucker Carlson).

Statements falsely attributed to various public figures often circulate around the Internet. See, e.g., http://www.usatoday.com/life/people/2006-12-05-andy-rooney_x.htm, <http://urbanlegends.about.com/library/blbadamerican.htm> and http://urbanlegends.about.com/od/barackobama/a/obama_funds.htm (phony op-eds and racist commentary falsely attributed to Maureen Dowd, and to “Andy Rooney, George Carlin, Ted Nugent, Denis Leary, and others”).

At least one satirical news sites has created a fake email account in President Obama’s name. See <http://www.theonion.com/articles/inside-obamas-emails,16792/> (The Onion opened email account barry.obama1961@gmail.com and ran a story featured photographs of its “inbox” and “outbox,” with email subject headings mocking President Obama and other politicians).

Many websites specialize in “fake email” spoofing mechanisms. See, e.g., fakemailgenerator.com.

Newspapers have mistakenly printed satirical emails purporting to be from public figures who never sent them. See, e.g., <http://www.nytimes.com/2008/12/22/opinion/122kennedy.html> (The New York Times apologized for printing an email that claimed to be from Bertrand Delanoë, the Mayor of Paris, in which Caroline Kennedy’s bid for a senate seat was criticized); <http://thecaucus.blogs.nytimes.com/2011/01/09/live-blog-latest-developments-on-arizona-shooting/#preview> (The New York Times published a “correction” stating: “A previous version of this post incorrectly attributed a Twitter message to Ms. [Sarah] Palin. The message was actually from a parody site designed to look like Ms. Palin's Twitter feed”).

Many satirical Internet blogs have been opened in the names of real people, sometimes fooling newspapers. See <http://mashable.com/2007/08/25/msnbc-thought-fake-al-sharpton-was-real/> (after mistakenly treating the satirical Al Sharpton site as a reliable news source, MSNBC published a correction, stating: “An earlier version of this article quoted from a blog entry purportedly by the Rev. Al Sharpton. MSNBC.com has determined that the blog is a hoax”); <http://long18th.wordpress.com/2007/12/11/satire-and-the-fake-first-person-voice/> (Professor David Mazella describes “an entire constellation of fake blogs” that impersonate Steve Jobs, John McCain and other figures; Dr. Mazella observes: “One of the keys to this kind of online writing is the strategic mystery surrounding its sources: the satire always works better, I think, when there is genuine uncertainty regarding its origins and therefore its purposes”).

Online impersonation has also been used as an advertising technique. See <http://www.forward.com/articles/13734/> (prominent New York public relations firm admitted to impersonating opponents of company it represented in comments posted on an Internet blog).

Examples of Internet impersonation dealt with in civil lawsuits:

Rall v. Hellman, 284 A.D.2d 113 (2001) (author Ted Rall sued cartoonist Danny Hellman when Hellman attributed statements to Rall in a series of

emails that went out under Rall's name; court called the emails an "act of literary impersonation" and case never went to trial); New York Stock Exchange, Inc. v. Gahary and Zito, 196 F.Supp2d 401 (S.D.N.Y. 2001) (New York Stock Exchange sued for trademark infringement when emails were posted in online forum in various forms of director's name, Richard Grasso; lawsuit was dropped); Leser v. Penido, 62 AD 3d 510 (N.Y. Appellate Div., 1st Dept., 2009) (plaintiff sued defendants claiming that they sought to destroy her business (i) by making false allegations about her on the Internet, and (ii) by using her name, photo and e-mail address on the Internet, including on a pornographic site, to cast her and her business in a negative and false light); Draker v. Schreiber, 271 S.W. 3d 318 (Tex. Ct. App. 2008) (upholding summary judgment for defendants where plaintiff, assistant principal Anna Draker, sued defendants for defamation and intentional infliction of emotional distress, alleging that they posted a fake Myspace page which appeared to have been created by Draker, contained her name, photo, and place of employment, as well as explicit and graphic sexual references); Layshock v. Hermitage Sch. Dist., 496 F. Supp.2d 587 (WD Pennsylvania 2007) (student's opening of an offensive fake Myspace profile in name of high school principal Eric Trosch was an exercise of the student's "First Amendment right to freedom of expression"; he was therefore entitled to damages against the school district for disciplining him in violation of his rights); <http://www.spike.com/blog/steven-tyler-sues/68987> (Steven Tyler, singer in the Aerosmith rock band, "sued unknown bloggers who ... impersonated him on the Web, writing about the death of his mother and other 'intimate details' from his life"); <http://www.newyorkpersonalinjuryattorneyblog.com/2009/11/new-york-attorney-sues-internet-poster-for-defamation-after-impersonation-psych-hospital-sued.html> (Glen Feinberg, an attorney in New York, sued the SLS Residential psychiatric hospital and Andrew Rath, a producer of videos, claiming that they "defamed him by impersonation in an internet forum"); Buckles v. Brides Club, Inc., Case No. 2:08-cv-00849 CW (D.Utah, 2010) (Ash Buckles sued defendant who allegedly created a fake blog and "linkedkin" account in Buckles' name); http://torontoist.com/2010/08/rob_ford_sends_cease-and-desist_to_parody_blogger.php and http://torontoist.com/2010/09/rob_ford_parody_blog_is_back_under_a_new_name_despite_legal_threats.php (Toronto Mayor Rob Ford sent cease-and-

