

# **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.**

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## **ABSTRACT**

In March 2015, a submission with an alleged authorship of 70 individuals, cited here as Rhodin *et al.* (2015), was published in the *Bulletin of Zoological Nomenclature* (BZN).

Although the corresponding author was in fact Mr. Scott Thomson, the list of alleged authors included a group of people also known as "The Wüster gang".

They claimed to represent the "global herpetological community".

This submission was in relation to a case before the *International Commission of Zoological Nomenclature* (ICZN).

Known as Case 3601, put to the Commission by this author (Raymond Hoser) in 2012, it sought to have the Commission formally uphold the rules of The Code and stop the Wüster gang, setting themselves up as an ISIS-like Caliphate in absolute control of herpetological taxonomy and nomenclature and able to steal name authority for taxa from others at will and in direct breach of the rules of the *International Code of Zoological Nomenclature* ("The Code", "Zoological Rules" or "Zoological Code") (Ride *et al.* 1999).

Case 3601 was initially confined to the single genus-level taxon, *Spracklandus* Hoser, 2009 (for the African Spitting Cobras), which some months after the taxon group was named, a Welsh academic, Wolfgang Wüster and two friends (Van Wallach and Donald Broadley), sought to rename as "*Afronaja*".

At all materially relevant times, these men knew full well that they were acting both illegally and in contempt of the rules of the Zoological Code, both in letter and spirit as in two similar previous cases (Cases 2531 and 3043) the ICZN had found against them.

They had hoped that by use of "bully boy" tactics, including extensively via "social media" sites like Facebook and Twitter on which they made many thousands of posts, that they would be able to harass the rest of the scientific and herpetological communities to use their improperly coined name defined herein as "*nomen furtum*" (gained in an act of theft) in preference to The Code compliant and correct name *Spracklandus*.

Since the commencement of Case 3601 in March 2012, the Wüster gang have expanded their attempts to rename taxa to include more than 700 names proposed by Hoser over two decades of full-time research as well as names of other leading zoologists such as John Edward Gray, formerly of the British Museum, Richard Wells formerly of the Australian Museum, Bill McCord, Ross Wellington, formerly of the Australian Museum and others.

The gang has expanded its membership to include other individuals (their friends) who seek to cherry pick taxa named by others and rename them, thereby stealing "name authority" for them. They have also encouraged others in disciplines outside herpetology to do the same (Kaiser *et al.* 2012, 2013).

This is contempt of the basis of the Zoological Code (stability) created by the rules of homonymy and priority.

If the improper and in law, illegal actions of the Wüster gang are allowed to proceed in any way by the ICZN, it would almost certainly result in unprecedented chaos and perhaps the end of any workable zoological naming system, which is why in previous cases the ICZN has ruled against such actions (ICZN 1991, ICZN 2001 as outlined by Hoser (2012b) and Hoser (2013).

Failure of the ICZN to act against the Wüster gang thieves would in all likelihood leave the ICZN itself open to a legal claim for damages.

The following is a rebuttal and commentary of relevant facts, regarding the latest document published by the group known as the Wüster gang, that being Rhodin *et al.* (2015).

**KEYWORDS:** Taxonomy; Nomenclature; Zoological Code; Rules; ICZN; Wüster; Taxonomic Terrorism; Rhodin; Thomson; Schleip; O'Shea; Wallach; Broadley stability; priority; homonymy; stability; *Spracklandus*; *Afronaja*; Intellectual Property; Dubois; Wells; Georges; Eipper; Cogger; Wellington; Snakebuster; Sprackland; Savage; *Australasian Journal of Herpetology*; *Australian Journal of Herpetology*; IP; Hoser; illegal; trademark; damages; Wüster gang; *Leiopython*; *hoserae*; *meridionalis*; *Broghammerus*; *Malayopython*; *Varanus*; *teriae*; *keithhornei*; patronym; herpetologists.

## INTRODUCTION

The science of zoology depends on zoologists being able to communicate between one another with universal recognition of species and other biological entities.

To that end, the *International Code of Zoological Nomenclature* is the created set of rules used by all zoologists to form appropriate names for newly discovered entities and to use the correct names for those entities already named.

In the perfect world, scientists name taxa correctly (according to the rules) and others, including government authorities and scientists in other disciplines use such names correctly and The Code in effect becomes self regulating.

To that extent, the governing body, the *International Commission of Zoological Nomenclature* (ICZN) rarely becomes involved in the day to day interactions between zoologists, their role being to occasionally rule on disputes (usually involving old and forgotten names) and to rewrite the "The Code", "Zoological Rules" or "Zoological Code" as the document is known and publish new editions periodically at intervals measured in decades.

The central aims of scientific nomenclature are both universality and stability and these ends are facilitated by the central rules of The Code, these being "homonymy" and "priority" which in turn gives "stability".

The current edition of The Code defines both the former as follows:

### "Principle of Homonymy, *n*."

The principle that the name of each taxon must be unique. Consequently a name that is a junior homonym of another name must not be used as a valid name [Art. 52].

### Principle of Priority, *n*.

The principle that the valid name of a taxon is the oldest available name applied to it (taking into consideration the other provisions of Article 23), provided that the name is not invalidated by any provision of The Code or by any ruling by the Commission [Art. 23].

The current case 3601, is about these very fundamental rules and an attempt by a group known as the Wüster gang to usurp them for their own personal agenda. That is a mixture of ego-stoking self-aggrandisement and commercial vested interest.

Within the rules of The Code is included how these universally used names are to be written, published and used.

Each name is typically followed by the first author who published the name and the year of their

publication, e.g. "*Spracklandus* Hoser, 2009".

The author is then referred to as the "name authority" and effectively cited in books and papers whenever the taxon is referred to.

This has been how the Zoological Code has worked for more than 200 years, when Linnaeus first developed the first incarnation of the system all present zoologists work within.

Case 3601 and all issues surrounding it are about this single concept, that of name authority and who should "own it".

In 2009, I published a paper effectively naming one new taxon for the first time, that being *Spracklandus* Hoser, 2009, as a first and new name for a previously unnamed genus group of snakes, that being the African Spitting Cobras.

As mentioned in the abstract, some months after the taxon group was named, a Welsh academic, Wolfgang Wüster and two friends Van Wallach and Donald Broadley, sought to rename the group as "*Afronaja*".

To justify what was in effect nothing more than a deliberate act of theft, the authors claimed that 1/ My publication was not valid under the rules of The Code (thereby in part allowing them to do what they did) and that 2/ In any event, I had acted immorally by rushing to print my description of the genus, in the alleged knowledge that Wüster *et al.* had been planning on doing the same thing.

Fortunately the paper trail of library and other receipts shattered the first claim of non-publication of the *Spracklandus* paper in *Australasian Journal of Herpetology* (AJH) issue 7 in March 2009.

The digital (online) trail of internet posts by Wüster himself also excluded the possibility of the claim that I had intentionally scooped his work by naming the genus. That is because six days after the Hoser paper was published, Wüster renounced the taxonomy within the paper and reaffirmed his long-standing view that *Spracklandus* should be subsumed within the earlier named genus *Naja*.

In the absence of any legal or proper justification to allow his act of name theft to continue, Case 3601 as it is known, should be a mere formality, in that the ICZN should affirm the correct name is *Spracklandus*.

That should be the end of the matter!

However in May 2012, Wüster and his gang, known in this case collectively as Kaiser *et al.*, sent out a SPAM email to thousands of herpetologists seeking others to join them in a new campaign to suppress and rename not just taxa validly named by myself, but many other herpetologists as well (Kaiser 2012a, Kaiser *et al.* 2012).



Victor Valley College  
Cryptozoologist, Robert Twombley  
works the social media circuit for  
the Wüster gang and their agenda.



To justify, what would easily be the largest ever attempted “name theft” in the history of Zoology, numerous claims have been raised by the group in the three years since (see for example Kaiser 2013, 2014a, 2014b, and Kaiser *et al.* 2013), including the two following most simple and widely applied claims, being of the nature of:

1/ Hoser’s work and those of other targets is ‘unscientific’ (not defined), and therefore their works and names should not be used,

or,

2/ If Hoser’s work and those of other targets is in fact ‘scientific’, not defined, but inferred as identifying valid previously unnamed taxa, then they must have stolen it from one of their gang and therefore their works and names should not be used.

Words such as “taxonomic vandalism”, “intellectual kleptoparasitism”, “clade harvesting”, “data mining”, have all been used to describe my works by the Wüster gang (see for example Kaiser 2013, 2014a, 2014b, Kaiser *et al.* 2012, 2013 and Rhodin *et al.* 2015), but can invariably be placed within the general ambit of one or other of the two above propositions.

Significantly, both the above contentions are largely mutually exclusive as are the terms easily assigned to them, but the Wüster gang have not hesitated to shift between the concepts with alarming frequency, with Rhodin *et al.* (2015) repeatedly doing both in the same paper!

The ever changing positions of Wüster, Schleip, O’Shea and others in the gang to the present date are detailed elsewhere, including in Hoser (2012a, 2012b, 2013b) and publications dated 25 May 2015 (Hoser, 2015a, 2015b, 2015c, 2015d, 2015e) and need not be rehashed here.

The instances of lies, deception and fraud carried on by this group are of a scale that is hard to comprehend and even harder to detail in full due to the sheer extent of what they have done.

However what follows is merely a rebuttal and commentary on the document Rhodin *et al.* (2015).

Significant in this ongoing battle has been how the lines of battle have been changed by the Wüster gang in the 17 years from 1998 to 2015.

In the first instance, Wüster *et al.* challenged the science behind the names I had proposed. That was the case to 2004.

See contention 1, above.

With that approach generally failing by about 2008, particularly when Rawlings *et al.* (2008) used molecular methods to validate earlier Hoser results and used the Hoser nomenclature, Wüster *et al.*

commenced improperly asserting my works were not published according to The Code (as seen in their paper Wallach *et al.* (2009), that being the one that renamed *Spracklandus*), thereby inviting others to steal the Hoser works and rename taxa in what would otherwise be against the rules of The Code.

This position sat between both contentions 1 and 2, but with the same outcome sought, that being as for contention 1, that the Hoser names should not be used.

This more recent attack on the use of Hoser-proposed nomenclature came to an abrupt halt in early 2012, when issues of *Australasian Journal of Herpetology* (AJH) were published carrying commercial printers receipts for hard copies and republishing earlier descriptions as “new” to remove any point in arguing about validity of earlier publications for taxa now in effect named twice by the same author (Hoser 2009-2014).

With both the science resolved in favour of the Hoser-named taxa and The Code-compliance of the relevant publications brutally affirmed, meaning all names were valid “available under code”, described valid biological entities and the therefore had to be used by everyone, the Wüster gang’s next attack was through the Kaiser *et al.* (2012) and Kaiser *et al.* (2013) documents.

This involved a deliberate stepping outside of the rules of The Code to rename all taxa previously named by myself and what has become an ever growing list of people they see as vulnerable targets. These are people usually working outside of the protective bureaucracy such as a Museum or major government-owned University.

Because they are engaging in an act of theft and in breach of the over 200 year old rules that underpin the science of zoology, they have had to provide a justification to others for their heinous actions.

That’s where the second claim (above) comes into play.

Their theft is justified by a blame shifting exercise whereby myself and any other target is accused of stealing their work.

The claim doesn’t have to be true, so much as the truth is kept away from the target audience.

For the Wüster gang, this means controlling journals they publish in, websites they edit (including for example “Wikipedia”) and making sure no correcting views or papers are ever published within them.

Of course, one adverse claim against myself is easily refuted, but when hundreds are made in thousands of places, such a hate campaign becomes hard, if not impossible to combat.

Of course un rebutted lies that are widely

## SELLING SCIENTIFIC NAMES

- ▶ What is the ICZN official position on selling scientific names?
- ▶ What are the pros (advantages) of selling scientific names?
- ▼ What are the cons (disadvantages) of selling scientific names?

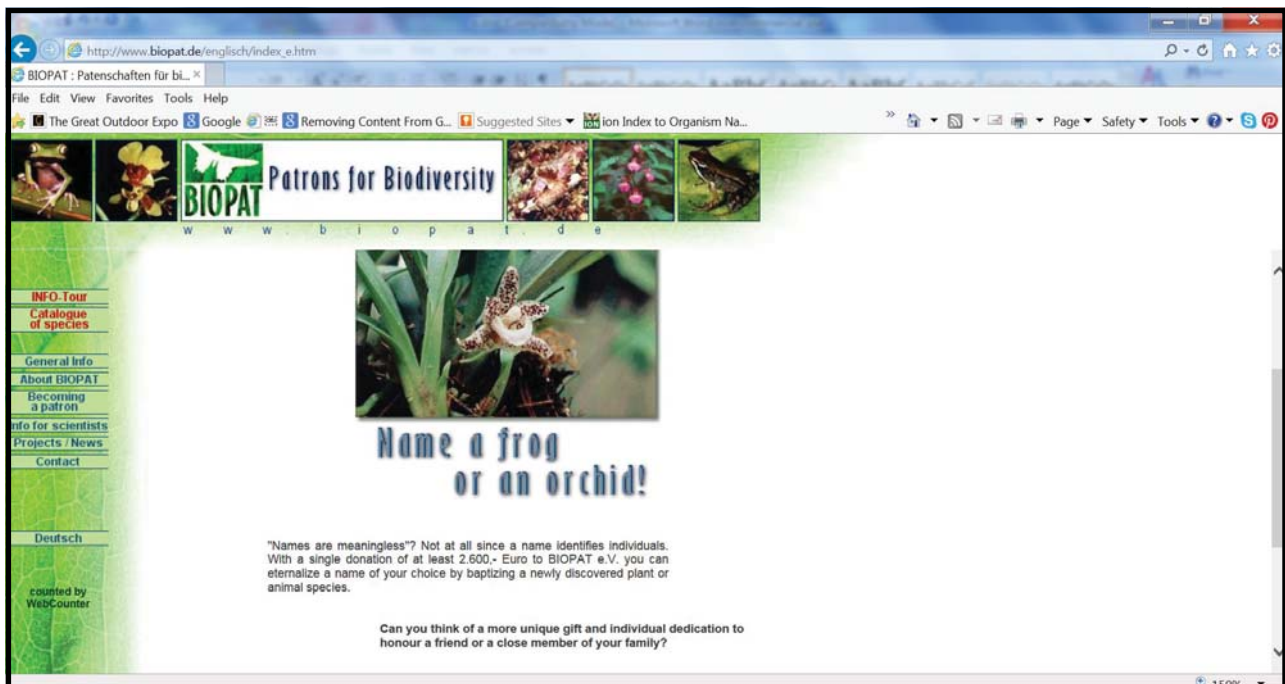
There is concern that selling the products of taxonomic work as individual units can distort the scientific process. Would it lead to increased splitting of taxa? For example, if a taxonomist is uncertain about whether to split or lump a taxon, the financial incentive might swing the balance so that double the profit could be made from the same work! Other questions come to mind. What happens if a name is sold but the paper publishing it is never written (thus it is not available under the Code)? What if the name is synonymized after the deal is done? Would the country of origin of the taxon be able to claim ownership of the proceeds from the sale of naming rights? Would a biodiversity-rich country be justified in raising its rates for research permits in anticipation that profit might be made from this aspect of the results of taxonomic exploration? Will much larger grants and even more complicated memoranda of understanding, be needed to cover the financial interests that have crept in to taxonomy through this means? Will institutions auction off the work of their scientists to help fund taxonomic research, but thereby remove one of the rewards of what is often perceived as otherwise punishing work, the privilege of choosing a name? Could there even be a total loss for the taxonomist, whereby they lose the right to choose a name due to its sale, and then the funds get claimed by the home country for the organism as a share of commercial profit from bioexploration?

