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The Evidence Google's Systematic Theft is Anti-Competitive



[Scott Cleland](#) ,

Internet competition and threats to tech capitalism



Image via CrunchBase

Systematic theft may be the most anti-competitive and monopolistic practice in which a company can engage. Systematic theft generates an unbeatable *cost* advantage by avoiding the standard cost of propertied goods for which law-abiding competitors must pay. It creates an unfair, jump-the-gun, *time-to-market* advantage, by ignoring the rule of law standard of securing permission from property owners *before* use in the marketplace, a business practice that law-abiding competitors must respect. It spawns and maintains a matchless online index/*inventory* advantage that no honest competitor could hope to assemble. It anti-competitively undermines property-based business models which compete with Google’s free content model. Lastly, systematic theft is the ultimate predatory practice in that it unlawfully destroys the value of any innovation or creative advantage a competitor may have.

Almost by definition, theft is a quintessential deceptive and unfair business practice under the FTC’s

[Section 5](#) antitrust authority. The open question is whether or not the FTC first can recognize, and second prosecute a heretofore unprecedented pattern of predatory behavior – systematic theft for anti-competitive gain.

Last month, Google Chairman Eric Schmidt [told](#) the French Newspaper Liberation, “*We do not steal,*” a reprise of his June [claim](#) to the British Daily Mail that “*We are a [law-abiding company.](#)*” It is telling that Google feels compelled to assert what should be a given and never questioned about a major corporation. The reason is that scores of competitors consistently over several years have charged Google with the same illegal practice: theft for anti-competitive advantage. More specifically, Google has repeatedly been sued for repeatedly stealing most every form of property: trademarks, copyrights, patents, trade secrets, contact lists, and private information.

Top Patterns of Google Theft

1. Admitted Pattern of Promoting Online Piracy: A) Last August, the DOJ assessed a near-record \$500m [criminal penalty](#) on Google for systematic and willful [aiding and abetting](#) of piracy of non-prescription drugs over a period of several years. The U.S. Attorney prosecuting the case [said](#) Google CEO “*Larry Page knew what was going on.*” B) SIGTARP, the U.S Treasury Department entity responsible for policing TARP fraud continues to [investigate Google](#) after Google “*suspended advertising relationships with more than 500 Internet advertisers and agents associated with 85 alleged online mortgage fraud schemes and related deceptive advertising.*” C) A [BBC investigation](#) recently exposed that Google was advertising illegal Olympic Ticket ads for the 2012 London Summer Olympics.

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2. Anti-Competitive Pattern of Book Theft: In rejecting Google’s proposed book settlement as a violation of copyright, antitrust and class action law, Federal Judge Chin [said](#) Google’s proposed settlement “*would give Google a significant advantage over competitors, rewarding it for wholesale copying of copyrighted works without permission.*” Google continues to systematically copy books without permission from the copyright owner – over [fifteen million](#) to date — which fosters an anti-competitively comprehensive search index that no property-respecting search competitor can match.

3. Willful Pattern of Promoting YouTube Video Theft: In the Viacom vs. Google-YouTube \$1b copyright infringement case pending appeal, involving the alleged [willful facilitation](#) of hundreds of thousands illegally downloaded videos, Federal Judge Stanton [said](#): “*...a jury could find that the defendants [Google-YouTube] not only were generally aware of, but welcomed copyright-infringing material being placed on their website.*” The appeal will likely hinge on whether the Appeals Court rules that Google engaged in *willful blindness*, which would abrogate its DMCA safe harbor claim under the Supreme Court [MGM vs. Grokster](#) precedent.

4. Willful Pattern of Android Property Infringement: In the Steve Jobs biography, the late Steve Jobs [called](#) Android “a stolen product” for stealing the signature pinch and swipe innovations of the iPhone. Oracle [sued](#) Google for billions of dollars for “*knowingly, directly and repeatedly infringed Oracle’s Java-related property;*” an incriminating [Google email](#) shows Google’s leadership

knew they needed to license JAVA but implicitly decided to steal it.

