

## Dealing with the “truth haters” ... a summary!

Issues 25, 26 and 27 of *Australasian Journal of Herpetology (AJH)* deal with a group who have at many times appropriately called themselves the “truth haters”.

Operating within the domain of the “reptile business” and the “science” of herpetology they are a group of career criminals and rule breakers, who over a period spanning nearly 2 decades have focussed their attention against myself Raymond Hoser on the basis of personal greed, self interest and delusions of grandeur.

The focus of these issues of *AJH* is an unprecedented campaign by the group, also known as “The Wüster gang” and their attempts to create anarchy in the science of reptile taxonomy and nomenclature.

The battle commenced when in 1993 and 1996, I detailed activities by a police-protected criminal David John Williams in the books *Smuggled* and *Smuggled-2*.

As a result of material disclosed in *Smuggled-2*, Williams was convicted in Cairns Magistrates Court in 1997 and fined \$7,500 on charges of wildlife trafficking and extreme animal cruelty.

The following year (1998), I published my first scientific descriptions of reptile species, these being several species of snakes.

While I had published well over a hundred scientific papers to that date, papers naming species are significant in that others who recognize those species and discuss them in any publications are under the rules of the *International Code of Zoological Nomenclature*, obliged to use the scientific name formally proposed (coined) by the describer and cite name and year of description at the same place.

It is interpreted by serial thieves and plagiarisers as a form of forced citation and if it involves citing a man they would rather not, then they begin to engage in dishonest tactics to avoid doing what in the normal course of events is routine.

The simplest immediate course to adopt is to deny the existence of the newly described species by claiming they are something else already named.

It is a good short-term strategy, but long term is hazardous if it is obvious that a different species had in fact been described.

Hence when I published my first scientific papers naming new species the resistance to these papers by my adversaries was nothing short of extreme.

Putting things in perspective, the reaction by my enemies to my publishing papers on the taxonomy of reptiles has in many ways far exceeded the reactions I have had from bodies like the NSW National Parks and Wildlife Service (NPWS) or the Victoria Police, when they tried to stop the publication of my books in the 1990's detailing endemic corruption in these government departments.

Or one may contrast the reaction of my adversaries to that which accompanied publication of my major scientific works on non-taxonomic matters. In these cases it was nothing more than feigned indifference and/or subsequent plagiarism of the results in their own so-called “papers”.

The criminal David John Williams immediately sought to discredit my taxonomic works of 1998 via the posting of material on the internet of numerous statements claiming my species were non-existent and merely variants of other previously named taxa.

The species described as *Pailsus pailsei* Hoser, 1998 was “sunk” by David Williams (in the short term at least) by a declaration that it was nothing more than an underfed King

Brown Snake (“*Pseudechis australis*”).

Wolfgang Wüster, an ally of Williams similarly relegated the species *Acanthophis wellsei* Hoser, 1998 to the synonymy of *Acanthophis pyrrhus* a position he maintained publicly for more than a decade.

In an act of fraud, Williams posted a paper online in late 1998 sinking *Pailsus pailsei* into synonymy with “*Pseudechis australis*” late in 1998.

He then reposted it on various sites in year 2000 in no less than three different versions in total, in an attempt to retrospectively allege that I was acting in breach of the ethics of the *International Code of Zoological Nomenclature* (commonly referred to as “The Code”) and to ultimately allege I had stolen from him naming rights on a species he had previously spent a huge amount of effort denying existed! That was *Pailsus rossignollii* Hoser, 2000. His scheme fell apart when I had retained copies of all three versions and was able to show the errors in each.

In 1998 and later, Williams enlisted the support of a UK-based university lecturer, Wolfgang Wüster, of Bangor University who did his bidding in terms of denying the validity of species named by myself.

Within a short period Wüster became my main protagonist in this regard.

In 2001, Wüster published a lengthy diatribe in the journal *Litteratura Serpentina* alleging that most if not all of my descriptions of genera and species to that date were of non-existent species.

That is, he said I had merely named variants of existing taxa, meaning that for everyone else, my names (and taxa) should be ignored.

To rebut the claims of the three versions of the Williams paper of 1998 through to year 2000 (which he allegedly co-authored with Mr Brian Starkey, but according to Starkey didn't include him as an author) and the Wüster critique published in *Litteratura Serpentina*, I published a detailed account of the activities of these men and rebutted their claims against me in a paper in 2001.

I mention this to show that other than the accurate disclosures in the *Smuggled* books, everything I have published about the group known as the “Truth haters” or Wüster gang since then, has been published as a direct reaction to their actions (publications) and with a view to rebutting their false claims.

Wüster *et al.* have cobbled together a significant and vocal group of followers on the basis of shared interests against my interests, most notably including business competitors who since year 2006 have moved into the wildlife display and education business in Australia and seek to steal established clients from myself in what has for many years been a saturated

and over-serviced marketplace.

In the period to 2009, Wüster *et al.* continued with a steady stream of publications lampooning my scientific descriptions of species as part of a wider campaign against me.

This included among other things harassing of journal editors who published my papers, a large-scale online petition that sought to have my business forcibly shut down by the Australian government, contacting my business clients and telling them not to deal with our company and so on.

However the campaign by Wüster *et al.* in terms of telling others to disregard my science was failing at all levels.

As my papers and the targeted species were revisited by other scientists, they too made the same obvious conclusions and all the taxa first named by myself came to be widely recognized and the names I had properly created under the rules of "The Code" were correctly used by other scientists and those who relied on their findings. This included in new books, other papers and the like.

Advances in molecular methods also led to independent corroboration of the conclusions in all my early papers by scientists too numerous for Wüster to knobble pre-publication.

In other words, in the period 2000 to 2009, more and more so-called "Hoser names" came into general usage as they became used by well-regarded academics who managed to publish their obvious conclusions before Wüster was able to stop them.

This included for large python species, Death Adders, such as *Acanthophis wellsei* Hoser, 1998, the two *Pailsus* species and other Australasian snakes.

In 2008, one of Wüster's close friends, Wulf Schleip made his first ever foray into reptile taxonomy and did exactly what I'd been accused of. This was engaging in scientific fraud and claiming to have discovered new species that were in fact non-existent.

On his own website [www.leiopython.de](http://www.leiopython.de) at end 2008 he even tried to assert name rights to the taxon *Leiopython hoserae* Hoser, 2000, a species I'd named 8 years earlier and that Schleip had spent most of the intervening 8 years denying was a valid taxon.

