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in Page Titles

Location: [Mothership](#) -> [Area 51](#) -> [Articles](#) -> [1996](#) -> [Skeptical Inquirer article on Area 51](#)

NOTICE: The page below has been permanently FROZEN as of January 2000. Due to resource limitations, this section of our website is no longer maintained, so some links may not work and some information may be out of date. We have retained this page for archive reference only, and we cannot vouch for its accuracy. Broken links will not be repaired, and minor errors will not be corrected. You are responsible for independently verifying any information you may find here. [More Info](#)

For more recent information about Area 51, see the new [Area 51 Research Center](#) maintained by Don Emory.

Skeptical Inquirer article on Area 51

Temporarily Withdrawn due to Legal Objections

Note: The Skeptical Inquirer is the nation's leading skeptics' magazine. In the September 1996 issue it published a six-paragraph review of the "E.T. Highway" as part of the "Psychic Vibrations" column by Robert Sheaffer.

Because I felt that our readers should have access to a skeptical view of the Area 51 phenomenon, I scanned the excerpt and placed it on the web at this address. I almost immediately received an unsigned email message asking if I had obtained permission. This was followed by a letter from the corporate lawyer for the Skeptical Inquirer claiming copyright and privacy violations. Due to this action, I have removed the article from our site. Unfortunately, this means that this skeptical viewpoint on Area 51 cannot be heard except by already-committed skeptics who subscribe to the magazine.

Although I have withdrawn the article until the matter is resolved, I have reprinted the full text of the correspondence regarding it, including the letter from the lawyer. The last is a letter from myself to the lawyer, requesting the legal citations he offered. I am awaiting a reply. (Still none as of 1/4/97.)

Glenn Campbell

[Shortly after this article was added to my site, I received this email from an anonymous correspondent, apparently Barry Karr.]

Date: Thu, 15 Aug 1996 09:02:47 -0400
From: SkeptInq@aol.com
To: area51rc@ufomind.com
Subject: Skeptical Inquirer article

Did you request and receive permission to reprint the Robert Sheaffer article from the Skeptical Inquirer and if so from whom?

[This pissed me off enough to send this reply....]

To: SkeptInq@aol.com
From: campbell@ufomind.com (Glenn Campbell, Las Vegas)

Subject: Re: Skeptical Inquirer article

Dear SkeptInq:

In response to your query: No, I did not request or receive permission to reprint the Robe[r]t Sheaffer article.

So what about it?

It is my policy to try to make available on the net every published article about Area 51. If I have had contact with the author, I usually ask if they object. If I have never had contact with the author, as in Mr. Sheaffer's case, then I just do it. I recognize the obvious copyright issues, but I also recognize a public "need to know," and I feel that I can slip between the cracks in most cases. Mine is not-for-profit site, and I have never tried to gain any benefit from the articles I reprint. Although I do advertise products for sale on other parts of the site to try to defray my substantial costs, that advertising is kept far away from the articles. As far as I know, no publication has ever lost revenue because of the Area 51 articles I reprint, and no one has ever complained -- until now. I decided in the beginning that if there were any conflicts, I would resolve them on a case-by-case basis.

Do we have a conflict now?

The portion of the Robe[r]t Sheaffer column that I reprinted is derived almost exclusively from my work and the well-trodden path of previous journalists. He read my Desert Rat newsletters and my other postings on the net -- all available free to anyone -- and reported them in his own column. I have no objection to this, because it is part of the open exchange of ideas. I was aware of his article because I am a Skeptical Inquirer subscriber, and I scanned it to disk myself. In all, I am pleased with the article, but apart from the fact that Mr. Sheaffer actually did drive down the E.T. Highway, he cannot claim to have done any original research, only repeated the reports of others. (His "Jarod" report appears to be entirely drawn from my own articles.)

Unlike the Skeptical Inquirer, it seems, I believe in an open intellectual exchange on fantastic claims and am willing to entertain occasional generosity to allow it to take place. I encourage your magazine to report on Area 51 -- beyond a superficial review of other people's work -- because this social circus certainly deserves criticism. However, I DO resent the Skeptical Inquirer recycling my openly available work and then asserting intellectual property rights over the results. I also resent receiving an anonymous query on this matter. Anyone can create a "SkeptInq" screenname on AOL. If you do represent the Skeptical Inquirer, then you should have the courtesy to include your name.

The Robe[r]t Sheaffer article will remain in place on my web site. However, I will be sure to append to it your inquiry and my response. Any further correspondence we exchange on this matter will also be made public here.

Glenn Campbell
Director
Area 51 Research Center

[The next correspondence I received was a letter from their lawyer...]

BRENTON N. VER PLOEG, P.A.
ATTORNEYS AT LAW
2100 International Place
100 S.E. Second Street
Miami, FL 33131-2154

Brenton N. VerPloeg
Ivonne Prieto

Tel. (305) 577-3996
FAX (305) 577-3558

September 13, 1996

Glenn Campbell, Director
Area 51 Research Center
P.O. Box 448
Rachel, Nevada 89001

Dear Mr. Campbell:

I am CSICOP's corporate counsel, and am writing you this letter at its direction and request. A copy of the e-mail exchanges between you and Barry Karr last month has been sent to my attention, and I am writing to advise you of our opinion that you are in violating the copyright and privacy laws of the United States.

