

The World Science Fiction Society

Minutes of the Business Meeting 1986

[The electronic version of these minutes was created by Pat McMurray in June 1998]

Part 1. The Preliminary Business Meeting

Date. August 29, 1986

Time: 1:00 P.M.

Officers: Chairman: Bruce E. Pelz, CA

Parliamentarian: Ben Yalow, NY

Secretary: Elayne F. Pelz, CA

The meeting was gaveled to order with an ashtray, as there was no gavel. There also was no tape-recorder. Sign-up sheets were passed around the room - these are included with these minutes. [They didn't scan and couldn't be read.]

The chairman explained the purpose of this meeting - namely to set debate limits for the business in the Main Business meeting, and to amend anything people wanted to. Any report from existing committees would also be heard.

The agenda is included with these minutes. (Attachment 1) The text for all motions passed on to the Main Business Meeting will be quoted in full in the minutes of the Main Business Meeting.

The debate limit on Item #1, passed on from Aussiecon 2, was set at 6 minutes.

The debate limit on Item #2, passed on from Aussiecon 2, was set at 6 minutes.

The debate limit on Item #3, passed on from Aussiecon 2, was set at 6 minutes, after the text, as published by Confederation was corrected to that passed by Aussiecon 2. Amendments to the clause failed.

The debate limit on Item #4, passed on from Aussiecon 2, was set at 6 minutes.

The debate limit on Item #5, passed on from Aussiecon 2, was set at 2 minutes.

The debate limit on Item #6, passed on from Aussiecon 2, was set at 3 minutes.

The report of the Special Committee on Worldcon Site Selection and Rotation was presented by Ben Yalow, chairman. It was decided that he should present the committee's chosen options to the meeting, and let the assembly decide which, if any, should be passed on to the Main Business Meeting. A printed report is attached. (Attachment 2)

After much discussion and motions to "object to consideration", it was decided to pass on the second proposal of the report, known as the "Three North American zones with 1/3 non-North America rotation", proposed to the special committee by Craig Miller. Two amendments were passed to the original and the whole passed on to the Main Business Meeting, with a 20 minute debate limit.

Due to a mix-up at last year's convention, a committee to Research Business Meeting Resolutions was never set-up. That Meeting had asked that George Flynn, MA, be asked to head the committee. This was done now, but George declined, stating that he thought that this task ought to go to the Standing Committee. The discussion was postponed to the Main Business Meeting.

The ConCom Financial Reporting Act (Attachment 3) was passed on to the Main Business Meeting with a 6 minute debate limit.

Lewis Wolkoff, PA, presented "The Hugo Awards: A Discussion with Proposals". (Attachment 4). The following motions were proposed:

The following shall be added after Article II, section 21 of the WSFS Constitution:

Section 22: Special Exclusion: Except for those categories which recognize a single titled work, an individual or publication may not be nominated for any category for which that individual or publication received the Hugo the previous year

An Object to Consideration was called, and passed.

Article II, Section 9 of the WSFS Constitution shall be replaced with the following:
Section 9: Best Cover Art: Any cover illustration for a book or magazine dealing with science fiction or fantasy or any calendar dealing with science fiction or fantasy appearing for the first time within the previous calendar year.
Section 10: Best Interior Illustration: Any illustration appearing within the pages of a book or magazine dealing with science fiction or fantasy appearing for the first time within the previous calendar year.

An Object to Consideration was called and passed.

The Best Non-Fiction Book motion was discussed, with the question arising about Art Books - collections, text etc. The chair ruled that these would qualify in this category. This was passed on to the Main Business Meeting with a debate limit of 8 minutes.

The Notification of Hugo Nominees motion (Attachment 5) was discussed and passed on to the Main Business Meeting with a 1 minute debate limit.

Two motions were presented by Robert Sacks, NY and Brian Burley, NY.

To amend the WSFS Constitution by adding a section to Article III:
An out-of-rotation site in North America may be selected by a three quarters (3/4) vote of all voters except those voting "No preference." (Attachment 6)

An Object to Consideration was called and passed.

To amend the WSFS Constitution by adding to Article III:

North America shall consist of Alaska, Canada, Greenland, St. Pierre and Miquelon, the continental United States, Mexico, all countries in Central America between Mexico and Panama inclusive, Bermuda, the Bahamas, and all islands of the Caribbean. A cruise ship or other moving site in port in North America shall be considered part of North America, and part of the region or regions it is in port in. (Attachment 6)

An Object to Consideration was called and passed.

The Rules Distribution Amendment (Attachment 7) was passed on to the Main Business Meeting with a debate limit of 3 minutes.

Donald Eastlake III, MA, and Alexis Layton, MA, proposed the following change to the Standing Rules: (Attachment 8)

Moved, to amend Rule 5 of the Standing Rules for the Governance of the WSFS Business Meeting by (1) striking the words "requiring a vote" and inserting in their place the words "for non-privileged new business" and (2) moving the last two sentences of Rule 5 to the end of Rule 4.

This was voted on and passed. As it is a Standing Rule, it will take place immediately. The sections will now read:

Rule 4: The deadline for the submission of non-privileged new business shall be two hours after the official opening of the Worldcon or eighteen hours before the first Preliminary Business Meeting, whichever is later. The Presiding Officer may accept otherwise qualified motions submitted after the deadline, but all such motions shall be placed at the end of the agenda. The Presiding Officer will reject as out of order any proposal or motion which is obviously illegal or hopelessly incoherent in a grammatical sense.

Rule 5: Six (6) identical, legible copies of all proposals for non-privileged new business shall be submitted to the Presiding Officer before the deadline given in Rule 4 above. All proposals or motions of more than seventy-five (75) words shall be accompanied by at least one hundred (100) additional identical, legible copies for distribution to and Intelligent discussion by the Meeting attendee unless they have actually been distributed to the attendee at the Worldcon by the Worldcon Committee. All proposals or motions shall be legibly signed by the maker and at least one seconder.

The Report of the Standing Committee was postponed, by request of the Chair of the Standing Committee, until the Main Business Meeting.

The Preliminary Business meeting was adjourned until the Main Business Meeting, Saturday, August 30, 1986, to be held at 1:00 p.m.

Part 2: The Business Meeting, Part 1

Date: August 30, 1986

Time: 1:00 p.m. - 3:00 p.m.

Officers: Chairman: Bruce E. Pelz, CA

Parliamentarian: Ben Yalow, NY

Secretary: Elayne F. Pelz, CA

The meeting was again gaveled to order with an ashtray, as there was still no gavel. This time, however, there was a tape-recorder. No tape, but a tape-recorder. The secretary found a personal tape which was used until the convention supplied far too many tapes. Sign-up sheets were again passed around the room - these are included with these minutes. [not in this e-copy.]

A copy of the agenda for this meeting is enclosed [not in this e-copy - the wording is in the main text].

Nominations for members of the Standing Committee were taken. There are three positions to fill, and these members will serve from the end of the 1986 Worldcon through the 1989 Worldcon. The following nominated and accepted:

Scott Dennis (KY) Bob Hillis (IL)
Chuck Donahue (CA) Craig Miller (CA)
Donald Eastlake (MA) Bruce Pelz (CA)
Gary Feldbaum (PA) Fran Skene (British Columbia)
George Flynn (MA) Leslie Turek (MA)
Ray Heuer (NY)

Seth Briedbart (NY), Stu Hellinger (NY) and Rick Katze (MA) were appointed as tellers for the balloting. It was moved by Kent Bloom (MD) that the ballots include the zones of nominees and continuing members of the Standing Committee. This was passed.

The report of the Standing Committee was presented. Donald Eastlake went through the report, explaining points as necessary and answering questions as they came up (#2). As with the Preliminary Business Meeting, motions were taken up and voted upon as they were explained.

The following resolutions were proposed by the Standing Committee:

****MOVED**, That the Standing Committee is authorized to appoint a representative to engage in discussion with "World SF, an International association of Science Fiction Professionals", aimed at minimizing name conflicts.

****MOVED**, That all Worldcon and NASFIC Committees are encouraged to financially support the Standing Committee.

These both passed with little dissent.

The following resolution was proposed by the Standing Committee, and was passed 63 to 35, after much discussion and rewording.

****MOVED**, to amend the WSFS Constitution by adding the following to the end of the first sentence of Article IV, Section 5:

"One (1) voting member appointed to serve at the pleasure of each future NASFIC Committee and for each Committee of a NASFIC held in the previous two years."

As noted in Section 8 of the Standing Committee report, the Committee felt that it is inappropriate for it to accept any further duties, other than those which are specified in Article IV, Section 6 of the WSFS Constitution. As such, the following motion was proposed:

****MOVED**, to amend the Standing Rules for the Governance of the World Science Fiction Society Business Meeting by adding the following new rule:
"It shall require a two-thirds vote to assign any new tasks to the Standing Committee."
(#3)

This was not passed. It was moved that a new committee be appointed to compile the Resolutions of the Business Meetings of past Worldcons which are still in force. This was postponed until after the ratification of last year's motions.

The following are motions which needed to be ratified by the 1986 Business Meeting. These were passed at the 1985 Business Meeting in Australia.

****MOVED**, to amend Article I of the WSFS Constitution by adding the following to Section 7:
"The net income from running a Worldcon and earnings derived from such income shall not be used to bid for a different Worldcon except that equal grants may be given to all of the bidders who have filed by the deadline for a particular year."

This was not ratified, 40 in favor, 69 against. The motion is therefore dead.