The following year (2009), I published a paper exposing the antics of Schleip over the previous 8 years and also refuting his claims to have found and described three new species of Brown White-lipped Python in his "paper" that he'd published in late 2008.

He'd published a claim in his abstract in 2008 to have DNA evidence to support his three newly named (pseudo) species, but when one actually read his paper, that quite notably was hidden behind a pay-wall, you found that he had no such evidence.

My 2009 paper pointed out this obvious irregularity among many others.

At the same time in early 2009 I published major papers reclassifying the world's Cobras and Rattlesnakes at the genus level, these being my first major publications on the taxonomy of non-Australasian reptiles.

Although Wüster initially denied the validity of my taxonomy via online posts, he soon reversed his view and published his own paper later the same year renaming a genus of Cobras I had created by coining his own name for it.

This was in direct breach of the "The Code" and it's central rules of homonymy (one name only per taxon or group) and that of priority (the first name is the proper one) and marked a significant escalation in the battle.

It also stripped Wüster of any veneer he may have had of scientific respectability in this ongoing battle, as for the first time he had outed himself as being nothing more than a thief!

At the same time, Wüster encouraged others to do the same for other taxa I had named, but by 2012, no one else had taken up his challenge.

On 9 March 2012, largely as a result of the campaign by the group that included Wüster *et al.* and recently licenced business rivals, acting with Wüster *et al.*, my wildlife education business Snakebusters was permanently shut down at gunpoint.

Being placed under effective house arrest and not allowed to earn an income, I used the opportunity to largely complete a taxonomic review of the snake genera of the world, which was a project I had commenced decades earlier. This enabled me to devote time to publish a large number of papers in the first half of year 2012 naming new species and genera of snakes in a quantity far exceeding that of all other scientific descriptions by myself prior. Although I note that a sizeable amount of relevant and irreplaceable data was taken in a raid at the time and my papers were published in the absence of much of this supporting data.

At the same time (early 2012), I also published a detailed account of the Wüster campaign to year 2012, rebutting various false claims he had made in a paper in 2009 where he had sought to rename a Cobra genus I had properly named earlier that year.

To reinforce the situation, I went to the international Commission of Zoological Nomenclature (ICZN) to have them formally censure Wüster for his reckless behaviour (Case 3601), most notably being his attempts to break the rules to have valid species renamed.

This effectively meant that every scientist in the world would know that Wüster had engaged in an act of scientific theft in relation to the Cobra genus I had named.

This is perhaps the most serious breach of the rules of zoology possible.

Significantly Wüster and their group had largely created the problem they perceived they had with my names. You see in 2000 (twice) and 2001 (twice again) Wüster and Williams had harassed journal editors not to publish material from myself. They tried the same again in 2003 (twice) and as a result, in 2009 when I first had a sizeable volume of material to publish about taxonomic matters, I made a decision that it would be advantageous for me to publish it all in a journal I owned and controlled.

This was (and still is) *Australasian Journal of Herpetology (AJH)*.

When I had the unexpected opportunity to produce an even greater volume of work in 2012, I was able to do so rapidly and without having to worry about Wüster and his friends harassing editors and slowing up the progress of my material being published as they had done in the early 2000's.

Rather than dealing with panicking editors bombarded with lies, hatred and ultimately threats from Williams, Wüster and their gang, I was able to concentrate more intensely on my publications instead.

While my business was unexpectedly allowed to trade again in June 2012 (3 months after I'd been placed under effective house arrest), as a result of a Supreme Court judgement against the state Wildlife Department, Wüster and his group retaliated to my approaching the ICZN in 2012 by cobbling together a campaign of smear and innuendo, including a broad-scale attack on the integrity of *AJH*.

They had the ultimate stated objective to have his group gain legitimacy for their plan to steal all my works and rename all the taxa I had formally described themselves.

That is, they would coin their own names for hundreds of species and genera that I had already properly named and in effect they were stealing a lifetime's worth of work on reptile classification.

Using methods they had tried and tested in years prior as outlined in my paper of 2009, Wüster *et al.* would create a veneer of widespread support for their reckless scheme to aid its execution.

Wüster and associates even created Wikipedia pages and

Facebook groups where they discussed how best they could execute their plans.

The first major document they created to be the vehicle of this campaign, apparently written by Wüster, ultimately became branded as and known as Kaiser *et al.* Although first drafted in 2012, the campaign hit a blockage after I obtained the document before it was due to be published in a PRINO (peer reviewed in name only) Journal (*Herp Review*) controlled by Wüster gang member Robert Hansen.

I published a detailed rebuttal of the document almost immediately in my own journal, *Australasian Journal of Herpetology*, along with a copy of the original Wüster document so that both documents and their claims could be viewed side by side and assessed impartially by others.

It is usually cited as Kaiser 2012b on the basis that Wüster's friend, a creationist "scientist" named Hinrich Kaiser was the person who first circulated it to herpetologists, noting that at the same time in a letter seeking support (known as Kaiser 2012a) he openly said he had nothing to do with writing the material and was merely circulating it for friends.

Because I had described a significant number of taxa after Kaiser (2012b) was drafted, the final document published in 2013 (known widely as Kaiser *et al.* 2013), had a greater list of species and genera the Wüster gang sought to rename.

As it happens the extent of the renaming list is irrelevant as since then (in 2014), the Wüster gang have stepped outside their own ever-expanding lists (several have been made since) to rename species of myself and others, including such lights of Zoology like John Edward Gray from the 1800's. Wüster associates Hedges *et al.* in 2014 invoked what has become known as the "Kaiser veto" to simply rename *Argyrophis* Gray, 1845 with their own coined name *Asiatyphlops*.

Furthermore in order to gain support from like-minded individuals in terms of their mass-renaming of species plans, Wüster *et al.* have added the scientific works of other authors to their hit-list, meaning that no scientist's work is now safe, unless they are perhaps within the closed Wüster group.

In essence Wüster *et al.* sought to set themselves up like an ISIS-like Caliphate, or "State within State" in that they would run their own version of a Zoological Code and hopefully with the rubber stamp of the ICZN, which they then set about trying to hijack.

My response to Kaiser *et al.* (2013) was published in *AJH* issue 18 in mid 2013.