In addition, while the charitable aspects are laudable and in some cases very successful, in other cases of selling names it is not clear how much of the price paid actually returns to those who need it most. There are also concerns that while naming charismatic species can command high prices, the taxa, ecosystems and taxonomists who need the support the most will not be able to raise funds this way. This could lead to a dreary situation that they become doubly disadvantaged, if the administrations that oversee them might expect them to raise research funds through selling names, but there are no buyers for their non-celebrity uncharismatic taxa.

A further set of objections revolve around the recommendations that scientific names should have some connection with the organism such as a descriptive aspect, its place of origin, an honourific for someone in the field (not a purchaser after the fact). People buying names may not want to give a biologically or geographically predictable name to the taxon.

Monetizing biodiversity is indeed a challenge.

150%



disseminated can and do, end up being accepted as truth.

To that end, Wüster, O'Shea and others in the gang have posted on thousands of websites countless bogus and largely irrelevant claims against me, to ensure that a general hatred of myself and their other targets, easily outweighs the more sober arguments relating to scientific taxonomy and their own acts of "name authority" theft.

By way of example, Mark O'Shea even posted in the domain of the ICZN on their own list servers false claims that I had a criminal background and had engaged in acts of animal cruelty, when he knew at all materially relevant times that his claims were false.

The same false claims have been repeated on a Wikipedia page controlled by himself, Wüster and others in the gang, and protected from correction by a "bot" (admitted by Thomson *et al.* 2015b), where they have alleged countless crimes by myself, acts of extreme animal cruelty and even the bizarre claim that I have killed people, including my own young daughter!

Those claims remained on the Wikipedia site as of 1 May 2015!

The document Rhodin *et al.* (2015), the authorship including a group known as "The Wüster gang" being the ringleaders for the campaign, also runs in the vein of a largely irrelevant hate campaign, high in vitriol, but low in facts to substantiate the claims.

### THE MONEY TRAIL

Let's be blunt here.

The Wüster gang are in the reptile business for the money!

They have already improperly renamed dozens of taxa previously properly named by other scientists (including myself) in breach of The Code, many outlined in the synonyms list published in *AJH* Issue 25.

As of May 2014 and without any remorse for their actions, are seeking to have the ICZN retrospectively and in breach of their own rules, rubber stamp their illegal acts.

If they succeed in their heist, they stand to make a financial killing!

If they fail, then their improperly created names will simply disappear into "synonymy" along with millions of others similarly formed in the past 200 years.

Privately Wüster has stated that his campaign is a "long shot", but he has justified it on the basis that if he does nothing, then everyone will use the Hoser names anyway, so he sees it as a case where 'we have nothing to lose in trying'.

The actions of the Wüster gang are illegal in that 1/

They breach the written rules of The Code and 2/ Because it is recognized widely that "name authority" is intellectual property (IP), including as stated recently by ICZN Commissioner Doug Yanega (Yanega 2014, 2015) and confirmed on the ICZN's own webpage at: <http://iczn.org/faqs> (ICZN 2015).

It goes without saying that ownership of IP carries all associated legal rights for the holder and cannot be transferred without the permission of the rights holder.

The ICZN have in fact long been aware of the fact that if they were to be a party to such an act, they themselves would be breaking the law and be liable.

In the *Bulletin of Zoological Nomenclature* in 1988, L. B. Holthuis of Rijksmuseum van Natuurlijke Historie, Postbus 9517, 2300 RA Leiden, The Netherlands, where in terms of the attempted transfer of the Wells and Wellington names (IP) to the thieves, he wrote:

"I see no reason whatever to suppress these works. Such a suppression by the Commission would be highly inadvisable, if not 'illegal', and would severely damage the image of the Commission as an impartial body."

As to how much money is at stake in all this, it is hard to estimate, but Wüster has himself repeatedly complained online of the difficulties of getting government grants if himself and others are deprived of "name authority" rights because someone else beat them to it.

Also see Kaiser *et al.* 2013, where they wrote that they would be left to be:

"redescribing" taxa whose validity they established, but that were named pre-emptively

in acts of mass-naming or in deliberate acts of intellectual kleptoparasitism".

Significantly, the Australian Museum in Sydney was selling patronym name rights on invertebrates in the 1990's for \$5,000 per species, which seems to have increased to be anywhere from this to \$15,000 as a going rate in year 2015 (average amount being in the region slightly above \$10,000 (Australian or \$US) per taxon) as seen from the amounts quoted on the websites viewed on 1 May 2015 at:

<http://wildfilms.blogspot.com.au/2008/07/scientific-names-for-sale.html> (Tan 2008),

and

<http://legacy.utsandiego.com/news/metro/20080406-9999-1n6naming.html> (Goodwin 2008),

and

[http://www.biopat.de/englisch/index\\_e.htm](http://www.biopat.de/englisch/index_e.htm) (Köhler, Glaw and Bätke 2002),

which is titled: "name a frog or an orchid" and like all



the above, directly linked from the ICZN's own website.

The text reads as follows:

"Names are meaningless"? Not at all since a name identifies individuals. With a single donation of at least 2.600,- Euro to BIOPAT e.V. you can eternalize a name of your choice by baptizing a newly discovered plant or animal species.

Can you think of a more unique gift and individual dedication to honour a friend or a close member of your family?"

The ICZN themselves also recognizes the issue of IP rights for "name authority" of taxa on their own website at:

<http://iczn.org/faqs>

Where the following is written (as of 1 May 2015).

"What are the pros (advantages) of selling scientific names?

Funding for research in taxonomy and for conservation is difficult to obtain, and selling the rights to name an organism can provide a direct source of support for these activities. Putting an explicit price on the discovery and description of new species provides value in terms that people can relate to personally and immediately, a monetary value. This is often easier for people to connect with than the other values associated with biodiversity which tend to be moral, philosophical, religious, aesthetic, scientific or ecologically functional. It also gives recognition to the work of species discovery, in the way a financial prize draws attention to an honour conferred on an artist – it is not the money per se, it is the recognition that goes with it. Selling names can engage the public in biodiversity by providing a potential for perceived 'ownership'. Sponsorship and patronage has always been a part of scientific exploration, and it is argued that this is no different."

There are even websites set up such as:

<http://www.nameaspecies.com> (Williams 2008), and

[http://www.biopat.de/englisch/index\\_e.htm](http://www.biopat.de/englisch/index_e.htm) (Köhler, Glaw and Bätke 2002),

That exist solely to sell IP rights on naming taxa.

By the way the other relevant links I posted here all came direct from the ICZN's website.

That the Wüster gang are well aware of the IP implications of their attempted act of theft is easy to see.

In 2005, members of the gang paid me \$39,500 as damages awarded to me by the Federal Court of Australia after they had been illegally using my registered trademark "Snakebuster" for personal financial gain.

The syndicate scammed a total of \$3 million from major media companies using the trademark before the relevant business had their offices at Freemantle Western Australia burn down in what appeared to be a case of well-timed arson, after which they pled bankruptcy (Hoser v Prospero Productions Pty Ltd & Ors [2004] FCA 1376 (8 October 2004) (Federal Court of Australia 2004).

Wüster, his good friend Mark O'Shea and others in the group regularly use my registered trademarks both for personal gain and also in spite to damage our successful wildlife education business.

Of greater relevance is that wealthy American veterinary surgeon, Dr. Bill McCord had his works targeted by Kaiser *et al.* (2012), where they appealed to others to rename the relevant taxa.

McCord engaged lawyers who threatened to sue Kaiser *et al.*, a threat the recipients took seriously.

As a result the document Kaiser *et al.* (2013) had the works of McCord removed from their renaming "hit list".

His "unscientific" works had through legal action been deemed scientific.

Rhodin *et al.* (2015) expressly ask the ICZN for their permission to allow them to steal "name authority" for "700+ new names".

Listed coauthors of the same (2015) document (e.g. Arthur Georges, Scott Thomson and Wulf Schleip) have all, already and in breach of the rules of The Code renamed previously named species in breach of The Code in an attempt to steal "name authority" for those species and for which they have already stated elsewhere they seek the ICZN to uphold (Thomson and Georges 2009, Schleip 2014), although quite scandalously these actions, which will inevitably need some sort of ICZN action to either reverse or (quite unlikely) validate is not disclosed to the ICZN Commissioners by their submissions in Rhodin *et al.* (2015).

Hence in their ISIS-like Caliphate that they seem intent on setting up, to control all nomenclature in herpetology and beyond, it is clear the Wüster gang are not just seeking to rename 700+ taxa named by Raymond Hoser, but are in fact seeking to steal name rights for thousands of others as well!

But for the moment, let's ignore from this consideration those name rights already apparently stolen by Schleip, Thomson and Georges for taxon not identified as targets by them in Rhodin *et al.* (2015) and other targets that they have identified in their numerous posts on social media.

Instead we shall restrict ourselves to what Rhodin *et al.* as a group seek by way of submission to the ICZN in March 2015 with respect of Case 3601.

**An ill-conceived attempt to retrospectively place Raymond Hoser outside of the law to cancel his business licenses became a very expensive mistake for some Australian government officers! Their actions were found to be illegal.**

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE  
IN THE COURT OF APPEAL  
CIVIL DIVISION

S APCI 2012 0081

BETWEEN:

RAYMOND HOSER

Applicant

- and -

DEPARTMENT OF SUSTAINABILITY AND  
ENVIRONMENT

Respondent

**ORDER OF THE COURT OF APPEAL**

JUDGES:

The Honourable Justice Redlich  
The Honourable Justice Tate  
The Honourable Justice Santamaria

DATE MADE:

5 September 2014

ORIGINATING PROCESS:

Application for leave to appeal

HOW OBTAINED:

At the hearing of the Appeal.

ATTENDANCE:

The Applicant in person.  
Mr. C. J. Horan of Counsel for the Respondent.

OTHER MATTERS:

This matter coming on to be heard before the Court on 17 March 2014 and the Court having directed that this matter should stand for judgment and this matter standing for judgment this day accordingly.

THE COURT OF APPEAL ORDERS THAT:

1. Leave to appeal is granted and the appeal is allowed.
2. The orders of the Victorian Civil and Administrative Tribunal made 9 March 2012 are set aside.
3. The order of the Victorian Civil and Administrative Tribunal made 26 April 2012 is set aside.
4. The respondent pay the applicant's costs of this appeal.

DATE AUTHENTICATED: 8 September 2014

PROTHONOTARY

Rjs: 8/9/14

Hoser 2015 - Australasian Journal of Herpetology 27:3-64.



It is clear that with an estimated market value in excess of \$10,000 per taxon name, and no less than 700 such names on the money tree they have identified, that the gang seek to get ICZN permission to effectively steal no less than \$7 million dollars worth of IP in their first haul!

That \$7 million is a conservative estimate of the IP that the Wüster gang seek to steal is seen when one looks at the taxon names they are after. They include numerous icon genera such as the world's longest snake, namely *Broghammerus* Hoser, 2004, Rattlesnakes such as *Piersonus* Hoser, 2009, Pitvipers like *Adelynhoserserpenae* Hoser, 2012, Spitting Cobras *Spracklandus* Hoser, 2009 and the Gila Monsters *Maxhosersaurus* Hoser, 2013, as well as many spectacular species of reptile such as *Macrochelys maxhoseri* Hoser 2013, *Bitis cottoni* Hoser, 2013, *Tropidechis sadlieri* Hoser, 2003 and many others.

With the harsh reality that large charismatic reptiles have considerably more IP value than obscure and little regarded invertebrates, one soon realises that the ambit claim of Rhodin *et al.* (2015) is an IP value way in excess of the conservatively valued \$7 million!

Add to that the fact that there are over 100 genera, with each averaging five vertebrate species, the likely IP value of what they seek to steal is more in the order of something in excess of \$20 million!

This all makes the Wüster gang's unsuccessful attempt to defraud the Accor hotels group of an estimated \$20,000 in 2008 (the details of which are contained in Hoser, 2012a) seem tame by comparison!

Also refer to the "Snakebuster" case from 2004/5 referred to above.

It is within the setting as outlined above that the document known as Rhodin *et al.* (2015) was prepared and it is in effect the most recent published justification for the attempted theft of "name authority" for hundreds of properly formed scientific names including more than \$7 million dollars worth of IP by this gang.

But before proceeding further and so that there is no doubt at all for readers, the validity of the overwhelming majority of the 700+ relevant named taxa is not seriously in doubt.

This is of course the entirety of the Wüster gang created "Hoser problem". That is, they don't want to use the Hoser names and therefore because the entities must be named, they have taken it upon themselves to name them something else (as seen in the synonyms list published at the same time as this paper).

This is the underlying basis for Kaiser *et al.* (2012),

Kaiser *et al.* (2013) and all other relevant documents since, including Rhodin *et al.* (2015), as stated point blank on page 20 of Kaiser *et al.* (2013) and within Rhodin *et al.* (2015).

**Hence in reality we have a Wüster problem!**

#### **RHODIN ET AL. (2015) AND THEIR PATRONYM AGENDA**

Already Mark O'Shea (a co-author of Rhodin *et al.* (2015), has devoted an extraordinary amount of time complaining about Hoser patronyms, most of the time via social media such as "Facebook".

He has also complained on the ICZN list server in 2015 where he attacked me publicly for naming taxa after eminent herpetologist Richard Wells.

In response, Ross Wellington pointed out the immense contributions of Mr. Wells to saving the priceless reptile collection, including numerous holotypes at the NT Museum after Cyclone Tracy devastated Darwin, Australia at Christmas in 1974 as well as his collecting many thousands of specimens for the Australian Museum in Sydney, Australia over many decades.

O'Shea then apologised to Wellington for his outburst, but significantly not me, even though I had been the target of the outburst!

Elsewhere, for example on "Facebook" where O'Shea has been even more outspoken in his criticisms, especially relating to my naming species after family members, with him ignoring the immense contributions some have made to herpetology, no such apologies have been made.

So of course, it is prudent to look at the double standards of Rhodin *et al.* and their activities.