5. Anti-Competitive Pattern of Stealing Competitors' Signature Patented-Innovations: A) Google stole the idea and auction method for keyword advertising, the wellspring of its search advertising monopoly, from the keyword advertising inventor and patent holder, Overture, given that Google [settled](#) a patent lawsuit with Overture-Yahoo for ~\$250 million in order to clear the way for Google's 2004 IPO. B) Skyhook Wireless [sued](#) Google for infringing several WiFi location patents that collectively enable most location-driven mobile applications. [Incriminating emails](#) indicate willful infringement by Google's leadership. C) Last fall, Yelp [complained](#) that Google stole Yelp's restaurant reviews without compensation in order to leapfrog Yelp with Google Places. D) PayPal recently sued Google for theft of their mobile payment trade secrets in a [lawsuit](#) against Google Wallet. E) The most recent example of this Google pattern of stealing competitors' most valuable property is BuySafe's [patent lawsuit against](#) Google's Trusted Stores program.

6. Extensive Pattern of Content Theft: It is no coincidence that Google has been sued for copyright infringement by most all types of content: [wire services](#), [newspapers](#), [broadcasters](#), [movie studios](#), [authors](#), [publishers](#), [visual artists](#), [software providers](#), [photographers](#), [artists](#), [graphic designers](#), [illustrators](#), and [filmmakers](#).

7. Extensive Pattern of Trademark Theft: Many brands have sued Google for infringing on their trademarks by selling their trademarked brands to competitors as search keyword advertising, i.e. adwords: [Rosetta Stone](#) (whose appeal is supported by friend-of-the-court [briefs by](#): Viacom, Ford Motor Company, Carfax, Blue Destiny Records, The Media Institute, ConvaTec, Guru Denim, Monster Cable, PetMed Express and 1-800 Contacts), [American Airlines](#), and [Geico](#). The theft is Google effectively extorts a brand owner to buy their trademarked key word at top price in order to keep it from being used by competitors to steal business leads from trademarked brand names that consumers trust.

8. Pattern of Stealing Contact Lists: A) This week, Google admitted to being [caught systematically stealing](#) business contacts from a Kenyan business directory. B) Last year, Google [admitted](#) to stealing people's private email lists in the FTC Google-Buzz privacy settlement where Google admitted that taking people's private gMail contact list and incorporating them into Google Buzz without their permission was [a deceptive and unfair business practice](#). C) Google StreetView [admitted](#) it systematically took WiFi signals of tens of millions of household's emails and passwords around the world, without their permission, over a period of three years, prompting investigations in 13 countries: [U.S.](#), [Canada](#), [Germany](#), [France](#), [Switzerland](#), [Netherlands](#), [Spain](#), [Belgium](#), [Czech Republic](#), [South Korea](#), [Japan](#), [Australia](#), and [Hong Kong](#).

In sum, it is sad that the evidence indicates systematic theft is an integral element of Google's competitive business strategy. The evidence also indicates Google owes much of its success and rapidly spreading market dominance to the ill-gotten unbeatable competitive advantage of systematic theft of others property (trademarks, copyrights, patents, trade secrets, contact lists, private information) via *at least eight distinct patterns* of theft perpetrated over several years time — that collectively indicate that Google's anti-competitive behavior is systematic, willful and strategic.

The **much underappreciated key to Google's strategy here is to deny legal discovery of incriminating information on awareness and intent behind Google's theft**, and when such information is discovered, to cover it up publicly via an aggressive pattern of urging courts to seal incriminating documents from public view. The cover-up prevents complainants and law enforcement the ability to connect-the-dots of evidence necessary to prove in court that Google's systematic theft has been, and remains willful and strategic. The non-profit Reporters Committee for Freedom of the Press has documented Google's cover-up pattern in a report called "[*Uncivil Secrecy*](#)."

The sad irony here is that the company in the world which advocates most loudly for [Internet openness](#) and whose [mission](#) is to make the world's information universally accessible, systematically seeks to deny public access to vast amounts of court documents that normally would be in the public domain, but for Google's "closedness" efforts. The exceptional public hypocrisy here strongly suggests Google has much to hide.