****MOVED**, to amend Article III of the WSFS Constitution by deleting Section 4.

This was ratified, 63 in favor, 35 against. Section 4 will be removed, and all subsequent sections are to be renumbered.

****MOVED**, to amend Article IV, Section 5 of the WSFS Constitution by adding the following between the second and third sentences:
"Of the nine elected members, no more than three may be residing, at the time of election, in any single North American region, as defined in Article III, Section 6. PROVIDED THAT current members of the Standing Committee shall serve until the end of their terms, with all new members elected under the above provision.

After much discussion, and a call for a Barf Bag from the Chairman, this was ratified 73 to 42.

****MOVED**, that all references in the WSFS Constitution to "the Standing Committee" be changed to "the Mark Registration and Protection Committee" wherever they occur.

After an attempt to add the words "and archive" to the motion was defeated, the motion was ratified as stated.

A motion to adjourn the meeting until August 31, at 1:00 p.m. was passed.

Part 3: The Business Meeting, Part II

Date: August 31, 1986

Time: 1:00 p.m. - 3.00 p.m.

Officers: Chairman: Bruce E. Pelz, CA

Parliamentarian: Ben Yalow, NY

Secretary: Elayne F. Pelz, CA

After the meeting was gaveled to order (still with ashtray), the ballot for Standing Committee Members for 1986-1989 was passed out. After all ballots were marked and turned in, the tellers took over the side part of the podium to count them. (#4M).

The Chairman called on the current committee (Confederation) for the results of the Site Selection. The tallies for 1988 are:

	Mail	Con	Total
Bermuda Triangle	189	236	425
Cincinnati	100	149	249
New Orleans	269	643	912
St. Louis	83	110	193
Sydney Cove	5	11	16
None of the Above	3	12	15
No Preference	21	27	48
Void (Double votes, no member)	1	4	5

Total: 671 1192 1863 New Orleans later announced their Guests of Honor: Donald Wollheirn and Roger Sims, with Mike Resnick as Toastmaster. They passed out PR#0, listing their conversion rates, address etc.

The 1989 Worldcon will be in Boston. They have selected no Guest of Honor as yet, but their Fan Guests will be The Stranger Club - the

first SF Club in Boston. They also passed out their PR#0.

The assembly then took on the agenda where it left off the day before. The following are the remaining motions which needed to be ratified at this Business Meeting, having been passed at Aussiecon II last year:

****MOVED**, to amend the WSFS Constitution by adding the following new section to Article IV:

"The Standing Committee shall submit to the Business Meeting at each Worldcon a report of its activities since the previous Worldcon, including a statement of income and expense."

This was ratified with no debate.

****MOVED**, to amend the WSFS Constitution by adding the following new section to Article I:

"No part of the Society's new earnings shall be paid to its members, officers, or other private persons except in furtherance of the Society's purposes. The Society shall not attempt to influence legislation or any political campaign for public office. Should the Society dissolve, its assets shall be distributed by the current Worldcon Committee, or the appropriate court having jurisdiction, exclusively for charitable purposes. In this section, references to the Society include the Standing Committee and all other agencies of the Society but not convention bidding or operation committees."

This was ratified with no debate.

This was all the business which needed to be ratified.

It was at this time where we actually heard from the New Orleans committee. After they finished, the Chairman asked if other conventions/bids wanted to make any comments. The Dutch bid for 1990 wanted it noted that their Bid was not being monetarily supported by the Dutch Government or by KLM, their national aircarrier. They were trying to help the bid get the vote by providing information on the Hague and Holland in a general tourist sense, as much as North American cities support a bid from their city with this info.

At this time, the motion to appoint extra duties to the Standing Committee, in the way of keeping track of Resolutions and archiving rules was brought up. The majority of the Committee stated again

that they didn't want the job. The motion failed 76 to 48.

George Flynn (MA) was then asked if he would head a committee to archive and keep track of Resolutions. He declined, as he felt that the Standing Committee should do this. A Motion to appoint a committee was accepted and passed, after a motion to suspend the rules was called and not passed. The Chairman will appoint a committee to gather up all resolutions and start an archive.

The meeting then took up the proposed amendment, made by the Site Selection committee, short title: 4-zone Rotation with non-North America every third year.

**MOVED, to amend the WSFS Constitution Article III, Section 6, Future Worldcon Selection, by replacing the words "Western, Central, Eastern region" in the next to last sentence with the words "Eastern, Western, non-North American, Central, Eastern, non-North American, Western, Central, non-North American", and adding the following proviso to the section:

"Provided that this takes effect with the selection of the Eastern Worldcon to be selected at the 1989 Worldcon".

and

To amend Article III, Section 7, Future Worldcon Selection, by replacing the first two sentences with

"A NASFIC shall be held in those years where the Worldcon is held outside of North America. NASFIC sites shall rotate in the order Eastern, Central, Western region,"

and to change clause 1 of the final sentence to read:

"voting shall be by written ballot to be administered by the current NASFIC (or by the current Worldcon if there is no NASFIC), with ballots cast either by mail or at the administering convention, with only the members of the administering convention allowed to vote."

and to add this following proviso to the section:

"Provided that this begins with the NASFIC to be selected at the 1991 Worldcon."

An amendment was moved and accepted by the maker that the Central zone can bid against the Eastern zone for the 1994 NASFIC, should there be one.

Another amendment was moved but not accepted, to make section 6 read as follows:

"To ensure equitable distribution of sites, North America is divided into three (3) regions as follows: WESTERN. Baja California, New

Mexico, Colorado, Wyoming, Montana, Saskatchewan, and all states and provinces westward, including Hawaii, the Yukon and the Northwest Territories; CENTRAL: Central America, the islands of the Caribbean and St. Pierre, Mexico (except as above), and all states and provinces between Western and Eastern regions; and EASTERN. Florida, Georgia, South Carolina, North Carolina, Virginia, West Virginia, Pennsylvania, New York, Quebec, and all states and provinces eastward, including the District of Columbia, Bermuda and the Bahamas."

This was passed. It was then moved to divide the motion as it now stood into two different motions - one which would explain the Site Selection Rotation, and the other to add the regions to Section 6. This was also passed.

Another motion was not accepted and was not passed: to delay the new rotation plan by another 3 years.

After much discussion etc. the motion to change the site selection rotation plan failed. The second motion to amend Section 6 passed.

The following motions were discussed, and passed with little dissent.

**MOVED, to amend the WSFS Constitution by striking the second sentence of Article I, Section 7, and inserting the following in its place:

"Each Worldcon Committee shall submit an annual financial report, including a statement of income and expenses, to each WSFS Business Meeting after the Committee's selection through the first or second Business Meeting after its Worldcon, at its option, to which it will also submit a cumulative financial report."

**MOVED, to amend Article II, Section 6 of the WSFS Constitution by striking out "relating to" and substituting "whose subject is", and by inserting "or fandom" after fantasy. The Section would now read:

"Best Non-Fiction Book: Any non-fictional work whose subject is the field of science fiction or fantasy or fandom appearing for the first time in book form during the previous calendar year."

Both of these motions will now go to the 1987 Business Meeting for ratification.

The following motion was discussed, and after amendment, was passed. It now reads:

****MOVED**, to add to Article II a new Section, between current Sections 18 and 19, as follows:

"Notification and Acceptance: Worldcon Committees shall use reasonable efforts to notify the nominees, or in the case of a deceased or incapacitated person, their heirs, assigns or legal guardians, in each category prior to the release of such information. Each nominee shall be asked at that time to either accept or decline the nomination."

This motion will now go to the 1987 Business Meeting for ratification.

The final motion of the meeting was discussed and passed.

****MOVED**, to amend Article IV, Section 8, of the WSFS Constitution, by striking the words "printed in the Worldcon Program Book, if there is one" and inserting in their place the words "distributed to all WSFS members in attendance at the Worldcon upon registration." It would now read:

"The Constitution of WSFS, together with an explanation of proposed changes, approved but not yet ratified, and the Standing Rules shall be printed by the current Worldcon Committee, distributed with the Hugo nomination ballots, and distributed to all WSFS members in attendance at the Worldcon upon registration."

Those elected to the Standing Committee were:

Bruce Pelz (CA) on the first ballot

Fran Skene (British Columbia) on the second ballot

Craig Miller (CA) on the third ballot.

Donald Eastlake was appointed to the Standing Committee by the Noreascon 3 Committee. New Orleans will assign their representative at a later date.

The chair called for any further business or announcements.

The crew from Toronto wished to make it clear that they were not officially bidding for anything at this time. They were merely testing the waters and getting other opinions from the fans at large. Stay tuned for further announcements.

The meeting was adjourned at 3:00 p.m.

1986 Annual Report of the Standing Committee to the World Science Fiction Society Business Meeting

This is the Annual Report of the World Science Fiction Society Standing Committee. The Committee is responsible for the registration and protection of the marks used by or under the authority of WSFS. During the Aussiecon II to ConFederation year, Donald E. Eastlake, III, served as Chairman of the Committee and James L. Gilpatrick was its Secretary-Treasurer. The Committee address and full Committee membership are listed in Appendix A.

This report primarily concerns the Standing Committee activities to protect the World Science Fiction Society marks and the finances of the Committee. The protection activities have been divided into the areas of Searching, Registration, Watching, and Maintenance. A complete program of mark registration and protection would include all of these areas. In addition there is a section on two requests for information received by the Committee, a section concerning a change in Committee structure recommended by the Committee, and a section on Committee duties. In the sections on mark protection and finances, to give a broader picture of Committee activities, the activities of its predecessor *ad hoc* committees are usually included.

