

REPLY ALL —

# History by lawsuit: After Gawker's demise, the "inventor of e-mail" targets Techdirt

"I defined e-mail! And you guys have got to give me that credit."

JOE MULLIN AND CYRUS FARIVAR - 6/13/2017, 4:00 PM



Boston Globe / Getty Images News

Shiva Ayyadurai, seen here in January 2017.

History is not fixed; like memory itself, it is an act of reconstruction.

Shiva Ayyadurai understands this. Ayyadurai has spent nearly six years publicly proclaiming himself the "inventor of e-mail." But this claim about e-mail—as everyone but Ayyadurai's supporters understand the term "e-mail"—isn't true.

Ayyadurai *did* write a program called "EMAIL" for use by the University of Medicine and Dentistry of New Jersey (now a part of Rutgers). He copyrighted the code in 1982. But Ayyadurai today makes the

far more significant claim that he invented “the electronic mail system as we know it today,” even though his code had little impact beyond the university. Mainstream tech history books don’t even mention Ayyadurai—unless you count the several books Ayyadurai has written about himself.

On the ARPAnet, the predecessor to the Internet, electronic mail conventions were well-established by the mid-1970s. Dave Crocker, one of a group of ARPAnet pioneers despised by Ayyadurai, told Ars that he wasn’t just using e-mail by 1974—he was positively addicted to it, a full three decades before the smartphone.

Yet Ayyadurai is closer than ever to creating a world in which his version of history rules. In 2016, [Ayyadurai sued Gawker](#), which had published a biting and widely read article critical of his claims. Several months later, with Gawker in bankruptcy proceedings after losing a defamation lawsuit brought by former pro wrestler Terry “Hulk Hogan” Bollea, the site agreed to pay Ayyadurai \$750,000. Two articles about Ayyadurai were deleted.

Ayyadurai then moved on to a new target. In January 2017, he sued technology blog Techdirt and its founder, Mike Masnick. With the Gawker articles gone, Masnick was Ayyadurai’s most prominent remaining critic, having published more than a dozen detailed articles attacking his claims. According to the complaint, some of the sharp-toned Techdirt articles dubbed Ayyadurai a “fraud,” “liar,” and “charlatan.”

Now, Ayyadurai and Masnick are locked in an extraordinary conflict over the history of e-mail. Each believes he is fighting for real principles, like history and the nature of truth itself. Neither is likely to back down.

## The history of Ayyadurai

Shiva Ayyadurai was born in Mumbai, India, in 1963. His parents had moved to the city from the south of India in search of better opportunities. Ayyadurai grew up as a city kid, but he had more than a taste of village life, regularly visiting his grandparents in the village of Muhapur, where they worked long days farming a small plot of land.

“I went to my friend’s house to play soccer, and his mother said, ‘You can’t come in,’” Ayyadurai told us. “She gave me water in a tin cup, not the glass cup that he got. I didn’t understand. My mother told me we’re considered [Shudras](#) by the upper castes. When she went to the village well, they’d say, ‘Shoo, shoo, Shudra.’ That was almost 49 years ago, and it still affects me.”

Ayyadurai left India on his seventh birthday, landing at JFK airport on December 5, 1970. He had never seen snow before. His family moved to New Jersey, where his father had found work. At first, they lived in a rough neighborhood in Paterson. Over the next several years, the Ayyadurais moved from one town to the next seeking better schools for their kids, ultimately settling in the wealthy suburb of Livingston.

“We were these two dark-skinned kids,” Ayyadurai remembered. “These kids had better clothes. There was a lot of, frankly, prejudice at Livingston High School. They hadn’t seen an Indian kid before. I was an outsider, but I would win every award.”

Shiva Ayyadurai is adamant about telling his story on his own terms. His biography, complete with an accompanying slideshow and a conspiracy narrative, was told to Ars over the course of more than three hours. It's a story stuffed with hard work and its resulting triumphs: Ayyadurai learned all the math his middle school had to offer before taking classes in high school; he won "every award" at Livingston High School; he mastered seven computer languages in a summer; he excelled at baseball and soccer. And he invented EMAIL—which, he insists, means he also is the "inventor" of the e-mail we use today.

In the summer of 1978, Ayyadurai's mother, [Meenakshi Ayyadurai](#), took him to work with her at the University of Medicine and Dentistry of New Jersey (UMDNJ), where she worked as a programmer.

"My son is smart," she told her boss, Leslie Michelson, a 31-year old experimental physicist who was in charge of networking at UMDNJ.

"Every mother says her son is smart," replied Michelson.

Michelson's job was to help scientists use computers for their own research. Michelson and Ayyadurai worked on [HP 1000 computers](#). These computers, mainly designed for [engineering and manufacturing](#), were very different from the machines commonly in use on the ARPANet at the time.

"The ARPANet was not even there, in our radar," Ayyadurai told Ars.

[Michelson gave Shiva Ayyadurai permission to work](#) on the school's computer systems. Ayyadurai didn't get paid, other than a free lunch in the cafeteria. He began to write an internal electronic communications program and worked on it throughout high school. He called the program EMAIL; ultimately, he said, it grew to support 500 users.

"I worked in the lab nearly every day and also at home on our kitchen table, often until 2 am," Ayyadurai recalls in his 2017 book, *All-American Indian: This Fight Is Your Fight*. Overall, I wrote nearly 50,000 lines of code across a system of 35 programs to design and implement an electronic version of that mail system, and I named it "email," a term never before recognized in the English language."

A family friend encouraged Ayyadurai to apply to the Massachusetts Institute of Technology (MIT), where he enrolled in 1981. The following year, after a conversation with [MIT President Paul Gray](#), Ayyadurai registered his EMAIL program for a US copyright.

From that point, Ayyadurai's personal history of e-mail leaps forward several years. Asked what programs his work might have influenced, Ayyadurai cited the 1988 e-mail program Eudora as an example of something that followed his invention, without any evidence that it borrowed from him.

(Contacted by Ars earlier this year, Eudora founder Steve Dorner said he'd never heard of Ayyadurai or his claims. "It's too bad my grandmother is dead, because she could easily put all this to rest, as she told everyone I had invented e-mail," he joked via e-mail.)

But to Ayyadurai, that's of less importance than the copyright he obtained.

“I was issued the first US copyright for EMAIL,” he said on *The Alex Jones Show* earlier this year. “I was officially recognized as the inventor of email.”

