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Bibliographic Cover Sheet

Title **PTT Sues Over Story on How to Duck Call Fees**

Publication *Los Angeles Times*

Date 1975-06-10

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Abstract Phone company sues radio magazine for publishing article explaining how to build a blue box.

Keywords Pacific Telephone and Telegraph Company (PTT); Amateur Radio 73 (AR73, magazine); blue box; Spenser Whipple, Jr. (author, AR73); Inside Ma Bell (article, AR73); Wayne Green (editor/publisher AR73); Virginia Londner Green (bus. mgr. AR73); New Hampshire Publishing Co., 73, Inc. (pub. co. AR73)

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PTT Sues Over Story on How to Duck Call Fees

BY MYRNA OLIVER
Times Staff Writer

Pacific Telephone and Telegraph Co. Monday sued Amateur Radio 73 magazine for more than \$100,000 because it published an article describing how to build a "blue box" that eliminates charges on long-distance telephone calls.

Defendants in the Superior Court civil suit were Spenser Whipple Jr., author of the how-to article, "Inside Ma Bell"; Editor-Publisher Wayne Green; Business Manager Virginia Londner Green, and the New Hampshire Publishing Co., 73, Inc.

The suit seeks an injunction to prevent further dissemination of information on building the devices, \$100,000 exemplary damages and an unspecified amount of damages for the long-distance charges Pacific Telephone believes the article will prompt it to lose.

The suit by attorney Donald K. King claimed the readers of the magazine are "rather sophisticated" and have "more than an ordinary degree of knowledge and interest in electronics and electronic gadgetry."

King described blue boxes as "devices which are designed to and which can be used to defraud (Pacific Telephone) and other telecommunications public utility companies and enable the user of such devices to successfully make and complete long-distance toll calls without charges."

Distributing the article in California, the suit claimed, was a violation of a state Penal Code section that prohibits disseminating information about building such toll-avoiding devices. Pacific Telephone also claimed the article was a violation of the state Civil Code section prohibiting unfair competition.

The San Francisco-based utility company refused to estimate how many of the magazine's electronics-oriented readers it fears will build "blue boxes" or how much money it might lose in unpaid long-distance telephone charges. The devices mask the source of the long-distance call, making billing impossible.