This report gives more thorough information on service marks, various steps that might be taken to improve their protection, and Committee finances than have previous reports of the Committee because questions have arisen in these areas. Appendix B to the report gives some technical background on service marks. Although in several instances this report says that certain actions would be desirable and gives an estimated cost, this does not mean that the Committee has determined that such funding is essential. The only formal decision made by the Committee thus far was, as reported to the 1984 Business Meeting, that the Committee felt that it needed a minimum of \$500 per year to perform its duties.

This report contains a number of statements that could be considered legal opinions. These are simplified and are for internal World Science Fiction Society use only.

1. Mark Searching

Mark searching is an organized attempt to find out what similar marks are presently in use, particularly for similar purposes. This is commonly done in connection with selecting a new mark. It is also useful for an existing mark to see who else is using similar marks or possibly infringing and

to anticipate potential problems in registration.

In 1980, a predecessor of the Standing Committee obtained a USA mark search for "Hugo Award" and "World Science Fiction". This search found numerous instances of Hugo, Award, World, and Science Fiction in both registered marks and common law marks. For example, there are two cities in the USA called Hugo (in Minnesota and Oklahoma) and many company names and registered marks incorporating "Hugo". However, no instances of the combinations 'Hugo Award' or "World Science Fiction" were found by this search.

The existence of multiple unrelated uses of parts of these marks means that they are "weak" marks and are not entitled to protection against new unrelated uses. For example, tomorrow someone could start using Hugo as a brand name for house paint and we could not stop them. But we can stop new related uses. The opposite of a weak mark is a "strong" mark such as "Exxon" which is a very distinctive artificial name not in use by anyone else. Exxon would probably have no trouble stopping someone from starting to use Exxon as, say, a brand name for hand tools, even if they have never made and never plan to make hand tools.

In 1986, the Committee obtained an international search for "Hugo Award" and "World Science Fiction" that covered Canada, France, Sweden, West Germany, the Benelux countries, and international marks registered at Geneva. (There is a system for the international registration of marks but it does not include the USA, UK, Canada, or Australia.) On Hugo Award, this search found no exact conflicts but did find a number of uses of "Hugo" some of which are close enough that they may warrant further investigation. The most significant of these is that "Prix Victor Hugo" is registered in France. On World Science Fiction, no direct conflicts were found among registered marks in the countries searched. For common law marks, both World Science Fiction Society and "World SF" were found. Thus anyone else doing such a search will become aware that these similar names are in use. Among numerous other tidbits it was found that the Canadian Awards, Honors, and Prizes Directory lists the World Science Fiction Society at the Standing Committee address as the awarder of the Hugo Award, the World Guide to Abbreviations of Organizations lists World Science Fiction Society as a UK organization but does not give an address, and the International Acronyms, Initialisms & Abbreviations Dictionary lists "WSF" for World Science Fiction and "WSFS" for World Science Fiction Society. In general, these

results have not uncovered any conflicts with registering World Science Fiction Society, World Science Fiction Convention, or Hugo Award in these countries with the possible exception of registering Hugo Award in France.

Although a search has not been done, it seems likely that Worldcon and NASFIC are strong marks and that WSFS is moderately strong. The only known use of these three marks by others is the use of WSFS for financial services by a financial institution.

The Committee is considering obtaining further mark searches to cover Australia, update our USA search, or cover other WSFS marks.

2. Mark Registration

All of the WSFS marks have been registered in the United States of America except for Science Fiction Achievement Award and NASFIC. (See Appendix B for information on the advantages of registration.) The attempt to register Science Fiction Achievement Award, the formal name of the Hugo Award, have been abandoned as directed by the Business Meeting after registration was repeatedly refused by the US Patent and Trademark Office on the grounds that the name was a mere generic description. However, we are having Science Fiction Achievement Award listed in a frequently used computerized directory of common law (unregistered) marks which will give notice to those doing mark searches including this directory.

Registration of NASFIC is still in progress. Some delay was caused by the unfortunate death of the attorney that was originally handling this matter. The first response to our initial filing for NASFIC has been received and our response has been filed.

The Committee believes that it would be a good idea to eventually register the WSFS marks in all countries that have hosted multiple World Science Fiction Conventions (except that it is probably not necessary to register "NASFIC" outside of North America). The primary barrier to doing this is financial. \$350 is a reasonable estimate of the cost of registering a mark in a country if no difficulties arise. Although WSFS could expect some discount for multiple similar registrations, it is also likely that some difficulty will arise on one or more marks in one or more countries. Thus a reasonable initial estimate of the total cost of achieving this goal would be \$350 times sixteen (5 for UK, 5 for Australia,

and 6 (including NASFIC) for Canada) or \$5,600. This expenditure can be spread over a period of years.

3. Mark Watching

While searching involves trying to find out about conflicting past and current uses of marks, watching involves checking on the new adoption or use of marks that may conflict. The reason for an organized program of watching is that the longer someone uses a mark (or plans to use it) the harder it is, both practically and legally, to stop them.

With regard to registered marks in the USA, you might think it would be adequate to check the marks published in the Official Gazette of the US Patent and Trademark Office since the purpose of such publication is to solicit any opposition before the mark is registered. However, it usually takes over a year between initial application and the publication in the Gazette during which time the applicant may have become psychologically or financially committed to using the mark. Thus, they may fight harder for registration or still use the mark if registration is denied. So it is usually a good idea to get an application watch so you will learn about possibly conflicting applications as soon as they are filed and can contact an applicant before they are committed to a mark.

A complete mark watch in the USA alone would include federal application and registration watching, state mark registration watching in all states, common law watching of telephone and other directories as they come out, etc. To do all this professionally would cost about \$1,000 per mark per year and seems excessive for the WSFS marks. (Actually, the cost given assumes a word or phrase - like mark. Cost would be higher for a design mark.)

So far the Standing Committee has not conducted any organized watching at all. This coming year we hope, at a minimum, assuming finances are available, to get an application watch in the US for applications that might conflict with "Hugo Award" or "World Science Fiction" (which will cost \$150 a year) and to watch the US Official Gazette.

4. Mark Maintenance

Mark maintenance consists of steps taken to encourage proper use and recognition of a mark and to stop or discourage improper use or dilution of a mark, including

actions against infringement.

In the area of maintenance, the Standing Committee has prepared and distributed a preliminary WSFS mark usage guide and contacted various convention and bidding committees to make suggestions concerning the use of the WSFS marks. Copies of the usage guide are available on request from the Committee. In addition, the Committee has contacted Doubleday & Co. and they have been very cooperative in including a WSFS registered mark notice on the copyright page of *The Hugo Winners*. We are considering contacting others who make use of the WSFS marks to suggest that they incorporate a registered mark notice in their publications or advertisements.

In the area of infringement, the Standing Committee is continuing to look into the Chicago International Film Festival whose use of "Hugo Award" is illustrated in Appendix C to this report. This is expected to be a difficult case because their use has continued for so long (roughly twenty years). Normally, as the senior (first) user of a registered mark, WSFS would be entitled to exclusive use. However, because of the passage of so much time we may have to settle for less. Anyone aware of any actual confusion that has occurred between the real Hugo Award and the Chicago International Film Festival's award is requested to contact the Committee. If we can demonstrate significant confusion, our case will be much stronger. Unless directed otherwise by the Business Meeting, the Standing Committee intends to pursue the Chicago International Film Festival.

In 1979 an organization restricted to science fiction professionals was formed which adopted the name "World SF". Numerous cases of actual confusion occurred between that name and the WSFS marks that include World Science Fiction, particularly persons showing up at a World Science Fiction Society Business Meeting expecting a "World SF" meeting.

The definition of infringement is the use of the same or a sufficiently similar name (or design, etc.) in such a way as to cause (or to be likely to cause) confusion in the average person. Thus, from the fact of confusion and the definition of infringement, it follows that "World SF" was infringing on the WSFS marks.

Recognizing this, the Standing Committee voted to send a letter to 'World SF' asking their opinion as to what should be done to resolve the conflict. A copy of this letter is attached

as Appendix D. 1. In response, an Officer of "WorldSF" appeared at the 1985 World Science Fiction Society Business Meeting, denied any infringement, and introduced a motion which passed and is reflected in the letter in Appendix D.2.

Both at the 1985 WSFS Business Meeting and subsequently in print some persons have suggested that any problems involved with "World SF" be solved by licensing them to use the name they have adopted. As explained in Appendix B, the Standing Committee is opposed to licensing "World SF" as this might result in the abandonment of World Science Fiction Society and World Science Fiction Convention marks.

In the opinion of the Standing Committee, confusion is still occurring between the name "World SF" and the WSFS marks. Furthermore, as is only to be expected, "World SF" is expanding its activities and we understand that it plans to start publishing a "World SF Journal".

Because of the sensitivity of dealing with "World SF" and because the Business Meeting has already passed a motion in this area, the Standing Committee does not plan to contact "World SF" or take any action without Business Meeting approval. However, the Committee believes that discussions with "World SF" as to what could be done to reduce name confusion would be useful. Therefore the Committee requests authorization to appoint a representative to enter into discussions with "World SF" via the following motion:

Short Title: "World SF" Dialog Motion

MOVED, that the Standing Committee is authorized to appoint a representative to engage in discussion with "World SF" aimed at minimizing name conflicts.

