

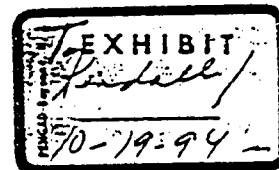
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THE COPYRIGHT AND TRADEMARKS  
By Thomas A. Kendall

I was a Trustee of Urantia Foundation for almost 21 years, from 1973 until 1984; the last 10 years of which, as President of the Board. My Board service ended nine years ago. I should make it clear that I am not an attorney.

While I have had my differences with the Trustees, I do not differ with them on the need for copyright and mark protection.

PROTECTION OF THE NAME URANTIA.



In August 1942 the Revelatory Commission informed the Contact Commission that it was imperative to take steps to protect the name, Urantia. Here is the full text of the message:

"You have not done enough to safeguard your name.

(Meaning the name Urantia). Make it very safe for one generation so the name Urantia cannot be pre-empted.

"In a common-law trust you hold the name. You do it also in a corporation. A corporation has status in law. You also do it in the copyright. You must carefully register it with the division of government that I have looked into, that controls trade relations, Trademark, and then you are protected in common law connected with a volunteer association such as you are planning in the Urantia Brotherhood. In all those ways you must safeguard the name. THIS IS ONE OF YOUR MOST IMPORTANT DUTIES.

"In 50, 75, or 100 years the name will be fairly safe. You safeguard it for a generation and it will largely take

care of itself."

Shorter versions of this message have circulated throughout the readership. It was first called to my attention in 1966 by Christy, one of the former Contact Commissioners who was my fellow Trustee of the Foundation at the time. The other three Trustees knew about the message, and Dr. Sadler was still alive in 1966. It should be pointed out that in 1942, the date of the message, Dr. Sadler had custody of the papers and special messages.

In 1966 I learned that attempts to register the name in the 1950's had been unsuccessful because there was as yet little public usage of the name. I immediately pursued avenues with the Foundation's attorney to get the name registered.

It should be obvious from the August 1942 message that the name Urantia was to be reserved exclusively for the groups of people who believed in the teachings of The Urantia Book. It is also apparent that the name was to be owned and managed by a legal entity--Urantia Foundation. "Urantia" was not to be "pre-empted" by individuals for personal or commercial purposes, nor by groups not related to The Urantia Book. "Urantia" is a material symbol; not a spiritual symbol. While "Urantia" is the name of our planet, it is also used in the title of a book and in the name of organizations--all material designations, hence, legally protectable. The concentric circles symbol is also owned by Urantia Foundation. The Trustees decided to register and protect it along with the name Urantia.

THE COPYRIGHT

The Contact Commissioners were informed that The Urantia Book must be copyrighted. The 1942 message mentions copyright. The successors of the Contact Commissioners, the Trustees of Urantia Foundation, understood that there must be a copyright. The Foundation was established in 1950 under a Declaration of Trust. The concordant object in the trust document is to maintain the text of The Urantia Book inviolate. A copyright is the means to accomplish this task.

In 1980, the Federal District Court in Michigan ruled that the Foundation's claim to copyright of The Urantia Book was valid. The declared intent of the infringer in filing suit was to get the copyright annulled to the end that NO ONE would own the rights to the book.

Throughout the 20 years I served on the Board of Trustees of Urantia Foundation, every lawyer we consulted was a specialist in the field of copyright or mark law, and none ever raised a question about the copyrightability of The Urantia Book. We were completely forthcoming and shared everything we knew about the origin of the book. The Trustees did not conspire to hoodwink the copyright office in the renewal of copyright in 1983. No reputable attorney colluded with the Foundation to perpetrate a fraud.

Minor corrections made in the text between 1955 and 1982 were made with the permission of the revelators. 1982 marked the death of the last Contact Commissioner.

Do not lightly dismiss the importance of copyright. The Contact Commissioners were warned that the greatest danger to the

revelation would be in the first 50 to 100 years. If the copyright were lost and the book fell into the public domain, the book could be dismembered. It could be chopped up into 197 pamphlets; "embarrassing" portions excised; "difficult stuff" omitted; outdated scientific material updated with new theories; artwork, charts and footnotes inserted; an introduction and commentary included in the text. Simplified versions would proliferate. None of these was the intent of the revelators, and in fact, some were specifically proscribed. The book was intended to be an integrated whole, published without distracting contrivances.

The only way a challenge to the integrity of the text can be met is through aggressive action by the owner of the copyright. An "interested party" cannot launch a suit to defend a book that has no copyright.

We live short lives, literally small time segments. The Urantia Book's teachings are meant for many decades, even a thousand years; who can say precisely? The book's mission transcends individual lives, world trends and events. These teachings need an environment of stability, not constant battles for control or influence.

Many people in the readership believe that the pending suit will invalidate the copyright. I suppose that anytime you face a judge or jury your rights are in jeopardy. However, I believe that the revelators must have had solid reasons for the creation of a Foundation which would maintain the text inviolate. I hope the judge will rule in favor of the copyright.

I look forward to a rapprochement between Urantia Foundation

and the Fellowship (Urantia Brotherhood). It was obviously the intention of the revelators that these two official organizations jointly sponsor and promulgate these new teachings in harmony. I hope that most Fellowship members and the Trustees will agree. To be sure, there are obstacles to reconciliation, but I think it must be attempted. The recent changes in the composition of the Board of Trustees should help considerably.