

Issue: Mr. Alfred Donovan

Issue Description: Mr. Alfred Donovan, a long-time critic of Shell, runs a website <http://royaldutchshellplc.com> that is critical of the Shell Group. In May 2006 leaflet distributors working on behalf of Mr. Donovan distributed materials outside Shell Centre and The Hague headquarters. To date, five leaflets have been distributed - two relating to an ex-employee of Shell Malaysia who, the leaflets claim, was sacked unfairly after informing his management of concerns via the whistle blowing procedure; another relating to Shell Malaysia employees engaged in legal proceedings against Shell, and others relating to Mr. Donovan's long running disagreement with Shell.

Further details on each are given below under 'supporting messages'.

Key Messages:

- We are disappointed that Mr Donovan's long-running campaign against Shell has again resurfaced.
- We are fully aware of the accusations made by Mr Donovan – however, as the cases (and 'Team A') are pending before the Courts, and as all parties are actively participating in the hearings, it would be inappropriate to comment.

Supporting Messages:

- We are very familiar with the circumstances of Mr. Donovan's case over many years. Shell went well beyond the strict call of duty in ensuring Mr Donovans claims were fully investigated and more than fully settled many years ago.

Issue Sensitivity/AGM relevance

John Donovan and his father, Alfred, ran a business, Don Marketing, which specialised in the creation of promotions. Mr Donovan brought the "Make Money" promotion to the UK and Shell UK Limited (Shell) paid him for its use. Shell also paid for the rights to use several other Don Marketing promotions.

In the early '90s when Shell wanted to use Make Money again, Mr Donovan claimed that he still owned the concept. Shell paid Donovan for the transfer of the concept.

Mr Donovan then launched legal action against Shell in connection with two other promotions. While Shell was confident of defeating the claim, in the interest of saving costs for both sides, it was agreed that the matter would be settled.

Following this settlement, Mr Donovan sued Shell again. He claimed that he had invented the Smart promotion and that Shell had "stolen" it from him. The case went to court but Donovan eventually abandoned his claim.

Despite the settlement of the legal actions Alfred Donovan has continued to campaign against Shell from time to time.

Given his recent leafleting activities outside Shell Centre and the C16 office in The Hague, it is entirely likely that he may have people also handing out leaflets outside the AGM locations.

Domain Name registration

Prior to the public announcement of [the unification], Shell secured the domain name www.royaldutchshell.com and similar names in almost every country. Following the announcement, Mr. Donovan also registered a number of domain names including www.royaldutchshellplc.com Shell filed an administrative complaint with the World Intellectual Property Organisation requesting the transfer of the names to Shell, but the adjudication panel did not accept that there were grounds for the transfer. There is no appeal from that decision, and although there may be scope for a separate legal challenge through the courts, Shell did not consider that such action was justified in this case.

Q&A's

1. What is Alfred Donovan currently accusing Shell of?

Mr Donovan's current promotional literature is supportive of [redacted], an ex-employee of Shell Malaysia who claims he was unfairly sacked; Shell Malaysia employees engaged in legal proceedings against Shell, and his printed and web-based materials continue to promote a number of Mr. Donovan's long running disagreements with Shell.

Mr Donovan's personal grievances with Shell includes accusations by Mr Donovan that he, his son and other members of his family were the subject of a dirty tricks campaign by Shell during the last piece of litigation and that Shell were responsible for burglaries which took place during the litigation. Shell's solicitors did employ a respectable firm of enquiry agents during the course of the litigation. They acted entirely properly and legally. It is untrue that Shell had anything to do with any intimidation or burglary. Shell offered complete co-operation with the police at this time, but this wasn't taken up.

2. Alfred Donovan accuses Shell of using its association with the Hakluyt Society and through them, British Intelligence to conduct a dirty tricks campaign. Is this true?

No. There is no association between Shell and the Hakluyt Society in connection with our dealings with the Donovans.

3. Alfred Donovan alleges that the judge and counsel in the last litigation against Shell conspired against the Donovans and their company?

Donovan's allegation appears to be solely based on the coincidence that the son of a former Shell director was based in the same chambers as Donovan's counsel at one time. Donovan alleges that the director's son would have gained access to confidential papers and would have passed these on to his father at Shell. Donovan also alleges that the judge was a party to the conspiracy.

5. Mr. Donovan alleges that suspension of the Tell Shell Forum site is because "Shell no longer wish(es) to hear what shareholders and current/former employees want to say". Is this the case?

The Tell Shell Forum was suspended at the end of 2005. We are currently redesigning our forum and plan to be back on-line with regular, business focused discussions in the future.

All of the previous debates have been archived and are available to view. Certain remarks were removed for legal reasons.

The site still retains a 'contact us' option – and we listen and respond as best we can to comments and concerns.