5. Finances

Included in this report is a Standing Committee financial statement prepared by Jim Gilpatrick and two pie charts providing additional information prepared by Jim Gilpatrick and Donald Eastlake. [the pie charts are as separate JPEG files]. The only significant aspects of the Committee's financial status not shown are that (1) ISFIC, the Illinois organization that sponsors Windycon, has pledged to give \$500 to the Committee, (2) Noreascon Ill has agreed to donate \$1 per vote in the 1989 site selection to the Committee if it is selected as the 1989 Worldcon, and (3) all known 1988

bidders have been requested to donate \$1 per vote.

(Note: The cost of the failed attempt to register Science Fiction Achievement Award, as shown in the chart, was so high because of the multiple responses involved including an appeal to the Trademark Trial and Appeal Board.)

The Standing Committee unanimously requests that the Business Meeting adopt the following resolution:

Short Title: Standing Committee Funding

MOVED, That all Worldcon and NASFiC Committees are encouraged to financially support the Standing Committee.

6. Information Requests

At the time of the 1985 World Science Fiction Society Business Meeting, the Standing Committee had received a request for a list of Hugo Award winners but had not yet responded to this request. The 1985 Business Meeting ruled that it was permissible for the Committee to respond to this sort of routine information request. The Committee responded to this initial request and, during the 1985/1986 year, received one additional request to which it also responded.

7. Committee Membership Change

A majority of the Committee believe that, since the Committee is registering and protecting the NASFiC mark, NASFiC Committees should be entitled to attend Committee meetings and receive Committee mailings. However, since NASFiCs have no associated Hugo Awards or WSFS Business Meeting and since there are so many more WSFS marks, it seems inappropriate for NASFiCs to have a vote on the Committee. Therefore, the Committee hereby submits the following amendment to the WSFS Constitution for the consideration of the Business Meeting:

Short Title: NASFiC Representation

MOVED, to amend the World Science Fiction Constitution by adding the following to the end of the first sentence of Article IV, Section 5:

"one (1) non-voting member appointed to serve at the pleasure of each future selected NASFiC Committee and for

committees of NASFiCs held the previous two years."

8. Committee Duties

By a vote of 6 to 4 the Standing Committee adopted the following resolution and directed that it be reported to the Business Meeting:

"The Standing Committee feels that, as there is a motion pending ratification to effectively limit the Committee to those duties specified in Article IV, Section 6, of the WSFS Constitution, the Committee believe it is inappropriate to accept the duty to compile the Resolutions of the Business Meeting and suggests that another committee be appointed."

Appendix A: Committee Information

The 1985/1986 membership of the Committee is as follows:

- Appointed by Worldcon Committees:
 - Craig Miller (L.A.Con II)
 - Jack Herman (Aussiecon II)
 - Penny Frierson (ConFederation)
 - Colin Fine (Conspiracy '87)
- Elected to serve through ConFederation:
 - Donald Eastlake [Chairman]
 - Leslie Turek
 - George Flynn
- Elected to serve through Conspiracy '87:
 - Rick Katze
 - Ross Pavlac
 - Willie Siros
- Elected to serve through the 1988 Worldcon:
 - Kent Bloom
 - Jim Gilpatrick [Secretary-Treasurer]
 - Ben Yalow

WSFS Standing Committee Cumulative Financial Summary, 1981-86

STARTING CASH BALANCE: \$0

Income: Committee Donations \$4227.00

Total Income: \$4227.00

Expenses: Legal Fees \$3722.04

Postage 57.70

Office Expenses 270.42

Local Transportation 6.00

Total Expenses: \$4056.16

SURPLUS FOR PERIOD: \$170.84

CASH BALANCE ON HAND: \$170.84

WSFS Standing Committee Financial Summary, Aug.
22, 1985 to Aug. 28, 1986

STARTING CASH BALANCE: (\$252.20)

Income: Conspiracy '87 \$527.00

Lone Star Con \$250.00

ConFederation \$250.00

CactusCon \$500.00

Total Income: \$1 527.00

Expenses: Legal Fees \$995.00

Postage \$ 39.98

Office Expenses \$ 68.98

Total Expenses: \$1103.96

SURPLUS FOR PERIOD: \$423.04

CASH ON HAND, August 28, 1986: 70.84

Submitted by: *Jlm Gilpatrick*, Treasurer. August 28, 1986

"World Science Fiction Society", WSFS, "World Science Fiction Convention", "Worldcon", "NASFiC", "Science Fiction Achievement Award", and "Hugo Award" are service marks of the World Science Fiction Society, an

unincorporated literary society.

Appendix B: Some Questions and Technical Answers on Service Marks

Below are a number of questions on service marks with answers. For simplicity, these are given with reference to the law in the United States of America. Laws in other nations where Worldcons have been held are generally similar. One exception is that at this time the United Kingdom does not formally recognize service marks, only trade marks for goods. However the UK law is expected to be changed this October to allow registration of service marks. The Standing Committee is looking into legal differences in other countries.

What is a Service Mark?

The Lanham Act, the current US Trademark legislation, defines a service mark as 'A mark used in the sale or advertising of services to identify the services of one person and distinguish them from the services of others.' In this definition, 'person' means a "legal person" and includes associations, corporations, and partnerships as well as individuals.

A service mark is generally no different than a trademark other than the fact that it is associated with services rather than goods. The Lanham Act defines a trademark as "any word, name, symbol, or device or any combination thereof adopted and used by a manufacturer or merchant to identify his goods and distinguish them from those manufactured or sold by others." Examples of well known service marks are *Hertz*, *Avis*, *PanAm*, and *McDonald's*.

What is Registration?

In the USA and many other countries, rights in service marks (and other kinds of marks) can be acquired only through adoption and actual use of the mark. What is all this about registration then?

If a mark has been actually used in the USA, in commerce that may be regulated by Congress, to exclusively identify some particular provider of a service, it may be registered with the Patent and Trademark Office. Registration confers the following advantages: (1) It creates a legal presumption that the trademark is valid. Thus it puts the burden on anyone trying to use a mark sufficiently similar as to cause confusion

to show that they have some right to do so. If the mark was placed on the Principle Register (as all WSFS marks have been so far) then after five years and some more formalities, the mark achieves "incontestable" status, which really means that it can only be attacked on a small number of narrow grounds. (2) In addition, registration on the Principle Register makes available mechanisms to stop infringing imports. (3) Federal registration gives the world "constructive notice" as to the use of the mark. This means that after registration, no one in the US can use ignorance of the use by the owner as an excuse. (4) Federal registration gives a right to sue in Federal courts and obtain nationwide enforcement as well as providing for treble damages in certain circumstances.

What is Abandonment?

The Lanham Act provides that a mark 'shall be deemed to be 'abandoned' ... when any course of conduct of the registrant, including acts of omission as well as commission, causes the mark to lose its significance as an indication of origin.'

Usually abandonment consists of the owner no longer using the mark. In the USA, failure to use a registered mark for two years creates a presumption of abandonment but this can be overcome if you can show that there was no intent to abandon the mark. However the provision in the Lanham act also covers the registrant ignoring infringing uses, where the value of a mark as an indication of origin is destroyed by other uses and knowing this the registered mark owner takes no action, and improper licensing as described below.

What is Improper Licensing?

The owner of a service mark can license others to use the mark but only if they retain control of the services offered. Franchises are a typical example of this sort of thing. A license granted without proper controls and safeguards operates as an abandonment of the mark.

To see why this is so, remember that a service mark is defined as 'A mark used ... to identify the services of one person and distinguish them from the services of others.' This can be extended so as to allow licensees to use the mark if they are sufficiently controlled by the mark owner. An improper license, often called a 'naked license,' gives some person the right to use the mark without controls and is thus a "... course of conduct of the registrant ... [that] causes the mark to lose its significance as an indication of origin.' A mark used by two people identifying similar services offered by each of them without common control does not identify the

origin of the service. Thus, by definition, it can not be a service mark and is not entitled to any protection.

To quote just one law text: "Under the Lanham Act and at common law a licensor must exercise control over the nature and quality of the product or service for which the mark is licensed or lose its rights to the mark." *An Intellectual Property Primer*, copyright 1975 Earl K. Kintner.

Appendix C: Chicago International Film Festival Material

INTERCOM, a division of the annual Chicago International Film Festival, is a not-for-profit, tax-exempt educational and cultural organization, devoted to the discovery and exhibition of fine film and videotapes from all over the world.

The Hugo Awards

The Hugo - an award symbolic of discovery.

Gold Hugo - Grand Prix of the Festival, presented to the outstanding entry in each of the major categories.

Silver Hugo - presented to the second place winner in each major category.

The Hugo was designed by sculptor **Zeida Wemer**.

[Photograph of] **Kunai Sen accepts the Gold Hugo Award for his father. Mrinai Sen's film, "THE RUINS", awarded Best Feature Film of 1984.**

Plaques: Gold and Silver Plaques may be awarded to winners in each sub-category. Certificates of merit will be offered to quality productions that do not receive other awards. The juries have the right to recommend duplicate awards in case of equal merit and also to recommend that no awards be given in a category or sub-category, if no entries are of award caliber.

HUGO The Symbol of Discovery. Grand Prix of INTERCOM and the Chicago International Film Festival. A non-profit organization.

The Oscar and Emmy Getz Award:

A specially designed award given to the best First Feature

Film in the competition.