This is true in two areas. First, the United States Copyright Laws were not designed to encourage Socratic dialogues concerning the source of materials, or to appoint private citizens as judges to decide for themselves the equities on republications of material. They were enacted, in fact, to do the opposite, i.e., to bring clarity to the process. Assuming the accuracy of the statements made in your e-mail of August 15th, it seems very likely that The Skeptical Inquirer would have granted permission to post their article, but if you insist on making these decisions unilaterally you will doubtless enjoy the opportunity to pay counsel fees to test your conclusion that you have a right to do so. The Skeptical Inquirer obviously encourages the free exchange of ideas, but it does not - nor will it - consent to the violation inherent in your unilateral decision to ignore the copyright laws.

Second, your impression that you have a right to republish or post on your database all correspondence sent to you is flatly incorrect. Private letters sent to your attention, whether by regular or electronic mail, may not be reproduced by you without the author's permission. This applies not only to letters from The Skeptical Inquirer, of course, but other letters as well. You should consult with counsel of your choice on this subject, and, if you wish, I would be happy to supply him or her with citations of authority to this effect.

In sum, the Skeptical Inquirer does not waive its copyright and before you undertake such a step in the future we ask that you seek the appropriate permission. Any such request that is reasonable will doubtless be granted.

Thank you for your attention to this matter.

Sincerely yours,

[Signed]

Brenton N. Ver Ploeg, P.A.

cc: Barry Karr
Ken Frazier

[My reply, sent by certified mail, was as follows...]

Area 51 Research Center
PO Box 448
Alamo, NV 89001
702-729-2648

Dec. 12, 1996

Brenton N. Ver Ploeg, P.A.
Attorney At Law
2100 International Place
100 S.E. Second Street
Miami, FL 33131-2154

Dear Mr. Ver Ploeg:

This letter is in reply to your Sept. 13, 1996, letter to me claiming copyright and privacy violations in relation to my reprinting of a portion of a Skeptical Inquirer article on the World Wide Web.

I wish to inform you that, until further notice, I will be acting as my own counsel in this matter. My address for the service of legal documents is: Glenn Campbell, Director, Area 51 Research Center, Quik Pick Mobile Home Park, Space #2, Rachel (Alamo), NV 89001.

I also accept your offer to provide legal citations.

In your letter, you make this claim:

Your impression that you have a right to republish or post on your database all correspondence sent to you is flatly incorrect. Private letters sent to your attention, whether by regular or electronic mail, may not be reproduced by you without the author's permission. This applies not only to letters from The Skeptical Inquirer, of course, but other letters as well. You should consult with counsel of your choice on this subject, and, if you wish, I would be happy to supply him or her with citations of authority to this effect.

As an amateur legal researcher, I have been unable to find any citations supporting a "right to privacy" for a corporate officer writing on behalf of his organization, when no litigation is pending and there is no claim that the letters have artistic merit in and of themselves.

Certainly, if such a right existed, it would greatly hamper journalism in this country, since it would mean that a reporter could not quote the correspondence of a company spokesman without their permission. There exist, of course, certain special circumstances where confidentiality of corporate correspondence is mandated, but consistent with the First Amendment rights of journalists, this is the exception, not the rule. Much to the chagrin of many CEOs, they and their organizations must be held accountable for what that write.

At least that is my best conclusion based on my own legal research and reasoning. As corporate counsel for a skeptic's organization and nationwide publisher, you must often deal with First Amendment and internet law issues and may be aware of citations that I don't know about. Therefore, I wish to exercise the option you have given me. Please send me the citations of authority in support of your privacy contention.

SINCERELY,

[Signed]

Glenn Campbell
Director
Area 51 Research Center

Certified Mail # P-068-306-992

I am currently awaiting reply to the above.

Readers may feel free to add their own comments below.

Reader Comments

Regarding "Skeptical Inquirer article on Area 51" - Latest First

[article has been on CSICOP website for months](#)

Glenn, you say "Unfortunately, this means that this skeptical viewpoint on Area 51 cannot be heard except by already-committed skeptics who subscribe to the magazine." However, did you ever think that perhaps CSICOP wanted to place the article on their web site? Please link to the URL and be done with it.

-- Patrick Fitzgerald (webmaster@csicop.org) 4/13/97 (#3)

I have to agree. Quoting him would have been OK. Scanning a for-profit publication without permission is a violation of copyright laws unless it is for your own use. Posting letters on the Internet without permission is almost always considered impolite, not unlawful. However, a court could later decide that your posting correspondence was libel, that is a purpose of courts . There have been many stupid libel cases and decisions. On the Web you are a world-wide publisher subject to libel laws.

-- E. Lemming (elemming@io.com) 12/18/96 (#2)

Letters are not confidential unless they are subject to a non-disclosure agreement or court order. The sender of "private" correspondence has no expectation of privacy and is not entitled to any guarantees of privacy. The Sheaffer article is a different animal, but its right to copyright status is questionable as it involves the simple assembly of commonly held knowledge within the public domain, rather than being, as you point out, derived from original research on the part of the author. You should have quoted him, then it would have been 100% legit

-- John 12/13/96 (#1)

Any comment in this section is solely the responsibility of the reader who posted it.

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[Mothership](#) -> [Area 51](#) -> [Articles](#) -> [1996](#) -> [Here](#)

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PO Box 30303, Las Vegas, NV 89173 Glenn Campbell, Webmaster & Moderator

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Send corrections to webmaster@ufomind.com

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