March 19, 2014

Mr. John J. Hoffman
Acting Attorney General for the
   State of New Jersey
P.O. Box 080
Trenton, NJ 08625-0080

Re: Jeremy Rubin d/b/a Tidbit v. State of New Jersey Division of Consumer Affairs

Dear Mr. Hoffman:

We are MIT graduate students and undergraduates who create technologies and research ideas at the frontiers of knowledge. At MIT, we are given the space and the training to imagine, create, and disseminate projects that expand new ideas and new possibilities for technology. We are writing to you because we believe a recent subpoena from your office threatens the ability to innovate on our campus and on campuses around the world, including at New Jersey's regional and world class universities.

Specifically, we are writing in support of Jeremy Rubin, an undergraduate student at MIT. Mr. Rubin and three other MIT students created innovative computer code named "Tidbit." Tidbit is a proof-of-concept project that sought to create a novel revenue stream for internet-based publishers by facilitating the mining of bitcoin. It was not completed to fully mine bitcoin. In early December, your office, through its Division of Consumer Affairs, issued a subpoena and interrogatories upon Mr. Rubin in pursuit of an investigation under the New Jersey Consumer Fraud Act.

As students, we see this subpoena as a deterrent to our research, creativity, and learning in a university context. Our learning and research advance when we publish classwork and project ideas online, often making them available for evaluation by third parties. New Jersey's subpoena challenges our freedom to share and evaluate our ideas, and has a serious chilling effect on our ability to encourage our peers and students to do the same.

The Tidbit project is an example of precisely the intellectual exploration and innovation we aspire to and encourage each other to try. Tidbit is typical of the kind of work that we routinely create in response to class assignments and in the course of our research. Furthermore, public dissemination of our work is often expected of us by faculty. Like students at all universities, we routinely try to publish work through conferences, journals, websites, and competitions like the one that awarded the Tidbit team the prize for Most Innovative project. Our academic projects also routinely solicit public testing of technology ideas online, projects which are given dedicated websites that invite wide participation and registration by participants.

We are alarmed by the implications of this subpoena for us and our universities. Tidbit is an incomplete project in its early stages, at the frontiers of the emerging field of cryptocurrency. Although this may not have been the intention, the subpoena leads us and our peers to worry that sufficiently innovative work may face similar legal challenges, disincentivizing us from exploring promising new fields and discouraging us from publishing our work. As students, we are just starting to learn how to create meaningful work, and to understand its societal implications. The risk to students at the beginning of our careers represented by this subpoena is crushing, and many of our peers will simply choose to avoid those

risks altogether. Most alarming is the possibility that entities from anywhere could view any student's work online and offer serious legal challenges, even when those parties have no direct connection to us and no jurisdiction in our region. If this occurs, how can we or students at any other university ever responsibly continue to disseminate our work in public?

The chilling effect from this subpoena seriously affects student research and innovation at universities and colleges throughout the United States, including those in New Jersey. We are proud to be students at a university that offers a proven example of the economic and societal benefits of universities to our regions and our world. As students, we are excited to create those benefits through our own learning, research, and innovation. These benefits are also clearly visible in New Jersey's own regional and world class universities, where the dissemination of research and innovation is fundamental to their role. If academics and students in New Jersey could face serious legal challenges for their early work from unrelated parties in faraway states, the freedoms of those universities and their benefits will be seriously diminished.

We urge your office to withdraw the subpoena and interrogatories delivered on Mr. Rubin.

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