We ran this claim past [William Roberts](#), associate register of copyrights at the United States Copyright Office. “His assertion, as you describe it to me, is not accurate,” said Roberts. That’s because copyright for a computer program simply registers the precise code of that particular program, making it illegal to copy without permission.

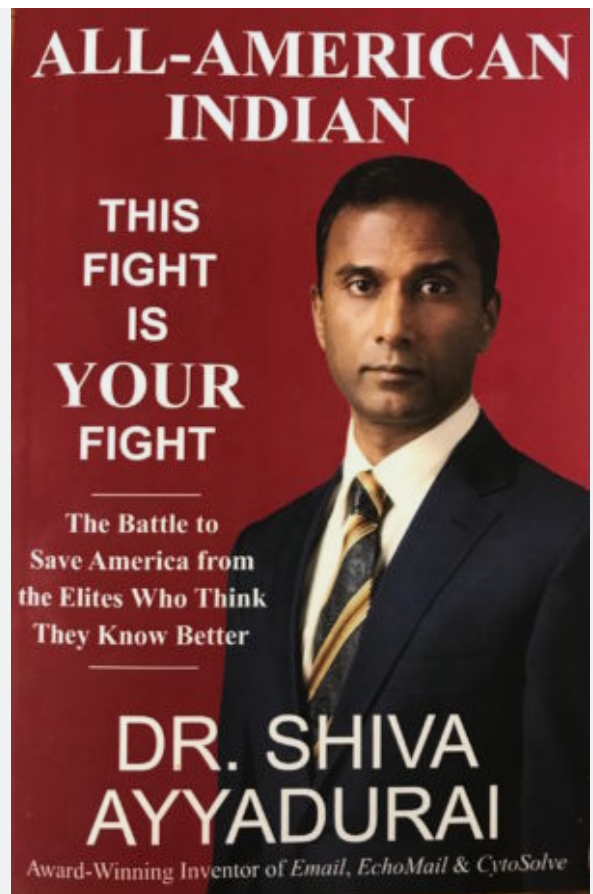
From 1982 until 2011, there’s scant evidence that Ayyadurai spoke publicly about his claim to have invented e-mail. He had been interviewed [numerous](#) times, including in *The New York Times* in 1998 on the subject of e-mail. Yet during those three decades, he doesn’t appear to have claimed inventorship.

According to *All-American Indian*, in 2011, his mother gave her son a suitcase of materials from the late 1970s and early 1980s relating to EMAIL. The cache included documents, illustrations, and Ayyadurai’s original source code.

Ayyadurai got in touch with a *Time* magazine reporter named Doug Aamoth. In November 2011, *Time* published a Q&A with Ayyadurai, titled “[The Man Who Invented Email](#),” on its “Techland” blog. Aamoth introduced the piece by reciting Ayyadurai’s view that the 1978 EMAIL program was when “e-mail—as we currently know it—was born.”

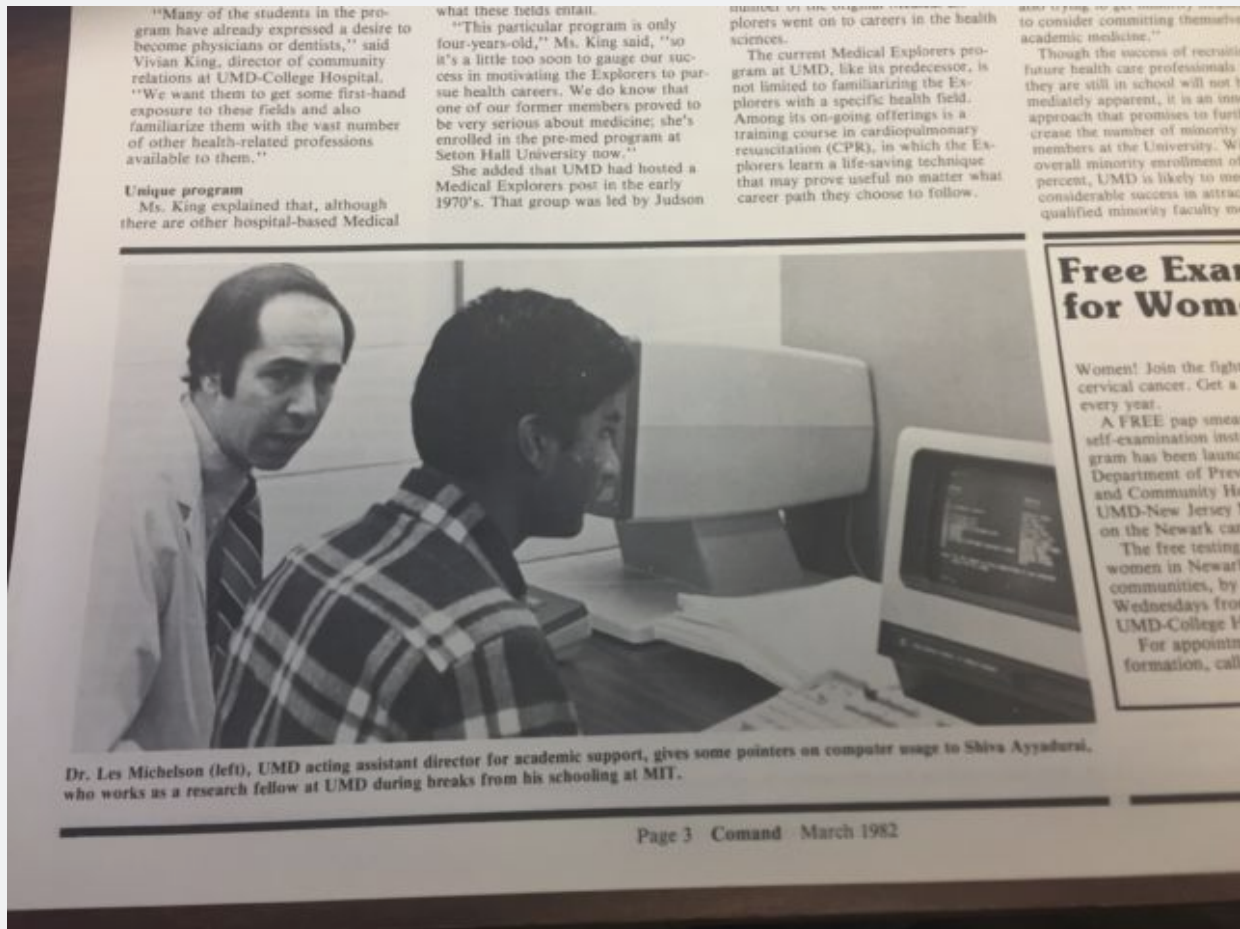
Within weeks of the *Time* piece, Ayyadurai had [splashed it across the top of his own website](#). (Aamoth, contacted earlier this year by Ars, declined to comment on the article.)

