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# MISES ECONOMICS BLOG

## Intel's Finest Hour?

December 16, 2009 7:06 PM by [S.M. Oliva \(Archive\)](#)

Intel needs to crush the [Federal Trade Commission](#).

A legal victory won't suffice. Intel can surely obtain that result, but only after six or seven years of litigation in a system that is rigged to favor the FTC. But by that time, nobody will care about the legal result.

And while it's perhaps impolite to say this in libertarian circles, Intel has a moral duty to crush the FTC. The Commission is attacking all of us, not just one company. The FTC wants to run our lives. I've documented this time and again in this space. They won't stop until every industry is subject to their arbitrary whims. Congress and the courts have abandoned any pretense of oversight. The Beltway libertarians - yes, I mean the Cato Institute - have demonstrated nothing but cowardice and compliance in the face of increasing FTC aggression. Intel is now the last, best hope for stopping the FTC once and for all.

So what's the battle plan? First and foremost, Intel needs to divert serious resources into "opposition research." They need to document every FTC abuse of power, not just in their case but for every case dating back at least a decade. They need to find every small business owner whose livelihood was destroyed by mid-level FTC bureaucrats and put them before the cameras. They need to show every conflict of interest, every revolving door, every bribe, and every act of misconduct that's gone unpunished by the current regime. I've spent almost a decade tracking this stuff, and while my collection is substantial, it doesn't contain 5% of the total that's out there.

Second, Intel needs to take the battle outside the Beltway. You can't win playing on the enemy's home field. The FTC's abuses must be exposed to every small town newspaper, blog, Twitterer, etc. Ignore the establishment press; they can't - and won't - help you. There needs to be a concerted, 24/7 effort to keep the FTC on the defensive in the public's eye. The FTC wins its battles by controlling the message. Take away that advantage and they're left with nothing.

Third, Intel needs to identify and support the right allies. Again, this means staying outside the Beltway. The think tanks are useless. The Tea Party movement showed us there's still genuine grassroots opposition to state tyranny. We need new groups and new methods to fight an old enemy.

Finally, and perhaps most importantly, Intel management must make it clear that they are in charge - not their attorneys. This isn't to knock the work attorneys do in such cases. Intel's general counsel, Douglas Melamed, did a commendable job when he represented Rambus in its victory over the FTC. But far too often, lawyers dominate the decision-making to the point where companies cut themselves off from the public completely. Lawyering must be a part of Intel's strategy, not the entire strategy.

With the right strategy and leadership, Intel can do more than defeat the FTC's challenge; it can permanently discredit the FTC to the point where the establishment must cut ties in order to save their own backsides. There is no substitute here for total victory.

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## Comments (25)

Pat McCock

Who are you?

Published: [December 16, 2009 7:32 PM](#)

S.M. Oliva 

"Who are you?"

A nut who couldn't build a barbecue.

Any other questions?

Published: [December 16, 2009 7:42 PM](#)

[Bill St. Clair](#)

Pat McCook, try clicking on Mr. Oliva's name at the top of the article. It leads to his web site, which has a "Curriculum Vitae" link.

<http://www.skipoliva.com/>

Published: [December 16, 2009 7:45 PM](#)

Taras Smereka

"The Beltway libertarians - yes, I mean the Cato Institute - have demonstrated nothing but cowardice and compliance in the face of increasing FTC aggression. Intel is now the last, best hope for stopping the FTC once and for all."

Oh dear, we are back to this

Published: [December 16, 2009 8:29 PM](#)

Manuel Barkhau

I really don't see why we should be rooting for Intel here, they've practically been granted a monopoly through the x86 patent and it's only to be expected, that the government try to haphazardly clean up the mess it created.

Published: [December 16, 2009 8:55 PM](#)