The genus *Funkisaurus* Hoser, 2013, named in honour of Mesa Arizona herpetologist and veterinary surgeon, Dr. Richard Funk recognizing a lifetime's work with reptiles (he's in his 70's) (Hoser 2009-2015) was illegally renamed by *Broadleysaurus* by Bates *et al.* later in 2013 in honour of their good friend, and thief, Donald Broadley of Wallach, Wüster and Broadley (2009) fame.

In his comments on Case 3601, published in BZN 7(1) March 2014, in spite of publishing a three-page diatribe, Broadley failed to disclose his obvious conflict of interest in the matter (Wüster, Broadley and Wallach 2014).

With co-authors, Wallach and Wüster he asked the ICZN:

"to place on the Official Index of Rejected and Invalid Works in Zoological Nomenclature Issues 1–21 of the *Australasian Journal of Herpetology*"

Thereby including issue 21, which published the description of *Funkisaurus* the senior synonym of his illegal name *Broadleysaurus*.

The ICZN were not informed of this obvious conflict of interest.

One of the co-authors, of Rhodin *et al.* (2015) is none other than Mr. Jay Savage, an inveterate namer of taxa who plays the game of naming taxa after mates and then getting them to return the favour or vice versa.

One could easily argue that this is a cynical abuse of the naming system for self gratification and to gain authority, by way of patronyms, that would otherwise never be attained.

Significantly, Savage also highlights the value of this Intellectual Property (IP), via the taxa he has named and taxa named after him on a webpage he controls at:

<http://museo.biologia.ucr.ac.cr/Curriculum/JayMSavage.htm>

There are dozens of species he claims to have named and then there is a similar number of patronyms, making the name "Savage" a clear leader in the herpetological patronym stakes (Savage 2015).

However when one cross references the names of the species he has coined names for with the authors of the patronyms named after him, one sees numerous apparent reciprocal matches.

In other words, he's been naming species after friends and associates who have then returned the favour, or vice versa.

Things like *Bolitoglossa bramei* Wake, Savage and Hanken, 2007 reciprocated with *Bolitoglossa savagei* Brame and Wake, 1963.

#### **RHODIN ET AL. AND THE BOGUS CLAIM OF WIDESPREAD SUPPORT FOR THEIR POSITION AGAINST THE USAGE OF HOSER'S NAMES**

The authors repeatedly make the bizarre claim that they represent the entire "global herpetological community" at paragraph 1 (twice to make sure the reader gets their idea), as well as paragraphs 4, 5, 6 and 14, to reinforce their ongoing and repetitive argument.

Nothing could be further from the truth!

This is shown below.

In 2008, the Wüster gang's "unsung hero", the convicted wildlife smuggler David John Williams, got outed by a hotel chain for fraud after winning a competition based on popular votes.

With more than 10,000 votes, Williams easily eclipsed all other unsung heroes to win the competition and at the time posted his thanks on internet chat forums to helpers within the Wüster gang (The detail of which is in Hoser 2012a).

He was subsequently disqualified by the Accor Hotels chain after Williams was forced to publicly

admit that many thousands of votes from allegedly different people came from the same IP address.

In other words he had gamed the system to allege support he never had and was caught out.

The campaign of Kaiser *et al.* (2012) and (2013) was similarly caught out when I was sent via Dr. Cogger and Scott Eipper Kaiser's SPAM email to thousands of herpetologists asking them to sign on as authors to his "point of view" document in order to give it 'weight'.

In spite of thousands of people being invited to sign onto the "point of view" and the scandalous way it was marketed, only a few dozen eventually joined their campaign (Kaiser *et al.* 2013).

In January 2015, Scott Thomson the identified "corresponding author" for Rhodin *et al.* and whom should probably have been properly listed as the first author of the submission, presented an abstract to a meeting of the Australian Society of Herpetologists (ASH) held at Eildon, Victoria.

Five Wüster gang members in the form of Scott Thomson (as lead author), Anders Rhodin, Hinrich Kaiser, Mark O'Shea and Peter Paul Van Dijk, were listed as authors of "Taxonomic Terrorism: A world perspective" and used this abstract as a basis to seek support for their upcoming submission to the ICZN (Rhodin *et al.* 2015).

By the way, the repeated act of describing a fellow taxonomist, who does no more than publish mere code-compliant scientific proposals as a "terrorist" is in serious breach of Article 5 in the Code of Ethics of The Code (Ride *et al.* 1999).

Rhodin *et al.* (2015) were met with indifference at the ASH conference!

In 2013, the ASH were asked to vote on the Kaiser *et al.* (2012 and 2013) documents, and after much discussion agreed to make a resolution to support the concept of peer review in scientific publications (something which no respectable scientist would object to), but only after their resolution was drafted to specifically exclude any reference to "Raymond Hoser" as had been the original intent of Kaiser *et al.*

Not only can none of the above be taken as support for the view of the Wüster gang, but rather it can only be taken as non-support for their true position.

More than a dozen other registered herpetological societies across Australia were also approached by Kaiser *et al.* in 2012 and 2013 to support their case and all divorced themselves from it.

While not hostile to the concept of peer review and best practices in herpetology, they were all dead against any hijacking of these concepts to attack the scientific publications of others for the purposes of

### Conference Paper: Taxonomic terrorism: a world perspective

Scott Thomson, Anders Rhodin, Hinrich Kaiser, Peter Paul van Dijk, Mark O'Shea

[Hide abstract]

**ABSTRACT:** There have been increasing occurrences of what has become known as "taxonomic terrorism," an unfortunate effect of the Principle of Priority [in the International Code of Zoological Nomenclature]. In science, we generally can and do ignore work that is poorly constructed and poorly published. In taxonomy, this is difficult particularly when other parts of the Code are considered of lesser importance. It is imperative that a line be drawn between the acceptable and unacceptable. We argue that what is not acceptable are self-authored and edited works that barely meet Code standards and certainly do not stand up to scientific rigor. Ray Hoser has published 24 volumes of his own selfedited reviews, describing well over 750 taxa from many parts of the world. He has attacked researchers who disagree with him and others. He has taken the works of others and named clades to obtain "naming rights," and he claims to be the world expert on herpetology and a representative of the principles of the Code. He has attempted to have the genus name *Spracklandus* and the journal (*Australasian Journal of Herpetology*) in which it is published declared available for nomenclature. In response, we have spearheaded a major attempt to have this unacceptable situation dealt with. 70 authors have come together to comment on the case, including many taxonomists, IUCN chairs, CITES chair, and the Red List Chair, former commissioners, museum collection managers, and editors of journals. We have asked that v1–24 of AJH be declared unavailable for nomenclature and further have enacted article 82.1 of the Code, which states that whilst a decision is pending no nomenclatural act from AJH 1–24 needs to be recognized until the ICZN makes a decision.

Australian Society of Herpetologists 2015, Holmesglen, Victoria, Australia: 01/2015

QUESTIONS & ANSWERS · 6

FOLLOWERS · 60

CITATIONS · 74

OPEN REVIEWS

#### TOP CO-AUTHORS

View all



**Arthur Georges** (12)  
University of Canberra



**Richard C. Vogt** (1)  
Instituto Nacional de Pesquisas da A...



**Rod Kennett** (1)  
Australian Institute of Aboriginal and...



**John Cann** (1)



**Alastair Freeman** (1)  
Queensland Government

#### 159 FOLLOWING

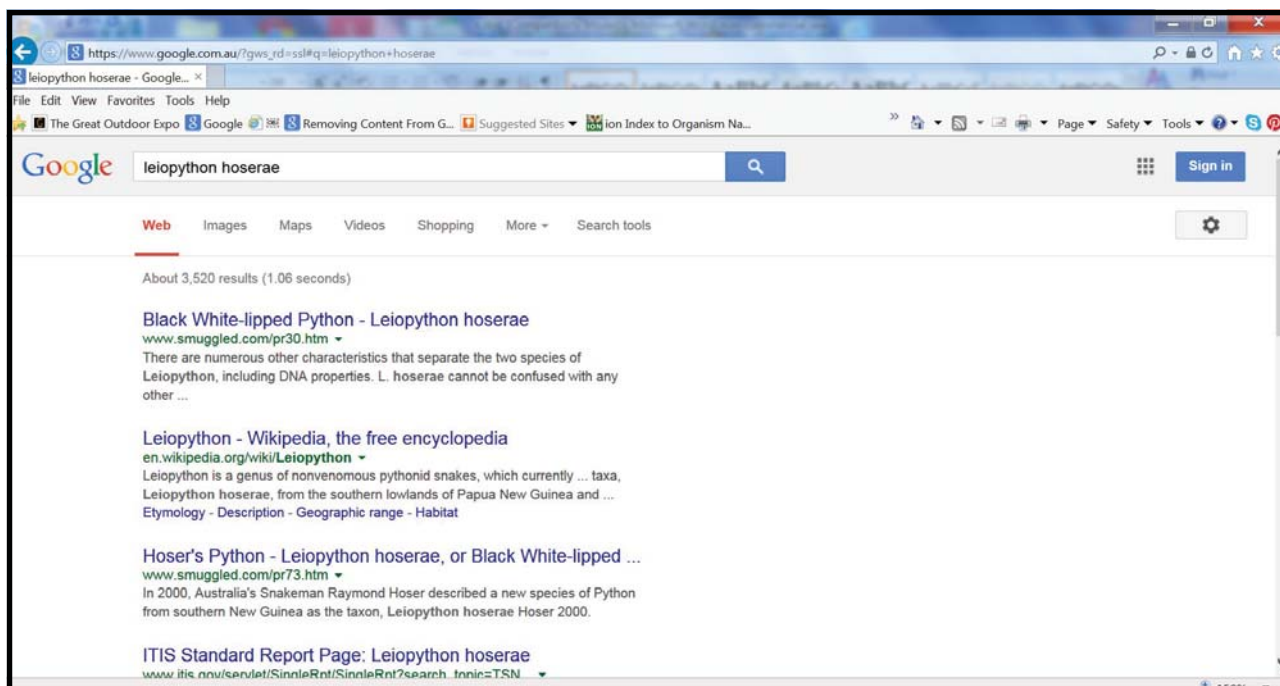
View all



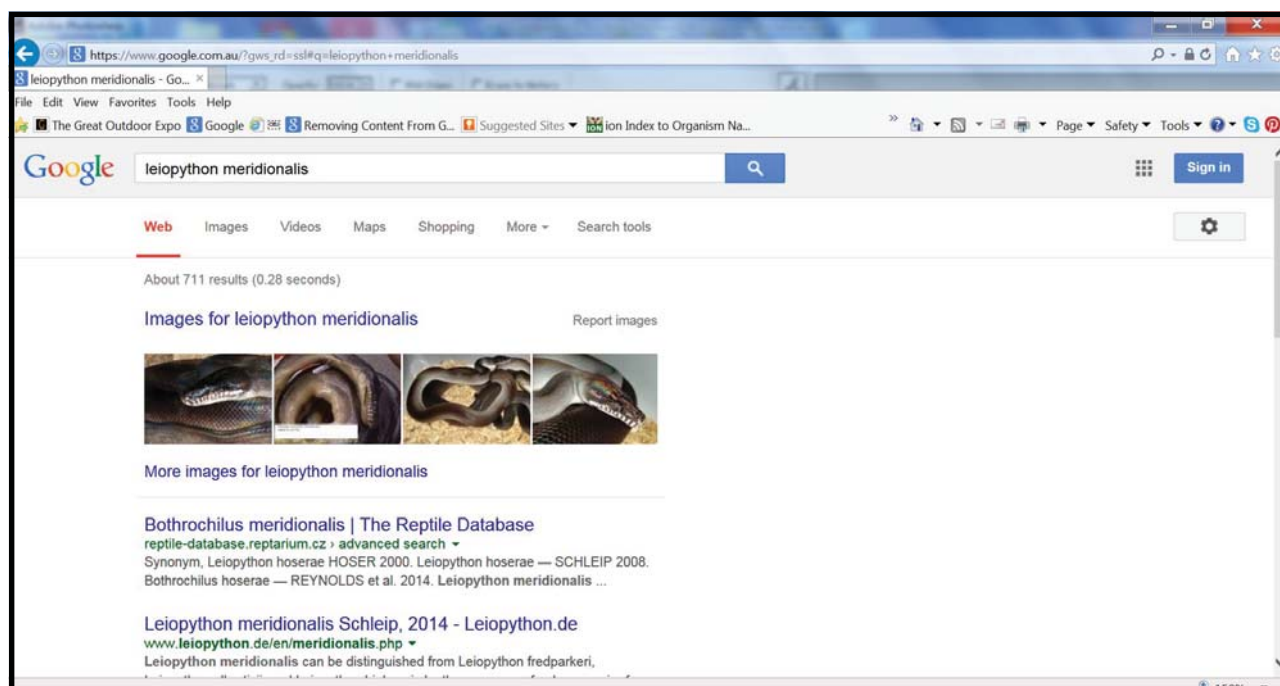
The contention above fails when cross checked against The Code (below) on several grounds. In any event it is the "Hoser names" that are the valid ones that must be used based on any possible interpretation, and not those of the Wüster gang as seen by the Google results on the next page.

Hoser 2015 - Australasian Journal of Herpetology 27:3-64.





With roughly five times as many people using the correct code-compliant *Leiopython hoserae* Hoser, 2000 instead of the illegal Schleip "*nomen furtum*", even if one were to misrepresent the provisions of the The Code's Article 82.1, *Leiopython hoserae* remains the name that must be used.



Hoser 2015 - Australasian Journal of Herpetology 27:3-64.

stealing their intellectual property and attacking the rules of the Zoological Code.

Most significantly, in 2014, the extremely conservative Dr. Harold G. Cogger, himself a former ICZN Commissioner, wrote in his book "*Reptiles and Amphibians of Australia*" a stinging condemnation of the Kaiser *et al.* (2013) document. He said that the attempts by Kaiser *et al.* (2013) (cited as such in the text so that there could no confusion as to the fact he was dealing with them), to step outside the rules of the Zoological Code were "invalid" and lacked justification.

Contrary to the list of "names" Kaiser *et al.* (2013) demanded be used by all other herpetologists, Cogger (2014a) used the correct scientific names of Hoser, Wells and every other relevant scientist whose names were on the "to be stolen list" of the Wüster gang.

Now just to confirm the significant fact that Cogger's book represents the views of the majority of herpetologists and not some lunatic fringe as has sometimes been portrayed by the Wüster gang online and Rhodin *et al.* (2015), Cogger (2014a) also wrote that:

"the names used here (in his book) are those currently accepted by the majority of Australian workers".

Now surely Rhodin *et al.*, which includes pretty much the entire Wüster gang are not going to tell the ICZN that Dr. Hal Cogger, himself a former commissioner is a liar?

Cogger's (2014) statement also make a mockery of the claim by Rhodin *et al.* (2015) to the ICZN that "Developments of the most recent past have shown that the herpetological community is determined to uphold a boycott of Hoser names".

In reality, nothing could be further from the truth!"

It would however be completely true if Rhodin *et al.* had said:

"we are determined to uphold a boycott of Hoser names".