Since then, the Wüster gang have significantly ramped up their campaign in terms of creating instability in zoology to enable them to try to steal my works and rename hundreds of taxa.

They have done this by finally inducing close friends to rename a sizeable number of species and genera previously properly named by myself with the incentive being that they would hopefully convince the ICZN to allow their "reversal of priority".

Most of these authors have simply used what's become known as the Kaiser veto, summed up by Scott Eipper who on 16 December 2013 said "You cannot use a viewpoint (Kaiser *et al.* 2013) - to act as a veto- to disregard the use of the code."

The Wüster gang campaign has included posting SPAM on every conceivable website and social media page dealing with reptiles, herpetology and the like in any way promoting their views.

They have also liberally used bogus identities to promote their veneer of widespread support, but the real support is shown lacking when one measures more reliable indicators including regular use of the names they seek to ban in books written and published by respected herpetologists and so on.

Wüster and the gang have also published a series of articles in journals they exercised undue influence or control to publish further false and misleading material about me and my scientific papers.

What follows is my factual rebuttal in terms of this recently published material by the Wüster gang of truth haters.

These are as follows:

1/ An account of the PRINO Journals and the papers that have stepped outside of the rules of "The Code" to rename validly named taxa described by myself and others in their ever expanding list of targets. This account includes issues of far wider significance in terms of scientific publishing.

2/ A rebuttal to a revised version of the Kaiser *et al.* document published by Kaiser (with himself only listed as the author) in 2014 in Robert Hansen's PRINO Journal *Herp Review*.

3/ A rebuttal to false claims by Kaiser, Wüster and associates published in the *Bulletin of Zoological Nomenclature (BZN)* in 2014 in response to my application to the ICZN to formally censure Wüster for his actions in terms of fraudulently trying to rename the Cobra genus *Spracklandus*.

4/ A rebuttal to a wacky scheme, ostensibly proposed by Kaiser (but quite likely written by Wüster), called the "Taxon Filter" which is clearly a sanitized version of seeking a Wüster group controlled taxonomy for herpetology. Ironically it was published in the ICZN Journal, *Bulletin of Zoological Nomenclature (BZN)* which they appear to have recently hijacked, noting that the Zoological Code, the reason the ICZN exists, actually expressly forbids any form of censorship of taxonomy (see the Introduction to the Fourth edition, the first principal that states "The Code refrains from infringing upon taxonomic judgment, which must not be made subject to regulation or restraint." and elsewhere).

All this material was scheduled to be published in September 2014 and relevant peer review had been completed as at the end of that month.

However at about that time three events happened that in combination caused me to make a decision to delay publication until now (mid 2015).

Separate to that and between mid 2014 and mid 2015 were some other publications by members of the Wüster gang, the detail of which is incorporated in this material, although the bulk of what appears herein is effectively unchanged from that which was publishing ready at end September 2014.

The three relevant events that caused the holding off these publications were:

1/ I was advised in September 2014 that the Wüster gang were "shopping" for co-authors in yet another attack on me slated to be published in *BZN*, heavily marketed by Mark O'Shea as being some kind of "knock-out blow" against myself. While nothing new was expected, it was decided that a delay in publishing this material would be helpful in the event that anything new from the Wüster gang arising from that publication needed to be rebutted. The publication date was expected to be December 2014, but in the end was March 2015. As it happens, little new came from this publication known as Rhodin *et al.* (2015), but I have chosen to rebut it in an added section herein as a largely self-contained paper, so that it can be more easily disseminated and understood.

That is done mainly to show the stupidity of some of their arguments, as opposed to an actual need to rebut any of their main points, most of which are merely a repeat of their earlier ridiculous arguments, well refuted in other publications.

2/ The editors of *BZN* while refusing to publish my response to Kaiser's "Taxon Filter" rant, did agree to publish a sanitized version of my rebuttal to false claims by Kaiser, Wüster and associates published in the *Bulletin of Zoological Nomenclature (BZN)* in 2014 in response to my application to the ICZN to formally censure Wüster for his actions in terms of fraudulently trying to steal my Intellectual Property (IP) and illegally rename the Cobra genus *Spracklandus* (as outlined elsewhere). That appeared in March 2015. Because the ICZN Secretariat have asked that I not disseminate that comment as published, I present herein the unedited and longer version which unlike the *BZN* version is also properly referenced.

3/ The long-running legal battle in part created by the Wüster gang as detailed herein took a significant turn against them on 5 September 2014. On that date three Judges at the Victorian Court of Appeal (the highest court in the State) made a series of findings of fact and made several rulings in my favour. This was via a lengthy judgement created and published by them on that date. In summary Judges Tate, Santamaria and Redlich found that all allegations and criminal charges pursued against me in the previous decade had no legal basis at all. Likewise for all legal actions taken against me arising from criminal convictions they now also declared had no basis in law.

Significantly, the judges ruled that the State Wildlife Department (known at the time as DSE) had broken the law in retrospectively redefining the law in 2010, to place me outside the law in 2009, when I had been doing what was in fact legal and complying with the law at the relevant time.

The Court found that the 2010 retrospective redefining of a 2006 set of rules by the department head, Ronald Leslie Waters, that he had himself imposed in 2006 and defined differently at the time, redefined by him retrospectively in 2010 for the sole purpose of accusing me of breaking the rules in 2009 was an illegal act. It was not tenable in law that I could be charged, convicted, fined and have wildlife licenses taken from me at gunpoint in 2011 on the basis of such a retrospective redefinition of the law, this being the making of a legal act in 2009, retrospectively illegal in 2010.

Of course this is exactly what Wüster and his gang seek to do in terms of my scientific publications that name taxa in terms of "The Code" and a ruling they seek the ICZN Commissioners to make.

The Court of Appeal judges did on 5 September 2014, formally set aside (quash) two previous court judgements made against me. They also awarded costs in my favour.

The damages, costs, restitution and compensation that the State Wildlife Department is now liable for is in the order of millions of dollars, noting that my business had ten staff when shut down at gunpoint and was hugely successful by any measurable criteria.

I have now briefed lawyers (solicitors and barristers) and commenced actions to recover costs and damages.

The wildlife department is liable for the damages they have caused, even though they were in effect induced to act against me in the way they did by other parties, that being the Wüster gang and newly licensed business competitors.