Appendix D.1: First Letter to "World SF"

10 August 1985

"World SF" Sam J. Lundwall

10 Fitzwilliam Square President, "World SF"

Dublin 2 Storskogsvagen 19

IRELAND S-161 39 Bromma

SWEDEN

Dear "World SF",

I hope that I have the right names and addresses on this letter. If not, I trust that it will be forwarded appropriately.

I am writing in my capacity as Chair of the Standing Committee of the World Science Fiction Society® (WSFS®). The primary duty of this committee is the protection of the marks used by or under the authority of WSFS.

It is the unanimous opinion of the committee that the name under which you are operating, "World SF", directly infringes on the name World Science Fiction Society. In the minds of most people "SF" and "Science Fiction" are virtually synonymous. Furthermore, such words at the end of an organization's name as "Society", "Association", "Incorporated", etc., are frequently confused or dropped. Thus from the point of view of name recognition, "World SF" and World Science Fiction Society are the same name.

(My personal experiences in attending the annual World Science Fiction Convention (r) and (the Woridcon (r), sponsored by WSFS) and in bidding for and running one such convention bear this out. Everything from the huge letters on the Phoenix, Arizona, Convention Center marquee in 1978 saying "Welcome, World SF", through the way that facilities reservations and the like made carefully under the correct full name of our organization frequently get corrupted to "World SF Association" or "World Science Fiction" or sometimes "World SF", to the SF professionals who have started showing up at the annual WSFS Business Meeting expecting a meeting of your organization, confirms that you chose a name that clearly and directly infringes on the name

World Science Fiction Society.)

You should also consider the following additional factors: (1) The name World Science Fiction Society has been in continuous use since 1955 while it is our understanding that "World SF" was only formed in 1979. (2) The World Science Fiction Society is an organization open to all persons while it is our understanding that "World SF" is an organization limited to SF professionals. (3) World Science Fiction Society and WSFS are among the registered service marks of the World Science Fiction Society.

In summary, the WSFS Standing Committee is of the unanimous opinion that the name under which you are operating, "World SF", directly infringes on the name World Science Fiction Society. Therefore, I was directed by the Standing Committee to write to you and inquire, in light of the World Science Fiction Society's longer use of the name, its special status as the owner of a registered service mark in its name, and its open membership policy contrasted with your restrictive policy, what steps "World SF" recommends should be taken to eliminate this name conflict.

As far as I am aware, this name conflict is the only point of contention between WSFS and "World SF". It is my personal opinion that these organizations are complimentary and there is great potential for mutually advantageous cooperation between them.

Sincerely Yours,

Donald E. Eastlake, III

Chair, WSFS Standing Committee

cc, Frederik Pohl

Vice-President, "World SF"

855 South Harvard Drive

Palatine, IL 60067

Appendix D.2: Second Letter to "World SF"

5 September 1985

'World SF, An International Association of Science Fiction

Professionals Cambridge, MA 12142

10 Fitzwilliam Square United States of

Dublin 2

IRELAND

Sam J. Lundwall

President, World SF,

An International Association of Science Fiction Professionals

Storskogsvagen 19

S-161 39 Bromma

SWEDEN

Dear World SF,

At its 1985 Annual Business Meeting held in Melbourne, Australia, the World Science Fiction Society (r) voted that the name "World SF, An International Association of Science Fiction Professionals" does not infringe on any of its marks. Please ignore my letter of 10 August 1985 as it might apply to the name "World SF, An International Association of Science Fiction Professionals".

Sincerely Yours,

Donald E. Eastlake, II

Chair, WSFS Standing Committee

cc: Frederik Pohl

Vice-President, World SF,

An International Association of Science Fiction Professionals

855 South Harvard Drive

Palatine, IL 60067

Minority Report of the Standing Committee

In connection with Section 8 of the 1986 Standing Committee

report to the World Science Fiction Society Business Meeting:

The minority of the Standing Committee agrees with the Business Meeting that the Standing Committee is the most effective available body to accomplish the task of compiling, maintaining, and distributing the Business Meeting resolutions. This is a continuing task of a straight forward clerical nature. Under the WSFS Constitution, any other body assigned this task would have to be renewed at each Business Meeting.

As I understand it, the majority of the Standing Committee and a number of other persons are very concerning that additional duties will be assigned to the Standing Committee in a thoughtless manner just because the Committee is there.

Since 1981 the Standing Committee and its predecessor *ad hoc* committees have been assigned only World Science Fiction Society mark registration and protection. The task of compiling, maintaining, and distributing the resolutions of the Business Meeting is the first additional continuing task that has come up for possible assignment in that five year period so I do not personally believe this is much of a problem.

Still, if there is a concern about careless delegation of duties to the Standing Committee, I believe that it should be addressed directly. Meaningless name change amendments to the Constitution or resolutions attempting to reject the mandate of the Business Meeting in assigning a continuing clerical task which is particularly appropriate to the Standing Committee do not directly address this question.

The Business Meeting is the general governing body of WSFS and it should take a clear prohibition in the Constitution to thwart the Business Meeting in giving a task to any committee it chooses. There is no such clear and direct prohibition in the Constitution now nor will there be if the amendment to change the name of the Standing Committee is adopted. Even if this Business Meeting interprets the name change to be a restriction on assigning tasks to the Standing Committee, because there will still be no clear prohibition anywhere in the rules, future Business Meetings will have no trouble taking a different interpretation if they feel like it.

Therefore, I propose the following amendment to the Standing Rules so that the Business Meeting may actually restrict new assignments to the Standing Committee if it

wishes to do so:

Short Title: Cautionary Motion

MOVED, to amend the Standing Rules for the Governance of the World Science Fiction Society Business Meeting by adding the following new rule:

"It shall require a two-thirds vote to assign any new tasks to the Standing Committee."

If this rule is adopted then, if a possible third task for the Committee comes up, the rule will be there in the Standing Rules, having been published annually all along, giving notice that special consideration and an extraordinary vote should be required to assign new tasks to the Standing Committee.

Donald E. Eastlake, III

FRIDAY, AUGUST 29, 1986 -Preliminary Business Meeting

Attachment 1 - AGENDA

5. Item I passed on from Aussiecon: Program Book, p.112
 6. Item 2 passed on from Aussiecon: Program Book, p.112
 7. Item 3 passed on from Aussiecon: Program Book, p.112
 8. Item 4 passed on from Aussiecon: Program Book, p.112
 9. Item 5 passed on from Aussiecon: Program Book, p.112
 10. Item 6 passed on from Aussiecon: Program Book, p.112
 11. Report of Special Committee on Worldcon Site Selection and Rotation
 12. Committee to Research Business Meeting Resolutions
 13. ConCom Financial Reporting Act (Ann Broomhead, Jill Eastlake)

Moved, to amend the WSFS Constitution by striking the second sentence of Article I, Section 7, and inserting the following in its place:

"Each Worldcon Committee shall submit an annual financial report, including a statement of income and expenses, to each WSFS Business Meeting after the

committee's selection through the first or second Business Meeting after its Worldcon, at their option, to which it will also submit a cumulative final financial report."

14. Special Exclusion (Lewis H. Wolkoff, Kurt Miller)

15. Best Cover Art; Best Interior Illustration (Lewis H. Wolkoff, Kurt Miller)

16. Best Non-Fiction Book (Lewis H. Wolkoff, Kurt Miller)

17. Notification of Hugo Nominees (Craig Miller, Dalroy Ward)

Moved, to add to Article II a new Section, between current Sections 18 and 19 as follows:

"Notification and Acceptance: Worldcon Committees shall use reasonable efforts to notify the nominees in each category, either by telephone or by mail, prior to the release of such information. Each nominee shall be asked at that time to either accept or decline the nomination."

18. Out-of Rotation Sites (Robert E. Sacks, Brian L. Burley)

To amend the WSFS Constitution by adding a section to Article III.

"An out-of-rotation site in North America may be selected by a three-quarters (3/4) vote of all voters except those voting "No preference."

19. Definition of North America and Treatment of Moving Sites (Robert E. Sacks, Brian L. Burley)

To amend the WSFS Constitution by adding to Article III

"North America shall consist of Alaska, Canada, Greenland, St. Pierre et Miquelon, the continental United States, Mexico, all countries in Central America between Mexico and Panama inclusive, Bermuda, the Bahamas, and all islands of the Caribbean. A cruise ship or other moving site in port in North America shall be considered part of North America, and part of the region or regions it is in port in."

20. Rules Distribution Amendment (Donald E. Eastlake III, Charles J. Hitchcock)

Moved, to amend Article IV, Section 8, of the WSFS Constitution by striking the words "printed in the

Worldcon Program Book, if there is one" and inserting in their place the words "distributed to all WSFS members in attendance at the Worldcon upon registration."

21. Copies Clarification Act (Donald E. Eastlake, III, Alexis Layton)

Moved, to amend Rule 5 of the Standing Rules for the Governance of the WSFS Business Meeting by

(1)striking the words 'requiring a vote' and inserting in their place the words 'for non-privileged new business' and

(2)moving the last two sentences of Rule 5 to the end of Rule 4.

Note: The Report of the Standing Committee has been postponed, by request of the Chair of the Standing Committee, until the Saturday Business Meeting.

**[Preliminary Business Meeting - Attachment 2] -
REPORT OF THE ROTATION STUDY
COMMITTEE TO CONFEDERATION**

This document is the report of the committee appointed at Aussiecon 2 (1985) to study changes in the Worldcon rotation system. The committee consists of Ben Yalow (chair), Colin Fine, Jack Herman, Bob Hillis, Tony Lewis, Craig Miller and Ross Pavlac. Copies of all correspondence of the committee have been filed with the Secretary of the Business Meeting.

