

## Industrial Espionage]

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As I've written in countless prior articles, I'm a huge Star Wars fan. Part of my fanaticism involves collecting Star Wars action figures, which I've done for almost 35 years. My father-in-law, a retired eye doctor, graciously gave me three of his five-shelf glass display cases that he used to show off frames. My kids and I use them to display our Star Wars guys, positioning them into dioramas representing our favorite scenes from the films.

As a collector, it's always fun to get sneak peeks of Hasbro's upcoming Star Wars action figure releases at conventions, such as New York's Toy Fair or San Diego's Comic Con. Hasbro sets up a huge booth to display their upcoming wares. While I've never attended these events, thankfully there are hundreds of fellow geeks who do attend, take gobs of photographs and post them online for me to drool over. My kids and I write down our favorites so we know to look for them on store shelves in the next six to eight months.

If there is a particularly awesome figure that we can't wait for, however, there is one other option. There's a seller on eBay, the online auction site, who always has dozens of unpackaged figures available months before they hit stores.

Fan websites speculate as to where this seller gets his hands on the figures so early. Theories range from the seller flat out stole the figures from a factory in China, they're possibly "seconds" or defects sent home with workers, they're overproduced figures Hasbro decided they didn't want to pay to ship to the U.S., or the factory intentionally made extra figures to sell on the side for extra money without compensating Hasbro.

Apparently Hasbro doesn't just have this problem with Star Wars figures. The toy manufacturer is also having an issue with Nerf guns, another of the company's successful lines. Hasbro learned of the early releases after Martyn Yang, a Nerf gun fan from Australia, posted a review on the N-STRIKE ELITE "RAMPAGE" BLASTER on Urban Taggers, his blog about Nerf guns.

The N-STRIKE ELITE "RAMPAGE" BLASTER, however, was an unreleased Nerf gun that was not available in stores. It was available on eBay and its Chinese equivalent, Taobao.com. Shortly after the review was posted, Hasbro contacted Yang to obtain his mailing address so they could send him some free gifts to give away to his readers.

Obviously, Yang happily provided his address. He then quickly received a letter from Baker and McKenzie, Hasbro's lawyers, demanding that he take down the review. They also insisted that he provide the name, address, email and IP of the person who provided Yang with the gun.

Yang complied with Hasbro's request to remove his review, but he refused to turn over the information on his source. Instead, he referred Hasbro to provisions of the Australian Evidence Act and explained that unreleased guns like the N-STRIKE ELITE "RAMPAGE" BLASTER could easily be found on online marketplaces.

Baker and McKenzie sent Yang a follow-up email reiterating the urgency of obtaining his source. Yang stuck to his Nerf guns and refused. He was then approached at his home by two representatives of Baker and McKenzie, brandishing a tape recorder and demanding information about Yang's source.

As a result, Hasbro is reportedly facing several boycotts and lost the loyalty of a vocal fan. Yang said he "was very, very disappointed with Hasbro." I'm guessing it's because he never received his free gifts.