At bottom, no law-abiding competitor can compete with a company which serially flouts property law and systematically engages in deceptive and unfair business practices. Google's systematic theft provides Google with an unbeatable, ill-gotten, and anti-competitive cost, time-to-market, inventory, and innovation advantage.

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Experience to date has taught Google that crime does pay. The overwhelming evidence above of Google's systematic theft strongly indicates Google is the [21st Century's Robber Baron](#).

Scott Cleland is President of Precursor LLC, a consultancy serving Fortune 500 clients, some of which are Google competitors; he is also author of "[Search & Destroy: Why You Can't Trust Google Inc.](#)"

[How Google Steals Ideas From Entrepreneurs! The Google Innovation Theft Factory](#)

Posted in [NEWS](#).

How Google Steals Ideas From Entrepreneurs

By Sarah Dunn and Anthony Harvard

A recent article in The New York Times called: "***How Larry Page's Obsessions Became Google's Business***" describes how Google Boss Larry Page covertly attends technology conferences in order to get ideas from entrepreneurs. He does not seem to ever pay those entrepreneurs, for the technology he takes from them, and makes billions of dollars off of at Google.

Google Boss Eric Schmidt just spent over \$1 Billion to try to lobby Congress to change the patent laws in order to make patents for entrepreneurs nearly illegal, and to try to make patents almost entirely unenforceable, so that Google would not have to pay for the technology it steals. Google seems to love killing the American dream.

Google spent millions of dollars to nominate, lobby for, influence and place it's top lawyer in charge of the U.S. Patent Office. Now Google's "inside-man" makes sure that patents, that Google is infringing, are either turned down or, in some cases, have their approvals reversed.

Google's motto seems to be: "Why Compete When You Can Cheat". This is a far more relevant motto than 'Don't be evil'.

The New York Times article, and hundreds of stories from entrepreneurs, describes how Mr. Page cuddles up to technologists in ordinary street wear, does not identify himself, and Hoover's up their innovations for his company. The article, details the following:

"Three years ago, Charles Chase, an engineer who manages Lockheed Martin's nuclear fusion program, was sitting on a white leather couch at Google's Solve for X conference when a man he had never met knelt down to talk to him.

They spent 20 minutes discussing how much time, money and technology separated humanity from a sustainable fusion reaction — that is, how to produce clean energy by mimicking the sun's power — before Mr. Chase thought to ask the man his name.

"I'm Larry Page," the man said. He realized he had been talking to [Google's billionaire co-founder and chief executive](#).

"He didn't have any sort of pretension like he shouldn't be talking to me or 'Don't you know who you're talking to?'" Mr. Chase said. "We just talked."

The article also reveals the show-boating of how Mr. Page likes to "ignore the main stage and ***follow the scrum of fans and autograph seekers who mob him in the moments he steps outside closed doors.***"

The article goes on to show that.. ***"He is a regular at robotics conferences and intellectual gatherings like TED. Scientists say he is a good bet to attend Google's various academic gatherings, like Solve for X and Sci Foo Camp, where he can be found having casual conversations about technology or giving advice to entrepreneurs. Mr. Page is hardly the first Silicon Valley chief with a case of intellectual wanderlust, but unlike most of his peers, he has invested far beyond his company's core business and in many ways has made it a reflection of his personal fascinations."***

Further Page has ***"... said on several occasions that he spends a good deal of time researching new technologies, focusing on what kind of financial or logistic hurdles stand in the way of them being invented or carried out. His presence at technology events, while just a sliver of his time, is indicative of a giant idea-scouting mission that has in some sense been going on for years but is now Mr. Page's main job."***

Photo

Sergey Brin, co-founder of Google, wearing Google Glass. Credit Carlo Allegri/Reuters

Then the article grows dark, it says: ***“Many former Google employees who have worked directly with Mr. Page said his managerial modus operandi was to TAKE new technologies or product ideas and generalize them to as many areas as possible. Why can’t Google Now, Google’s predictive search tool, be used to predict everything about a person’s life? Why create a portal to shop for insurance when you can create a portal to shop for every product in the world?”***

But corporate success means corporate sprawl, and recently Google has seen a number of engineers and others leave for younger rivals like Facebook and start-ups like Uber. Mr. Page has made personal appeals to some of them, and, at least in a few recent cases, has said he is worried that the company has become a difficult place for entrepreneurs, according to people who have met with him.”

