



URANTIA FOUNDATION
533 DIVERSEY PARKWAY CHICAGO ILLINOIS 60614

April 2, 1991

Dear Reader of *The URANTIA Book*:

Article 3.1 of the Declaration of Trust Creating URANTIA Foundation provides that:

It shall be the primary duty of the Trustees to perpetually preserve inviolate the text of *The URANTIA Book*....

Article 3.3 emphasizes that:

It shall be the duty of the Trustees to retain absolute and unconditional control of all plates and other media for the printing and reproduction of *The URANTIA Book* and any translation thereof....

These obligations of the Trustees under the Declaration of Trust make it our duty to be vigilant in protecting the copyright in *The URANTIA Book* under the copyright law of the United States.

The great majority of readers have never doubted any of this. They have understood the urgent need to protect the copyright and have consistently voiced strong support. From time to time, in fact, some readers of *The URANTIA Book* have criticized the Trustees for being insufficiently aggressive in relation to works of a certain author published in another country, in another language, under the guise of fiction. But prudence and effective management require that the Trustees constantly reappraise their relative priorities and essential tasks, even though the steps by which we fulfill this obligation may not be clear to outside observers. Beyond that, lawsuits are expensive and unpleasant; the Trustees prefer to avoid them if we can.

Let us suppose, though, that the Trustees were to learn of a massive infringement involving:

- Hundreds of sets of home-computer disks containing the entire text of *The URANTIA Book* in English.
- An apparent effort to saturate the market for these home-computer disks, so as to take away potential sales from the authorized electronic version that URANTIA Foundation is developing.
- Deceptive use of URANTIA Foundation's registered marks (the word URANTIA and the Concentric-Circles Symbol), in ways which created the false impression that the Foundation had approved the disks.
- A systematic campaign whereby those who reproduced and distributed the pirated disks encouraged recipients to make additional copies and carry out further distribution.
- Financial support by contributors who had good reason to know that the enterprise was illegal and a violation of the copyright.

In the face of such a deliberate attack on the copyright, there could be no doubt that the Trustees would be compelled to take immediate and effective action.

Unfortunately, this is not an imaginary case. Last fall, concerned readers informed URANTIA Foundation that they had received computer diskettes containing the entire text of *The URANTIA Book*, sent to them by mail without prior request.

These unauthorized diskettes were accompanied by form letters which stated that they came from "FRIENDS OF THE URANTIA BOOK." Many diskettes bore the Concentric-Circles Symbol and the trademark URANTIA. In some instances, the first video screen of computer data identified Chicago as the source. All this, in our view, amounted to deliberate deception, an effort to give the impression that URANTIA Foundation had authorized this electronic edition.

Those who mailed the infringing material omitted their return address and provided no information about themselves. URANTIA Foundation eventually obtained evidence which led to the identification of Kristen Maaherra of Tucson, Arizona. Other information led to the belief that James ("J.J.") Johnson was also involved.

On February 27, 1991, URANTIA Foundation filed suit for copyright infringement in the United States District Court for the District of Arizona.

Two court hearings were subsequently held in Phoenix. At the first hearing (March 7), the court issued an order prohibiting Ms. Maaherra and Mr. Johnson, and all others in active concert or participation with them who received notice of the court order, from infringing the copyright or certain marks of URANTIA Foundation (e.g. the Concentric-Circles Symbol and the word URANTIA). In addition, the March 7 court order required that appropriate material and information be turned over to URANTIA Foundation.

By the time of the second hearing (March 15), Mr. James ("J.J.") Johnson had denied wrongdoing but had also entered into a consent decree which bars him from infringing the copyright in the future. With regard to Ms. Maaherra, the court issued an order which affirmed that she "has created and distributed computer disks containing the entire text of *The URANTIA Book*, as well as an unauthorized derivative work of *The URANTIA Book*, namely a concordance of *The URANTIA Book*, and has encouraged and instructed third parties to whom she has sent unauthorized electronic copies of *The URANTIA Book* and concordance to create and distribute additional unauthorized copies" (paragraph 6). Further, the court declared that these actions had caused irreparable injury to URANTIA Foundation (paragraph 9).

Like its predecessor of March 7, the order which the court issued on March 15 prohibited Ms. Maaherra and all others who are in active concert or participation with her and receive notice of the court order from infringing the copyright or the specified marks of URANTIA Foundation. In addition, the court order of March 15 once again directed that appropriate material and information be turned over to URANTIA Foundation. This second court order remains in effect, and we have enclosed a copy.

During the week between the two hearings in federal court, Ms. Maaherra gave oral testimony and provided numerous documents. Evidence obtained thus far has convinced us that a number of people participated in activities associated with copying the text of *The URANTIA Book*. In addition, the Trustees have no doubt that copying of the text and subsequent distribution occurred with full knowledge that those acts were against the law and would reduce URANTIA Foundation's sales of its authorized electronic version.

In a letter which Kristen Maaherra has testified she wrote, she made the following statement:

The book on disk violates the copyright and is not legal.

In another letter, Ms. Maaherra declared:

Well, so far we've sent out (given away) \$100,000 worth of disks (this is computed according to the price the Foundation is planning to put on their computer data base program when it is finished).

Ms. Maaherra's calculations were based on her own estimate, for the Trustees have not yet set a price for the Foundation's electronic edition of *The URANTIA Book*. But Kristen Maaherra knew that what she was doing was wrong, and that it would damage URANTIA Foundation. Her two sentences make that very clear. In spite of this knowledge, Ms. Maaherra has not sought to remedy the damage which she and others caused. Instead, she has asserted that *The URANTIA Book* should not be protected under the copyright laws.

Additional information continues to be developed with respect to the scope of this infringement. In the long run, we believe, this whole episode will be understood as an eloquent demonstration of the need for URANTIA Foundation to exercise constant vigilance in protecting the copyright and registered marks. That is the only way the Trustees can be sure to preserve the text of *The URANTIA Book* inviolate, as the Declaration of Trust requires.

For many readers of *The URANTIA Book*, this letter from Chicago will be their first introduction to this disturbing story. For others, and especially for those who are bound by the enclosed court order, this letter from the Trustees of URANTIA Foundation will come as no surprise at all. We urge them to read the court order carefully and to comply with it fully. We hope that even the individuals who have been involved in this massive infringement will have acquired a better understanding of their wrongful acts and will now appreciate how serious they are. In addition, we hope that all sincere readers of *The URANTIA Book* will help the Trustees resolve this problem by giving us any information or material they may have which relate to this reckless assault on the copyright.

Sincerely,

The Trustees of URANTIA Foundation
Hoite C. Caston, Richard Keeler, Patricia Mundelius, Martin W. Myers, Neal Waldrop

Enclosure