In any event if Rhodin *et al.* (2015) were seeking to help engineer such a boycott, in effect a boycott of the rules of the zoological code, it would be incumbent on the ICZN to assert their authority and tell them to stop!

Failure to do so would render The Code impotent and literally cause effective communication between zoologists to stop due to the proliferation of names by those who think they could make enough 'noise' in order to get them used by others.

Of course a significant part of the veneer of widespread support for the Rhodin *et al.* (2005) view is done by the way their submission has been

published. It lists 70 coauthors, complete with their full address details, widely spaced, so that it takes up no less than 8 pages of the 14-page submission document.

They are effectively the same group of authors who signed on as supporters of Kaiser *et al.* (2013), indicating that the group has not grown in size in the two years since that campaign was launched.

We know this to be true, because in the year from mid 2014 to 1 May 2015, their campaign Facebook page "Herpetological Taxonomy" controlled by Cryptozoologist Robert Twombly has been static with just 290 members (or "likes") (Rwombly *et al.* 2013-2015).

290 people is NOT the "global herpetological community".

In fact the total in their group wouldn't even equal but one sizeable herpetological society!

Did I mention that my own Facebook page, which incidentally hasn't been mass marketed in the same way as the Wüster gang's "Herpetological Taxonomy" page has no less than 2,933 "likes" as of 1 May 2015 (Hoser *et al.* 2014, 2015).

Using that as a simple measure, it seems that only 1 out of 11 herpetologists with an opinion on such taxonomic and nomenclatural matters support the Rhodin *et al.* view, while 10 out of 11 herpetologists support both Hoser and the rules of the Zoological code!

In fact Rhodin *et al.* (2015), being the Wüster gang, represent a mere fraction of the many thousands of herpetologists around the world who have chosen not to support their law-breaking campaign including disobedience to the rules of The Code.

There is also the other issue relevant to alleged authors of the Rhodin *et al.* document. The ICZN usually ask each signed author to sign a "Statement of authorship". In this document, each and every one of them vouches for their vitally important role in producing the final product.

No matter how one looks at this requirement, one would expect that the authors had in fact actually read the document they had allegedly co-written!

However we know that even this is not the case!

Rhodin *et al.* set as their limit for formal suppression by the ICZN all Hoser publications postdating year 2009 inclusive, or all issues of *AJH* from 1-24 (Hoser 2009-2014).

They state at the end of their document,

"These requests supersede those contained in three prior comments published by our co-authors (Thomson, *BZN* 71: 133; Wüster *et al.*, *BZN* 71: 37-38; Kaiser, *BZN* 71: 30-35)."

This is significant as one of the co-authors of

Rhodin *et al.* is the serial taxonomic vandal Wulf Schleip, who a year earlier coined an invalid junior synonym for *Leiopython hoseae* Hoser, 2000, with his own *Leiopython meridionalis* Schleip, 2014.

Noting the fact that this action was effectively renounced by the statement just quoted from Rhodin *et al.* (2015), one would have expected Schleip to have done just that and reaffirmed the validity and use of *L. hoseae*.

However because he had clearly never read Rhodin *et al.* (2015) before signing on as a coauthor (or less likely has chosen to disregard what he signed immediately), he has continued to promote his invalid name as recently as April and May 2015 via countless Facebook posts including on <https://www.facebook.com/groups/29038532220> as recently as 16 May 2015.

And on the same public forum he tried to justify his coining the name "*Leiopython meridionalis*", by saying "who is the thief? Not me, but Hoser!" in a dishonest act of blame shifting that typifies all of the Wüster gang's actions.

Recall, *Leiopython hoseae* Hoser, 2000 was named 14 years prior to Schleip's coined name, before Schleip entered the field of herpetology and noting that from 2001 to 2008, he publicly denied the existence of the taxon! (Hoser, 2009a).

Now how could I (Hoser) possibly steal non-existent work of Schleip?

Had the document of Rhodin *et al.* been prepared more honestly, one could have allowed for the actual authors to be listed (this list confined to who had actually read the document), and with the other names being listed as "supporters" as was done for the original Kaiser *et al.* (2013).

As to why they didn't repeat this slightly more ethical exercise for the publication of Rhodin *et al.* in *BZN*, it is clear they sought to give maximum "weight" to their totally false claim that they had the support of the majority of the world's herpetologists.

Of course, the other significant fact that must not be overlooked is that the majority, if not all of the alleged authors of Rhodin *et al.* have not even bothered to read the primary scientific papers of Hoser (nearly 100 of them, and totalling well over 1 million words, or equal to ten large books), before launching into a tirade of criticism of them.

As mentioned elsewhere, any significant support that the group could claim for their warped code attacking agenda was based on a significant component of lies and hatred (as seen for example by the "Wikipedia" entries of Wüster, O'Shea, Thomson and Schleip in particular, as seen for example at: <http://en.wikipedia.org/wiki/Myuchelys> and [http://en.wikipedia.org/wiki/Raymond\\_Hoser](http://en.wikipedia.org/wiki/Raymond_Hoser))

and therefore would need to be ignored in any event.

But perhaps this current push by Wüster and his followers, herein identified as Rhodin *et al.* (2015) can be best compared with the same alleged majority of the world's herpetologists who were very vocal in submitting to the ICZN that the Wells and Wellington publications should be suppressed in the period 1987-1991.

Recall at the time the petitioners against Wells and Wellington made considerable more "noise" than the supporters of Wells and Wellington and that they also claimed to represent the majority of the world's herpetologists.

In 2014, one of the participants in that event, who also made a submission to the ICZN in relation to the case, Dr. Glenn Shea (Shea 2014) made some telling comments in an online discussion with Richard Wells and Ross Wellington on a publicly available Facebook page, which had a direct parallel to the Rhodin *et al.* submission to the ICZN in 2015.

This is noting that in paragraph 5, Rhodin *et al.* (2015) they go so far as to list papers with named taxa they seek to supersede the correct earlier Hoser names.

In 2014, Shea wrote:

"So in summary, yes, there was a period between 1985 and when the ICZN ruled not to rule on the two W&W papers (1991) when people in herpetology were hoping that the new names and other nomenclatural acts in your two papers would be suppressed, in part based on the suggestions of certain ICZN members.

While that case was in progress, certain people (and it was a small number of taxonomists involved in reality) created a group of new names in the hope that once your two papers were suppressed for nomenclatural purposes, the new names would automatically take over.

Once the ICZN refused to rule and it became clear that the two W&W papers remained nomenclaturally valid, most of the names that were considered by taxonomists to apply to distinct taxa have been used!"

Shea's comments also confirmed that the claims from that case's submissions and Case 3601 in 2014 and 2015 from suppressionists, that there would be mass disobedience against the code if and when the ICZN ruled in favour of the code and supported the compliant publications, did not materialize before and would be unlikely to materialise in the future.

**EXTENDED AUTHORSHIP LISTS AND WHO RHODIN ET AL. (2015) ACTUALLY REPRESENT**



In times past, those who assisted in writing papers in some way or other were usually listed in the “Acknowledgements” section at the end of the paper, but the idea of adding such names to author lists as done with Kaiser *et al.* (2013) and Rhodin *et al.* (2015) to add “weight” to their propositions as stated by Kaiser (2012a) has reached ridiculous proportions in the recent past, as exemplified with Rhodin *et al.* (2015) where lead authors such as Schleip have publicly admitted to not even reading the papers they are ostensibly criticising.

Another case of what I’d describe as “authorship list extremism” was a paper by Leung *et al.* (2015), which gained notoriety not for any alleged science in the paper, but rather due to the fact that it listed over 1,000 authors!

Not surprisingly, internet blogs were rife with criticism of the author list and its extent. The alleged science was irrelevant.

Rhodin *et al.* claim an authorship of 70 individuals. However the membership of the average herpetological society numbers at somewhere between 200 and 2,000.

There are at least 200 of these around the world, giving a total of 200,000 people if taking the average membership of being just 1,000. This of course automatically ignores other relevant people such as herpetologists not in societies, other biologists and users of the relevant taxonomy and nomenclature, in the form of regulators, naturalists, environmental lawyers, zoo keepers and the like.

By simple division, Rhodin *et al.* represent .053 or one percent of the “global herpetological community”, and excluding everyone else, which makes a mockery of their claim to represent it.

Notwithstanding that not every relevant person was consulted by Rhodin *et al.* in 2014 and invited to join their “author list”, it is common knowledge that as for Kaiser *et al.* (2012 and 2013), far more people received the SPAM email invitation to become an author than actually chose to.

#### **THE “WÜSTER GANG” ALONE HAVE CAUSED A CONFUSING DUAL NOMENCLATURE TO DEVELOP IN THE HERPETOLOGICAL COMMUNITY”**

The claim by Rhodin *et al.* in paragraph 1, that the Hoser taxonomy papers have “caused a confusing dual nomenclature to develop in the herpetological community” is in fact false.

This falsehood is confirmed by them in paragraph 5 of the same document where they boast about them (and not Hoser) causing a dual nomenclature by recklessly renaming taxa previously named by Hoser and listing their most preferred examples.

This “confusing dual nomenclature” has only

occurred as a result of the Wüster gang’s deliberate and reckless creation of invalid junior synonyms (more than 20 in total) that they have then aggressively promoted on internet properties they control with an ultimate view to stealing legitimately acquired “name authority” and intellectual property that they are not entitled to.

The following claim that most of the world’s herpetologists are “boycotting or ignoring Hoser’s 700+ new names coined in the AJH, while he (Hoser) and a few personal followers actively promote their usage” is false on several grounds, not the least being that the majority of the worlds herpetologists are not boycotting or ignoring the relevant names.

The harsh reality is that beyond the initial announcements of the publications of *AJH* and earlier papers, sending hard copies to interested parties, including *Zoological Record* as specified in The Code and then posting pdf’s on the *AJH* website after publication there is no significant active promotion of these names. After all, the names are the end product of formal scientific proposals and no more and do not in themselves need active promotion.

They stand or fall on the science! If the taxonomy is agreed, the names proposed by myself, being the only ones available under The Code, must be used. If the taxonomy is not agreed by others, the names remain unused, but “available”.

This applies to all scientists and all of the many millions of scientific names properly proposed over the last 200 years.

What is however significant is that it is Wüster’s gang who have actively promoted the deliberate non-usage of the Hoser proposed names, via their aggressive use of social media as outlined in other papers published in May 2015.

Recall that as of January 2014, it was estimated via Google searches that the Wüster gang had made no less than 80,000 adverse posts about myself and advocating non-use of Hoser names in the previous 14 year period! The claim that only “a few personal followers actively promote their usage” (of “Hoser names”) is also a bare-faced lie.

Wolfgang Wüster, Wulf Schleip, Hinrich Kaiser, Mark O’Shea, David John Williams, Simon Jensen, Bill Nimorakiotakis, Kenneth D. Winkel and Peter Uetz, all members of the Wüster gang have all accepted and used “Hoser names” (no doubt at times unaware of the fact) are most certainly not followers of mine and yet all four have used the correct Hoser names in the past in their own publications, including for such well-known taxa as *Brogammerus reticulatus* and *Leiopython hoserae*

(see for example Schleip 2008, Schleip and O'Shea 2010, Sanchez *et al.* 2012, Uetz 2014, Williams *et al.* 2005 and Wüster 2015).

Dr. Hal Cogger (Cogger 2013, 2014a, 2014b), Scott Eipper (Eipper 2012, 2013), Richard Wells (2013, 2014a, 2014b), Dr. Glen Shea (2013a-d, 2014a-b), Angus Emmott, Steve Wilson (Emmott and Wilson 2009), Ross Wellington (2013, 2014a-b), David G. Barker, Tracy Barker (Barker and Barker 2013 and Barker *et al.* 2012), Karsten Wöllner (Wöllner 2011), Ken Aplin (Storr, Smith and Johnstone 2002), L. Lee Grismer (2011), Ruud de Lang (2011), John Cann (Cann 2014), Daniel Natusch, Jessica Lyons (Natusch and Lyons 2012) and the many other well-known and generally respected herpetologists who have all used the correct Hoser scientific names for relevant reptile taxa in their books and papers would strongly resent being labelled a mere "personal follower" of Raymond Hoser, or any inference that they could be improperly manipulated by myself or anyone else for improper purpose.

All the preceding have used the correct Hoser taxonomy and nomenclature of Hoser, as opposed to any alternative taxonomy or nomenclature fantasy schemes proposed by the Wüster gang.

Seriously, can one imagine, Dr. Hal Cogger, a former ICZN Commissioner, being improperly manipulated by Raymond Hoser to use incorrect nomenclature and engage in "taxonomic terrorism" as alleged by Thomson *et al.* (2015)?

Far from it. Cogger has used the correct Hoser taxonomy and nomenclature in his book (Cogger 2014a) and condemned the actions of the Wüster gang, specifically with reference to Kaiser *et al.* (2013) because he knows full well their actions are improper.

As noted earlier Cogger (2014a) also wrote in his book that:

"the names used here are those currently accepted by the majority of Australian workers".

Now surely Dr. Hal Cogger, himself a former ICZN Commissioner is not a liar?

Now before the Wüster gang allege that the only support for Hoser taxonomy comes from that British-owned convict penal colony of Australia, I should perhaps deal with the one taxon that the Wüster gang has attacked with more vigour than any other.

Well before Wüster's good friends Reynolds *et al.* renamed *Broghammerus* Hoser, 2004, with their own invalid synonym *Malayopython* Reynolds *et al.* 2013 or 2014 (depending on which of at least three publications one uses), Wüster was campaigning against the name's use as seen in his various online posts copied in Hoser (2012b and 2013b).

Since publication of the Reynolds *et al.* paper online

late in 2013, the Wüster gang have been aggressively using all their online properties and those they effectively control (such as Wikipedia) and journals they have editorial control over, to make sure that everyone, everywhere knows that *Malayopython* is the name that (they say) should be used. So if there is to be any reliable measure of the success of the Wüster gang's alleged global boycott of "Hoser names", the contrast between *Broghammerus* and *Malayopython* would be by far their best indicator.

As of 1 May 2015, the Google results for usage of each name was as follows:

*Broghammerus* 11,200 results

*Malayopython* 5,990 results

Put another way, it seems that 2 out of 3 herpetologists prefer to use the proper code compliant name for the reticulated pythons as opposed to the illegitimate "alternative taxonomy" of the Wüster gang!

These numbers also make a mockery of the 6 times repeated claim by Rhodin *et al.* (2015) that their views against using "Hoser names" are those of the "global herpetological community".

That is also in the face of their overt attacks on websites using the correct names as outlined by them on their own controlled Facebook page (Twombly *et al.* 2013-2015), which must by definition give their warped views of nomenclature an apparent bias elsewhere that would otherwise not be the case.

Or alternatively look at *Leiopython hoserae* Hoser, 2000 versus *Leiopython meridionalis* Schleip, 2014.

