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URANTIA.

URANTIA FOUNDATION

533 DIVERSEY PARKWAY CHICAGO ILLINOIS 60614

Via Certified Mail -  
Return Receipt Requested

January 17, 1986

Mr. Barrie Bedell  
P.O. Box 30571  
Santa Barbara, California 93105

Mr. Mo Siegel  
Celestial Seasonings  
1780 - 55th Street  
Boulder, Colorado 80301

Dear Barrie and Mo:

Re: The Concordex

With the conclusion of the holidays, we have been able to complete our joint review and discussion of your November 29, 1985 letter, and the materials therein included, and further to consider the entire Concordex matter.

We now wish to respond to you with respect to your proposed republication of The Concordex. However, in order to place this letter and our approach to The Concordex matter in perspective, we would first respectfully note the following.

Of singular importance, we have noted a major change in your position: you now recognize that The Concordex, since it is based on The URANTIA Book and since it uses a substantial amount of material therefrom, is a derivative work and, hence, requires our permission for publication.

Throughout our negotiations, you have insisted that you could proceed with a republication of The Concordex without our permission. You have stated a number of times that you had been so advised by legal counsel. You further maintained that, as a consequence, you were submitting The Concordex material to us only as an accommodation and as a showing of good faith. You nevertheless pressed for a dialogue as to the changes we might feel were warranted, and even then you had not submitted all the materials to us.

We, of course, have pointed out that we had been advised by qualified legal counsel that The Concordex, since it is based on The URANTIA Book and since it uses a substantial amount of material therefrom, is a derivative work and, hence, requires our permission for publication. In late September, you made certain statements which indicated that you appreciated the correctness of our position, but you nevertheless continued to urge your original position.

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In the meantime, we several times requested that we have, prior to our engaging in any substantive discussion relating to a republished Concordex, all of the material in final form which you proposed to include therein.

In your November 29, 1985 letter, you provided us with the last material concerning The Concordex, a camera-ready copy of the dust jacket and pages 1, 3, 4 and 5. (Previously we had received only incomplete mock-ups.) Additionally, you therein stated that you believed you could legally proceed with a republication of The Concordex without our permission, but only to the extent certain material is removed.

You also indicated that if we did not give you our permission for a republication of The Concordex (containing the material previously sent to us--which we maintain would violate the copyright in and to The URANTIA Book were it published), you would proceed with a republication of The Concordex after deleting certain material. We assume you are referring to the material which is violative of our copyright.

Barrie and Mo, to the extent it may be permitted without infringing our rights, as you claim, to republish The Concordex after certain deletions, we have decided that any such act must clearly be separate and apart from any approval from the Trustees of URANTIA Foundation. We therefore withhold our approval for the use of any material from The URANTIA Book in any republication of The Concordex.

Should you elect to delete all infringing material and thereafter to republish The Concordex, we ask that you engage and that you adhere to the advice of qualified copyright counsel in identifying and making the necessary deletions. Furthermore, we respectfully request that in each and every instance where there is a question as to whether your deletions are legally sufficient to avoid infringing our copyright, that you adopt a conservative approach and delete the questionable material. By so proceeding, you will help persuade others of your good faith in this matter, but perhaps more importantly, you will materially allay any concerns we might have.

By following an accommodative approach under the guidance of qualified copyright counsel, we believe a workable solution which will benefit all concerned will obtain.

However, in any event, we ask, Barrie and Mo, that you avoid any course of conduct which would in any way reasonably give cause to the general public to believe:

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a) that the Concordex, you yourselves, or the private foundation which Mo has created and called the "Jesusonian" Foundation, which private foundation ("Mo's foundation") is advertised on page 512 of The Concordex mock-up as the organization to be contacted for "distribution information in the United States and worldwide," are in any way sponsored by or connected with URANTIA Foundation,

b) that The Concordex, you yourselves, or Mo's foundation are in any way connected with The URANTIA Book, or

c) that you or Mo's foundation are proceeding with any republication and distribution of The Concordex with the cooperation or approval of URANTIA Foundation.

An obvious illustrative but by no means an exhaustive example of the type of use to which we object, is the use you have made of the title of The URANTIA Book on the spine of the proposed dust jacket for the proposed republished Concordex which we received in early December. Interestingly, the word "Urantia" as ostensibly used in the title of The URANTIA Book as a part of the title appears in a heavier, bolder and larger type which is more noticeable than the rest of the title. Such an appearance would certainly catch the eye of a bookstore browser and suggest that The Concordex was published or sponsored by URANTIA Foundation or one or more of its licensees. Such a trademark-like use clearly trades on our unique identity and is therefore objectionable. We hope that this and similar usages will be carefully deleted and otherwise avoided in any new edition.