The results of the voting by the committee did not result in a majority report. Three members of the committee (Fine, Hillis and Lewis) proposed that no change be made to the current rotation system. Four members proposed that changes be made. However, no two proposed changes were the same. Therefore, the committee is unable to produce a majority report, but is producing five minority reports: one proposes no change, the other four each propose different changes.

The committee also recommends that it be dissolved, and that the matter be resolved by this Business Meeting. This is the third year that a committee has been studying this matter, and we believe that no further useful work can be done by a committee. We also note that, upon reporting, the original motion referred to the committee at LAcon will disappear. Inasmuch as it received no support on the committee (although some members did indicate that it was a possible

second choice), it is not being brought out of the committee.

Inasmuch as no proposal received a majority vote of the committee, we are not introducing any motions. However, we will provide the motions proposed by the four members proposing changes. Notice of these motions is provided by this report, and may be introduced by being seconded by any member of WSFS. Any motion so seconded will then be added to the agenda as new business.

The four change proposals are listed by author, and are given a short title is required by the standing rules. They are:

22. Herman (No zone rotation system)

Moved: To amend Article III of the WSFS Constitution by deleting all of Section 6 except the last sentence, and replacing the part of the second sentence of Section 7 after the word "NASFIC" with "in North America".

Effect: This would delete the entire North American rotation system. Any site would be eligible to bid at any time, except for those sites within 60 miles of the site at which selection occurs.

23. Miller (Three North American zones with 1/3 non-North America rotation)

[There's a note saying "See attached for Current wording", but nothing seems to be attached.]

Moved: To amend Article III, section 6 of the WSFS Constitution by replacing the words "Western, Central, Eastern region" in the next to the last sentence with the words "Eastern, Western, non-North American, Central, Eastern, Non-North American, Western, Central, non-North American", and adding the following proviso to the section "Provided that this rotation takes effect with the selection of the Eastern Worldcon to be selected at the 1989 Worldcon".

and

To amend Article III, Section 7 by replacing the first two sentences with "NASFiC sites shall rotate in the order Eastern, Western, Central region", and adding the following proviso to the section "Provided that this begins with the Worldcon to be selected at the 1991 Worldcon".

Effect: This would add non-North America to the rotation. There would be a 9 year cycle, containing 3 non-North American Worldcons. Each North

American zone would hold 2 Worldcons and a NASFIC during a cycle. The provisos used would synchronize to the current rotation as soon as possible. The earliest this could be ratified would be 1987, by which time the 1988 candidates (race for 1991) would have filed. The 1989 and 1990 elections (1992 and 1993 sites) would be for the same zones under the current and proposed new rotation. Since this would place non-North America in the rotation, the NASFIC, if it is to be continued as a rotating convention, needs its own rotation, since there would be no "skipped" region. By starting the NASFIC selection with the Eastern region for the first NASFIC to be selected (in 1991), this would result in no zone holding a Worldcon and a NASFIC in successive years, This could be changed by changing the starting region in the rotation.

24. Pavlac (Floating zone rotation system)

Moved: To amend Article III, Section 6 of the WSFS Constitution by replacing the last two sentences with, "A site shall be ineligible if it is in the same region as the site at which selection occurs."

and

To amend Article III, Section 7 by adding the following to the end of the first sentence "except in those years when the selection would take place in a site outside North America", and by replacing the second sentence after the word "NASFIC" with "in any region of North America except the same region as the site at which the selection occurs".

Effect: This would result in the world composed of four regions: the three North American regions and the non-North America region. Any region of the four except for the administering region would be eligible to hold the Worldcon. The NASFIC could be held in any North American region except the administering region.

25. Yalow (Two North American regions rotation system)

Moved: To amend Article III, Section 6 of the WSFS Constitution by replacing all of the section starting from "three (3) regions" with "two (2) regions as follows: Western: Louisiana, Arkansas, Missouri, Iowa, Minnesota, Manitoba, the Northwest Territories

and all states and provinces westward and Eastern: all states and provinces of North America not contained in the Western region. Worldcon sites shall rotate in the order Eastern, Western.", and adding the following proviso to the section "Provided that this rotation takes effect with the selection of the Eastern Worldcon to be selected at the 1989 Worldcon" Effect: This will split North America into two regions instead of three. Non-North American bids will continue to be eligible at any time. With a three year voting lead time, and a two zone rotation, voting will never take place in the same region as is being selected, so the 60 mile exclusion is removed. The 1992 Worldcon will be selected in the old Eastern region and take place in the new Eastern region, the 1993 Worldcon will be selected in the old Western region and take place in the new Western region, the 1994 Worldcon will be selected in the old Central region and take place in the new Eastern one, and starting with the 1995 (Western) Worldcon, all selections will be in the other region.

[Preliminary Business Meeting - Attachment 3]

Short Title: Concom Financial Reporting Act

MOVED, to amend the WSFS Constitution by striking the second sentence of Article I, Section 7, and inserting the following in its place:

"Each Worldcon Committee shall submit an annual financial report, including a statement of income and expenses, to each WSFS Business Meeting after the committee's selection through the first or second Business Meeting after its Worldcon, at their option, to which it also submit a cumulative final financial report."

Submitted by: Ann A. Broomhead, ConFederation Member #74-A

Treasurer, Boston in 1989 / Noreascon III

Seconded by: Jill Eastlake, ConFederation Member #1 23-A
Treasurer, Boston in 1980 / Noreascon II

Explanation: The present financial reporting provisions require a report 90 days after the convention and a final report within a year. This is frequently unrealistic. With large

US Worldcons there are frequently large expenses in dispute with convention centers or contractors that are just getting finally settled a year after the convention. Furthermore, the expansion of Worldcon lead time to three year gives more opportunity for some financial reporting in advance of the convention as provided by this amendment.

The amendment also requires that the reports be given to the Business Meeting which is probably the only body that could really do anything, even if it is just to pass a resolution calling on Worldcon committees to do the right thing.

Finally, the independent accountant requirement is eliminated since it is somewhat pointless without requiring any qualifications of the accountant and an accountant selected and replaceable at the sole discretion of a Worldcon committee can't be very independent anyway.

[Preliminary Business Meeting - Attachment 4]

The Hugo Awards: A Discussion With Proposals by Lew Wolkoff

Here, as promised, is the piece* on revising the Hugos.

The Hugos (as yet unnamed) were first given at the 1953 Worldcon in Philadelphia. They went over so well that the next year's committee didn't give any. However, fannish clamor brought them back in 1955, and, they've been with us ever since. In fact, according to the Constitution of the World Science Fiction Society, the sole functions of the Worldcon are the Business Meeting and the awarding of the Hugos.

The Hugos have been around for over thirty years. And they've been tinkered with any number of times since then in an effort to get them right. This is another such effort. I'm going to try to consider three areas which have been discussed regarding the changing of the awards: a limit on repeat winners, the Pro Artist Hugo, and the Non-Fiction Hugo. After each discussion, I intend to make a proposal about how the awards should be changed. These proposals, like this essay as a whole, are intended to provoke discussion- But they are also intended to provoke action. I would like to take any agreed upon language concerning one or more of these proposals into the ConFederation Business Meeting for first vote. (Amendments must be approved at two successive Worldcons.)

*[This paragraph is a footnote.] * This appears as a separate piece from my zine in LASAPA for several reasons. First, so that it can be considered on its own merits. Second, so that it*

can, if I wish, be distributed without having to edit out any apa comments. Third, because I'm working at it at different times from when I work on my zine, and I may finish one well before the other. [End footnote]

REPEAT WINNERS

A lot of suggestions about repeat Hugo winners have been made through the years, some of them (even of the printable ones) were from non-winners. The fact remains that some writers are better than others. So long as such people turn out work, the quality of that work will be recognized by nomination. Some are also more popular than others, getting nominated for the body of their work, rather than for a particular piece. The "Bob Smith" phenomenon that ensures a lesser book by a well known author even getting bought simply because of his/her name probably also applies to getting a nomination. In any event, the list of Hugo nominees is generally crowded with repetitions from earlier years.

Eliminating one name from the list either because he/she won last year or has won X number of times in the past is not going to keep all of the repetition off of the list of nominees. Nor should it be expected to do so. The only valid reason would be that it will allow for deserved recognition for other authors/artists/editors; especially for newer additions to the list who may not even have been nominated in previous years. Deserving, creative people who got crowded out of a nomination because Harlan*, Kelly*, or Charlie* are more popular or better known.