As of 1 May 2015, the Google results for usage of each name was as follows:

*Leiopython hoserae* 3,520 results

*Leiopython meridionalis* 711 results.

With this taxon contest, representing Schleip's most audacious attempt of theft ever, and in the face of his near 24/7 obsessive campaign to get usage of his improperly coined name he has only managed to get at best about one in five herpetologists to use his name!

In this case in particular, it can be seen that the views of Rhodin *et al.* (2015) are NOT those of the "global herpetological community".

Now noting that *Leiopython hoserae* was formally described and named after decades of research and also predated Schleip's entry to the herpetological scene, could one imagine the chaos that would ensue if the ICZN rubber-stamped this action and opened the gates to similar attempts by others to get self-gratification by stealing "name authority" for decades old names that had been in use for years

and were well established?

Would the ICZN really support the ISIS-like mob rule and ISIS-like social media campaigns of people like the Wüster gang to enforce their own brand of taxonomic and nomenclatural anarchy on the world's scientists and users of zoological nomenclature?

### BASELESS ATTACKS ON HOSER BY BOGUS SELF CITATION

Rhodin *et al.* (2015) paragraph 1, states:

"Since Hoser's actions and works have failed to follow scientific best practices (e.g. Turtle

Taxonomy Working Group, 2007, 2014; Kaiser *et al.*, 2013; Kaiser, 2014) ..."

and typifies the falsehoods that permeate the entire document, noting that I have chosen to ignore most of them herein.

However in terms the preceding quoted statement, an explanation is in order, as it would not ordinarily be obvious to a causal reader.

The inference in the quote is that my actions and works "have failed to follow scientific best practices" as proven by the cited references, namely "Turtle Taxonomy Working Group, 2007, 2014; Kaiser *et al.*, 2013; Kaiser, 2014".

What isn't immediately obvious is that these documents are all also authored by the lead authors of Rhodin *et al.* (2015), so in effect they are merely affirming their own views, and not those of another third party.

In fairness to Rhodin *et al.* (2015) I should note that they'd be perfectly entitled to cite their own publications as proof of their claim, if in fact they contained any such proof by direct reference to relevant parts of my works.

Unfortunately they do not.

Without exception, each of the cited documents, like Rhodin *et al.* (2015) merely state that I had "failed to follow scientific best practices" but had never been able to substantiate the claim with any evidence.

We see more of the same in paragraph 5 of Rhodin *et al.* (2015), where they wrote:

"Hoser's output threatens to undermine the entire Code-compliant system that underlies nomenclatural stability (Kaiser *et al.*, 2013; Thomson, BZN 71: 133–135)."

Again the lead authors make assertions ostensibly supported by other publications that are again their own, that in turn do not provide a single shred of evidence!

By contrast, two papers (Hoser 2012 and Hoser 2013b), which rebutted Kaiser (2012), Kaiser *et al.* (2012) and Kaiser *et al.* (2013), did that by quoting

and with direct reference from the source publications (themselves often copied in full into the journals so that they could be seen in proper context) and with other relevant material generated by the same authors also copied into the relevant journals!

By way of further example, the claim by myself in Hoser (2013a) that Wüster had lied when alleging I had knowingly stolen his name rights for *Spracklandus* (in Wallach *et al.* 2009) came not from any baseless assertion by me, but rather from quoting a direct posts on an internet forums by Wüster, postdating the *Spracklandus* paper, whereby he renounced the taxonomy, thereby effectively excluding any possibility that I could have scooped any of his work (Wüster 2009a-c).

In passing, I note that I agree to some extent with the comment by Rhodin *et al.* (2015):

"Unfortunately, these advances in online informatics and desktop publishing have also created easier mechanisms for some individuals to bypass scientific publishing conventions in order to create self-published, poorly justified, and questionable nomenclatural and taxonomic acts, without the quality

control of peer-review and editorial oversight."

Where we disagree includes in where the criticism should be directed.

They are clearly pointing the barb my way.

I prefer to point it in their direction.

By the way the same claims in relation to the advances in technology releasing some kind of taxonomic bogeyman in the form of Wells and Wellington (1983 and 1985) was claimed by those who sought to suppress their works in 1987. The ICZN did not fall for the ruse and rejected the claim (ICZN 1991).

Their works were not formally suppressed and all relevant names were "available", with the commission stating "that the provisions of the Code apply to all names directly and indirectly involved in this case".

There has been none of the taxonomic and nomenclatural Armageddon as foreshadowed by those who sought to suppress Wells and Wellington (1983 and 1985).

In fact the only notable result is that relevant taxa carry the words "Wells and Wellington" after their names, as opposed to those of the unsuccessful thieves!

Examples include the likes of:

*Harrisoniascincus* Wells and Wellington, 1984 instead of *Cartula* Hutchinson *et al.* 1990.

*Techmarscincus* Wells and Wellington, 1985 instead



of *Bartleia* Hutchinson *et al.* 1990.

*Litotescincus* Wells and Wellington, 1985 instead of *Niveoscincus* Hutchinson *et al.* 1990.

*Acritoscincus* Wells and Wellington, 1985 instead of *Bassiana* Hutchinson *et al.* 1990.

The examples just given have other parallels with the ongoing illegal re-naming of Hoser taxa by the Wüster gang and their reckless and deliberate creation of a dual nomenclature.

In June 1988, Hutchinson published a submission in BZN (Hutchinson 1988) stating in its entirety the following:

"I strongly support the proposal to suppress, for nomenclatural purposes, three works by R. W. Wells and C. R. Wellington. My own recent area of study has concerned the scincid lizards and the inadequacy of the Wells & Wellington approach (well stated in the application by the Australian Society of Herpetologists) is very obvious in this group.

One justification which has been presented to me as a reason to oppose suppression is that such an action would contravene principles of free speech. I disagree. The application does not oppose the right of Wells and Wellington to say or publish what they want. Rather, it sets out to relieve the rest of the herpetological community from the obligation of having to use the names in these publications. In this sense I feel that failure to suppress the works will infringe the freedom of expression of the rest of the scientific community."

Ignoring for the moment that fact that the wording is identical to that used by Wüster in his posts on the Taxacom list server, in 2013 and 2014, as justification for his own creation of synonyms, the preceding document shows that:

1/ Hutchinson was aware of the Wells and Wellington papers of 1983 and 1985 and their taxonomy and nomenclature, as of that date (1988) and

2/ He failed to advise the ICZN that he had a nefarious ulterior motive to steal "name authority" from Wells and Wellington, which is serious on the grounds of A/ His intent to steal the "name authority" and B/ Failure to advise the deliberating ICZN Commissioners of this intent.

The significance of all this is in that in 1990, he recklessly authored and published a paper (Hutchinson *et al.* 1990) that renamed the four above mentioned skink genera with his own illegally coined names.

In spite of this, the relevant 1990 paper does not cite Wells and Wellington's works in any way, or refer to the correct names for the same genera, even though his submission to the ICZN two years earlier

clearly showed that:

1/ He was aware of the Wells and Wellington papers and should as a matter of scientific process cited them, and

2/ At the time he knew their code-compliant names were the correct names, meaning, that

3/ Hutchinson was acting in direct contempt of both The Code and the then deliberating ICZN Commissioners themselves.

Of note and relevance herein however is that as a result of a rebuke of his actions via the ICZN judgement of 1991 (ICZN 1991), as well as materials published arising from this, Hutchinson has not appeared to have engaged in taxonomic vandalism since and has had the decency not to have himself listed as an author in Rhodin *et al.* (2015).

This indicates that even those currently with a stated opposition to the use of the correct nomenclature in the context of the Wüster gang's methods and who have even been induced by the Wüster gang to create invalid junior synonyms, will ultimately abide by the rules of The Code, if and when the ICZN tell people to comply via a relevant judgement.

On a secondary note, there is an available term for the illegal scientific names deliberately coined in breach of the rules by thieves such as Hutchinson (above), Scott Thomson, Arthur Georges, Robert Sprackland, Wolfgang Wüster, Wulf Schleip and others mentioned within this paper.

As there does not appear to have been a need for use of such a term until recently, I hereby formally define it for the first time.

The correct term is "*nomen furtum*", "*nomen*" meaning "name" and "*furtum*", defined as "stolen article", "theft" or "trick, deception" according to numerous English/Latin dictionaries including online versions such as found that of Mahoney (2015) at: <http://www.latin-dictionary.net/>

I also note that in stark contrast to the Wüster gang (notably Rhodin *et al.* 2015 in particular, who provides not a shred of evidence against the scientific methods used in my papers), I provide hard evidence to support my claims against the Wüster gang, including as spelt out in my paper published simultaneously with this about PRINO (peer review in name only) journals and their use of them (Hoser 2015e).

In any event, rubbish publications and bogus taxonomy has been around since the zoological code was developed in the late 1700's.

It is easily dealt with by the existing Zoological Code by way of synonymising the names for taxa that don't exist!

**THEY'RE BACK! ... TO ATTACK!**

Or as Scott Thomson himself said on kingsnake.com in December 2003:

"Nomenclature is pretty black and white. There are a set of rules. Apply them, if the name is valid, use it, if not reject it. If you don't like it.... well I don't recall that being in the rules."

This view (copied in full on page 64) is of course totally opposite to that of Rhodin *et al.* (2015), which listed Thomson as the "corresponding author".

Thomson reversed his more ethical position of 2003 in 2009 (to be exact) at which time he decided to become a taxonomic vandal and a thief!

In that year he stole name rights from a Wells named turtle genus *Wollumbinia* Wells, 2007, to illegally rename it *Myuchelys* Thomson and Georges, 2009.

Quite correctly, most zoologists, including Cogger (2014a) rejected Thomson's illegitimate name in favour of The Code compliant Wells name.

However that hasn't stopped Thomson peddling his name wherever he can and continuing to make false claims of authority for it.

This is best epitomised on the Wikipedia page he has obsessively edited and controlled to the present date (at least 16 May 2015), which he obsessively edits and controls under the user-name of "Faendalimas".

His paranoia is exemplified in an entry on the cross-linked "talk page" where he complained about a previous correcting entry dated 30 April 2015 and posted at:

<http://en.wikipedia.org/w/index.php?title=Myuchelys&oldid=660147488>

and stated:

"(Reverted to revision 651472631 by Faendalimas: Added text is by Ray Hoser and is vandalism, it can be determined by the way its said and is not accepted in international literature."

I was alerted to the details of the above by the actual poster of the offending entry, that being Ross Wellington!

However even without such a tip-off, one doesn't need to be a computer genius to realise that I could not possibly have made the entry he had complained of.

Thomson's error was easily identified by myself by a review of the offending entry he complained of.

The added entry read:

"However, the Australian Government and Australia's leading herpetological taxonomist and former ICZN Commissioner H.G. Cogger (Cogger 2014), do not recognise the invalidation arguments of Thomson and Georges that originated in their

article proposing their name *Myuchelys* and therefore consider *Wollumbinia* the valid name.

Arguments, relating to the invalidity of the Biodiversity Record as a publication are untrue and unproven and such claims have been made by those with a vested interest in seeing the junior name *Myuchelys* replace the valid name for the group *Wollumbinia*. [18][19]"

The text did not in fact read anything like what I'd be writing and included material I was not even aware of. In fact my conscious knowledge of both *Wollumbinia* and *Myuchelys* (*nomen furtum*) has only arisen in the recent past due to the ongoing conflicts being created by the Wüster gang renaming valid taxa, which obviously includes Thomson and Georges (2009) and their hiding this fact from the ICZN via the submissions in Rhodin *et al.* (2015).

Furthermore I have better things to do than view and edit a Wikipedia page that I would know would be changed by members of the Wüster gang almost immediately, noting that they do not have anything to do that may in fact make the world a better place!

But more simply, the identity of the poster could be determined from the IP address of the poster.

Wikipedia robots dutifully report this and the IP address was none other than:

101.170.213.73.

A reverse IP check shows that this happens to be a Telstra installation at West Wallsend in NSW, not too far from where Ross Wellington lives at Woy Woy in NSW, indicating that he has a Telstra line connection to his home and that the West Wallsend address is the main internet node.

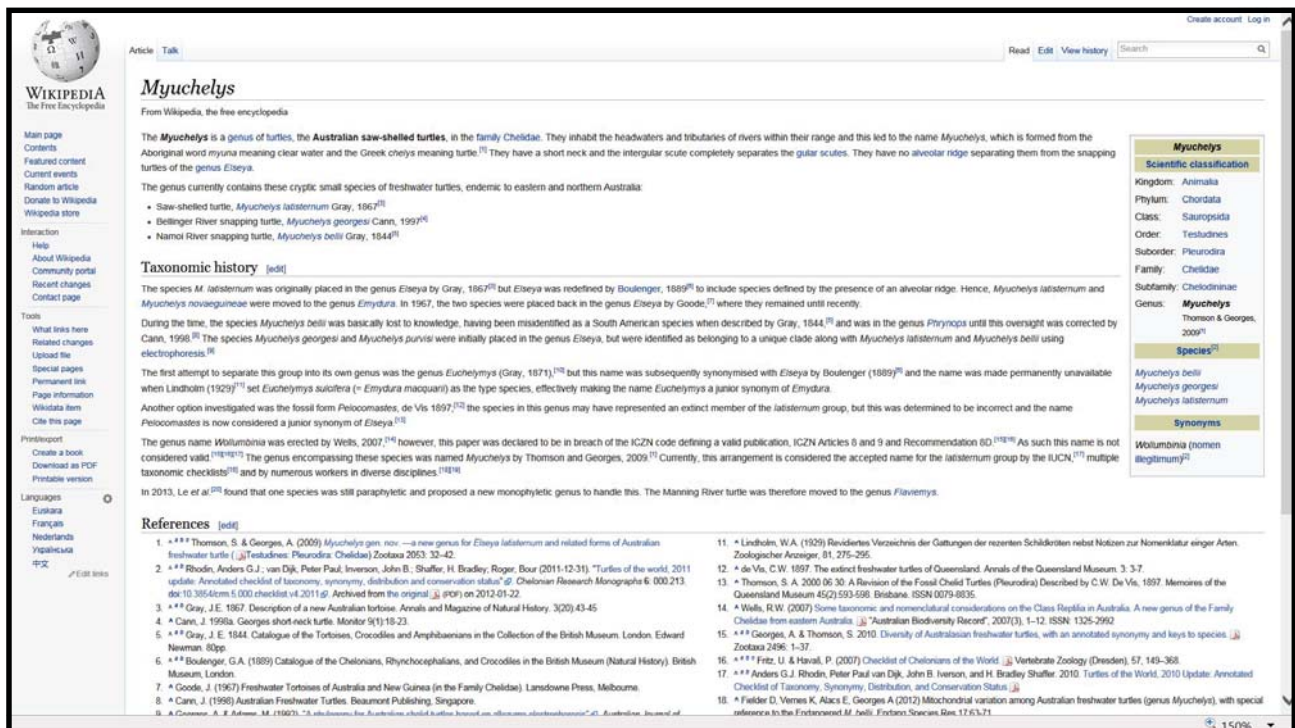
Woy Woy and West Wallsend are both more than 1,000 km from where I live and work in Melbourne, Victoria!

