



November 27, 2000

Mr. James C. Weaver
Director of Athletics
Virginia Tech
Jamerson Athletic Center
Blacksburg, VA 24061

Dear Mr. Weaver:

I hope this letter finds you well. I am President of SportsWar, L.L.C., the parent company of *TechSideline.com*, formerly known as *HokieCentral.com*. I am writing you in the hope of opening a direct dialog regarding the issue of press access for *TechSideline*. As you may recall, we have repeatedly attempted to address this issue with you in the past, but we were not permitted to communicate with you directly, nor were we given any satisfactory explanation for being denied press credentials or access to players and coaches for purposes of conducting interviews for our publication.

I must say that I am appalled by the lack of cooperation we have received on this matter from you and your department. *TechSideline* garners one of the largest (if not the largest) Hokie readerships in the world. Our readers, who reside in every state and many different countries, enjoy our publication for its deep, partisan, yet independent viewpoint on their favorite topic, The Virginia Tech Hokies. At last count, our readership had surpassed 250,000 individuals, a number that continues to grow. Our loyal readership is deeply appreciative of the hard work put into the publication each day by its committed and passionate staff. The readers know that *TechSideline's* goal is to bring Hokie fans the best coverage possible; what they don't know is that this goal is being unfairly and severely compromised by you and your department for reasons unknown. We know our readership, which is comprised of the most dedicated fans, friends and alumni of Virginia Tech, would find this lack of cooperation quite disturbing. Ironically, I think most of them would agree that *TechSideline* is a valuable asset to the promotion and continued success of Virginia Tech athletics.

While I do not understand your actions or motivations, it is my sincere hope that we can resolve any issues that you may have with regard to *TechSideline*, and move forward without further delay. I would welcome the chance to meet with you and to personally resolve your concerns (if any) at your earliest convenience.

The reason I am contacting you instead of the Virginia Tech Sports Information Director is because I have been led to believe, wrongly I hope, that *TechSideline's* press access requests have been denied under your direct orders. As you can imagine, I would like to know and understand what formal policy criteria are being used in making this judgment. Additionally, I expect to be permitted to address any issues or concerns that you may have, with the goal of quickly moving forward. Toward this end, let me take the liberty of addressing a few concerns that you may have:

- 1) ***HokieCentral's* very name includes the word "Hokie", a registered trademark of Virginia Tech. This is perceived as trademark infringement by Virginia Tech and this is the only reason why we have denied your press access requests thus far.**

As you may know, we had been using the name *HokieCentral* with the knowledge and permission of the Virginia Tech Licensing Department, a department with which we have enjoyed an open and professional relationship. Nevertheless, we certainly have no intent or desire to misuse any of Virginia Tech's trademarks. Therefore, we have complied with the recent written request we received – a request which represents an apparent change in policy at VT regarding our use of the word "Hokie" in our publication's name. As mentioned above the new name of our publication is *TechSideline* (www.techsideline.com). If, indeed, this was the reason for our being denied press access in the past, let us clear the air and move forward.

- 2) **If Virginia Tech permits *TechSideline* access, it must permit every other Web site the same access.**

Generally, the concern is that any fan can start a web site and claim to be "media," and that if VT allows one Web publication access, it will not be able to deny access to other Web publications, regardless of their lack of merit or acceptance by the public as media.

TechSideline.com has built a significant business over the past six years; it has a full-time, professional staff and, most important, it is widely read by a large base of readers. In other words, it is widely accepted as media by consumers as well as the traditional media organizations with which it competes. In fact, *TechSideline* enjoys an active and verifiable readership (circulation) of over 250,000 people, making it one of the most widely read publications covering Virginia Tech athletics, notwithstanding the fact that our competitors enjoy the benefits of complete press access that we have been unjustly and arbitrarily denied.

Furthermore, granting *TechSideline* press access does not mean VT will be forced to grant the same access to a fly-by-night Web site with little or no audience, just as VT is not forced to grant access to one guy with a typewriter and a mailing list as a result of its granting access to The Richmond Times Dispatch.

3) **There is no room in the press box.**

If this is the case and Virginia Tech's formal written policy is to issue press credentials on a first-come-first-served basis (as opposed to by the size of verifiable readership), then we are willing to be inconvenienced (if there is no alternative) by being left out of the press box during the sporting event in question. However, we feel the lack of room in the press box is no justification for denying our writers other access that does not suffer from the same physical constraint of "not enough seats". In other words, we believe we deserve and should be permitted all other access to coaches, players, conference calls, press conferences, etc. as enjoyed by other media representatives.

Of course, if there is room in the press box, there is no reason we should be excluded from using it. Frankly, we believe *TechSideline's* stature in the marketplace dictates that it be included ahead of most organizations who now enjoy access, yet who devote far fewer resources and less time and effort to covering Virginia Tech athletics. (Of course, we are not the stewards of Virginia Tech policy in these or other matters. We would, however, like to see a written copy of the rules and policies in this regard, if any exist.)