Significant in all this is that being a "name authority" for taxa, is regarded in law as owning intellectual property (IP) and this has been long established, including via the ICZN's own journal *BZN* as published in 1988 and their website which via a page erected in 2007 links to third party sites offering "name rights" on species for anywhere between 5 and 15 thousand dollars as of 1 May 2015.

Scientists around the world market their services and seek grants on the basis of taxa that carry their name as the authority (as stated by Wüster himself), meaning that any "theft" of names from myself by the Wüster gang would be a theft of IP.

In many ways this is little different from a trader using another person's registered trademark illegally.

In 2004, a close friend of David John Williams, in conjunction with Williams himself, and other members of the Wüster gang, (e.g. Bryan Fry) illegally used my registered trademark "Snakebuster" to scam a total of three million dollars from a government department and an investor to create a series of poor quality TV shows depicting these men engaging in acts of extreme animal cruelty.

The animal cruelty in these TV shows has been confirmed in two separate courts of law.

Wüster also joined the caper widely posting images of himself in an imitation black "Snakebusters" shirt, not unlike the originals,

that were also black and had similar logos, that we had worn for many years.

I sued for trademark infringement and won, but the main players pled bankruptcy after their business premises at Freemantle, near Perth, West Australia burnt down in questionable circumstances.

Notwithstanding this, the broadcasters agreed to a court certified settlement whereby I was paid \$39,500 in partial damages and all agreed not to use my registered trademarks again.

Because members of the Wüster gang have continued to attack my IP at several levels, including the illegal use of my registered trademarks online to divert my clients to other providers, I was forced to seek the services of IP lawyers in 2010 to deal with the issue. We successfully closed down over 1,000 bogus websites, including over 800 Youtube pages and dozens of fake Facebook accounts, many of the latter being run by people in the USA and UK (where I also own registered trademarks and do business) as well as from Australia.

We have also successfully taken legal action to seize control of a number of infringing websites and domains that were using my trademarks and pointing potential business clients elsewhere.

The IP lawyers have also advised that as for the State Wildlife Department, the ICZN is also bound by the law, including its own, this being "The Code".

The ICZN Commissioners are similarly not allowed to retrospectively make perfectly legal acts illegal.

Retrospectivity is simply not allowed and the Commissioners are bound by the rules of "The Code".

Whether it is wildlife laws or zoological nomenclature, my position has always been one of strict compliance with the rules. That includes even if I disagree with them. The Wüster gang's position has been the reverse, namely contempt for the rules and a general belief that they should not be bound by them.

Just as the Court of Appeal found against the State Wildlife Department for repeatedly acting outside the law and have now forced them to pay costs arising from their misconduct, it is important that the ICZN do the same in terms of the Wüster gang, to ensure that no acts of theft take place.

The ICZN must also ensure that they do not become a legally liable entity (as the State Wildlife Department did) through misuse of its delegated powers and authority, including in the ICZN's case, the "plenary power", as means to step outside the long accepted rules of Zoological Nomenclature to attack an entity who has acted within the rules at the relevant times.

If the ICZN fail to act within the rules as spelt out in "The Code" and to properly enforce them, then someone else may end up making them do so.

Elsewhere, both myself and others have pointed out that a general failure of people to comply with the law, be it wildlife or nomenclature would simply lead to chaos! ... And no proper scientist would want that!

#### AUTHORSHIP

All papers and relevant material (except where stated), including this preamble in issues 25, 26 and 27 of *AJH* are by Raymond Hoser, who accepts all legal responsibility for the contents. Details are the same as published on page 54 of *AJH* issue 18 (2013).

#### REFERENCES OF RELEVANCE

No references are referred to in the text of the above summary. This is because all relevant material is cited in text and in full in the relevant documents that follow in the journals published on this date and the relevant earlier material.

A full history of the Wüster gang's activities can be found by cross referencing the original Hoser papers with the published comments of the Wüster gang across the 17 year period from 1998 to 2015.

All Hoser papers are available in full as pdf download from <http://>

www.herp.net

While some Wüster gang posts and comments cited in papers may have been removed from the web in the period to 2015, all cited material has been archived and should be widely available.

As a matter of procedural fairness, I should state that all their material has been quoted in context and cited in full as required.

Notwithstanding this, it is best that the Wüster gang's main publications should also be read to confirm the validity of claims made within my own material relating to it.

The relevant Hoser papers that sum up the entire relevant history of the Wüster gang's activities are cited below as follows:

Hoser, R. T. 2001. *Pailsus*:- A story of herpetology, science, politics, pseudoscience, more politics and scientific fraud. *Crocodilian: Journal of the Victorian Association of Amateur Herpetologists* 2(10):18-31.

Hoser, R. T. 2009. Creationism and contrived science: A review of recent python systematics papers and the resolution of issues of taxonomy and nomenclature. *Australasian Journal of Herpetology* 2:1-34. (3 February).

Hoser, R. T. 2012a. Exposing a fraud! *Afronaja* Wallach, Wüster and Broadley 2009, is a junior synonym of *Spracklandus* Hoser 2009! *Australasian Journal of Herpetology* 9 (3 April 2012):1-64.

Hoser, R. T. 2012b. Robust taxonomy and nomenclature based on good science escapes harsh fact-based criticism, but remains unable to escape an attack of lies and deception. *Australasian Journal of Herpetology* 14:37-64.

Hoser, R. T. 2013. The science of herpetology is built on evidence, ethics, quality publications and strict compliance with the rules of nomenclature. *Australasian Journal of Herpetology* 18:2-79.

Hoser, R. T. 2015a. The Wüster gang and their proposed "Taxon Filter": How they are knowingly publishing false information, recklessly engaging in taxonomic vandalism and directly attacking the rules and stability of zoological nomenclature. *Australasian Journal of Herpetology* 25:14-38.

Hoser, R. T. 2015b. Best Practices in herpetology: Hinrich Kaiser's claims are unsubstantiated. *Australasian Journal of Herpetology* 25:39-52.

Hoser, R. T. 2015c. Comments on *Spracklandus* Hoser, 2009 (Reptilia, Serpentes, ELAPIDAE): request for confirmation of the availability of the generic name and for the nomenclatural validation of the journal in which it was published (Case 3601; see *BZN* 70: 234-237; comments *BZN* 71:30-38, 133-135). (Draft version) *Australasian Journal of Herpetology* 27:37-44.