For the record, at the time the post of 30 April 2015 was made on Wikipedia I was doing an educational reptile display at Donvale Christian College located 2.5 km from my home in Park Orchards, some 25 km east of the Melbourne CBD Post office!

I cannot possibly be in two locations at once, some 1,000 km apart!

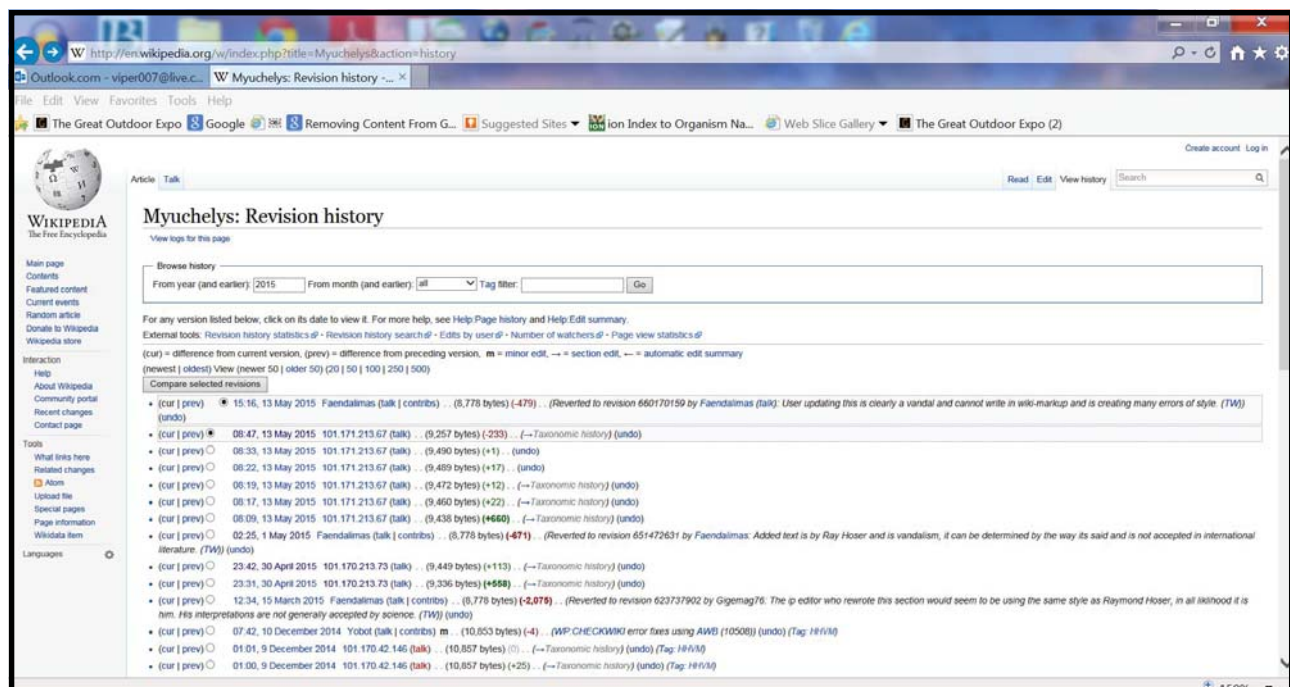
Yes, unlike Mr. Scott Thomson, I prefer to educate our younger generation about conservation, science and occasionally taxonomy, rather than trolling the internet and "Wikipedia" to spread misinformation and lies!

I might also add that on 14 May, 2105, Thomson admitted to using a so-called "bot" to stop people outside of his group from editing Wikipedia pages, these bots simply reverting all altered pages back to their own versions within minutes of being edited (Thomson *et al.* 2015b).



The fictitious world of Turtle taxonomy and nomenclature, as fabricated by Scott Thomson via his creation and control of Wikipedia pages. This one is titled “Myuchelys”.

Wüster gang members, Mark O'Shea (as Papblak), Wolfgang Wüster (as Mokele) and Wulf Schleip (as Wuschl) have inflicted their own form of taxonomic and nomenclatural “mob rule” over Wikipedia to ensure that only their views, in breach of *The International Code of Zoological Nomenclature* are published there. The image below contains a delusional claim by Thomson that Raymond Hoser had edited the “Myuchelys” page.



Hoser 2015 - Australasian Journal of Herpetology 27:3-64.



So if Mr. Thomson can't even make an accurate or honest statement on a Wikipedia page that he obsessively censors and manages, what likelihood do we have of him doing likewise in submissions to the ICZN?

... I'll answer the above quite simply.

None!

The proof of this by the way is given above.

I might also note that in his criticism of me in Thomson *et al.* (2015a), he said my papers "certainly do not stand up to scientific rigor.", although he provided no evidence to support the assertion.

However, by contrast, herein I have provided evidence to show without doubt that his proven false claims including that I had edited his *Myuchelys* Wikipedia page:

"certainly do not stand up to scientific rigor."

Thomson's despotic control of his Wikipedia pages including Thomson *et al.* (2015d) also caught the ire of others, including Stephen Thorpe who had the following comments to make to Thomson in 2015, after Thomson erased his corrections to the page:

"Scott,

this is precisely the sort of control over a Wikimedia site that nobody, least of all you, should have.

Anyone should be able to correct the mistake by PeterR, without having to first "seek approval". You might well get this particular example sorted out (though you don't appear to have done anything as yet), but would you be so objective if I were to point out that *Wollumbinia* has priority over *Myuchelys*? I think not."

and

"Now you can go back to your Wikispecies agenda of trying to rewrite the history of reptile taxonomy."

Rhodin *et al.* (2015) limit their ambit suppression claim to slightly over 700 taxa named by myself that they seek ICZN license to rename with their own coined names.

The authors do not in any way seek to get ICZN permission to allow them to rename anything else.

In fact their submissions make a point of seeking some sort of finality and limit in what they seek from the ICZN with regards to their submission (at paragraph 15(3)).

However based on the most recent edit of his *Myuchelys* Wikipedia page that Thomson did on 1 May 2015, reaffirming his view that *Myuchelys* should supersede *Wollumbinia*, it is clear that Thomson intends to continue harassing others to use his invalid name *Myuchelys*, even after Cogger (2014a) a former ICZN Commissioner told him he

had no right to do so and again after formally excluding the taxon *Wollumbinia* Wells, 2007 from his renaming "hit list" in the March 2015 document he was corresponding author for; namely Rhodin *et al.* (2015).

By not disclosing to the ICZN in Rhodin *et al.* (2015) that the corresponding author, Scott Thomson would act outside of The Code and the edicts of the ICZN with regards to Case 3601, and had an undisclosed conflict of interest in terms of setting a precedent to allow others, including himself to improperly steal the IP and "name authority" of others, (in this case the "name authority" of *Wollumbinia*) regardless of what decision the Commission made in Case 3601, he has seriously misled the commission.

Put more simply, Thomson was being dishonest to the ICZN by not disclosing to them that he was also seeking to deliberately create instability in zoological nomenclature, beyond that of his associate Wüster and Case 3601 and to recklessly and deliberately create instability by his own actions of creating a dual nomenclature for *Wollumbinia* Wells, 2007!

Unfortunately Scott Thomson's acts in contempt for The Code goes further than this.

In 2002, he illegally coined a new name for the species *Chelodina rankini* Wells and Wellington, 1985, his bogus name *Chelodina canni* (*nomen furtum*) which as recently as 1 May 2015 which he still peddles as valid on a Wikipedia page (Thomson *et al.* 2015c) at:

[http://en.wikipedia.org/wiki/Chelodina\\_canni](http://en.wikipedia.org/wiki/Chelodina_canni)

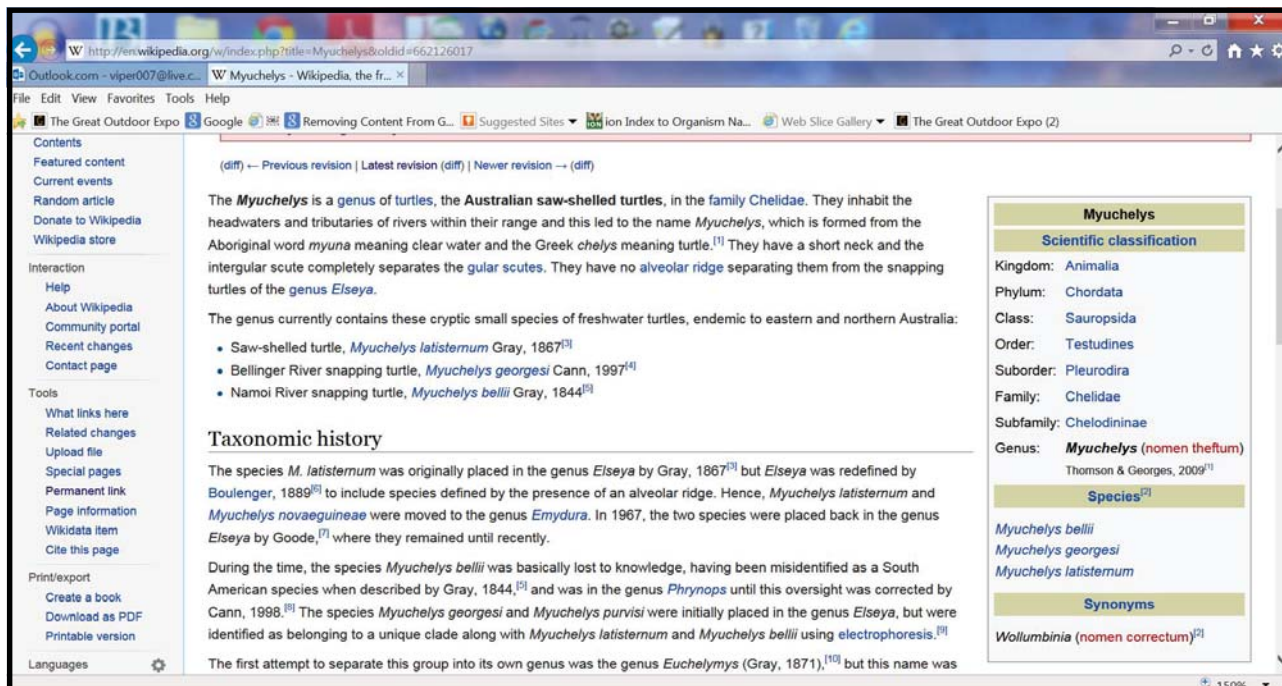
This is in spite of him knowing full well that his claim that the Wells name is "*nomen nudum*" is totally false. That this is the case is easily confirmed by simple cross referencing the Wells and Wellington description from 1985, complete with a full code-compliant "diagnosis", with the relevant parts of The Code itself, including the formal definition of the term "*nomen nudum*" within The Code itself.

Thomson's contempt goes further than being one of contempt for the rules of the code, or Intellectual Property (IP) laws, in that he has blatantly sought to steal other people's property.

In fact his contempt includes total disobedience to the ICZN Commissioners themselves.

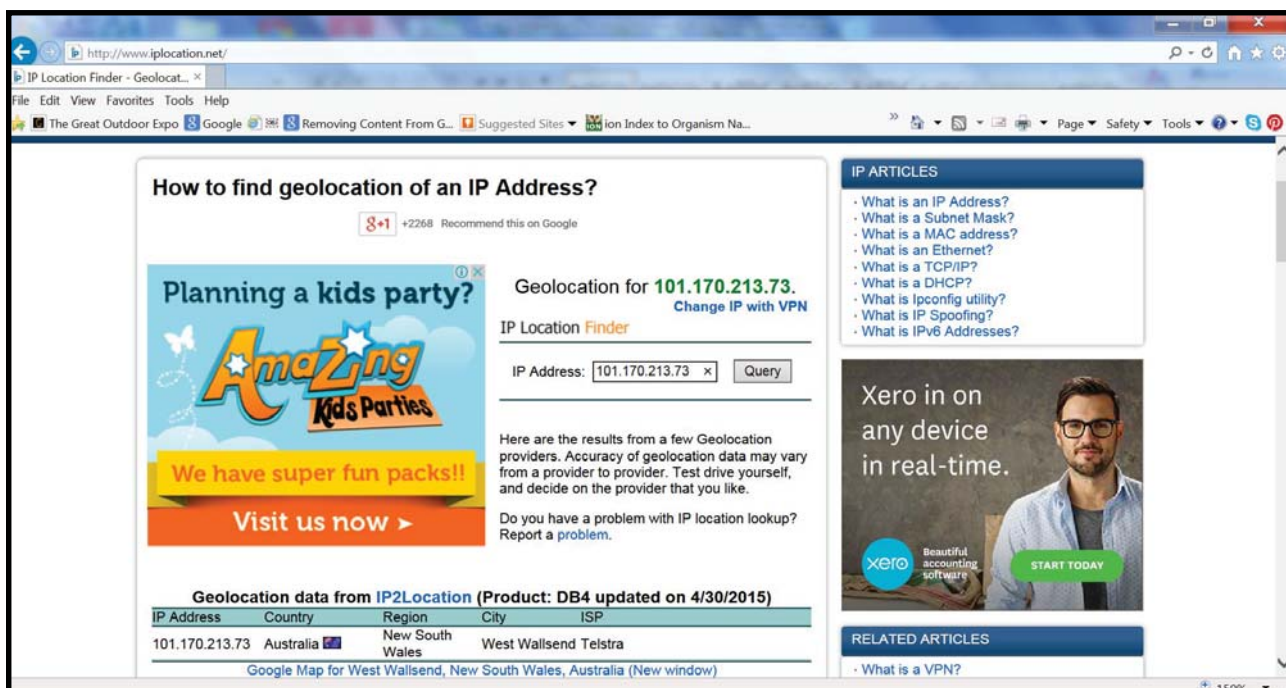
In 1991, the ICZN published a ruling that the Wells and Wellington publications of 1983 and 1985 were nomenclaturally valid and that the names within were available. This was reaffirmed again when they ruled against Sprackland's similar attempt of theft, when he illegally renamed the Wells and Wellington species "*Odatia keithornei* Wells and Wellington, 1985" after his wife.

One may I suppose say Scott Thomson, Robert Sprackland, Arthur Georges and many other original



Above: The corrected version of Scott Thomson's Wikipedia page for "Myuchelys" as done by Ross Wellington, shown by his IP Address on the edit history shown two pages earlier.

Confirmation of his location (central coast of NSW and not Victoria) is seen by a simple reverse IP check as shown below. That Thomson was unable to make such a simple check before making false accusations and unscientific claims reflects on his general lack of competence as a scientist at any level.





petitioners against Wells and Wellington in 1987 (as identified by their own submissions published in *BZN* in 1987-1989, cross-checked with the authorship list of Rhodin *et al.* 2015) have “Chutspah” in that in 2015, they have gone to the ICZN Commissioners again seeking their permission to engage in acts of theft, after effectively being told twice before that such conduct is not allowed.

