



December 27, 2017

To: Professor Ronald Deibert Director  
The Citizen Lab, Munk School of Global Affairs, University of Toronto  
e-mail: [r.deibert@utoronto.ca](mailto:r.deibert@utoronto.ca)

WITHOUT PREJUDICE

Mr. Deibert,

This letter is on behalf of FlashPoint IP Ltd. (hereinafter “FlashPoint IP” or “FPIP”), a company registered in Israel, regarding Citizen Lab’s recent report “Champing at the Cyberbit” dated 6 December 2017 (hereinafter “Citizen Lab Report”)<sup>1</sup> concerning the alleged use of Cyberbit’s PC Surveillance System (PSS) by agencies of the Ethiopian government to target civil society in the United States and elsewhere.

1. The Citizen Lab report asserts that a digital certificate by Comodo was obtained using a non-existing email address under the name FlashPoint IP and FPIP firm address and details. (See attached Exhibit A, relevant segments from the mentioned report).
2. FlashPoint IP is a registered trademarked name for the FPIP Intellectual Property firm, an award-winning, leading IP law firm and a high-level consultancy practice, focused on patent drafting and prosecution. While the practice is largely based in Israel, FPIP with its US-registered attorneys and patent practitioners, serves clients worldwide, directly prosecuting patents before the USPTO, ILPO, as well as the EPO and numerous other countries through its professional associates. Thus, it is imperative for the firm to publicize the fact that it has no connection with the

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<sup>1</sup> <https://citizenlab.ca/2017/12/champing-cyberbit-ethiopian-dissidents-targeted-commercial-spyware/>



- alleged digital certificate purportedly used under the FPIP name as detailed in the Citizen Lab Report.
3. While FPIP has not independently verified any of the assertions raised in the Citizen Lab Report, relying on the accuracy of the relevant assertions in the Citizen Lab Report, FPIP confirms that the referenced digital certificate (detailed in Exhibit A attached) was not obtained by FPIP, and upon information and belief was obtained unlawfully, and that the name(s) mentioned in the Report who have applied for the digital certificate under the name of FPIP, are neither known to FPIP, nor are in any way affiliated with FPIP. In addition, the email address used to obtain the digital certificate is not under the domain name that FPIP firm uses. The alleged misuse of the FPIP name and address is absolutely illegal and without FPIP's knowledge, and certainly was never approved by any authorized representative.
  4. FPIP asserts upon information and belief, based on the Citizen Lab Report, that such activities are illegal, criminal, and/or involve numerous violations of FPIP rights.
  6. FPIP has sent a cease and desist letter to Cyberbit, demanding explanation regarding relevant purported information in the Citizen Lab Report, and demanding cease of illegal activities using the allegedly unlawfully obtained digital certificate under FPIP name.
  7. Cyberbit Solutions replied through its lawyer, with a general denial of any wrongdoing or unlawful activity on their part, and rejecting the assertions raised in the FPIP letter. Nonetheless, their letter mentioned (without any admission/consent or prejudice to their rights) that Cyberbit shall take steps to ensure that its products do not use the FPIP name or address or any certificate bearing the FPIP name.
  8. FPIP reserves all its rights and legal options regarding any damages that have been caused or may occur based on these alleged illegal activities. All assertions herein have been provided without any prejudice to any of FPIP rights.

Sincerely,

**Adv. Dalia Mouallem, Esq.**  
**Senior Legal Counsel**  
***Licensing, Litigation, & Trademark Attorney***

BHN"W



cc: Bill Marczak, Senior Research Fellow  
The Citizen Lab  
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