Hoser, R. T. 2015d. PRINO (Peer reviewed in name only) journals: When quality control in scientific publications fails. *Australasian Journal of Herpetology* 26:3-64.

Hoser, R. T. 2015e. Rhodin *et al.* 2015, Yet more lies, misrepresentations and falsehoods by a band of thieves intent on stealing credit for the scientific works of others.

*Australasian Journal of Herpetology* 27:3-64.

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Hoser 2015 - Australasian Journal of Herpetology 25:3-13.

## Timeline of relevant key publishing and other events relevant to Wolfgang Wüster and his gang of thieves.

**1980** – Raymond Hoser publishes the first of over 100 scientific papers in a peer reviewed journal (*Herpetofauna*).

**1987** – Richard Shine as “The President of the Australian Society of Herpetologists” publishes an application in the ICZN Journal *BZN* seeking formal suppression (for nomenclatural purposes) of three publications by Wells and Wellington (1983 and 1985), supported by more than 80 signatories in *BZN* the following year.

**1988** – ICZN Journal *BZN*, publishes a statement indicating they are aware of the illegality of retrospectively suppressing legally made nomenclatural publications (Holthius 1988).

**1989** – Hoser’s first major book, *Australian Reptiles and Frogs*, was published after delays spanning several years.

**1991** – The ICZN Rule in favour of Wells and Wellington and do not suppress their works.

**1991** – Hoser’s second major book, *Endangered Animals of Australia*, was published.

**14 February 1994** – Several heavily armed Victorian Police raided the Hoser residence in a bid to stop impending publication of book about police corruption. They emptied dozens of filing cabinets of files, data, photos, etc, took all computer-related materials and so on. In spite of a court order the next day to return everything, most material was not.

**June 1994** – *The Hoser Files*, a 322 page book about police corruption in Victoria was published.

**1993 and 1996** – Raymond Hoser publishes the best-selling books *Smuggled* and *Smuggled-2*, detailing wildlife smuggling and animal cruelty by snake handler, David John Williams.

**1997** – As a result of activities disclosed in *Smuggled-2*, Williams was convicted and fined \$7,500 in Cairns Magistrates Court on charges of wildlife smuggling and animal cruelty.

**1997** – Sprackland *et al.* publish a second application to the ICZN to suppress the works of Wells and Wellington for nomenclatural purposes (one taxon) so their patronym name can take priority.

**1998** – Raymond Hoser publishes his first ever scientific descriptions of new species. These included five death adders and a species of dwarf Mulga snake from Queensland.

**1998** – David Williams publishes online paper denouncing Hoser’s Dwarf Mulga Snake taxonomic description paper alleging it is not a valid species and merely a starved “*Pseudechis australis*”.

**1998** – David Williams recruits friend Wolfgang Wüster, a Welsh university lecturer to his anti-Hoser campaign. Wüster soon becomes lead player and widely posts that none of the Hoser Death Adder species exist. This is a position maintained by him continually to mid 2014.

**August 1999** – Hoser publishes books, *Victoria Police Corruption* and *Victoria Police Corruption – 2*, totalling 1,536 pages and which led to the demise of the corrupt Kennett State Government in Victoria, Australia.

**2000** – Hoser describes a second species of Dwarf Mulga Snake (this one from New Guinea) as well as several pythons, including the Black White-lipped Python (*Leiopython hoseerae*). Both relevant journal editors were harassed by Wüster and Williams and told not to publish the relevant papers but stood firm against the threats.

**2000** – In response to Hoser’s recent year 2000 publications, Williams reposts his 1998 paper and alters it to allege Hoser was acting outside the ethics of the *International Code of Zoological Nomenclature* (“the Code” or “Zoological Code”) (Ride *et al.* 1999) and stole his right to name the New Guinea species.

**2000** – Hoser points out error in second draft of Williams paper, leading him to correct it and repost it.

**2000** – Hoser points out fatal flaws in third version of online paper, still carrying a publication date of 1998, even though it was posted in year 2000. The errors were in the form of parts he forgot to alter to

make consistent with the altered parts. Hoser also reposted the three versions of the same paper before Williams could destroy the originals.

**2001** – Wüster (first alone) and then with others listed as co-authors publishes widely a paper (including in the journal *Litteratura Serpentina*) alleging that none of Hoser's described species were valid. He uses the word "non-taxa" to describe them.

**2001** – ICZN rules against Sprackland et al. and their attempt to steal a species "name authority" from Wells and Wellington.

**2001** – Wulf Schleip a German snake fancier creates a website *leiopython.de* recognizing the species *Leiopython hoserae*, Hoser, 2000.

**Late 2001** – Under influence of Wüster, who becomes a close friend of Schleip, Schleip alters his website to allege *Leiopython hoserae* is merely a variant of *L. albertisi* (a view he ostensibly maintained to end 2008).

**Mid 2001** – Hoser publishes rebuttal of Wüster's published claims in *Boydii* and *Crocodylian*. Williams emails editors of both publications and threatens to sue them if they do not recall all magazines, destroy them and formally renounce the Hoser papers. Both refused.

**2001-2004** – Hoser continues to publish taxonomic papers naming species or subspecies at a steady pace, with the most significant being one in *Crocodylian* in 2003/2004 which named the genus *Brogammerus* for the Reticulated Pythons.

**2003** – Wüster approached two more journal editors and told them not to publish Hoser papers. Both did publish the papers, but with hesitation and trepidation and only after considerable time spent lobbying by Hoser.

**2004** – Wüster continues to denounce all Hoser-named taxon as non-existent (synonyms of others), including *Brogammerus*. He actively harasses others to do same and harasses website owners to not use any Hoser names being largely successful in his campaign in 2004.

**2005** – Members of the Wüster gang were forced by the Federal Court of Australia to pay a total of \$39,500 in partial damages for the illegal usage of Hoser's registered trademark, "Snakebuster". This was not the first or the last time that the Wüster gang had illegally used or sought to steal Hoser's Intellectual property (IP). In two other cases Hoser got two \$10,000 court-sanctioned payouts when his IP was similarly improperly used.