Our concerns in this respect apply equally not only to the dust jacket however finalized, but also to the body of The Concordex itself and to any advertising, public relations, or media programs, whether given as an isolated event or as a series of related events, in which you may choose to engage, or which you may choose to sponsor or approve with respect to The Concordex.

Barrie and Mo, notwithstanding the word "Urantia" appears in the title of The URANTIA Book, it must not be so used as to mislead the public as to the source or origin or sponsorship of The Concordex. In no event should you trade on the good will of URANTIA Foundation.

So that our position is clear with respect to any republication of The Concordex, we wish to emphasize the following points, admittedly for their fullest legal effect, in addition to the important points already raised.

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This letter is in no way meant to compromise or otherwise to limit or circumscribe the Trustees' rights, powers and prerogatives with respect to any matter including but not limited to:

- a) the Trustees' ownership and enforcement of the copyrights in and to The URANTIA Book,
- b) the Trustees' maintenance of the unique identity of URANTIA Foundation and the good will associated therewith, and
- c) the Trustees' preservation of URANTIA Foundation's ownership of the marks "Urantia" and the concentric circles symbol.

Furthermore, the Trustees specifically reserve all right to object to any use, action or approach connected with any revised Concordex, notwithstanding such a use, action or approach may have been suggested or evident in the material previously sent to the Trustees--specifically including but not limited to the material sent to the Trustees in calendar 1985--to which use, action or approach the Trustees may have not previously objected.

The Trustees further specifically withdraw any prior approval, if any, whether express or implied, with respect to all previous dealings with you or your predecessor(s).

This letter is not to be relied on in any way to justify any actions taken with respect to The Concordex which the Trustees may deem to be against the best interests of URANTIA Foundation or The URANTIA Book.

Finally, please know that any actions which you may take with respect to The Concordex shall be at your own cost and risk.

Barrie and Mo, even if this letter is of necessity detailed, with portions possibly of a decidedly legal tone, we wish to emphasize that our position is not in any way determined by personal considerations. Our approach is based on what we see as our larger responsibilities for the success and welfare of The URANTIA Book and the wise dissemination of its teachings, and is entirely consistent with our treatment of secondary works in general and with our efforts over the years to insure the unique identity of URANTIA Foundation.

Furthermore, we wish to emphasize that whereas we have not given our approval for the republication of The Concordex, this does not mean that we do not appreciate the need for an appropriate non-interpretive index to assist students in their study of The URANTIA Book. To that end, we believe that we must earnestly proceed with the development of suitable index materials to be prepared and distributed under the guidance and sponsorship of the Trustees of URANTIA Foundation.

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By having thus decided to proceed in this matter, it appears that we have achieved an approach which benefits all concerned, including potential users of The Concordex and other index materials.

To the extent you may decide to proceed with a republication of The Concordex without violating the copyright in and to The URANTIA Book and without trading on the identity or good will of URANTIA Foundation, you are able to proceed on your own without having to feel obligated to URANTIA Foundation. We on the other hand are able to maintain our unique identity separate and apart from any association with The Concordex, and vice versa. Furthermore, we are able to have our own index and other similar materials which will clearly have their own readily identifiable, approved association with The URANTIA Book and URANTIA Foundation. Our reading public will then have a number of different reference choices, all hopefully enriching their association with The URANTIA Book.

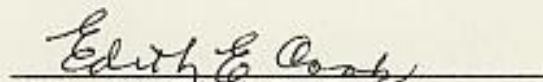
Barrie and Mo, we are hopeful of having your fullest cooperation as we have outlined above. We believe our approach is as balanced a response to the situation as is possible after considering all of the circumstances. We hope you will agree.

In the meantime, we each send you our best personal wishes for health and happiness in the coming year.

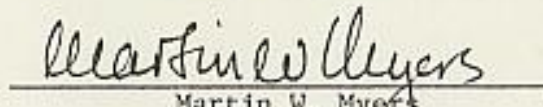
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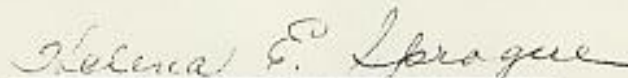
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cc: URANTIA Brotherhood  
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