“People who have worked with Mr. Page say that he tries to guard his calendar, avoiding back-to-back meetings and leaving time to read, research and see new technologies that interest him.”

The article details Page’s under-cover intelligence gathering: ***“ People who work with Mr. Page or have spoken with him at conferences say he tries his best to blend in, ..” “ The scope of his curiosity was apparent at Sci Foo Camp, an annual invitation-only conference that is sponsored by Google, O’Reilly Media and Digital Science.***

The article goes on to reveal that Google was forced to engage in a break-up, into a front operation called “Alphabet” in order to try to create overt shell companies to build buffers from the Tsunami of legal actions that are coming after it.:

“Of course, for every statement Mr. Page makes about Alphabet’s technocorporate benevolence, you can find many competitors and privacy advocates holding their noses in disgust. Technology companies like Yelp have accused the company of acting like a brutal monopolist that is using the dominance of its search engine to steer consumers toward Google services, even if that means giving the customers inferior information.

In fact, the company’s main business issue seems to be that it is doing too well. Google is facing antitrust charges in Europe, along with investigations in Europe and the United States. Those issues are now mostly Mr. Pichai’s to worry about, as Mr. Page is out looking for the next big thing.”

“It is hard to imagine how even the most ambitious person could hope to revolutionize so many industries. And Mr. Page, no matter how smart, cannot possibly be an expert in every area Alphabet wants to touch.

His method is not overly technical. Instead, he tends to focus on how to make a sizable business out of whatever problem this or that technology might solve. Leslie Dewan, a nuclear engineer who founded a company that is trying to generate cheap electricity from nuclear waste, also had a brief conversation with Mr. Page at the Solve For X conference.

She said he questioned her on things like modular manufacturing and how to find the right

employees.

“He doesn’t have a nuclear background, but he knew the right questions to ask,” said Dr. Dewan, chief executive of Transatomic Power. “‘Have you thought about approaching the manufacturing in this way?’ ‘Have you thought about the vertical integration of the company in this way?’ ‘Have you thought about training the work force this way?’ They weren’t nuclear physics questions, but they were extremely thoughtful ways to think about how we could structure the business.”

Dr. Dewan said Mr. Page even gave her an idea for a new market opportunity that she had not thought of. Asked to be more specific, she refused. The idea was too good to share.”

Yet, Dr. Dewan did share, seduced by the understated encouragement of a top intelligence gathering officer: Larry Page.

Below, you will find a small sample of tens of thousands of blog articles and news articles discussing the overt experience of Google’s intellectual property theft. When you have a zillion billion dollars and own your own Senators, ethics do not seem to fall within range of your moral compass.

Entrepreneurs have charged that Google has overtly, stolen its video broadcasting technology, virtual reality systems, Internet balloons, search engine system, wireless technology and many other items. We spoke with technologists who showed us United States Government issued patents and communications that showed that they had designed, engineered, built, patent filed and launched a number of the technologies that Google now has filled their bank accounts from. Google’s financiers at Kleiner Perkins, Google Ventures and other groups had come to them, looked at the technologies confidentially, under the guise of “maybe we’ll invest”, and then sent the technologies over to Google to build 100% clones of.

How hard is it to sue Google for patent infringement? With Google controlling the patent office and 80% of the technology law firms, the hapless entrepreneur is out-gunned.

Google even tried the lamest shell game in history by posting ads on technology blogs asking inventors to just send Google their patents and Google would look at them and offer a low-ball check if Google thought they might get in trouble. That ploy was universally mocked on the web.

Google remains a big, dumb, reckless billionaire’s toy with no regard for the individual. As a creator, your idea is Google’s to plunder. As a citizen, your privacy is Google’s to plunder. As the buyer of elected officials and federal agencies, the law is now Google’s bitch.

American FTC investigators wrote, in their report, that “Google is a threat to domestic innovation”. The European Union investigators have found “...Google to be a private out of control corporate government that has more power than the U.S. Government.”

