

Houston - Special File



URANTIA BROTHERHOOD
533 DIVERSEY PARKWAY CHICAGO ILLINOIS 60614

March 14, 1980

Mr. William A. Gardner, President
First URANTIA Society of Houston
2105 Park Street
Houston TX 77019

Dear Bill:

Congratulations on being elected president of the First URANTIA Society of Houston. I wish the reason for my writing could be totally focused on positive activities. However, I must convey to you a matter of importance to your society as well as URANTIA Brotherhood. Last November we were informed by your then society president and vice-president, James Jarnagin and Glen Bell, that mail was being received by society members from a group using the society's name and claiming to be its officers. Your officers felt this to be a misuse of URANTIA Foundation's registered mark and requested our assistance in the matter. We duly informed the Foundation of a possible problem in this area.

Enclosed is a copy of a letter from Mr. Lloyd C. Root, counsel for URANTIA Foundation, to those individuals who have incorporated the name of your society for their own use, and to one whom we believe to have attempted to register the name as a trademark. Mr. Root's letter clearly states the situation.

I know that you and your fellow officers want to be kept informed of the necessary action taken by the Foundation to protect the name of your society from unauthorized use. I hope that the individuals involved in the unauthorized use of your society name may be dissuaded from their activity without the necessity of legal action.

We wholeheartedly support you and your leadership in working to harmonize the divergent feelings among the society's membership. If you feel I can be of any assistance do not hesitate to let me know. I would also be happy to hear from you concerning any questions you or members of the society might have about the situation mentioned in this letter.

Sincerely,

John W. Hales, President
URANTIA Brotherhood

Encl.

cc: Officers - First URANTIA Society of Houston
Mr. Harry Weatherford, vice-president
Miss Adrienne Kelley, secretary
Ms. Kathleen Roberson, treasurer

Be U.F.

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March 12, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RECEIVED

MAR 13 1980

URANTIA

Mr. Kermit Laurent
126 Litchfield Lane
Houston, Texas 77024

Ms. Cathy Fusco
8903 Apothecary Lane
Houston, Texas 77064

Ms. Sue Via Brazell
2911 Broadway, Apartment 47
Houston, Texas 77017

Mr. W. Allen Brazell
2911 Broadway, Apartment 47
Houston, Texas 77017

Re: First Urantia Society of Houston, Inc.

We are the trademark counsel for URANTIA Foundation, and are writing to you, Mr. Laurent, as President of a group which identified itself as "First Urantia Society of Houston" after it severed its relations with the recognized "First URANTIA Society of Houston" authorized and chartered by URANTIA Brotherhood. We understand that your group has now been incorporated as a Texas not-for-profit corporation under the name "First Urantia Society of Houston, Inc." We are also writing to you, Cathy Fusco, and to you, Sue Via Brazell, as incorporators of the aforesaid corporation, and to you, Mr. Brazell, as the initial registered agent thereof.

You, as well as others of your group who were primarily responsible for the formation of your separate group and for the incorporation thereof, have been well aware for many years that the word "URANTIA" is a trademark as well as a service mark of URANTIA Foundation, and that the Foundation also owns registrations of that mark in the United States Patent and Trademark Office and in the Secretary of State's office in the State of Texas. You also had to be fully aware that any use made of the word "URANTIA" which is not authorized by URANTIA Foundation would constitute an infringement of the trademark and service mark rights of the Foundation.

Mr. Kermit Laurent
Ms. Cathy Fusco
Ms. Sue Via Brazell
Mr. W. Allen Brazell

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Yet knowing all of this you and your group have deliberately not only adopted the name "First Urantia Society of Houston" without authorization, but also incorporated under that name. Furthermore, we understand that you, Mr. Brazell, even attempted to register "First Urantia Society of Houston" and "Houston Urantia Society" as trademarks but were refused registration on the basis of our client's earlier registration of the word "URANTIA".

The only way in which trademark owners can protect their trademark rights is to stop others from using their marks without authorization even if it means taking legal action. That is the position in which URANTIA Foundation now finds itself. We would like to see this matter resolved amicably by the dissolution of the corporation and the changing of the name of your group to something which has omitted therefrom the word "URANTIA". We are sure that you will appreciate the fact that not only is the corporation liable for damages for violation of our client's trademark rights, but also each individual member of the group who took part in organizing the corporation is separately liable.

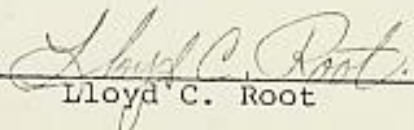
Furthermore, the fact that your actions have been taken deliberately and with full knowledge that you were infringing upon the rights of URANTIA Foundation will subject you and the group jointly and severally to triple damages.

Litigation is expensive for all concerned and would require a considerable outlay of cash on your part and those who are joined with you as defendants if it should become necessary to litigate this matter and is a point seriously to consider in this controversy.

We have been authorized to proceed to take the necessary legal action to protect the trademark rights of URANTIA Foundation, but if you will take immediate steps to dissolve the corporation and to change the name of your group to omit the word "URANTIA", the matter can be amicably resolved without expensive litigation.

May we please have the courtesy of a prompt reply indicating to us your intentions in the matter.

Yours very truly,
EMRICH, ROOT, LEE, BROWN & HILL

By 
Lloyd C. Root

LCR:dc
cc: URANTIA Foundation
URANTIA Brotherhood ✓