

Idaho couple and Sun Valley land in Twitter tussle

JOHN MILLER - Associated Press - Associated Press

An Internet entrepreneur and former Wall Street derivatives analyst contends central Idaho's Sun Valley resort and the Twitter Inc. social media site heisted his handle.

Leonard Barshack, who in the 1990s founded the Internet email listing service Bigfoot, is suing Twitter and the Sun Valley Co., demanding they return the handle "SunValley."

Barshack filed the lawsuit in Idaho's 5th District Court with his lawyer and wife, Erin Smith, this month, arguing he began using the Twitter handle in April 2010.

He eventually wanted to use it to promote business in the region, Barshack said, only to have Twitter tell him late last year he was violating the San Francisco-based company's policies against impersonation.

"One day I woke up, and Twitter had taken my handle away," Barshack said Monday, adding his appeals for Twitter to reconsider have yielded only "boiler plate" responses, forcing him to sue.

"They just came and took my ball away," he said. "That's being a bully."

This dispute underscores how Twitter has become a powerful marketing tool companies like Sun Valley Co. can use to market wares to potential customers — and how aggressive they can be when they conclude somebody is squatting on valuable Internet real estate.

Barshack is no Internet ingénue.

After working at Wall Street's Salomon Brothers with now-New York City Mayor Michael Bloomberg, Barshack in 1997 won financing from billionaires Sam Zell and Herb Allen for Bigfoot. Since then, he started a poker software company, Tribeca Tables, and moved to Sun Valley, the resort near Idaho's Sawtooth Mountains where he skis — on runs of the company he's suing.

Though his tweets via "SunValley" may have been sparse, Barshack since 2010 has authored a variety of 140-character-or-less missives, on subjects ranging from slope conditions, products by Apple Inc., even a pig roast.

"I never tried to impersonate anybody," he said. "Read my tweets. Is there any attempt to impersonate?"

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Sun Valley's lawyer, Brent Lorimer, in Salt Lake City, didn't immediately return a phone call.

Twitter was also mum.

"Not adding any comment on the case at this time," said company spokesman Jim Prosser in San Francisco.

Even so, it's clear neither was pleased with Barshack's tweets.

In an email last October, Twitter told him it had received a report that his account was engaged in so-called "non-parody impersonation." Twitter's policy mandates an account's profile information "make it clear that the creator of the account is not actually the same person or entity" as the subject of the impersonation.

Barshack concedes he accompanied his "SunValley" handle with the image of a sun, much like the one the resort uses.

But he says there's an important difference: While Sun Valley's trademarked logo includes a sun positioned above and to the right of its name, his sun stood alone.

Barshack's lawsuit demands attorney's fees and any other compensation for his trouble. But if he gets "SunValley" back, he says it's not for sale.

"I have no interest in any monetary reward. I want what was unethically taken from me returned," Barshack said.

In the meantime, he's resorted to a new, optimistic Twitter handle: Lennybarshackfornow.

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