It is time the FBI came in and shut that train down. Google is nothing but bad news for modern society and innovation.

PHOTO:

Note The FTC Quote that Google creates: ***“real harm to consumers and to innovation”***

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TECHNOLOGY

Inside the U.S. Antitrust Probe of Google

Key FTC staff wanted to sue Internet giant after finding 'real harm to consumers and to innovation'



Google's Eric Schmidt testified in 2011 about the Internet giant's business practices and defended how it displayed search results. PHOTOS: GETTY IMAGES/ALAMY



By **BRODY MULLINS, ROLFE WINKLER** and **BRENT KENDALL**

49 COMMENTS

Updated March 19, 2015 7:38 p.m. ET

WASHINGTON—Officials at the Federal Trade Commission concluded in 2012 that Google Inc. used anticompetitive tactics and abused its monopoly power in ways that harmed Internet users and rivals, a far harsher analysis of Google's business than was previously known.

The staff report from the agency's bureau of competition recommended the commission bring a lawsuit challenging three Google practices. The move would have triggered one of the highest-profile antitrust cases since the Justice Department sued Microsoft Corp. in the 1990s.

RELATED

- [How Google Skewed Search Results](#)
- [Digitix: Excerpts from FTC Staff Report on Google's Search Practices](#)
- [Google Dodges Antitrust Hit \(Jan. 3, 2013\)](#)
- [EU Prepares to Step Up Google](#)


The 160-page critique, which was supposed to remain private but was inadvertently disclosed in an open-records request, concluded that Google's "conduct has resulted—and will result—in real harm to consumers and to innovation in the online search and advertising markets."

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Why Google Is the New Evil Empire

By Steve Tobak / ValleyBeat / Published April 20, 2015 / FOXBusiness



Today we have Google ([GOOGL](#)). Don't let the geeky façade, whimsical multicolored logo and "don't be evil" mantra fool you. Google may very well be the most sinister threat and wicked incarnation of them all.



Steve Tobak

"We don't need you to type at all because we know where you are. We know where you've been. We can more or less guess what you're thinking about ... Is that over the line?" – Google Chairman Eric Schmidt

 Print

A long time ago in a galaxy far, far away there was a Galactic Empire, a beady-eyed Emperor and his heavy-breathing sidekick, Darth Vader. Ever since, we've identified the corporate villains we

Does Google Steal Your Ideas? – Yahoo News

Does **Google Steal Your Ideas**? Through its myriad media mechanisms, **Google** has access to a worrying amount of our data – but even more than that, it has an ...

news.yahoo.com/video/does-google-steal-ideas-113004631.html

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Why Google Is Stealing Apple's Ideas – Forbes

Why **Google** Is Stealing Apple's **Ideas** Just because you're ... **Google** offers its own Web-based

Google Stealing Apple's Ideas And Other Tales Of ... – TechCrunch

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techcrunch.com/2009/07/11/google-stealing-apples-ideas-a...

Google Retracts After Caught Stealing Ideas – Tom's Guide

Monday this week **Google** launched its App Engine, which was very well received by developers and users alike. Unfortunately, attention turned elsewhere on Tuesday as ...

tomsguide.com/us/google-huddlechat-campfire.news-977.html

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[Google Ventures Launches with “We May Steal Your Idea” Caveat ...](#)

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marketingpilgrim.com/2009/03/google-ventures-launches-with-we-...

[Lawsuit Accuses Google, YouTube Of Stealing Sharing Idea In ...](#)

Be In, a company that created the video sharing service CamUp, is accusing **Google** of stealing trade secrets and violating its copyrights when it added a “Watch with ...

marketingland.com/lawsuit-accuses-google-youtube-of-stealin...

[Newspiracy.com | Google Steals Your Ideas](#)

Google Steals Your Ideas 0 Posted by newspiracy – January 24, 2016 – Alltime Conspiracies. Alltime Conspiracies Sun, January 24, 2016 10:50am URL: Embed:

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graywolfseo.com/seo/google-hijackingtraffic/

[Google deliberately stole information but executives 'covered ...](#)

Google, pictured street-mapping in Bristol, has always claimed that it didn't know its software would collect the private information

dailymail.co.uk/news/article-2150606/Google-deliberately-...