The *Time* story didn’t get huge readership—but Ayyadurai’s next PR score would make a bigger impact.



[Enlarge](#)





Jonathan Gitlin

[Enlarge](#) / Shiva Ayyadurai, seen here as a teenager in 1982, with Leslie Michelson (left).

## Correcting the record

After his mother passed away in January 2012, Ayyadurai decided to donate all his EMAIL material to the National Museum of American History at the Smithsonian Institution. On February 16, 2012, *The Washington Post* ran a [piece](#) in its "Innovations" column stating—incorrectly—that Ayyadurai had been "honored by [the] Smithsonian" as the "inventor of e-mail."

The claim that Ayyadurai had actually invented e-mail, now printed in a major national newspaper, attracted the attention of prominent Internet researchers, including [Thomas Haigh](#), a professor at the University of Wisconsin, Milwaukee and the chair of a wonky group called the Special Interest Group on Computers, Information, and Society (SIGCIS). Haigh had spent much of his career studying precisely the history in which Ayyadurai claimed a pivotal role. Just a few years earlier, he had contributed a chapter on the history of e-mail for a book called *The Internet and American Business*. He wasn't sure what to make of Ayyadurai's claims.

"As I recall, I forwarded [the *Post* story] to the SIGCIS e-mail list, and I said, 'this is startling,'" Haigh said in an interview. "We all thought e-mail was invented sometime between 1965 and 1971, depending on how you define e-mail."

The *Post* story was also forwarded to an e-mail list called “Interesting People,” which had more than 25,000 subscribers and was run by a well-known computer science professor named [Dave Farber](#) at the University of Pennsylvania. Between SIGCIS and Farber’s list, large numbers of in-the-know computer scientists were suddenly aware of the Ayyadurai claim.

“It got out to thousands of people who know from their own experience that what’s written in the *Post* can’t be true,” said Haigh. “They got involved, and that led to [the involvement of the Washington Post ombudsman](#).”

The *Post* ultimately ran a lengthy correction, which stands appended to the top of its original story. At one point, Haigh was told the newspaper might be interested in running an article by Haigh as a counterpoint, but it never happened.

The Smithsonian issued a public [statement](#) on February 23, 2012, making clear that the Institute did not believe Ayyadurai had invented e-mail. “Exchanging messages through computer systems, what most people call ‘e-mail,’ predates the work of Ayyadurai,” the statement read.

Haigh also wrote a [blog post on the SIGCIS website](#), including detailed information on the best-known electronic mail systems of the 1970s. Today, the post remains the most detailed rebuttal to Ayyadurai’s claims.

## “What does Vint Cerf know?”

To Ayyadurai, however, the *Post*’s correction and the ensuing public debate about his claim wasn’t a sign that he was mistaken; it was the first sign of a conspiracy seeking to undermine his achievement.

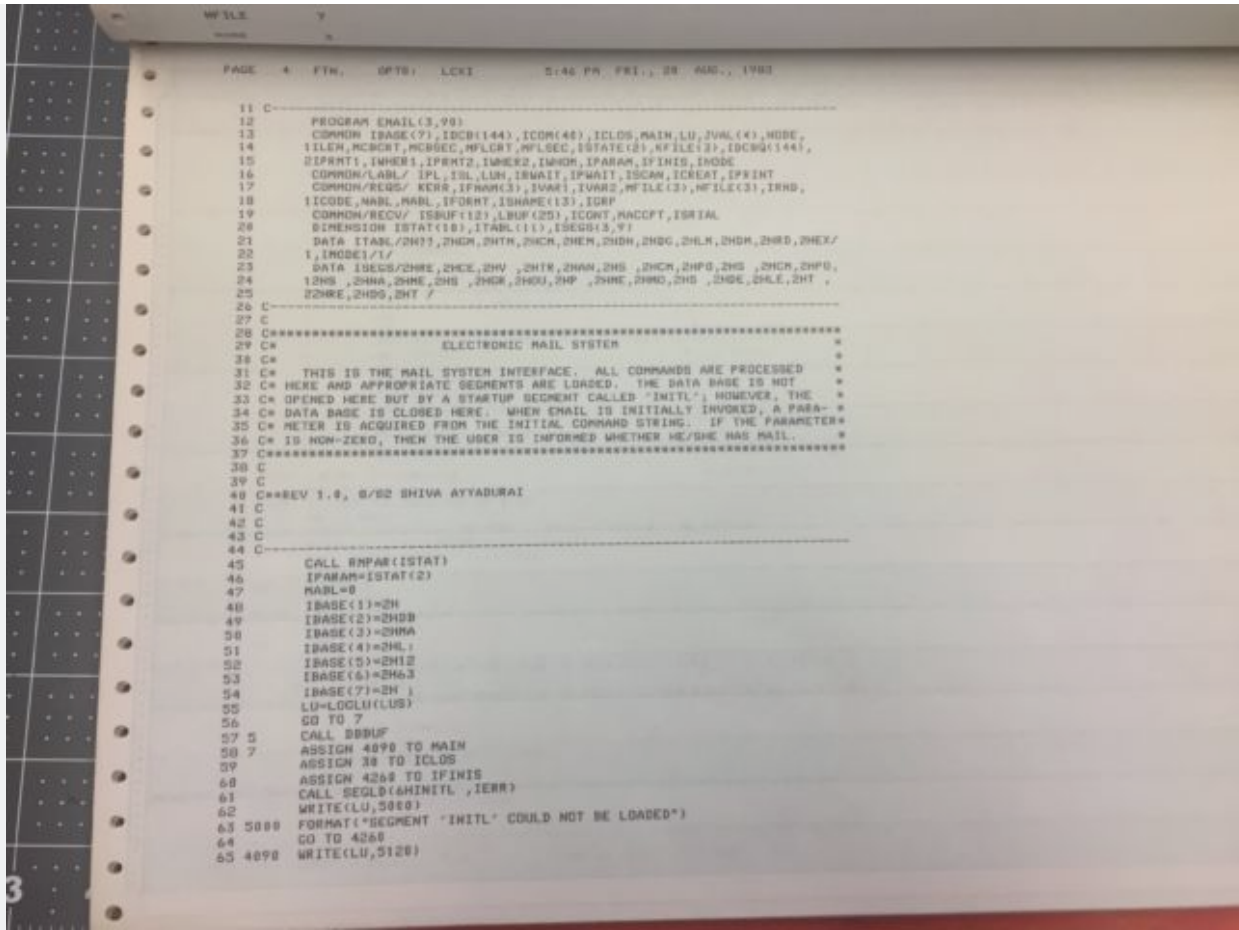
When we asked Ayyadurai about the historical information gleaned from Haigh and others about early e-mail technologies, he became angry.