See in particular the authorship list of 81 people in Adams *et al.* (1988) which has numerous matches with Wüster gang members including as listed in Rhodin *et al.* (2015).

In other words, what we have with Rhodin *et al.* (2015) is not a dispassionate submission by a group of concerned herpetologists interested in stability of nomenclature, but rather a desperate last ditch bid by a band of twice foiled thieves to try to gain respectability for their theft of the works of others who have refused to disclose to ICZN commissioners their true ulterior motive.

Note also that twice prior the ICZN has ruled that the names in the publication of Wells and Wellington (1985) are available for nomenclature and that in spite of this and postdating these rulings, Scott Thomson has chosen to act in contempt of the Commission and rename one of the relevant species (*Chelodina rankini* Wells and Wellington, 1985) with his own illegally coined name.

#### THEY'RE BACK! ... TO ATTACK! ... AGAIN!

Also significantly, it is clear from the above, that if the ICZN were to rule in favour of the Wüster gang's wishes as outlined in Rhodin *et al.* (2015), to cede “name authority” of 700+ taxa to the Wüster gang, this would not stop the aggressive renaming of taxa previously properly named by others by this particular group of individuals.

As mentioned already, *Wollumbinia* Wells, 2007, *Broghammerus* Hoser, 2004, *Leiopython hoseri* Hoser, 2000, *Argyrophis* Gray, 1845, *Chelodina rankini* Wells and Wellington, 1985 have all been recently renamed by listed authors of Rhodin *et al.* (2015) and supporters using their illegally coined *nomen furtum*. Furthermore on page 20 of Kaiser *et al.* (2013), the same authors call on others to adopt their own process of stealing “name authority” from others.

Therefore the only potential means the ICZN can possibly solve the bulk of the “Wüster problem”, and that is a better name to identify it by, then this is by affirming the need for all to comply with the rules of The Code as they did in both 1991 and 2001. This includes the validity of all the senior names currently overwritten by the Wüster gang as detailed in the synonyms table published at the same time as this paper.

It is likely that the ICZN will never be able to stop Wüster and the inner sanctum of the gang acting outside of the rules. Nothing else has stopped them in the past 24 years!

However the majority of herpetologists and taxonomists in other areas, will do all they can to comply with the rules of The Code and it is here that the ICZN can use its powers to regain stability, via a general directive to all to abide by the rules and a refusal to allow the ICZN to be dictated to by an ISIS-like lynch mob in the form of Rhodin *et al.*

In fact some other prominent members of the Wüster gang including quite ironically Robert Sprackland and Arthur Georges, as listed co-authors of Rhodin *et al.* (2015), were key players in the attempt to suppress the works of Wells and Wellington in 1987 so that they could steal their name rights and gain the self aggrandisement of naming species of spouses and the like.

Sprackland for example overwrote the species “*Odatia keithornei* Wells and Wellington, 1985” with his own patronym *Varanus teriae* Sprackland, 1991, (*nomen furtum*) a species he named after his wife.

Using identical tactics to the Wüster gang in 2015, Sprackland bludgeoned others to use his name in preference to the proper Wells and Wellington one (e.g. De Lisle 1996 used *Varanus teriae*).

Sprackland then went to the ICZN seeking a ruling from them in his favour on the basis of more widespread usage of his name.

Following submissions from others, including myself against his proposal, (mine being to defend the rules of The Code and not necessarily Wells and Wellington), the ICZN correctly ruled against Sprackland's *nomen furtum* and affirmed the validity of the original species name “*keithornei*”.

In spite of the inevitable claims at the time published in *BZN* that there would be a mass boycotting of the ICZN's rules if they ruled in favour of the Wells and Wellington papers of 1983 and 1985, (not unlike similar claims in Rhodin *et al.* (2015) paragraph 12) (see Hoser 2015d), no such mass disobedience occurred.

Following the ICZN's first ruling in favour of the Wells and Wellington papers of 1983 and 1985 by the ICZN in 1991, all herpetologists used the correct taxonomy and without any further attempts to over-write code compliant names for valid taxon groups.

I note that the only exceptions to this was Robert Sprackland, a listed co-author of Rhodin *et al.* (2015) and more recently Scott Thomson, the corresponding author of the same paper, who with his friend Arthur Georges, have tried to steal “name authority” from Wells and Wellington for various turtle taxa.



Georges and Thomson have done this, co-authoring their illegal papers in the years after the ICZN ruled in favour of the 1983 and 1985 Wells and Wellington papers in 1991 (ICZN 1991), and in spite of Georges being one of the petitioners against Wells and Wellington as listed in the list of 81 people in Adams (1988).

Sprackland's attempt to steal "name authority" from the correct "name authority" Wells and Wellington, was properly struck down by a second near unanimous vote (19 to 1) of the ICZN (ICZN 2001) in what Ziegler and Bohme (1994) at paragraph 4, noted had been an effective relitigation of the earlier suppression arguments by Sprackland.

It is significant that in no less than three separate cases spanning some decades, that this group of thieves (and that's all they are), have gone to the ICZN seeking the ICZN reward them for acting in direct breach of the ICZN's rules by making an "exception" for them via the plenary power, while at the same time effectively seeking to punish those affected authors who have complied with the letter and spirit of the ICZN's rules (via The Code) at all times.

In layman's terms, it is no different to a man stealing a car and then asking the authorities that the rightful owner to be punished for the actions of the thief after the thief has been caught out.

Also significant and of relevance to the most recent actions by Rhodin *et al.*, both ICZN Opinions 1970 (ICZN 2001) and the earlier Case 2531 Opinion (ICZN 1991), both stated explicitly that the privately published *Australian Journal of Herpetology* (published by Wells and Wellington) was published according to the provisions of the code and that all taxonomic acts within the journal were available for nomenclatural purposes and this included in terms of the fundamental rule of priority.

Noting that in these and countless other cases the ICZN has ruled this way, it is reckless of Rhodin *et al.* to attempt to waste the ICZN's time and relitigate such a matter, when the petitioners know that they are both acting outside of the rules of the code and here expect the ICZN to do so as well.

#### **CIRCUMVENTING THE SPIRIT OF THE CODE**

At paragraph 8, of Rhodin *et al.* (2015), the authors allege I have acted to "circumvent the spirit of the Code", which is repeated by the Wüster gang elsewhere including on numerous posts on the Taxacom and ICZN list servers (Various authors 2013-2015a, 2013-2015b), a claim even repeated by Wüster friend, the ICZN Commissioner Doug Yanega at the behest of Wüster who forwarded to the list a log of allegations that he reposted without checking the veracity of them.

As for most of the adverse allegations by the Wüster gang, this claim of acting to "circumvent the spirit of the Code" is best levelled against them and not me.

Recall that in every case (Cases 2531, 3043 and 3601), it is their side who have acted against the most important principles of the code and tried to establish a dual nomenclature with the hope of getting a rubber stamp from the ICZN by misuse of the plenary power to allow them to steal "name authority" from others.

If one first looks at the two well documented previous attempts by the gang to "circumvent the spirit of the Code", (Cases 2531 and 3043) one sees that the ICZN ruled against them twice previously (ICZN 1991 and ICZN 2001).

While I had nothing to do with the original anti Wells and Wellington case (2531) resolved against the thieves in 1991, I did make a submission to the ICZN in the later matter.

Significantly, in my submission published in *BZN* (Hoser 1988), I urged the commissioners to uphold their rules in both letter and spirit, while the thief, Robert Sprackland and his associates in the Wüster gang had done the complete opposite (Sprackland 1987), which is exactly why they ended up voting 19 to 1 against him.

Their allegation that I have acted to "circumvent the spirit of the Code", is backed by the assertion by Rhodin *et al.* (2015) that I did so "by self-publishing in a journal with no evidence of independent peer review" at paragraph 5 and repeated in paragraphs 11, 14 and 2 even if true is definitely not against the spirit of the code.

In the various submissions published in *BZN* in 1987, 1988 and 1989 a number of correspondents, including Hutchinson (1988) put forward the view that Wells and Wellington had acted outside the spirit of the code in a similar way.

The various authors demanded that the code and the ICZN should mandate for a particular (yet undefined) standard of peer review as well as there to be a so-called white list of acceptable journals that would have exclusive rights to publish new names for nomenclatural purposes.

That these views were comprehensively rejected by the ICZN in all relevant ways was affirmed when the fourth edition of the code was published in 1999 (Ride *et al.* 1999), which rejected all the Wüster gang's submissions.

I should note herein that Wüster himself did not publish a submission against Wells and Wellington in either matter, however countless posts elsewhere have shown him making statements against their pair and their publications and include publicly recorded comments by him (reposted on ICZN list

and Taxacom list) seeking the suppression of their works (as done as well in Kaiser *et al.* 2012 and 2013).

Significantly, in the preamble of the existing code (Ride *et al.* 1999), the rules expressly state that taxonomists must be completely free to act as they wish and that the code does not intend restricting this in any way.

With the obvious inference that Wüster and the gang seek to restrict the taxonomic works of myself and others, it is them who are acting against the spirit of the code.

Noting the inherent issues of peer review and potential censorship of works, (see for example Dubois *et al.* 1988), this became a critical reason why the ICZN ruled against the thieves in 1991 (ICZN 1991).

Besides the fact that the code in its preamble, shows clearly that I have never acted against the spirit of the code, this point can be best confirmed by seeking the direct opinion of the main author of the relevant document (the Code), in the form of Mr. William David Lindsay Ride.

The author himself, has published many of his own taxonomic and nomenclatural acts "by self-publishing in a journal with no evidence of independent peer review" in his own book, namely Ride (1980).

In that book, he created numerous taxonomic entities with the ensuing appropriate (in his view) nomenclature for the very first time.

He did this without ever having copped a round of hatred and abuse from the likes of Wüster gang!

We know for a fact that there was no peer review of the publication in any accepted sense, because Ride himself states this on page 31 when he discusses the ICZN's code and how he went about assigning names to various taxa in the book (Ride 1980).

#### **ANOTHER LIE BY RHODIN ET AL. 2015.**

They alleged that I created "many names" and that they were "created in isolation from (and frequently in conflict with) the global herpetological community."

There is no factual basis to the claim. A read of each and every taxonomic publication in *AJH* and those taxonomic papers of mine in the 11 years preceding that journal show extensive collaboration with other relevant scientists, including those in the field, museum curators and regularly experienced non-scientists.

If one views the numerous holotypes depicted in the relevant publications, most photographed by myself at the relevant institutions, one soon finds that the

claim of myself working in isolation from others is not sustained.

However what is accepted as a valid alternative claim is that I have NOT as a rule worked with any members of the Wüster gang.

That is of course due to my well founded belief that they have little of use to contribute, their continual attacks on myself and general misconduct over more than 20 years.

#### **TWO CORRECT STATEMENTS BY RHODIN ET AL. 2015 AND ANOTHER LIE.**

Two claims made in their attack on me are however true.

These are that I had utilized "technological progress" to engage in what they described as "internet-based data-mining" (paragraph 2) re-jigged as "web-based data-mining" in paragraph 8 and that I had engaged in "naming un-named phylogenetic clades identified in the works of other authors" (paragraph 3).

They are a part of general contention 2 at the start of this paper.

I plead guilty to all the above!

The correct statements quoted above, are inadvertently ostensibly contradicted by them later in their rant when at paragraph 6, they invoke their earlier contention 1 as given earlier and accuse me of producing scientific papers naming taxa on the basis of "baseless conjecture", or what Kaiser *et al.* (2012) and Kaiser *et al.* (2013) called "evidence free taxonomy" or similar.

By simple logic, the relevant papers were either published with evidence, or without.

The gang can't have it both ways!

However the same sort of ridiculous counter-logic is also repeated by Thomson and other lead authors of Rhodin *et al.* in a blog post titled "Taxonomic terrorism: a world perspective", (Thomson *et al.* 2015) posted by Mark O'Shea at:

[http://www.researchgate.net/publication/271589253\\_Taxonomic\\_terrorism\\_a\\_world\\_perspective](http://www.researchgate.net/publication/271589253_Taxonomic_terrorism_a_world_perspective)

and also tendered at the Australian Society of Herpetologists (ASH) conference in January 2015 to a largely indifferent audience (Thomson *et al.* 2015), where the two counter claims are made in a document of just 292 words.

There the same co-authors make the claim "He has taken the works of others and named clades." (contention 2), which confirms that the men are aware of the fact that my works have a scientific and evidentiary basis.

Having pled guilty to this charge already, I take the liberty of stating the obvious.

It is by the judicious use of newer technologies, including internet databases and the readily available pdf publications of other scientists (and not just those of herpetologists), in combination with all other tools and technology available to me, by which I have been able to rapidly identify and name hitherto unknown and unnamed taxa.

I make no apologies for this.

Could one imagine how backward taxonomy and nomenclature would be if scientists were forced to abandon usage of newer technologies, be they molecular biology, communicating with one another via emails and so on.

Of significance however is that when an old paper written by an author long deceased appears on the internet in an archive and after using modern tools to analyse it, it reveals unnamed taxa, it is responsible and proper that they be properly named. Of that charge I again I plead guilty!

I do however note that many other taxonomists of high regard are similarly guilty.

There is nothing in The Code that mandates sanctioning of such scientists, even though this is exactly what Rhodin *et al.* (2015) seek.

At paragraph 10, Rhodin *et al.* (2015) use the so-called professionals versus amateurs argument to both infer I am the latter and as a basis to seek the ICZN's approval to steal and overwrite my work.

However, in a rare burst of honesty back in 2003, Thomson (2013) correctly stated:

"So my point here is that this argument swings both ways, I think there are plenty of "professionals" that are using the "amature" (sic) label as a crutch to their own opinions. That is not science."

Well said!

#### **ANOTHER UNSUPPORTED LIE BY RHODIN ET AL. 2015.**

At paragraph 7, when discussing my Rattlesnake reclassification of 2009, which both named as new and resurrected a number of genera, they wrote "No data were presented to support these proposed changes."

That statement is false. A check of the primary literature in the form of Hoser (2009b) shows a vast body of evidence to support the taxonomy proposed within, including via the extensive cited bibliography of earlier papers.

Incidentally the taxonomic judgements made by me in 2009 were later supported by the molecular data of members of Wüster's gang, including for example the papers of Pyron *et al.* (2011) and Pyron *et al.* (2013), that used new technology to obtain material and data that was unavailable to me in 2009.

It was because the data and conclusions by Hoser (2009) were so compelling that many, including the Brazilian Society of Herpetology did in 2010 adopt the Hoser taxonomy and that included the names properly used in the same paper.

This was cited by Rhodin *et al.* (2015), which they improperly objected to and cited the preceding as being part of an alleged dual nomenclature allegedly created by myself.

