

## FORMER INTEL EMPLOYEE PLEADS GUILTY TO DESIGN DATA THEFT



Biswamohan Pani, a former Intel employee pled guilty last week to five counts relating to the illegal download of confidential data owned by Intel. Pani pled guilty following a plea agreement between the former Intel employee and Carmen M. Ortiz, U.S. Attorney for the District of Massachusetts. The government could not produce any evidence that Pani had used, sold, or otherwise transferred the information belonging to Intel. There was also no evidence to show that Pani intended wrongful gain. However, the documents, which were proprietary, were downloaded by Pani after he had left Intel to join Advanced Micro Devices, or AMD, Intel's chief competitor. AMD was in the blind about Pani's activities, and had neither requested nor accessed the stolen information. Pani did the stealing of data on his own to use and further his prospects provided an opportunity presented itself. He did not find such an opportunity at AMD. Pani used to work in the Massachusetts Microprocessor Development Center of Intel. He was on the team designing Itanium processors and resigned from Intel on May 29, 2008, taking leave up to June 11. However, unknown to Intel, Pani joined AMD on June 2, and returned to Intel for an exit interview on June 11. Pani downloaded 13 "top secret" design documents of Intel during the time between June 8 and June 11. He copied the documents from his Intel issued laptop to an external hard drive. He missed out only on one issue. In his hurry, he missed completing the procedure required for viewing encrypted documents offline by generating the required keys. When the mistake came to his notice, he again tried to access the Intel servers on June 13 but failed. The documents stolen by Pani are valued between \$200 and \$400 million. Intel detected the theft and reported the same to FBI, which recovered the documents from Pani's custody. Under normal circumstances, Pani could have faced up to 20 years in prison on each count of offense for which he pled guilty, but the prosecutors recommended only six years due to lack of evidence of Pani having gained or intending to gain unlawfully from the documents, except that he had committed the data theft.

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