“When it went into the Smithsonian, who came out against us?” he asked.

“These ARPAnet guys, these old guys saying that they’re the ones who invented e-mail. OK?” he continued. “And I’m telling you, e-mail is the electronic version of the replicated form of the interoffice mail system, and I defined it. I called it E-M-A-I-L. These are facts.

“Did they get the copyright? Did they write the code? Did they get it up and running?” said Ayyadurai. “People have said, ‘What he created is nothing!’ Thomas Haigh has said that. *Nothing* new. That’s a lie! You guys should expose him.”

Jonathan Gitlin



**Enlarge** / Some of Shiva Ayyadurai's original source code for his EMAIL program, now housed at the Smithsonian.

As we persisted in asking what was somehow un-e-mail-like about older 1970s technologies, like the Xerox Alto—Ayyadurai grew more agitated.

“Let’s stop right there,” he said. “Let’s stop. They didn’t call it ‘e-mail.’ You see, you guys want to separate the term. That’s wrong, okay? That’s wrong. This is what’s been going on, Joe, for four fucking years.

“According to Wikipedia, e-mail is the exchange of digital messages,” he continued. “Right? Is that a right definition? It is a fucking wrong definition! E-mail is *not* the exchange of digital messages. That would make Facebook e-mail, it would make every fucking thing e-mail! If you want to talk to the expert—which is me—there are three types of messaging. There’s short messaging, which goes back all the way to the smoke signal. Okay? There’s community messaging, and there’s formal messaging.”

So if someone was sending a text document electronically, we asked, from one person to another, on a networked computer—why didn’t that count as e-mail?

“Did they call it ‘e-mail?’” he said. “No. I defined e-mail! And you guys have got to give me that credit.”

**Vint Cerf**, who is a co-inventor of the TCP/IP protocol that underpins the Internet itself, told us there’s “no evidence that Ayyadurai’s work had any impact on the development of electronic messages that stem from early ARPAnet work.” We asked Ayyadurai about this quote.

“What does Vint Cerf know?” demanded Ayyadurai. “I know Vint Cerf. They created their Internet Hall of Fame seven days after I went in the Smithsonian. Are you aware of that? These guys want to re-write their history.”

Alex Wong / Getty Images News



**Enlarge** / Vint Cerf, one of the godfathers of the Internet, seen here testifying before a Senate committee in 2014.

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## E-mail, at universities

The first well-documented example of a technology that could be called e-mail was created at the Massachusetts Institute of Technology in 1965. MIT was one of many New England colleges that used the **Compatible Time-Sharing System (CTSS)**, which let up to 30 users at a time dial-up and log in to MIT's **IBM 7094** from terminals spread out across the region.

By January 1965, CTSS had a MAIL command, according to Tom Van Vleck, an MIT manager who later wrote a **history of the CTSS system**. By the summer of 1965, Van Vleck and his colleague Noel Morris (brother of the documentary filmmaker Errol Morris) began working on the first version of **MAIL**, which let CTSS users send messages to each other.



So MIT computer users were sending letter-length messages to individually addressed recipients using a program called “MAIL.” However, MIT’s MAIL was limited to a single computer.

Ayyadurai brushes off this program, and many others that came after, as “early text messaging systems.” He argues in his 2013 book, *The Email Revolution*, that the 1960s setup “was not a system of interlocked parts emulating the interoffice paper mail system.”

In the late 1960s, a young programmer named **Ray Tomlinson** sent the first true “networked” electronic mail—that is, a message that crossed local network boundaries. He was a specialist of the TENEX operating system, which ran on PDP-10, a popular mainframe computer of that era.

By late 1971, Tomlinson began working on SNDMSG, which was TENEX’s answer to MAIL. Tomlinson combined SNDMSG with a file-transfer program called CPYNET and decided that the “@” symbol should be the thing that described a particular user on a given network. (This feature was included in the updated version of SNDMSG “with network mail capabilities” in early 1972.)



[Enlarge](#) / Ray Tomlinson, seen here in 2009.

But Ayyadurai **argues** that this wasn’t “e-mail,” either. His lawyer, Charles Harder, **told Ars in May 2016** that “CPYNET was the equivalent of a ‘caveman Reddit,’ and very different from the e-mail system that people use today.” In his own book, Ayyadurai claims SNDMSG “was not a system of interlocking parts designed for laypersons to transmit routine office communications.”

Essentially, Ayyadurai argues that Tomlinson’s program was unsophisticated and too difficult to use. Tomlinson and those around him acknowledged the first program was a crude hack; but the **many mail clients** that came shortly thereafter were much easier to use. Early programs like READMAIL, RD,

NRD, and BANANARD, among many others, enabled users across different computers, with various operating systems, to communicate with one another.

Many computer scientists of the era proposed new ideas through widely circulated RFCs, or Requests for Comment. For instance, RFC 561, written in 1973, lays out a [specific example of a proposed format](#) for electronic mail that would be recognizable to anyone today:

“

From: White at SRI-ARC  
Date: 24 JUL 1973 1527-PDT  
Subject: Multi-Site Journal Meeting Announcement  
NIC: 17996

At 10 am Wednesday 25-JULY there will be a meeting to discuss a Multi-Site Journal in the context of the Utility. Y'all be here.