*[Another footnote] *I enjoy and have, in fact , voted for the works of these three men. I use their names here merely to illustrate a point without begrudging any of them the awards that they have received (and earned) . [End footnote]*

For the record, the following individuals and magazines have won the Hugo** five or more times:

*[Another footnote] ** This does not include Hugos for Best Dramatic Presentation (e.g., the movie 2010 doesn't count towards Arthur Clarke's Hugos. Nor does it include one-time special Hugos as Ellison got for editing both Dangerous Visions and Again Dangerous Visions. (Note: If his Hugo for Best All Time Series, an award given only once, were to be counted, Isaac Asimov would also be on this list.)[End footnote]*

ANALOG/ASTOUNDING Prozine 1953, 1955-570, 1961-

62, 1964-65
 Poul Anderson Short Story 1961,1964
 Novella 1972,1982
 Novelette 1969,1973,1979
 Ben Bova Editor 1973-77, 1979
 Charlie Brown/ LOCUS Fanzine 1971-2, 1976, 1978, 1980-83
 Semi-Prozine 1984-5
 Harlan Ellison Short Story 1966, 1968-69, 1978
 Novella 1974-75
 Ed Emshwiller Cover Artist 1953
 Illustrator 1960,1962
 Pro Artist 1964-65
 Kelly Freas Pro Artist 1955-56, 1958-59, 1970, 1972-76
 F and SF Prozine 1958-60, 1963, 1970-72
 Dick Geis / SFR Fanzine 1969-70, 1974-5, 1977, 1979
 Fan Writer 1971, 1975-78, 1982-83
 Tim Kirk Fan Artist 1970, 1972-74, 1975
 Fritz Leiber Short Story 1976
 Novella 1970-71
 Novelette 1965,1968
 Novel/Novella 1958
 Larry Niven Short Story 1967,1972,1975
 Novelette 1976
 Novel 1971
 Michael Whelan Pro Artist 1980-85

It's worth noting that most of the names on the list have won at least five times. (Dick Geis leads the count with 13 Hugos.) It would not be inappropriate, I think, to declare these people "Grand Masters" or some other such title and remove their names from further consideration (except for special awards which is a separate issue). A problem with this concept is that most of the individuals are still relatively young. There is no way to tell that their best works may not yet be ahead of them. To remove their names from consideration is to remove their work from consideration, and this is unfair to both the man and the work involved. While these "Hugo Laureates" are deserving of some special recognition, I don't think that such recognition should take the form of excluding them from any further consideration.

How then to handle multiple-year winners? By at least dealing with the possibility of the having same winner in successive years. Such recognition is the positive. What is the negative? First, that an author might not write in a given year because he/she isn't eligible for the Hugo. This may be true, and it may be a good reason for rejecting the concept of completely eliminating an author following a pre-set number

of wins. However, where the rule is only that a person may not receive a Hugo two years in a row in a single category, I don't think that the impact would be to stop an author from writing, an artist from working. First, because a writer writes and a painter paints for a lot of other reasons than to win an award. They do their work to communicate, to teach, or, prosaically, for the money. And these are three drives that would continue regardless of eligibility for an award.

A second reason for not adding a restriction is that it prohibits the honoring of a deserving work. A writer, so the argument goes, won the Best Novella Hugo two years in a row because he/she WROTE the best novella two years in a row. Individual judgement here is subjective, so let's look at the historical record. Below are a list of the 58 cases in which someone won a Hugo (in any single category) in two successive years. In the four cases where the back-to-back wins were for a work of fiction, I'm also including the nominees who lost when that individual won the successive Hugo(s).

- Name Years -Category (Other) Nominees in Second Year
- ASTOUNDING 1955-57 Prozine N/A
- Kelly Freas 1955-56 Pro Artist N/A
- Kelly Freas 1958-59 Pro Artist N/A
- F and SF 1958-60 Prozine N/A
- "Twilight Zone" 1960-62 Dramatic Presentation N/A
- Ed Emshiller 1961-62 Pro Artist N/A
- ANALOG 1961-62 Prozine N/A
- ANALOG 1964-65 Prozine N/A
- IF 1966-68 Prozine N/A
- Jack Gaughn 1967-69 Pro Artist N/A
- Harlan Ellison 1968-69 Short Story
 - "The Dance of the Charger and the Three" Carr
 - "The Steiger Effect" Curtis
 - "The Beast that Shouted Love..." Ellison*
 - "Masks" Knight
 - "All the Myriad Ways" Niven
- SFR/ALIEN CRITIC 1969-70 Fanzine N/A
- F and SF 1969-72 Prozine N/A
- Fritz Leiber 1970-71 Novella
 - "The Region Between" Ellison
 - "Beastchild" Koontz
 - "Ill Met in Lankhmar" Leiber*

- "The World Outside" Silverberg
 - "Thing in the Stone" Simak
- LOCUS 1971-72 Fanzine N/A
- Kelly Freas 1972-76 Pro Artist N/A
- Tim Kirk 1972-74 Fan Artist N/A
- Ben Bova 1973-77 Editor N/A
- Harlan Ellison 1974-75 Novelette
 - "That Thou Art Mindful of Him" Asimov
 - "Adrift Off the Islets of Langerhans..." Ellison*
 - "Midnight by the Murphy Watch" Leiber
 - "After the Dreamtime" Lupoff
 - "Extreme Prejudice" Pournelle
 - "A Brother of Dragons, A Companion of Owls" Wilhelm
 - "Nix Olympica" Wolling
- SFR/ALIEN CRITIC 1974-75 Fanzine N/A
- Richard E. Geis 1975-78 Fan Writer N/A
- Spider Robinson 1977-78 Novella
 - "A Snark in the Night" Benford
 - "The Wonderful Secret" Laumer
 - "Aztecs" McIntyre
 - "Stardance" Robinson* (& Jeanne Robinson)
 - "In the Hall of the Martian Kings" Varley
- Rich Sternbach 1977-78 Pro Artist N/A
- Phil Foglio 1977-78 Fan Artist N/A
- Bob Shaw 1979-80 Fan Writer N/A
- Michael Whelan 1980-85 Pro Artist N/A
- LOCUS 1980-83 Fanzine N/A
- Ed Ferman 1981-83 Editor
- Victoria Poyser 1981-82 Fan Artist N/A
- Richard E. Geis 1982-83 Fan Writer N/A
- Alexis Gilliland 1983-81 Fan Artist N/A
- LOCUS 1984-85 Semi-Proz. N/A
- Mike Glyer 1984-85 Fan Writer N/A

The final tally is:

Novelette 1 Pro Artist 15

Novella 2 Dramatic Presentation 2

Short Story 1 Fanzine - 8

Editor 6 Fan Writer 6

Prozine 11 Fan Artist 6

Total: 58

Most of the arguments given about not having any sort of exclusion seem to center on the unfairness of such a rule to SF writers. Yet, only a very small percentage of all the repeat cases have involved fiction. The great majority of these repetitions involve bodies of work, rather than individual efforts. They are the equivalent, if you will, of voting a Best Professional Writer award. (In point of fact, a nominee may not even have needed to have been active in the year nominated. He/she need only have been popular enough to get a nomination.)

I, therefore, suggest the following addition to the rules:

ARTICLE II, Section 22: Special Exclusion: Except for those categories which recognize a single titled work, an individual or publication may not be nominated for any category for which that individual or publication received the Hugo in the previous year.

This would allow for repeat Hugos for Novel, Novelette, Novella, and Short Story. If the suggestion that I will shortly be making about the Pro Artist Hugo is followed, the proposed Best Cover and Best Interior Illos Hugos could also have a repeat winner. But no other category could. Please remember, too, this exclusion would only be for one year.

THE PROFESSIONAL ARTIST HUGO

If there's a category that deals with body of work, rather than a single work during the year in question, it would have to be Professional Artist. Again, I'm not attacking the work of any of the winners or the fact that they have won. (Taste in art, like taste in anything else, is subjective.) What I am suggesting is that it might be more appropriate to honor two specific categories of SF art, the cover piece and the interior illustration. These are the two types of art that most of us see. Indeed, part of the poor reputation that SF has is due to its cover art, the infamous "BEMs and Broads" illos. Also, although no Hugo has ever been won for interior illustration, it should be noted that the first art Hugo in 1953 (jointly awarded to Ed Emshwiller and Hannes Bok) was for Cover Artist.

Cover and interior illustration are, I think, different types of work, with different criteria and constraints. It is no less valid to consider them separately than to separate the fiction Hugo award into four separate categories. Splitting the single Hugo (for body of work) into two Hugos (for specific pieces) would, I think, lead to a better consideration of what is good

SF art. It would change the question that the nominators are answering from "what artist do I like" to "Which pieces of art did I like?". If the Hugos are to honor achievement (and their proper title is the "Science Fiction Achievement Awards"), then they should be awarded for the two categories where the efforts of most SF artists are seen and may be compared. (I would consider SF calendars as collections of cover art and place them into that category.)

This change in the Artist Hugo would be best made, though, by making the new categories Best Cover Art and Best Interior Illustration, rather than Best Cover Artist and Best Interior Illustrator. To emphasize the work rather than the artist, is important. To do otherwise simply trades one general artist popularity contest for two more specific artist popularity contests.

To those who suggest that it might be difficult to go back through the year's works and pick particular nominees, I point out that this is exactly what is done in every Hugo category. The number of voters for the Pro Artist Hugo is about the same as for the fiction categories. This suggests that there may well be sufficient interest in SF/Fantasy art to justify changing the Hugo to a pair of more specific awards. If these large numbers represent a mass of uncritical voters engaged in no more than a popularity contest, then -- to make an elitist statement -- it might be valid to make the categories more rigid. (It's worth noting that the three fan Hugos, the most esoteric categories, got between 956 and 1030 ballots in 1984 and between 284 and 287 ballots in 1985.)

[In 1984, between 1097 and 1363 ballots were cast for the various Fiction Hugos and 1211 for Pro Artist. In 1985, there were 345-395 ballots for fiction Hugos and 330 for Pro Artist.]

The question has been raised in other discussions of the Art Hugo as to how voters are to see what they are voting for. The same question might well be asked for any of the Hugo categories. However, the solution is more readily at hand for the two proposed art Hugos. The nominees could be reproduced within the Progress Report distributed at the time of the voting. I realize that there are two problems with this: (1) the additional costs, especially if the cover art is to be reproduced in color; and (2) the fact that this would entail what amounts to a free distribution of the art, possibly affecting both its value and the security of the copyright.