desist letter to owner of satirical “RobFordMayor.com” blog mocking him; blog contained first-person entries written in Ford’s voice, and “strewn liberally with references to bizarre sexual acts”);

<http://www.citmedialaw.org/blog/2009/will-glenn-beck-sue-defamatory-website-2009> (Glenn Beck filed WIPO claim against creator of allegedly defamatory site glennbeckrapedandmurdereda_younggirlin1990.com);

<http://www.nytimes.com/2011/02/14/business/media/14link.html> (fake press release sent out by a group claiming to be Koch Industries; Koch filed trademark suit; lawyers for author of the release argue that it was parody and that “lifting anonymity must be the purpose of the lawsuit”; NYTimes article points out that “on the Internet, parody and mockery have never been easier to pull off”). A copy of the fake release is available at

<http://green.blogs.nytimes.com/2010/12/10/a-koch-industries-climate-change-spoof/>.

43 examples of fake Twitter accounts reported on in the media:

<http://www.foxnews.com/story/0,2933,518480,00.html> (fake Twitter accounts in names of Condoleezza Rice, Bill Gates, Tina Fey, Usama bin Laden, Rep. Don Young [R-AK], composer Steve Reich, and news commentators Geraldo Rivera, Bill O’Reilly, and Shepard Smith; article indicates that “sometimes the line can be blurry” between recognizable and unrecognizable parodies);

<http://www.christianpost.com/article/20090326/robert-h-schuller-joins-twitter-after-imposter-s-ouster/> (account in name of televangelist Robert H. Schuller attracted 1,000 readers in one week and was closed after Schuller complained to Twitter);

http://www.museumofhoaxes.com/hoax/weblog/permalink/the_dalai_lama_twitter_and_then_is_gone/ (fake account in name of Dalai Lama had 20,000 followers within one week and was closed);

<http://www.sunbeltreporting.com/sunbelt-blog/bid/33449/Twitter-Identity-Theft-Parodies-and-Copyright-Infringement> (many fake Oprah accounts with her photo and tens of thousands of followers);

<http://mashable.com/2010/05/27/bp-public-relations-twitter/> (fake account purporting to be BP’s public relations group, [@BPGlobalPR](http://BPGlobalPR), “offers dark, satirical commentary” about Gulf of Mexico oil spill and is “run by an anonymous person”); <http://gawker.com/5187725/twitters-fake-christopher->

[walken-silenced](#) (fake account in name of actor Christopher Walken had at least 73,000 “avid followers” by March 24, 2009, and was then closed); <http://www.mid-day.com/sports/2009/aug/310809-Mahendra-Singh-Dhoni-Sachin-Tendulkar-Yuvraj-Singh-Rahul-Draavid-Sourav-Ganguly-Twitter.htm> (all members of top Indian cricket team repeatedly impersonated; champion batsman Sachin Tendulkar has as many as seven accounts with one of them, which has his photo, having over 4,594 followers); <http://sports.espn.go.com/mlb/news/story?id=4235409> (account in name of Dallas Cowboys linebacker DeMarcus Ware gave false updates on his contract negotiations; followers of fake Ben Roethlisberger were told that the Pittsburgh Steelers quarterback has skin cancer; NBA star Shaquille O’Neal’s name taken, “so he picked name The-Real-Shaq and accumulated more than 1.16 million followers”; half-dozen Michael Phelps accounts, “some of them obviously fake and some purporting to be real, even though the swimming star says none are genuine”); http://www.pcworld.com/article/166151/three_strikes_against_tony_la_russa_s_twitter_lawsuit.html (St. Louis Cardinals manager Tony La Russa sued Twitter, claiming someone created fake account and sent out “derogatory” remarks under his name; suit settled when Twitter agreed to pay La Russa’s legal fees and to contribute a small sum to his Animal Rescue Foundation); <http://www.justmeans.com/Social-Media-Trends-Introducing-You-World-Of-Phweeters/34029.html> (Rick Sanchez, Kanye West, Karl Lagerfeld; article indicates that “phony tweets are considered a fun and lively social media trend... Some fake accounts are so convincing that celebrities have to publicly state that they are not in fact behind the account, while some have provoked anger, such as the @BPGlobalPR account”); <http://www.forbes.com/2010/08/02/bp-angelina-jolie-technology-twitter.html> (“Users are impersonating everything and everyone from BP to Angelina Jolie... There’s a plethora of online social commentators masked as tongue-in-cheek versions of powerful CEOs and public figures on Twitter... And fake Microsoft chief @StevenABallmer seems to hate everything from the ‘definitely EVIL’ iPad to Wall Street Journal tech columnist Walt Mossberg”); http://www.politico.com/click/stories/1103/rahm_meets_his_twitter_impostor.html (Rahm Emanuel offered 5,000 dollars to meet his Twitter impersonator; the money was donated to Young Chicago Authors group and the two appeared on the radio together);