[John Vittal](#), then a programmer at the University of Southern California, created a program called MSG that included a “reply” feature (dubbed “[answer](#)”). He also added forwarding, automatic handling of address fields (including adding a “Re: prefix”), and a user-configurable environment. A “carbon copy” function [debuted](#) in 1975. A [2008 paper on the history of electronic mail](#) called MSG one of the most popular “user agents”—or, as we might call it today, an e-mail client—of that earlier era.

“I was getting 50 messages a day—the great big number of 50,” Vittal told Ars. “I wish I could get back to 50 messages a day!”

All of this work predated Ayyadurai’s EMAIL program—which he says was running by 1978 and has a copyright date of 1981. Still, none of the additional features in MSG were enough for Ayyadurai to label it “e-mail.”

“The limited feature set of *MAIL* would be carried over to its progeny (e.g., *SNDMSG*, *MSG*, *HERMES*), creating headaches for even the most sophisticated technical staff,” he writes on his [website](#).

To people like Haigh, the computer historian, this is a case of simply defining “e-mail” in such a way that nothing else fits.

“He is trying to make a definition of e-mail which would exclude everything before his system,” said Haigh in an interview. “That’s not how you get to do it. The person who says they invented an airplane in 1918 doesn’t get to say, ‘It’s only an airplane if it has six windows, it’s built with metal, and it has a retracting undercarriage.’”

## E-mail, at work

By the mid-’70s, e-mail wasn’t just being used in the worlds of academia and government. Private companies were starting to adopt it as well—and innovation had accelerated.

In 1973, Xerox's Palo Alto Research Center debuted an ahead-of-its-time desktop computer called the Alto. It featured a mouse, resizable windows, a graphic user interface, Ethernet, and many other features that—a decade later—would be standard. While the Alto was never a commercial success, it was a huge inspiration for Steve Jobs and the eventual creation of the Macintosh, which was released in 1984.



[Enlarge](#) / The Xerox Alto, in 1973, was the first computer to be released with a mouse, among other innovations.

The Alto featured a graphical tri-pane electronic mail client ("[Laurel](#)") that was arguably the influence for more modern programs that followed—programs like Microsoft Outlook and Apple Mail. The Alto was released in 1973, and Xerox PARC began work on Laurel in late 1978.

Ayyadurai dismisses Laurel entirely as a [mere graphical interface for MSG](#).

Xerox wasn't the only entity working on electronic mail. In 1975 and 1976, *BusinessWeek* published at least two articles discussing "electronic mail" in larger corporate environments. "In a sense, electronic mail is not new," a September 1976 article notes.

The state of the art in 1977 was summed up by [Ray Panko](#), now a professor at the University of Hawaii, who wrote a paper that year entitled "[Electronic Mail Overview](#)." By that time, there was an [ARPANET mail directory](#), which served as a sort of "telephone book," listing "mail users [and] the host computers to which their mail is delivered."

In November 1977, [RFC 733](#) established clear formatting for "electronic mail" messages on the ARPAnet.

Ayyadurai's lawyer points out that RFC 733 was a mere “**document, not software**” and said it was “at best, a specification attempting to provide a standardization of messaging protocols and interfaces.”

This framework was, however, actually adopted after publication. E-mails continue to look like this, even today. They have lines that read “To,” “From,” “Subject,” and other fields like office memos—which were already present from RFC 733.

## Ten magic words

Just a month later, in December 1977, Dave Crocker of the RAND Corporation prepared an **extensive report on MS**, a mail program that ran on the **PDP-11 computer**, for DARPA, the research arm of the Department of Defense. The goal of that paper was to help DARPA bring its older computers up to speed and give them new, Unix-based capabilities (like electronic mail) that were similar to what was being done at Xerox PARC.

“Therefore, a major design goal for MS is to provide an integrated set of necessary and sufficient functions which conform to the target user’s cognitive model of a regular office-memo system,” Crocker **wrote**. “At this stage, no attempt is being made to emulate a full-scale inter-organization mail system.”

For Ayyadurai, that last sentence by Crocker **is a smoking gun**. More than any other sentence, he believes Crocker’s “no attempt” admission blows apart the argument that ARPAnet’s electronic mail was even close to what he had done.



Cyrus Farivar

[Enlarge](#) / Dave Crocker, as seen in 2017.



“Crocker is the pioneer, the expert, all of the press keeps quoting,” said Ayyadurai in his interview with Ars. “Crocker’s statement is important, because he is saying that ‘no attempt is being made.’ You need to focus on that. No attempt is being made. It’s not a trivial point. I’m the one with the intent, saying I’m going to convert the inter-office mail system, all the features.”

But Crocker himself disagrees. As Crocker noted when we spoke with him, Ayyadurai’s argument ignores everything else in the [82-page paper](#), much of which describes electronic mail as it was then functioning in 1977.

“To, From, CC, BCC, already existed and had existed for at least four years,” Crocker told Ars. “It fits within a model of doing inter-office mail.”