[Google Steals Your Ideas - YouTube](#)

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makings of a zany crime-comedy by Steven Soderbergh.

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Is it unwise to use gmail to discuss business ideas that Google could ... The relevant section of the google terms of service is the Your Content In ...

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[Google stealing ideas | WEB NEWS 444](#)

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5 days ago ... Posts about Google stealing ideas written by THE OUTRAGED.

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<https://webnews444.wordpress.com/tag/google-stealing-ideas/>

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<http://www.wired.com/2015/08/googles-search-algorithm-steal-presidency/>

[Google: Here Are Some Ideas Android Is Accused Of Stealing ...](#)

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25 Mar 2011 ... Google's Android operating system is now involved in 37 patent infringement lawsuits. All were filed within the last year. Not all of the lawsuits ...

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[Yes, Google "Stole" From Apple, And That's A Good Thing - Forbes](#)

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25 Oct 2011 ... Yes, Google "Stole" From Apple, And That's A Good Thing. Timothy B. Lee , ... But

what if Jobs is right, and Google really did steal from iOS? What if 2 Dudes On Shark Tank Reveal A Trillion Dollar Idea. The Motley Fool.

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[http://www.forbes.com/sites/timothylee\[...\]ole-from-apple-and-thats-a-good-thing/](http://www.forbes.com/sites/timothylee[...]ole-from-apple-and-thats-a-good-thing/)

Google Wants to Make it Easier to Steal Patented Software - IP Nav

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The other major problem with Google's proposed solution to software patents is the problem that reveals Google's desire to steal other people's patented ideas.

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[http://www.ipnav.com/blog/google-wants\[...\]it-easier-to-steal-patented-software/](http://www.ipnav.com/blog/google-wants[...]it-easier-to-steal-patented-software/)

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Patent Search? Dangerous? - Inventor's Forum at InventorSpot.com

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... I call it) search engine providers steal information about every household ... There is no disclaimer on their Google Patents search engine that I'm ... While your patentable idea may be valuable, the person spying on each ...

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25 Apr 2012 ... I know what Google is trying to do, but anyone can see the potential for abuse here. This all stems from an idea in the late 1990s which allowed ...

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<http://www.pcmag.com/article2/0,2817,2403554,00.asp>

[Small businesses claim US government stealing their ideas | Fox ...](#)

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17 Dec 2013 ... "They stole all my stuff and used taxpayer money to do it," John Hnatio, a Maryland small business owner, says of the U.S. government.

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18 Feb 2015 ... Google Inc (NASDAQ:GOOGL) is facing a lawsuit from Eli Attia alleging that the internet giant stole the famous architect's life's work, a report ...

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[Pando: Google accused of stealing video compression tech, the plot ...](#)

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12 Aug 2014 ... Having run out of its own ideas on how to be evil, Google is now apparently stealing them from Mike Judge's Silicon Valley TV show. How else ...

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[https://pando.com/2014/08/12/google-ac\[...\]tech-the-plot-of-hbos-silicon-valley/](https://pando.com/2014/08/12/google-ac[...]tech-the-plot-of-hbos-silicon-valley/)

[Is it true that Google directly or through its hacking companies - Quora](#)

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26 Jul 2014 ... He was 2 weeks away from launch when the google product hit the market. ... I am sure Google will not steal ideas through it flagship Adwords ...

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[Sinister truth about Google spies: Street View cars stole ... - Daily Mail](#)

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27 May 2012 ... It is two years since Google first admitted stealing fragments of personal That is why if you must use them, it's a good idea to use a particular ...

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Commotion, le projet d'un Internet hors de tout contrôle

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A Washington, une vingtaine de jeunes gens finalisent Commotion, un logiciel permettant d'accéder à Internet gratuitement tout en échappant à toute surveillance.

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An under-the-radar startup funded by billionaire Eric Schmidt has become a major technology vendor for Hillary Clinton's presidential campaign, underscoring the ...

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