**2006** – Wüster and associates Mark O'Shea and Shane Hunter run an online campaign against Hoser's education business Snakebusters seeking it be shut down by the Victorian government. Included in the group were business competitors in Victoria who stood to gain significant amounts of customers and income should Snakebusters be shut down. The campaign included petition pages, direct harassment of government officials and Snakebusters clients. Wüster *et al.* created numerous hate webpages, Wikipedia hate pages and the like, which from 2006 to 2014 were regularly updated, edited and changed. Business rivals made numerous false complaints to Hoser clients, regulators and anywhere else they thought they'd benefit from. In 2008 and later, they also used Hoser-owned trademarks to steal clients online and elsewhere.

**2007** – Following the hate campaign commenced the year earlier by Wüster and associates, including newly licensed business rival Sean McCarthy, Ron Waters of DSE (the State Wildlife Department), acted on their complaints and took steps to have outlawed Hoser's venomoid (devenomized) elapid snakes.

This was a direct attack on the unique business advantage of the Hoser Snakebusters business, as no one else had the said snakes.

Waters and the DSE then commenced criminal proceedings against Hoser for owning the venomoid snakes. These failed on the basis one could not make the legal act of acquiring venomoids illegal retrospectively. As a result, Hoser kept the venomoid snakes for his educational displays (which remains the case as of May 2015).

**2007** – ICZN publish on their website details of IP value of scientific names, with both statements and links to relevant pages, citing an average value of over \$10,000 per name.

**February 2008** – Wüster *et al.* outed for an unsuccessful attempt to defraud the Accor Hotels chain of an estimated \$US 20,000.00 by aggressively using online social media to generate bogus “votes” for David John Williams, as an “unsung hero”, including thousands of alleged votes from a single IP address.

**2008** – Wüster campaign against Hoser-named species being accepted dealt several blows, including molecular studies using new technology upholding the validity of species and genera described to 2004, with an increasing number of authors accepting the obvious and using the Hoser names.

**December 2008** – Without explanation, Schleip accepts validity of species *L. hoserae* (which until then he had campaigned strongly against) when publishing a paper in PRINO Journal, *Journal of Herpetology*. In the abstract of his paper posted widely he alleges DNA evidence for three more *Leiopython* species he names, but in fact does not have this evidence.

**1 January 2009** – Hoser publishes the first issue of *Australasian Journal of Herpetology (AJH)*, controlled by Hoser and therefore out of reach of Wüster’s harassment of editors.

**3 February 2009** – Hoser publishes a large paper exposing Schleip’s scientific frauds to date.

**7 February 2009** – Major bushfire kills 172 people in Victoria (Black Saturday). State Wildlife department officials culpable (later paying out \$103 million in partial damages).

**9 March 2009** – Hoser publishes in *AJH* a major reclassification of the world’s rattlesnakes naming numerous new genera.

**23 March 2009** – Hoser publishes in *AJH* a major reclassification of the world’s cobras naming two new genera (out of a total of four).

**29 March 2009** – Wüster posts at online chat forums stating that one Hoser Cobra genus *Wellsus* is not valid as it is a junior synonym of *Uraeus*, Wagler, 1830. He also reaffirms his view that all true Cobras should be in a single genus (contrary to the Hoser view of four).

**29 March 2009** – Hoser corrects the error immediately and renounces *Wellsus* online and formally retracts it in a later issue of *AJH*. Hoser maintains four genera configuration is correct.

**21 September 2009** – Wüster and friends publish paper in PRINO (peer reviewed in name only) Journal *Zootaxa* reversing his view of 29 March 2009 and earlier and now agreeing with Hoser’s 9 March 2009 taxonomy. However Wüster, Wallach and Broadley go further and allege Hoser had stolen their work and on that basis renamed the Hoser genus *Spracklandus*, with their own coined name *Afronaja*. They also falsely alleged that *AJH* was not validly published as a print journal under the zoological code and that everything else named there (e.g. Rattlesnake genera) should be renamed by others.

**February 2010** – In *AJH* issue 8, Hoser publishes expose of Victorian State Wildlife department corruption in terms of the Black Saturday bushfires a year earlier and the associated case of a fraud involving a pet Koala.

**2009-2012** – No one else heeded Wüster’s repeated calls to rename Hoser-named taxa. Wüster actively promoted his invalid name *Afronaja*.

**May 2011** – Raymond Hoser successfully closed down over 800 bogus websites using his registered trademarks to divert clients to rivals.

**May 2011** – Wüster gang and Hoser business rivals ramp up campaign against Hoser, including via creation of “Ray Hoser – Melbourne’s biggest wanker” Facebook page (closed down in July 2011). Numerous similar ones have been set up by Wüster and Hoser business rivals since.

**17 August 2011** – Wüster gang and Hoser business rivals, claimed success immediately after the Hoser family was subjected to an illegal 9 hour raid by 11 heavily armed police and wildlife officers.

They loaded a truck and trailer with research files and data from the previous 40 years, computers, photos and pretty much anything else of value or use that they could gather up in the frenzied raid.

The raid was also in response to the publication of *AJH* issue 8, which exposed corruption in the State Wildlife Department, at which time all copies of *AJH* were seized as seen in the video the officers created at the time.



Snakebusters was also shut down immediately, with the wildlife officers themselves, having taken all diaries, computers and the like contacting clients and telling them to book elsewhere.

Several deaths from snakebites in the period postdating this raid occurred as a direct result of Snakebusters clients being forced to seek less experienced providers.

**22 August 2011** – Snakebusters obtain VCAT order, confirming actions of the wildlife officers and police had been illegal and the business re-opens.

**9 March 2012** – Hoser's education business, Snakebusters, was shut down illegally at gunpoint (again) and Hoser effectively put under house arrest. An appeal to the Supreme Court was delayed by months.

**March-July 2012** – As a result of not working for an income and effectively house-bound Hoser was able to complete a long-running review of the snake genera of the world. Published numerous papers in *AJH* naming many dozens of species, genera and tribes of snakes. Also published a rebuttal of Wüster's 2009 claims against *AJH* with evidence and then went to the ICZN to formally renounce Wüster's name *Afronaja*.

**5 June 2012** – Wüster associate Hinrich Kaiser, sent a SPAM email to the world's herpetologists seeking support for a Wüster campaign to start "working outside acceptable rules of science and taxonomy" and overwrite all "Hoser names" with their own coined names. They produced a list of Hoser-named taxa to overwrite.

**8 June 2012** – Hoser wins in Supreme Court of Appeal of Victoria and his damaged education business Snakebusters reopens.