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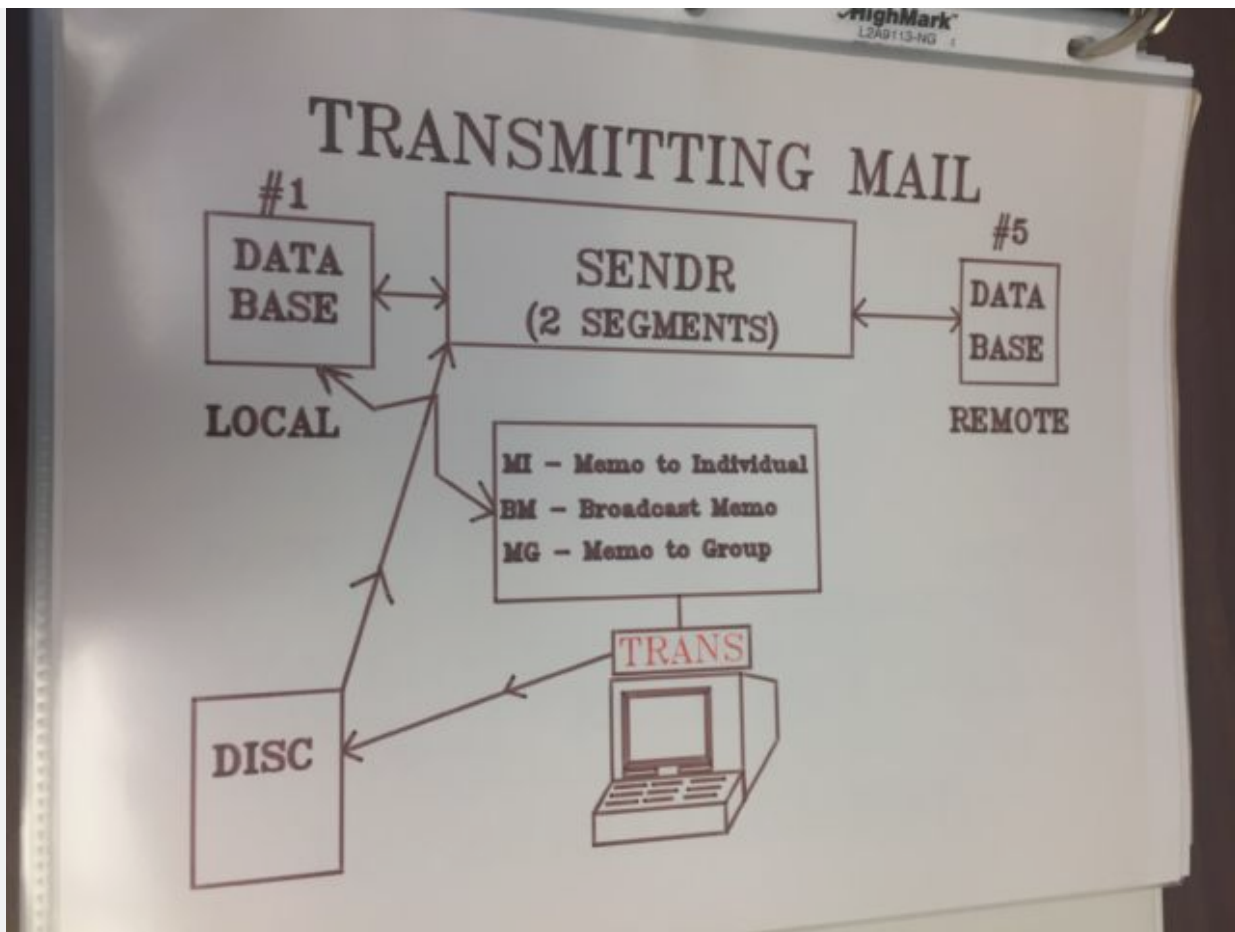
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## Ayyadurai allies

Ayyadurai does have a few supporters, including his former mentor, Leslie Michelson. In a statement first [published](#) on Ayyadurai’s website in 2012, Michelson wrote: “As far as we knew, no one else in 1978 had attempted to take on” the task of creating “an electronic version of the interoffice, inter-organizational paper mail process.”

As Ayyadurai recalls, Michelson and his colleagues weren’t aware of the cutting-edge work being done in California and elsewhere. So it’s understandable that Michelson and Ayyadurai may have thought they were inventing something brand new when Ayyadurai wrote his EMAIL program.





[Enlarge](#) / Ayyadurai's archive that he submitted to the Smithsonian includes this diagram of his EMAIL system.

As for the actual five-letter word "e-mail," it's possible Ayyadurai was one of the first, or perhaps even the first, to use it as a single word, if he was using the term in 1981. But the word entered popular consciousness not through his program or his copyright, but when CompuServe called its mail program "EMAIL" and required users to enter the string "GO EMAIL" to access it. Ads for CompuServe, then bundled with computers sold by RadioShack, were using the term in print by 1981 at the latest.

In 2012, when Michelson began helping Ayyadurai's cause, he and his former mentee had not spoken in more than 30 years.

"After observing the news following his being honored at the Smithsonian on February 16, 2012, and the abusive reaction from certain individuals, I believed that it was important to respond," Michelson wrote in a [statement](#) published on Ayyadurai's website.

"The abuse and invective surrounding news of the invention of the world's first email system by a 14-year-old is more about perhaps a shattering of a false and long-held narrative that innovation can only take place in environment of big universities, large companies, and the military, and by certain people," wrote Michelson, using language that mirrors Ayyadurai's own.

Ayyadurai has another key ally: Deborah Nightingale, a former MIT professor. Both she and Michelson have papers up on [InventorOfEmail.com](#) that are in line with Ayyadurai's claims. The two academics also wrote the key articles in a series called "The History of E-Mail," which Ayyadurai

published on *The Huffington Post* in 2014. The news site took it down following embarrassing coverage on Techdirt and the *Los Angeles Times*.

Neither Nightingale nor Michelson responded to interview requests from Ars, despite Ayyadurai putting us in touch with them.



Courtesy of Computer History Museum

Jack Routh seated at Electronic Mail system in a promotional photograph from Digital Equipment Corporation (DEC) in April 1978.

## Shiva's war

A few months into 2012, Ayyadurai's opponents had the upper hand, and the alternative history offered by Ayyadurai looked like nothing more than an odd blip on the historical radar.

The two big institutions that had bought into Shiva's claims, *The Washington Post* and the [Smithsonian](#), both issued guarded corrections. The Smithsonian did keep Ayyadurai's donated materials, but it chose not to display them. The *Post's* bungled story was even [noted](#) by *Columbia Journalism Review's* "Dart and Laurels" as a significant journalistic error.

The matter got Mike Masnick's attention, as well. Masnick was churning out up to a dozen posts a day on various tech topics. The mainstream press had mangled a tech story and hadn't described copyright correctly, either, which made the issue doubly relevant to Techdirt and its readers.



[Enlarge](#) / Mike Masnick, as seen in 2012.

In February 2012, Masnick wrote a post about Ayyadurai: “How The Guy Who Didn’t Invent Email Got Memorialized In The Press & The Smithsonian As The Inventor Of Email.”

On March 5, 2012, Gizmodo writer Sam Biddle published the most in-depth report on Ayyadurai to date, calling it “Corruption, Lies, and Death Threats: The Crazy Story of the Man Who Pretended to Invent Email”—a headline noted in Ayyadurai’s lawsuit four years later. Biddle interviewed Ayyadurai, reviewed his work—and tore into him. Biddle also provided a capsule history of ARPANet e-mail pioneers, including Ray Tomlinson, whom he interviewed. (Tomlinson died in 2016.)

Ayyadurai’s myth seemed to have been laid to rest. But what Biddle, Masnick, Haigh, and the other targets of Ayyadurai’s anger didn’t know is that they had just won a first skirmish in what was destined to be a very long war.

