

Bird to Boing Boing: We're sorry about sending you a legal-demand letter

Enlarge / Bird Rides Inc. shared electric scooters sit parked in Detroit, Michigan, U.S., on Tuesday, Aug. 14, 2018.

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Bird, an electric-scooter company, has now apologized to Boing Boing writer Cory Doctorow for making a recent legal demand over linking to personal “conversion kits” that enable the removal of Bird’s proprietary hardware from a seized scooter.

Bird spokeswoman Debbie Bass declined to answer Ars’ questions but sent a statement on Monday instead.

“Bird celebrates freedom in many ways—freedom from traffic [and] congestion as well as freedom of speech,” the company said. “In the quest for curbing illegal activities related to our vehicles, our legal team overstretched and sent a takedown request related to the issue to a member of the media. This was our mistake and we apologize to Cory Doctorow.”

As Ars reported last week, the fracas began on December 8, 2018, when Doctorow—the longtime Boing Boing writer and famed science fiction author—wrote a post entitled “\$30 plug-and-play kit converts a Bird scooter into a ‘personal scooter.’”

In it, Doctorow described the existence of kits that purport

to allow someone to legally purchase an impounded Bird scooter and then alter it for personal use.

Bird did not take kindly to this post. On December 20, the company demanded that Boing Boing remove it. Bird's lawyer, Linda Kwak, claimed that simply by writing about the existence of these kits, Boing Boing violated the Digital Millennium Copyright Act.

Last week, Doctorow quickly took on legal representation from the Electronic Frontier Foundation, which forcefully rejected Kwak's claims. Kwak did not respond to Ars' request for comment.

Doctorow told Ars that he has not heard from Bird directly at all.

"To be fair, they did contact our counsel (EFF); there's some kind of lawyer rule about not contacting someone direct after you've heard from their counsel," he wrote.

On Monday, Doctorow dismissed Bird's new remarks:

Moreover, the nonpology still:

1. Maintains that somehow they accidentally formulated a bizarre legal theory, wrote it out and sent it to me (quite an accident)

2. Implies that selling conversion kits is illegal (it's not)

*– son of an asylum seeker, father of an immigrant (@doctorow)
January 14, 2019*

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