**8 June 2012** – State Wildlife Department vows to fight Snakebusters all the way to the full bench of the Supreme Court of Appeal.

**18 June 2012** – Hoser obtained a copy of the SPAM email and associated document known as "Kaiser *et al.* 2012", scheduled to be published in a friend's journal, *Herpetological Review*, although in the SPAM email, Kaiser stated that he did not write it!

**30 June 2012** – Hoser publishes the SPAM email, the associated document and a detailed rebuttal in *AJH*. Numerous herpetologists globally express outrage at the Wüster plan.

**Early 2013** – ICZN refuse to act on *Spracklandus/Afronaja* matter as the date priority of *Spracklandus* was obvious and Wüster's claims, while ridiculous, had not been published in any prominent journal.

**March 2013** – Document known as Kaiser *et al.* from 2012 appears in altered form in friend Rob Hansen's journal, *Herpetological Review*, with Kaiser now listed as lead author (of nine, including Schleip, Wüster and Mark O'Shea).

**29 April 2013** – Hoser publishes in *AJH* a detailed rebuttal of Kaiser *et al.* (2013). 2013 also sees a significant number of new species of snakes, lizards and turtles named by Hoser in *AJH*.

**June 2013** – On the basis of the publication of Kaiser *et al.* (2013) in a well-known print journal, the ICZN decides to act on the *Spracklandus/Afronaja* matter with a view to validating the first name in order to stop Wüster campaign destabilizing zoology.

**July 2013-July 2014** – Wüster gang step outside the 2 century old zoological rules to improperly rename over twenty species and genera previously named by Hoser and other herpetologists Richard Wells, Ross Wellington and even John Edward Gray, formerly of the British Museum in the 1800's. This includes widely recognized and used names like *Broghammerus*.

**July 2013-July 2014** – Wüster gang ramp up hate campaign in all social media and the like, including print journals they control.

**July 2013-July 2014** – Hoser continues to publish descriptions of new taxa in *AJH*, albeit at a slower pace, effectively completing a wide-ranging review of the snakes at the genus level.

**December 2013** – The ICZN publish in *Bulletin of Zoological Nomenclature (BZN)*, "Case 3601: *Spracklandus* Hoser, 2009 (Reptilia, Serpentes, ELAPIDAE): request for confirmation of the availability of the generic name and for the nomenclatural validation of the journal in which it was published" with a call for submissions for or against. They receive numerous submissions both in favour and the predictable ones from the Wüster gang against.

**March 2014** – Dr. Hal Cogger, himself a former commissioner of the ICZN condemns Kaiser *et al.* in his definitive 1,064 page book *Reptiles and Amphibians of Australia*, and uses the correct names of Hoser, Wells and Wellington and other authors attacked by Kaiser and the Wüster gang. Cogger is just one of many scientific authors taking this position.

**July 2014** – Schleip renames *Leiopython hoseerae* and another Hoser-named taxon from 2000 in his own paper. The significance in renaming *L. hoseerae* is that Schleip as co-author of Kaiser *et al.* (2013) had identified that as one species his gang were NOT going to rename. Schleip, with the open support of the rest of the Wüster gang also calls on others to rename all Hoser-named taxa in spite of their long recognition as valid and use in most major contemporary books.

**5 September 2014** – Supreme Court of Appeal of Victoria rules emphatically in favour of Hoser and his business Snakebusters. All previous criminal charges and convictions from 2009-2011 and matters arising after 2011, were found to have no basis in law. Two previous judgements were formally set aside. Full costs were awarded in favour of Hoser, meaning that the State Wildlife Department faced a multi-million dollar payout.

**25 October 2014** – Another 23 criminal charges laid against Hoser improperly by the wildlife department were thrown out of the Melbourne Magistrates Court, meaning no charges were upheld against Hoser as a result of the decade long campaign by the Wüster gang and business rivals.

**16 January 2015** – ICZN Commissioner Doug Yanega confirms on the ICZN List that being a “name authority” for taxa confers intellectual property rights on the describer. With retrospectivity not allowed in law, as per the Supreme Court of Appeal of Victoria judgement dated 5 September 2014, legal advice in January 2015 confirmed that no one, including the ICZN has a legal right to transfer legally obtained IP rights by retrospective decree or order and to do so would leave the perpetrator liable to be sued for damages.

**March 2015** – Wüster gang publishes another of several submissions against Hoser in the *BZN*, this one co-signed by about 70 (alleged) authors most being the same group who co-signed “Kaiser *et al.* 2013” and including many who petitioned against Wells and Wellington to the ICZN from 1987 to 1989. Not disclosed in this document, known as Rhodin *et al.* 2015 was the fact that dozens of signatories were a party to renaming species in breach of the rules of the code as listed co-authors in the relevant papers (e.g. Georges, Schleip, Sprackland, Thomson, Wüster, etc) (see synonyms list published) and that they were in fact seeking the rules be broken to allow them to steal name rights from Raymond Hoser, Richard Wells, Ross Wellington, John Edward Gray and others whose taxa they had chosen to coin their own names for.

Hinrich Kaiser also earned himself the dubious distinction of having made the most published submissions to the *BZN* in opposition to a single case, these being largely “bluster” according to Stephen Thorpe on Taxacom and ICZN list. At the same time, numerous submissions in favour of the Hoser case were not being published, leading to numerous complaints about the integrity of the editorial process at the journal (Wellington 2015).

In summary such an attack on the zoological nomenclature is unprecedented in the over 200 year history of the zoological code and one hopes that the ICZN see it for what it is and acts appropriately.

*Nomen furtum* synonyms.

Names coined or used in acts of attempted theft.