## “Tomlinson dies a liar”

Ayyadurai himself, along with his hired PR people, continued to push his case. Between 2011 and 2012, he built up the website, [InventorOfEmail.com](#), and worked on related domains like [HistoryOfEmail.com](#) and [EmailInventor.com](#). (In part due to those domains, a Google search on “Who invented email?” shows mostly Ayyadurai-related results.)

He also found more supporters who would put their names to statements, including—surprisingly—MIT linguistics professor Noam Chomsky. In June 2012, Ayyadurai sent journalists a [statement](#) by Chomsky that mirrored Ayyadurai’s arguments, from the details about the copyright to citing Dave

Crocker's 1977 report as proof that "no attempt is being made to emulate a full-scale, inter-organizational mail system."

"What continue to be deplorable are the childish tantrums of industry insiders who now believe that by creating confusion on the case of 'email,' they can distract attention from the facts," Chomsky said, which led to news stories in *Wired* and *Computerworld*.

The *Wired* article goes on, quoting Chomsky's statement: "E-mail was invented in 1978 by a 14-year-old working in Newark, NJ. The facts are indisputable." (This particular line has been misattributed by Ayyadurai in [lawsuits](#) and [press releases](#). They have cited it to *Wired* rather than to Chomsky.)



[Enlarge](#) / MIT professor Noam Chomsky, amazingly, has weighed into this very public dispute.

Ayyadurai's website took a more aggressive tone as 2012 rolled on. He had a student catalog a series of "[attacks on the inventor of e-mail](#)" (PDF). This lists various publications, like *The Verge* and *Boing Boing*, that picked up the Gizmodo article. It also describes a "concerted effort by detractors of Ayyadurai on Wikipedia to defame and discredit him."

"I used to get up at 4:00 in the morning, Joe, with my student, and we started going through every article," Ayyadurai said in his lengthy interview with Ars. "You can go look at the history of my Wikipedia page, how it's been destroyed. My awards have been taken away. I was listed as an inventor at this time, 2012. Delete, delete, delete. A bunch of fucking people just wanted to destroy me."

In May 2012, *Boston Magazine* published a profile about Ayyadurai at a difficult time in his life.

"His life has begun to unravel," wrote the author, Janelle Nanos. "His speaking engagements have been canceled, the funding for his EMAIL lab has evaporated, and his contract to lecture in MIT's bioengineering department has been revoked."

In Ayyadurai's larger worldview, the "military-academic-industrial" complex is out to get him. In this narrative, it's actually Ayyadurai who's fighting false history. Raytheon and other defense contractors, who employed ARPAnet pioneers like Ray Tomlinson, "all started making cyber security divisions" around 2009, Ayyadurai says.

"When I went into the Smithsonian, I threw a wrench into their marketing program," Ayyadurai told us. "This is a freaking collusion to own the history of e-mail. The history of the Internet... if the inventor of e-mail is not Ray Tomlinson, and it's a 14-year-old kid in Newark, New Jersey, don't you think that affects their brand?"

When Tomlinson died last year, the Internet was full of obituaries extolling the accomplishments of a great computer scientist. Ayyadurai felt robbed. He spent the day publishing [press releases about himself](#) and denouncing Tomlinson on Twitter.

"I'm the low-caste, dark-skinned, Indian, who DID invent #email," [wrote Ayyadurai](#). "Not Raytheon, who profits for war & death. Their mascot Tomlinson dies a liar."

[JUMP TO END](#) PAGE 4 OF 5





## The Gawker lawsuit

By 2016, the company that had published the Gizmodo takedown of Ayyadurai, Gawker Media, was in serious trouble. A pro wrestler named Terry Bollea, better known as Hulk Hogan, had pinned the news company down in front of a jury in a Florida courtroom. In March 2016, the jury delivered a hammer-blow \$115 million verdict against Gawker for having published what included footage of Hogan having sex with his friend's wife.

Not long after the verdict, that litigation against Gawker was revealed to have been paid for by Peter Thiel, a Silicon Valley billionaire who was the subject of [repeated coverage](#) by the site.

In May 2016, as Gawker was on the ropes after the massive verdict, Ayyadurai sued the website over its 2012 story about him. Ayyadurai hired Charles Harder, the same lawyer who had won the huge verdict for Hogan. (Ayyadurai maintains that his agreement with Harder is “direct” and that “there’s no one else involved.”)

In his complaint, Ayyadurai says that “anyone who searches Dr. Ayyadurai at Google or other search engine will see Defendants’ false and libelous stories about him in the first page of search results across the world... These statements also resulted in a wave of efforts by others to discredit Dr. Ayyadurai and erase him from the history of electronic communications such as Walter Isaacson’s book on Internet pioneers, *The Innovators: How a Group of Hackers, Geniuses, and Geeks Created the Digital Revolution*; attacks on Wikipedia that remove reference to his contributions, and discrediting his other ongoing scientific contributions unrelated to email technology.”

The suit irritated Masnick. “Guy who didn’t invent e-mail sues Gawker for pointing out he didn’t invent e-mail,” blared a [headline on Techdirt](#) on May 11, 2016—later used in the lawsuit against Masnick. “Most of [Gawker’s] statements would be protected as either statements of opinion or rhetorical hyperbole,” wrote Masnick.

Those legal arguments would soon be of more than passing interest to Masnick himself.

Later that year, Gawker gave up the ghost. Out of money for an appeal, the company was sold to Univision and the Gawker website was shut down. Although there had been no decision on the merits of the case, Gawker paid Ayyadurai \$750,000 to settle all claims. Two of the most damning stories about him were removed from Gizmodo, although they live on, courtesy of the Internet Archive.

“All-out legal war with Thiel would have cost too much, and hurt too many people, and there was no end in sight,” Gawker editor Nick Denton [wrote](#) at the time. The worst part of the deal, he wrote, was removing “true stories” from the Web.

“To me, it’s a sad day,” said MSG creator John Vittal in a [Gizmodo piece about the gloom of the Internet pioneers](#) over the settlement with Ayyadurai.

Vittal and his cohorts may be in the history books, but they didn't seem to be controlling the online narrative about e-mail.