I readily admit to having no solution to the question of cost.

Whether or not the expense was approved would be up to each committee, although there might be the weight of precedence from previous years. This could create an unwanted expense at a time when monies might be better spent elsewhere. My only suggestion is that the cover art might be able to be worked as black and white.

The copyright problem is not, I think, so bad. As I understand it, an artist has all the rights that anyone can think of to his or her work. It may well be -- and this is a question for fandom's lawyers -- that we need only define a new category, Hugo Ballot Reproduction Right, to solve this problem.

I, therefore, propose that:

1. ARTICLE II, Section 9, of the Constitution of the World Science Fiction Society be replaced with the following:

Section 9: Best Cover Art: Any cover illustration for a book or magazine dealing with science fiction or fantasy or any calendar dealing with a science fiction or fantasy appearing for the first time within the previous calendar year.

Section 10: Best Interior Illustration: Any illustration appearing within the pages of a book or magazine dealing with a science fiction or fantasy appearing for the first time within the previous calendar year.

2. The remaining Sections of Article II shall be appropriately renumbered.

I have not included any language regarding the reproduction of nominated works in these amendments. I leave this to the individual committees, although the Business Meeting might pass a resolution suggesting that such reproduction be done.

THE NON-FICTION HUGO

The Non-Fiction Hugo is relatively new, having been first awarded in 1980. However, throughout the thirty plus years of the Hugo awards, a number of individuals and non-fiction works have been honored.

Science Fact

Year Category Winner

1953 Excellence in Fact Articles Willy Ley

1955 Feature writer Willy Ley

1963 science articles in F&SF Isaac Asimov Special Award

1967 "The 21st Century" TV show CBS-TY Special Award

History Criticism of SF

Year Category Winner

1956 Book Reviewer Damon Knight

1962 Handbook of SF and Fantasy Donald R. Tuck Special Award

1963 book reviews in ANALOG P. Schuyler Miller Special Award

1973 L'Encyclopedie de l'Utopie Pierre Versins Special Award

1975 Reference Guide to Fantasy Films Walt Lee Special Award

1976 Alternate Worlds: An Illustrated History of SF James Gunn Special Award

Nominations for the award are open to "(a)ny non-fiction work relating to the field of science fiction or fantasy." Considering the range of represented by the winners (let alone the nominees), the field of science fiction or fantasy has some rather distant relations. The six winners to date are:

1980 The Science Fiction Encyclopedia Peter Nicholls

1981 Cosmos Carl Sagan

1982 Danse Macabre Stephen King

1983 Isaac Asimov: the Foundation of Science Fiction James Gunn

1984 encyclopedia of Science Fiction and Fantasy Donald Tuck

1985 Wonder Child: My Life in Science Fiction Jack Williamson

These are all good books, though the connection to SF or fantasy is rather tenuous for Sagan's book. If we are to include science fact books in this category, then the language

in the WSFS Constitution should say so. My premise here is that the category should be limited to books that DEAL WITH science fiction and fantasy, rather than simply have some loose connection to the genre. This restriction would include histories of the genre or of fandom; biographies of writers, editors, or artists; works of literary or artistic criticism; sociologic studies of SF or of fandom, etc. This is hardly a restrictive list. The purpose, though, would be to encourage such works by the fact that they are specifically honored.

Aside from the six winners, what is the nature of the other nominees?

a. one fanzine, WARHOON 28, a special collection of the work of its editor, Walt Willis;

b. one work, The Faces of Science Fiction, is no more than the pictures of a number of writers;

c. several books, Barlowe's Guide to Extra Terrestrials, DiFate's Catalog of Science Fiction Hardware, After Man, and The Grand Tour, are picture books with a science fiction theme. The High Kings is a similar work with more of a fantasy orientation;

d. Art books by Mike Whelan, Leo and Diane Dillon, and Rowena have been nominated;

e. both half's of Asimov's autobiography have been nominated, as has Platt's The Dream Makers;

f. books related to a single work, The Dune Encyclopedia and The World of the Dark Crystal, or to a single author, Fear Itself: the Horror of Stephen King, have also been on the list; and

g. finally, there have been a number of books of history or criticism such as LeGuin's The Language of the Night.

Some of these nominations are not, I think appropriate. For example, because the various "picture books" mentioned in c. are premised on a science fiction idea (ETs, war or travel in space, the extinction of mankind), they might almost be considered fiction, rather than non-fiction. And, while it was interesting to see what particular writers actually looked like, I wouldn't consider ' The Faces of Science Fiction to be an "Achievement" of 1964. I, therefore, propose that ARTICLE

II, section 6, be revised to read (revision in LARGE type)

Section 6: Best Non-Fiction Book: Any non-fictional work WHO'S SUBJECT IS the field of science fiction or fantasy OR FANDOM appearing for the first time in book form during the previous calendar year.

This stronger language, I think, should better serve.

This material will, I hope, be given as wide a distribution as possible. Permission hereby is given to reproduce the material as needed for such distribution. Anybody wishing to write me regarding the ideas expressed herein can reach me at 920 Grand Street; Harrisburg, PA 17102. (Please write with any results this material gets from being distributed elsewhere.)

Summary Page

Motion 1:

The following shall be added after Article II, Section 21 of the WSFS Constitution:

ARTICLE II, Section 22: Special Exclusion: Except for those categories which recognize a single titled work, an individual or publication may not be nominated for any category for which that individual or publication received the Hugo in the previous year.

Motion 2:

Article II, Section 9 of the WSFS Constitution shall be replaced with the following:

1. ARTICLE II, Section 9, of the Constitution of the World Science Fiction Society be replaced with the following:

Section 9: Best Cover Art: Any cover illustration for a book or magazine dealing with science fiction or fantasy or any calendar dealing with a science fiction or fantasy appearing for the first time within the previous calendar year.

Section 10: Best Interior Illustration: Any illustration appearing within the pages of a book or magazine dealing with a science fiction or fantasy appearing for the first time within the previous calendar year.

Motion 3:

Article II, Section 6 of the WSFS Constitution shall be revised to read (revisions in CAPITALS), as follows:

Section 6: Best Non-Fiction Book: Any non-fictional work WHOSE SUBJECT IS the field of science fiction or fantasy OR FANDOM appearing for the first time in book form during the previous calendar year.

Attachment 5: PROPOSED AMENDMENT TO THE CONSTITUTION OF THE WORLD SCIENCE FICTION SOCIETY

Short Title: Notification of Hugo Nominees

Move to add to Article II, Science Fiction Achievement Awards, a new section between current sections 18 and 19 as follows:

Notification and Acceptance: Worldcon Committees shall use reasonable efforts to notify the nominee in each category either by telephone or by mail prior to the public release of such information. Each nominee shall be asked at that time to either accept or decline the nomination.

Attachment 6: OUT-OF-ROTATION SITES

To amend the WSFS Constitution by adding a section to Article III:

An out-of-rotation site in North America may be selected by a three quarters (3/4) vote of all voters except those voting "No Preference".

DEFINITION OF NORTH AMERICA AND TREATMENT OF MOVING SITES

To amend the WSFS Constitution by adding to Article III

North America shall consist of Alaska, Canada, Greenland, St Pierre & Miquelon, the continental United States, Mexico, all countries in Central America between Mexico and Panama inclusive, Bermuda, the Bahamas, and all islands of the Caribbean. A cruise ship or other moving site in port in North America shall be considered part of North America, and part of the region or regions it is in port in.

Attachment 7: Short Title: Rules Distribution

Amendment

Motion:

MOVED, to amend Article IV, Section 8, of the WSFS Constitution by striking the words "printed in the Worldcon Program Book, if there is one" and inserting in their place the words "distributed to all WSFS members in attendance at the Worldcon after registration".

Maker.

Donald E. Eastlake, III

ConFederation Member #122-A

Secunder.

Charles J. H

ConFederation Member #108-A

Explanation..

Members of the Society need to have a copy of the rules in order to know their rights and to be able to effectively participate in the Business Meeting. It should be the obligation of each Worldcon committee to give a copy of these rules to each attendee (including those who join late or at the door and who have not gotten the rules copy that is distributed with the Huqo nomination ballots). There is nothing wrong with accomplishing this by printing the rules in the Program Book if it is properly distributed in time. However the obligation should be independent of a committee's Program Book schedule.

Short Title.

Copies Clarification Act

Motion..

MOVED, to amend Rule 5 of the Standing Rules for the Governance of the WSFS Business Meeting by
(1) striking the words "a vote" and inserting in their place the words "for non-privileged new business" and
(2) moving the last two sentences of Rule 5 to the end of Rule 4.

Maker.

Donald E. Eastlake, III ConFederation Member #122 A

Secunder.

Alexis Layton

ConFederation Member #99-A

Explanation..

The present Standing Rules are unnecessarily confusing in that Rule 5 can easily be read to say that you need six copies of ALL motions including amendments to main motion, motions to postpone or commit, etc. In fact the somewhat burdensome copy requirements in the rules should apply only to non-privileged new business for which the cut off is given in Rule 4 and this is the way they have been interpreted thus far.

Most of Rule 5 is concerned with the copy requirements. However, the next to the last sentence relates only to the deadline for new business and belongs in Rule 4, the basic deadline rule. With that change, the last sentence of Rule 5 reads better when moved to the end of Rule 4.

Pat McMurray pat@cookydemon.co.uk

Last Update: January 2000