http://www.pcworld.com/article/159492/15_fake_and_funny_twitter_accounts.html (Chuck Norris, Megan Fox, Nick Nolte, Roger Clemens, Stephen Colbert, Michael Bay, William Shatner, Abe Vigoda, CNN; article comments that “faux accounts are all the rage” and that “fake Twitter accounts have been in the news a lot lately”);
<http://techcrunch.com/2011/03/01/charlie-sheen-twitter/> (Charlie Sheen);
<http://www.fakeblog.de/2009/08/06/twitterjackers-and-phweeters-top-10-twitter-fake-accounts/> (David Hasselhof, Darth Vader, Roger Federer, Leona Lewis, Vanessa Hudgens, Adam Sandler, Franz Muentferfering);
<http://www.techxav.com/2009/07/27/top-5-famous-fake-twitter-profiles/> (Emma Watson and public relations firm Tanner Friedman).

Republican Party activists have also begun to open fake Twitter accounts. See, e.g., http://articles.courant.com/2009-10-08/news/hc-fake-twitter-gop.art.artoct08_1_140-character-messages-budget-implementers-mr-donovan (accounts impersonating Democratic representatives Chris Donovan and Denise Merrill; article comments that sometimes the satirical nature of the accounts is not “obvious..., so gullible people could be misled”).

Voice impersonators:

Use of the telephones wires to impersonate people for critical purposes is a frequent phenomenon. See, e.g. <http://www.mcclatchydc.com/2009/12/23/81200/karzai-impersonator-tests-limits.html> (a “crass impersonation of ... President Hamid Karzai ... bounces from cell phone to cell phone around the nation’s capital”; the anonymous impersonator “has become the newest voice of underground political dissent.... For 150 seconds, Karzai hurls some startling insults ... at political challenger Ashraf Ghani... [T]he audio clip has boomeranged around Kabul, bopping from Bluetooth to Bluetooth. Inside the presidential palace, it’s caught the ears of Karzai aides, who privately scolded the would-be comedian for pushing the boundaries of the country’s shaky free speech protections... ‘[F]reedom of speech should have its limits,’ [an] aide said. ‘I don’t think cursing one’s wife — or insulting someone’s personality — should have a place in freedom of speech”).

Voice impersonations are a common part of radio shows. See, e.g., http://en.wikipedia.org/wiki/Evil_Dave_Letterman (the individual known as “Evil Dave Letterman” earns a living by satirizing Dave Letterman on the Howard Stern show; unwitting listeners might actually believe that they are hearing Mr. Letterman’s voice). Hoax phone calls to various public figures, designed to ridicule both the “victims” of the calls and the impersonated individuals, are a common variation on this theme. See, e.g., http://news.bbc.co.uk/2/hi/uk_news/618065.stm (caller pretending to be British opposition leader William Hague spoke with Prime Minister Tony Blair; caller pretending to be Canadian Prime Minister Jean Chretien spoke for fifteen minutes with the Queen of England); <http://news.bbc.co.uk/2/hi/americas/2637395.stm> (Miami radio hosts pretending to be Fidel Castro spoke with Hugo Chavez); <http://www.latinamericanstudies.org/fidel/transcript.htm> (Miami radio hosts pretending to be Hugo Chavez spoke with Fidel Castro); <http://www.huffingtonpost.com/huff-wires/20081101/canada-palin-prank-call/> (caller pretending French President Nicolas Sarkozy spoke to Sarah Palin); <http://www.guardian.co.uk/world/2011/feb/24/scott-walker-governer-wisconsin-prank-called> (caller pretending to be billionaire David Koch spoke with Wisconsin governor).