As for Masnick, he had a bad feeling about the situation. He took to his keyboard, again, to lament Denton's choice to remove the Ayyadurai piece. "Ridiculous: Nick Denton Settles Remaining Charles Harder Lawsuits, Agrees To Delete Perfectly True Stories," **wrote** Masnick on November 2, 2016.

"Ayyadurai has been given the heckler's veto and will likely crow about how this vindicates him," wrote Masnick.

## Techdirt and the cost of speech

From the window in his Redwood City office, Masnick's view looks out onto a parking lot, a concrete shell that holds dumpsters, and Highway 101, the primary artery between San Jose and San Francisco. One day, with no explanation, a flatbed truck drove up and installed a massive bronze Buddha on top of the dumpster shell.

The statue stares serenely into the angry rush of freeway traffic. Masnick has never inquired about it. "I kind of like the mystery," he said.



Cyrus Farivar

**Enlarge** / Mike Masnick's office window looks out onto this Buddha statue and Highway 101.

Masnick hasn't had much serenity of his own since January 2017, when Ayyadurai's lawsuit landed without warning. A process server came to Masnick's house in San Mateo when he wasn't home and handed papers to his wife.

Ayyadurai demanded \$15 million, a sum that could wipe out Techdirt, a small company with a few employees. Ayyadurai saw 14 articles that Masnick had written about Ayyadurai's e-mail as defamatory falsehoods.

Whatever happens, Masnick says that legal defense costs could potentially end his business, regardless of the merits of the case. Soon after the suit was filed, Masnick wrote that the legal battle would be his site's "First Amendment fight for its life."

According to Roger Myers, a San Francisco media lawyer, a libel case that goes through discovery and trial can easily cost "several million dollars." Often, the defense strategy becomes proving "that what it says are the facts, are in fact, true," Myers said. "That can be an expensive proposition."

Truth is a defense against libel in the US, but it's a costly way to win a case. Masnick doesn't have several million dollars to litigate.

Masnick's best chance would be to win without an expensive slog through the discovery process. A judge could throw the case out under California's "anti-SLAPP" (Strategic Lawsuits Against Public Participation) law, which is designed to halt cases that stifle free speech and have little legal merit. It isn't clear what law will even apply, though, since Masnick got sued in Massachusetts.

Myers said Masnick was dead-on in his view that the case could have broader implications for other journalists and publishers and for the First Amendment.

"If we as a society want to be able to say 'the emperor has no clothes,' this could become very important for the next four years," said Myers. "Journalists need to be able to say, 'Somebody is making a claim here, and I don't think that claim is true.' If the First Amendment doesn't protect that, we're all going to be in trouble."

## Into politics

"Why is it so important to [Ayyadurai] to be remembered as the inventor of e-mail?" asked Thomas Haigh, the University of Wisconsin professor. "If there was a question that I could get answered honestly, it would be that."

Having a reputation as the "Inventor of e-mail" is hugely important to Ayyadurai. He continues to run EchoMail, CytoSolve, and his own International Center for Integrative Systems, among other endeavors. He also offers paid "Systems Health Workshops" regularly in the Boston area, which he has offered through Deepak Chopra's "Center for Wellbeing." He has a "clean food certification" company and a website that offers personality assessments for \$50 if users send in a headshot to "face-reading experts." His claim to be the inventor of e-mail is prominently mentioned across those sites, as is his personal slogan: "Know the Truth, Be the Light, Find Your Way."

VA SHIVA INVENTOR OF EMAIL		701 CONCORD AVENUE REVOLUTIONARY INNOVATIONS
<b>FIRST FLOOR OFFICES</b>		
INTERNATIONAL CENTER FOR INTEGRATIVE SYSTEMS		100
CONGRESSWOMAN KATHERINE M. CLARK		101
SYSTEMS HEALTH, LLC		102
GENERAL INTERACTIVE, LLC		103
ECHOMAIL, INC.		104
<b>SECOND FLOOR OFFICES</b>		
CYTOSOLVE, INC.		200
BARLETTA HEAVY DIVISION, INC.		201
SCILLIGENCE, INC.		202
CABLE DATA VOICE, INC.		203
		204
DCCI, LLC		205

**Enlarge** / Shiva Ayyadurai's offices in Cambridge, Massachusetts boast that he is the "Inventor of Email."

But beyond his business interests, Ayyadurai has political aspirations.

He has been an increasingly vocal Donald Trump supporter on Twitter since early 2016. He has adopted many of the online slurs against politicians that he disagrees with, including "Shillary" (Hillary Clinton) and "#FakeIndian" (Sen. Elizabeth Warren).

In March 2017, Ayyadurai decided to formally enter politics himself; he will run as a Republican against Sen. Warren (D-Mass.) in the 2018 senatorial election. His increasingly political Twitter feed includes quips like, "The gauntlet has been thrown down by the #RealIndian TO the #FakeIndian." He even has a new book out: *All-American Indian: The Battle to Save America from the Elites Who Think They Know Better*. A June 1 tweet touts the fact that he "defeated fake news and shutdown Gawker Media."

Ayyadurai faces an uphill battle. In the last 25 years, Massachusetts has only elected one Republican senator, Scott Brown, whom Warren defeated in 2013. But he has an all-American story to tell: an immigrant kid from a working class background who worked hard, invented something new, and made it big. He believes he can defeat the false histories around him to become the embodiment of the American Dream—and his e-mail claim is central to this story.

"The narrative was that great innovations must come out of the military-industrial complex, it surely couldn't have been invented by a kid in Newark," he said in a recent interview on the Lars Larson Show, a conservative talk radio program. "But it was. I am the inventor of e-mail."

More on *Ayyadurai v. Techdirt*:

- On January 4, 2017, Shiva Ayyadurai [sued Mike Masnick and Techdirt](#) for challenging his claims to have invented e-mail.
- Masnick [responded](#) in a post published January 11, saying his company faces a "First Amendment Fight For Its Life."
- On January 24, Ayyadurai's attorney [sent "cease and desist" letters](#) over social media posts about the case.
- On February 17, Masnick's lawyers asked for the libel lawsuit against him [to be thrown out](#).
- In March, Ayyadurai [filed papers](#) to make a run for the US Senate in Massachusetts.

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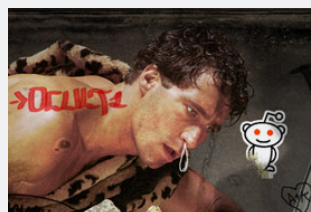
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