Non code-compliant name coined by associates of the Wüster gang and widely promoted by them.	Comments (reasons given of author for creating new name in breach of the Zoological Code).	Correct taxon name according to scientific ethics and the established rules of the Zoological Code.
<i>Afronaja</i> Wallach, Wüster and Broadley 2009.	Falsely alleged earlier Hoser paper not published according to Article 8 of Zoological Code.	<i>Spracklandus</i> Hoser, 2009.
<i>Amerotyphlops</i> Hedges <i>et al.</i> , 2014	Author was a signatory to Kaiser <i>et al.</i> documents of 2012/2013.	<i>Altmantyphlops</i> Hoser, 2012
<i>Antaresia stimsoni</i> (Smith, 1985)	Name published after Wells and Wellington, 1985, (date priority) but improperly not renounced.	<i>Antaresia saxacofa</i> Wells and Wellington, 1985. Note: <i>Nomen nudem</i> claim on Wikipedia is false.
<i>Antillotyphlops</i> Hedges <i>et al.</i> , 2014	Author was a signatory to Kaiser <i>et al.</i> documents of 2012/2013.	<i>Mosestyphlops</i> Hoser, 2012
<i>Asiatyphylops</i> Hedges <i>et al.</i> , 2014	Author was a signatory to Kaiser <i>et al.</i> documents of 2012/2013.	<i>Argyrophis</i> Gray, 1845
<i>Bartleia</i> Hutchinson <i>et al.</i> 1990	Deliberately ignored name authority to rename taxon ( <i>nomen furtum</i> ).	<i>Techmarscincus</i> Wells and Wellington, 1985
<i>Bassiana</i> Hutchinson <i>et al.</i> 1990	Deliberately ignored name authority to rename taxon ( <i>nomen furtum</i> ).	<i>Acritoscincus</i> Wells and Wellington, 1985
<i>Broadleysaurus</i> Bates <i>et al.</i> , 2013	Invoked Kaiser "veto".	<i>Funkisaurus</i> Hoser, 2013
<i>Candoiidae</i> Pyron <i>et al.</i> , 2014	No reason given, but authors and stated reviewers have attacked Hoser for years and over-written Hoser names previously.	<i>Candoiidae</i> Hoser, 2013
<i>Cartula</i> Hutchinson <i>et al.</i> 1990	Deliberately ignored name authority to rename taxon ( <i>nomen furtum</i> ).	<i>Harrisoniascincus</i> Wells and Wellington, 1984
<i>Chelodina burrungandjii</i> Thomson, Kennett and Georges, 2000	Alleged Wells and Wellington, 1985 not code compliant when it was.	<i>Chelodina billabong</i> (Wells and Wellington, 1985)
<i>Chelodina canni</i> McCord and Thomson, 2002	Falsely claimed Wells and Wellington, 1985 name was a <i>nomen nudem</i> .	<i>Chelodina rankini</i> Wells and Wellington, 1985
<i>Cubatyphlops</i> Hedges <i>et al.</i> , 2014	Author was a signatory to Kaiser <i>et al.</i> documents of 2012/2013.	<i>Dannytyphlops</i> Hoser, 2012
<i>Emydura macquarii dharra</i> Cann 1998	Alleged Wells and Wellington, 1985 not code compliant when it was.	<i>Emydura cooki</i> (Wells and Wellington, 1985)
<i>Emydura macquarii emmotti</i> Cann, McCord and Joseph-Ouni, 2003	Alleged Wells and Wellington, 1985 not code compliant when it was.	<i>Emydura macquarii windorah</i> (Wells and Wellington, 1985)
<i>Indotyphlops</i> Hedges <i>et al.</i> , 2014	Author was a signatory to Kaiser <i>et al.</i> documents of 2012/2013.	<i>Maxhoserus</i> Hoser, 2012
<i>Leiopython meridionalis</i> Schleip, 2014	Invoked Kaiser "veto".	<i>Leiopython hoserae</i> Hoser, 2000
<i>Leiopython montanus</i> Schleip, 2014	Invoked Kaiser "veto"	<i>Leiopython albertisi bennetti</i> Hoser, 2000
<i>Lemuriatyphlops</i> Pyron and Wallach, 2014	Invoked Kaiser "veto"	<i>Elliotttyphlopa</i> Hoser, 2012
<i>Macrochelys apalachicola</i> Thomas <i>et al.</i> , 2014	Falsely claimed no holotype ever existed. Claim rebutted by co-author.	<i>Macrochelys muscati</i> Hoser, 2013.
<i>Macrochelys suwanniensis</i> Thomas <i>et al.</i> , 2014	Falsely claimed no holotype ever existed. Claim rebutted by co-author.	<i>Macrochelys maxhoseri</i> Hoser, 2013.
<i>Madatyphlops</i> Hedges <i>et al.</i> , 2014	Author was a signatory to Kaiser <i>et al.</i> documents of 2012/2013.	<i>Ronhoserus</i> Hoser, 2012
<i>Malayopython</i> Reynolds <i>et al.</i> , 2013a, 2013b, 2014	Invoked Kaiser veto; also falsely claimed <i>Broghammerus</i> a <i>nomen nudum</i>	<i>Broghammerus</i> Hoser, 2004
<i>Malayotyphlops</i> Hedges <i>et al.</i> , 2014	Author was a signatory to Kaiser <i>et al.</i> documents of 2012/2013.	<i>Katrinahosertyphlops</i> Hoser, 2012
<i>Matobosaurus</i> Bates <i>et al.</i> , 2013	Invoked Kaiser "veto"	<i>Swilesaurus</i> Hoser, 2013
<i>Myuchelys</i> Thomson and Georges, 2009	Falsely claimed Wells 2007 breached article 8 of Zoological Code.	<i>Wollumbinia</i> Wells, 2007
<i>Niveoscincus</i> Hutchinson <i>et al.</i> 1990	Deliberately ignored name authority to rename taxon ( <i>nomen furtum</i> ).	<i>Litotescincus</i> Wells and Wellington, 1985
<i>Paralaudakia</i> Baig <i>et al.</i> , 2012	Author was a signatory to Kaiser <i>et al.</i> documents of 2012/2013.	<i>Adelynkimberlea</i> Hoser, 2012
<i>Sundatyphlops</i> Hedges <i>et al.</i> , 2014	Author was a signatory to Kaiser <i>et al.</i> documents of 2012/2013.	<i>Sivadictus</i> Wells and Wellington, 1985, (Note: <i>Anilios</i> Gray, 1845, is a different genus: Type sp. <i>australis</i> )
<i>Varanus teriae</i> Sprackland, 1991	Allegedly overlooked name authority and then refused to renounce synonym.	<i>Varanus keithorrei</i> (Wells and Wellington, 1985). (Note: genus assignment is in flux).
<i>Xerotyphlops</i> Hedges <i>et al.</i> , 2014	Author was a signatory to Kaiser <i>et al.</i> documents of 2012/2013.	<i>Lenhosertyphlops</i> Hoser, 2012