Rhodin *et al.* (2015) cited the use of the names *Aechmophrys*, *Caudisona*, and *Uropsophus* as potentially endangering lives, and blamed me for it. Besides the fact that they did not present a shred of evidence to support this contention, may I remind readers of the notable fact that none of those genera were in fact creations of myself.

The names had been available ones resurrected from synonymy from the taxonomic dumping ground of *Crotalus* Linne, 1758, being properly known as *Aechmophrys* Coues, 1875, *Caudisona* Laurenti, 1768 and *Uropsophus* Wagler, 1830.

However I note that none of Coues, Laurenti or Wagler were falsely accused by thieves of putting lives at risk when naming new taxa.

#### **DELIBERATE MISUSE AND MISREPRESENTATION OF THE CODE TO ILLEGALLY SUPPRESS VALID NAMES**

Kaiser *et al.* (2013), were shown to have deliberately misquoted the Zoological Code at page 20 of their blog (details in Hoser 2013b).

That scandalous act was done in the context of the authors alleging that they had found a loophole within The Rules that allowed them to reverse "priority" of names to make their newly coined names the correct one.

What they had omitted was that the section of The Code they referred to only applied to names pre-dating 1900 and therefore could not be used on Hoser material that all post dated 1998 or later!

In Rhodin *et al.* (2015) they commit a similar improper act in their ongoing attempt to illegally suppress usage of all properly proposed Hoser names and those of others they seek to steal.

This is although they have no authority to do so either via any of the rules of The Code, or from the ICZN itself by way of judgement.

In their blog titled "Taxonomic terrorism: a world perspective" (Thomson *et al.* 2015), and again in Rhodin *et al.* (2015), they have invoked Article 82.1 of The Code as an alleged basis to force all other herpetologists not to use any "Hoser names", as part of their illegal campaign to engineer a global boycott of the names.

That the entire Wüster gang as listed in the named



authorship of Rhodin *et al.* (2015) are well aware of the illegality of their actions and the fact that Article 82.1 of The Code does not confer upon them any of the authority they allege to have is found in the very same document ... namely Rhodin *et al.* (2015).

At paragraph 13 they wrote:

"We contend that all taxa affected by new Hoser names contained in these issues of AJH be subject to prevailing usage under article 82.1 of The Code. Hence, no changes in order to use Hoser names should be formally made to their existing nomenclature while the Commission deliberates. This will

prevent the names proposed in the AJH from coming into any further usage until such time that a Decision may be made. Should authors or editors feel a need to justify continued use of prevailing names for taxa affected by this proposal, they may cite Kaiser *et al.* (2013), Kaiser (2014), this comment, and Article 82.1 of The Code."

The same lead authors said much the same in an even more misleading manner in document Thomson *et al.* (2015a), posted widely on the internet, including via social media pages such as Facebook, where they wrote:

"We have asked that v1–24 of AJH be declared unavailable for nomenclature and further have enacted article 82.1 of The Code, which states that whilst a decision is pending no nomenclatural act from AJH 1–24 needs to be recognized until the ICZN makes a decision."

However, Article 82.1 of The Code reads as follows: "Article 82. Status of case under consideration.

82.1. Maintenance of prevailing usage. When a case is under consideration by the Commission, prevailing usage (see Glossary) of names is to be maintained until the ruling of the Commission is published.

82.2. Date when consideration is deemed to begin. A case is deemed to be under consideration by the Commission from the date of publication in the *Bulletin of Zoological Nomenclature* of the notice of receipt of the case.",

and from the "Glossary" in The Code:

**"usage, prevailing, n.**

Of a name: that usage of the name which is adopted by at least a substantial majority of the most recent authors concerned with the relevant taxon, irrespective of how long ago their work was published."

Now because Article 82.1 only applies to names "under consideration" in active cases, the invoking of Article 82.1 can at best be only applied to the use of the names *Spracklandus* or *Afronaja*.

That any or all other names of Hoser, Wells and

other targets of the Wüster gang's attempted theft could be suppressed under Article 82.1 is simply not tenable.

That Rhodin *et al.* (2005), including the main players in the Wüster gang were well aware of their lie is inadvertently contained within Rhodin *et al.* (2015) which at paragraph 4 stated:

"we understand that any vote by the Commission is intended to be narrow in its application (i.e. covering only the specifics of the individual case)".

For the record, Case 3601, published by the ICZN in December 2013 on page 234 of *BZN* commences with a direct statement of the specifics of the case as follows:

"The purpose of this application, under Articles 78.2.3 and 80.2.1 of The Code, is to confirm that the generic name *Spracklandus* Hoser, 2009 [23 March] for the African spitting cobras is available in the sense of The Code, and also that the work in which this genus was proposed met The Code's criteria of publication under Article 8.1. The Commission is asked to rule on these seemingly routine matters because widely promulgated recommendations by some herpetologists to use a junior objective synonym, *Afronaja* Wallach, Wüster & Broadley, 2009 [21 September], instead has resulted in instability in nomenclature."

Furthermore and effectively without exception, all the 700+ names that the Wüster gang seek to suppress identify taxa or taxon groups for which there are NO alternative names, and therefore the Hoser ones remain the only available names.

For the approximately 20 odd *nomen furtum* names coined by the Wüster gang to usurp the earlier correct Hoser names, it shown elsewhere in this paper that the majority of herpetologists continue to use the Hoser names in preference to the Wüster gang's coined alternatives including for example *Broghammerus* which is used by roughly twice as many herpetologists as the illegally coined "*Malayopython*" *nomen furtum* and *Leiopython hoseae*, which is used about five times more than the illegally coined "*Leiopython meridionalis*" *nomen furtum*.

This means that Thomson *et al.* (2015a) and Rhodin *et al.* (2005), are by any interpretation of The Code, including by invoking Article 82.1 (assuming it did in fact have application to "Hoser names"), deliberately acting outside the rules of The Code.

#### **A REHASH OF THE ICZN CASES TO STEAL THE WORKS OF WELLS AND WELLINGTON!**

Knowing full well that in a near unanimous decision in 1991, the ICZN refused to allow the thieves the right to steal the works of Wells and Wellington, Rhodin *et al.* (2015) have taken steps to try to

differentiate this 2015 (effectively identical theft attempt) from that earlier failure by a group including some of his fellow co-authors.

Rhodin *et al.* (2015) wrote at paragraph 11:

“we consider these cases to be dissimilar in important ways. The issues of concern in the Wells & Wellington papers were largely taxonomic and regionally focused (*BZN* 48: 337–338), whereas the issues with the *AJH* are primarily nomenclatural, ethical, and global.”

Nothing could be further from the truth!

Fortunately the history of the attempted suppression of the works of Wells and Wellington is covered in detail in the submissions and “Opinion” published in *BZN* from 1987 to 1991.

Recalling that the legal domain of the ICZN is for nomenclature only, that the ICZN have explicitly divorced themselves from making taxonomic judgements in all relevant editions of The Code (2, 3 and 4) and that in each case the suppressionists went to the ICZN for a ruling on nomenclature alone, one can only logically conclude that both cases are nomenclatural only and in all material respects identical.

Both involve publications that were allegedly not “peer reviewed”, better defined as “not reviewed by our group”, or “not censored prior to publication by us” that in the view of complainants named an excessive quantity of taxa, both times numbering in the hundreds, thereby depriving the complainants of the alleged right to make themselves “name authority”.

That the cases are in fact identical, can further be seen by cross referencing the arguments against the Hoser publications in *BZN* in the preceding 2 years with those for the Wells and Wellington cases (both the original one and the second one brought on by Robert Sprackland, involving the monitor lizard for which he coined a name after his wife) (ICZN 1991, 2001).

In a bid to further assert alleged differences between the Wells and Wellington cases Rhodin *et al.* (2015), further wrote:

“In their ruling on Case 2531 the Commission concluded that the aim of that application would be best achieved by leaving the issue to taxonomic specialists to be settled through usage. In the present Case 3601, if the Commission were to consider the issue to be primarily taxonomic, this would have far-reaching destabilizing consequences for all of zoological nomenclature and taxonomy, consequences not readily resolved through usage.”

What Rhodin *et al.* (2015) failed to note was that the allegation was made against the Wells and Wellington papers that they had named “non-taxa”

and that the taxonomy was therefore in dispute.

Hence the ICZN effectively ruled that assuming this to be the case, then all or most of the Wells and Wellington names would slip into oblivion in any event as synonyms.

There was no need to invoke any powers to suppress the work and of course were any taxa found to be valid, then the Wells and Wellington names would have to be used.

History of course showed that the accusers had lied about the alleged taxonomic vandalism of Wells and Wellington. The majority of their proposals were in fact correct (or by at least 2014 were being accepted as such by the majority of other herpetologists).

This is best indicated by viewing the pages of Cogger (2014a) which clearly show this to be the case.

Recall Cogger said of his taxonomy and nomenclature:

“the names used here are those currently accepted by the majority of Australian workers”.

In the current case, (as also became true by 1990 in terms of the Wells and Wellington case), arguments of taxonomic vandalism had all but evaporated by the time the ICZN's involvement was concluded and an opinion made or is about to be, because already the petitioners (suppressionists) had moved to rename many of the relevant taxa with their own coined names in anticipation or hope for an ICZN ruling in their favour. Examples from Wells and Wellington's works include Hutchinson *et al.* (1990) who illegally renamed four genera of skinks, Sprackland (1991) who illegally renamed a monitor and of course Scott Thomson's brazen attempts to steal ‘name authority’ for turtle taxa from Wells and Wellington in contempt of two ICZN rulings.

History has correctly relegated the names coined by the thieves to the trash can of “synonymy”.

Identical examples from the present time that should similarly be relegated include the renaming of two *Macrochelys* taxa by Thomas *et al.* (2014), the illegal renaming of Blindsnake genera by Hedges *et al.* (2014), Lizard genera by Bates *et al.* (2013) and others.

For yet another impartial comparison between the actions of the thieves who sought to steal “name authority” from the Wells and Wellington papers of 1983 and 1985 and the thieves who seek to do the same for *AJH* issues 1-24 and other papers including those of other authors, one need look no further than a private email received from Professeur Alain Dubois, Muséum National d'Histoire Naturelle, Institut Systématique, Evolution, Biodiversité (ISYEB) - UMR 7205, Reptiles &

Amphibiens, Paris, France, who on when discussing his ICZN Submission of 1988 (Dubois *et al.* 1988) in the current context<sup>14</sup> May 2014 wrote:

"My position on this case is exactly the same as for the Wells & Wellington affair. My point of view on this matter is that everything relevant in this discussion was written in our collective 1988 paper in *BZN* and that there was no need to add anything to it. Certainly this matter did not deserve the hundreds of pages written in publications and on the net from both sides, which are ridiculous and make both sides look as crazy people. This is why I refrained to participate in this discussion. It seems that everybody has forgotten our 1988 paper, but this is the way scientists work nowadays, in the labile world of electronic communication."

#### **A POINT OF AGREEMENT WITH RHODIN *ET AL.* (2015) ... BUT!**

Their statement at paragraph 10, "Additionally, we advocate strongly for quality-controlled peer-reviewed publishing as the only appropriate 'best practice' for new taxonomy and nomenclature" is impossible to disagree with.

However it is clear from their own published output, outlined already, that many of the listed authors within Rhodin *et al.* (2015) do not actually practice what they have publicly advocated for here.

#### **RHODIN *ET AL.* (2015) AN OVERVIEW AND SUMMARY OF ITS KEY POINTS.**

The rant, and that is the best description of Rhodin *et al.* (2015), is a repetitive diatribe alleging that the Hoser publications are of some undefined low standard and therefore pose some kind of unprecedented "global" threat to all of zoology (paragraph 11).

However they have failed to actually identify how.

You see low standard publications have been around for centuries and even if the claim were to be sustained against me, The Code deals with thousands of such publications annually by way of synonymy.

Recall what corresponding author Scott Thomson said on kingsnake.com in 2003 about this!

"Nomenclature is pretty black and white. There are a set of rules. Apply them, if the name is valid, use it, if not reject it. If you don't like it.... well I don't recall that being in the rules."

The statement "If you don't like it.... well I don't recall that being in the rules" is what should now be applied to Rhodin *et al.* (2015).

Therefore there can be no threat from the Hoser publications and therefore no special action against them is required by the ICZN.

There remains however a serious threat from the

Wüster gang!

It is clear from reading Rhodin *et al.* (2015) that the lead authors are largely driven by their egos and a money driven desire to be the "name authority" for taxa that they would have preferred to have identified first themselves.

This is further underpinned by the group's general contempt for the rule of law, be they State laws or the quasi legal document called The Code.

This contempt for the rules is what has allowed many of the co-authors to have already engaged in the morally repugnant act of theft in their attempts to steal "name authority" for taxa that they have illegally renamed (including the likes of Wüster, Wallach, Broadley, Reynolds, Hedges, Pyron, Schleip, Georges, Thomson and Sprackland).

However a careful reading of the document Rhodin *et al.* (2015) clearly shows the most commonly repeated grievance of the group appears to be nothing more than the fact that they think I have named too many taxa, which they put at "700+".

This is also the theme underpinning most of Kaiser *et al.* (2012) and Kaiser *et al.* (2013) as emphasized by the lists of taxa published with each document.

Almost the entire document Rhodin *et al.* (2015) continually refers to the sizeable "output" of names by the Hoser journal, *AJH*, mirrored by the countless online posts of co-authors O'Shea including O'Shea (2013) or many of the 18,900 "twitter" posts of co-author Darren Naish and his other rants on other social media (Naish 2011-2015, Naish 2013).

Six of the total of 15 paragraphs in Rhodin *et al.* (2015) deal almost exclusively with the issue of the scale and number of papers and names produced by myself in the period 2009-2014. This "output" dominates paragraphs 1, 2, 4, 5, 7, and 14 and is a significant part of others.

The last of these, paragraph 14, includes the statement:

"the scope and reach of Hoser's nomenclatural output are made possible by relatively recent advances in internet communication, electronic publishing, and the use of social media, added to prior advances in desktop-publishing technologies."

The authors are by context inferring that there is something inherently wrong with all of this and that the ICZN should intervene to stop it, although I note that the first broad global review of the squamates in more than a century, viewed at the genus level is largely completed in any event.

My own view is that these methods "made possible by relatively recent advances" should be embraced and used as best as possible if needed, to formally identify currently unnamed taxa in all animal phyla,



so that they may be conserved before the ever expanding human biomass exterminates it.

Of course the same “relatively recent advances” in technology can and should be used by all scientists that can afford to do so and furthermore in the main, they are!

Far from censuring myself for using the best available technology and devices to assist scientific research, the ICZN should be encouraging others to do the same.

Should everyone stop sending emails and go back to the exclusive use of “snail mail” instead?

The same applies in terms of the fact that all times I have acted ethically and within the rules of The Code. The ICZN should be encouraging others to do the same.

The ICZN should be doing all they can to stop the lawless attempt of bullying and mob-rule anarchy being executed by the Wüster gang.

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