4) ***TechSideline's* (TSL) message boards are a haven for potential misinformation and therefore Virginia Tech will not cooperate with TSL in any way for fear that it may convey legitimacy upon the message boards found at TSL.**

Mr. Weaver, I can understand your concerns about Internet message boards. Many coaches and athletic directors share your concerns, as do we at *TechSideline*. Nevertheless as you can appreciate, message boards have their positive aspects as well as their negative. The upside of Internet message boards is that they permit the generation and maintenance of an enthusiastic community where fans can get together and talk about their favorite team ad nauseum with other similarly disposed individuals from around the world. Anecdotal and empirical evidence suggests that fan loyalty and energy is permanently raised by this new and revolutionary ability to come together. Moreover, new fans are now more easily born to a program as they are welcomed, included, and enthused with that energy as they become part of a very real and global community that meets every day on line.

Message boards have been enthusiastically and naturally accepted by fans at all levels of sport, and as a consequence many media organizations have embraced them as well. In fact, the following media organizations, which enjoy press access to VT athletics have message boards as conspicuous parts of their Virginia Tech Web presence: *BeamerBall.com*, *The Richmond Times Dispatch*, *The Roanoke Times*, *The Washington Post*, *ESPN.com*, *CBSSportsline.com*, *CNN.com*, *USAToday.com*, etc. Obviously the presence of message boards in these cases is not deemed as a reason to deny press credentials, nor should it be. To deny *TechSideline* press access on the basis of its message boards would likewise be neither fair nor appropriate and would lead one to believe that a double standard exists at Virginia Tech.

While on the topic of message boards, it is worth mentioning that unlike the other media organizations mentioned above, *TechSideline*'s message board is painstakingly monitored around the clock for misinformation, personal attacks, foul language, etc. People who engage in any of the above are summarily dismissed and banned from participating. While this is not necessarily relevant to the press credential question, I thought you should know that we take this responsibility quite seriously, which is something that cannot always be said about the message boards of our competitors.

As you may know, SportsWar, LLC owns other similar publications, one being *TheSabre* (www.thesabre.com), which covers University of Virginia sports and enjoys a good working relationship with the UVa Athletic Department. *TheSabre* adheres completely to the standards asked of all other media credentialed by UVa. UVa granted press access to *TheSabre* two years ago. Since that time, the relationship between the two parties has become increasingly cooperative, professional and beneficial. I can tell you for a fact that the coverage enjoyed by UVA fans and alumni via *TheSabre* is without question significantly better than that enjoyed by Virginia Tech fans and alumni via *TechSideline*. This is only because of the Virginia Sports Information Department's penchant for openness and fairness. Virginia Tech fans, of course, deserve to have the same access. The staff at *TechSideline* seeks and deserves full media access so that the publication may fully cover Virginia Tech athletics (to include among other things interviews with coaches and players) and be permitted to fairly compete in the marketplace for the hearts and minds of Virginia Tech fans and alumni.

Incidentally, for what it is worth, I believe that UVa fans and alumni would strongly agree that *TheSabre*'s presence in the marketplace is not only unique, but also that it provides a valuable, yet unintended asset to the promotion and continued success of Virginia's athletic program now, and in the years to come. I am also confident that the fans and alumni of Virginia Tech would strongly echo

these sentiments as they relate to *TechSideline* and Virginia Tech's athletic program.

Mr. Weaver, whether it be your intention or not, *TechSideline* is simply being treated wrongly and unfairly by Virginia Tech. This unfair treatment is significantly harming *TechSideline*'s business as well as the ability of its large readership to get the full access that they rightly deserve through *TechSideline*'s unique perspective – a perspective they cherish in each of the hundreds of articles we write and publish each year solely on Virginia Tech athletics. As you can imagine we are quite upset; the staff and I cannot understand why Virginia Tech would take this inequitable and anti-competitive position, but I am certain that all of us have better things to do with our time.

Thank you so much for your kind attention to this matter. I look forward to your reply and I would welcome the opportunity to speak with you, if necessary. It is my sincere hope that this has merely been a misunderstanding between the two parties and that we can rectify this situation without further delay or incident.

Sincerely and respectfully yours,

Mark T. Massey
President & CEO
SportsWar, L.L.C.

Cc: John A. Ballein – Associate AD, Football Operations
Frank M. Beamer – Head Coach, Football
David N. Chambers - Assoc. AD for External Affairs
Elizabeth A. Fanagan – VP for Development & Univ. Relations, Virginia Tech
Bonnie M. Hendrickson – Head Coach, Women's Basketball
Joseph R. Jenkins – Vice Rector, Board of Visitors
Randall B. Peele – Assistant Coach, Basketball Operations
Minnis E. Ridenour – Executive VP and Chief Business Officer, Virginia Tech
David O. Smith - Sports Information Director
William N. Stewart – General Manager and Managing Editor, *TechSideline*
Charles W. Steger - President, Virginia Tech
Roderick L. Stokes - Head Coach, Basketball
Thomas C. Tillar, Jr. - Vice President for Alumni Relations, Virginia Tech
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