

MEETING OF MARK PROTECTION COMMITTEE

August 12, 2024

MEMBERSHIP AND STRUCTURE

The first meeting of the 2024-2025 Mark Protection Committee (“MPC”), jointly with the Board of Directors of Worldcon Intellectual Property (“WIP”), was called to order in the Meeting Academy M4 Room of the Scottish Convention Center in Glasgow, Scotland (and on Zoom) on Sunday, August 12, 2024, at 1:49 p.m., British Summer Time. The MPC is the only permanent body of the World Science Fiction Society (“WSFS”), created by authority of the WSFS Constitution. Membership in the MPC also constitutes membership in the board of directors of WIP, a California nonprofit corporation.

Linda Deneroff and Don Eastlake were re-elected to serve until 2027, and Olav Rokne was newly elected, also to serve until 2027. Bruce Farr was not re-elected, but remains as a nonvoting member from California (as required by the WIP bylaws under California law) as Treasurer. Randall Shepherd was appointed by Los Angeles Worldcon to serve until 2028. Chris Rose’s appointment as representative from Chicon 8 expired, and we thanked Chris for his service.

Present were Judy Bemis (elected until 2026), Joni Dashoff (elected until 2026), Linda Deneroff (elected until 2027), Donald E. Eastlake III (elected until 2027), Olav Rokne (elected until 2027), Randall Shepherd (appointed by Los Angeles Worldcon until 2028), Kevin Standlee (elected until 2025), Alissa Wales (appointed by Glasgow until 2026), and Mike Willmoth (elected until 2026), as well as Bruce Farr as ex officio (nonvoting) member and Treasurer. Attending via Zoom were Alan Bond (appointed by Seattle in 2025 until 2027), Linda Ross-Mansfield (appointed by Pemmi-Con until 2025), David Ennis (appointed by Buffalo NASFiC until 2026), and Ben Yalow (elected until 2025). Glasgow 2024 members also attending were Sara Chen, Jill Eastlake, Terry Hunt, Ha Nguyen, Jason Spitzer, and James Joseph Styles. Jill Eastlake acted as floor manager.

NEW BUSINESS

The first order of business was election of officers. Kevin Standlee presided over the election of MPC Chair/WIP president. By acclamation, Donald Eastlake was re-elected to both positions. Mr. Eastlake then resumed the chair. Linda Deneroff was re-elected by acclamation as secretary of the MPC and WIP board. By acclamation, Bruce Farr was made an ex officio (nonmember) of the MPC and WIP board. Without objection, Linda Deneroff was reappointed as chair of the WSFS Marketing Committee, with the authority to appoint other members.

Mr. Eastlake summarized the current status of our marks. We currently have an Australian application in process to register two marks. “Worldcon” has received an initial acceptance. Apparently the status of international registration is such that if the approving agency believes it’s okay, it will accept an application. But other nations have a limited amount of time to inform the registration authority (in this case, Australia) that there may be a prior registration in other countries, so they won’t fully be accepted for a few more months. In the case of the “Hugo Award” registration there is a possible overlap with things related to gaming, specifically online gaming services. There is an entity in Scandinavia that offers online computer gaming services and their mark incorporates the term “Hugo”. Our Australian attorney gave us several alternatives, but per the Australian examiner and after discussion via email, the MPC decided to add an exclusion so that we are, in Australia, not claiming “Hugo Award” as a mark for online computer gaming services. The other alternative was to contact the other mark holders and get their permission for our mark. If the other mark holders agree to not object to the actual registration we will be in a good position, but if they do not agree, then we’ve spent money for our lawyer to talk to their lawyers (and possibly pay for the opposition to talk with their attorneys), and we might still not receive the registration mark. So adding the exclusion seemed like the easiest way to go. When asked, the

attorney also implied that there might be a problem with the fact that WSFS gives out a Hugo Award for Best Game or Interactive Work, but it seemed to Don that while we do give an award it doesn't compete with offering the service, in the same way as offering a Best Glasgow Restaurant Award conflicts with actually operating a restaurant. We are awaiting further word from our attorney regarding this mark, and Don will follow up after this meeting. (Our attorney is a science fiction fan.)

For a long time our informal guideline has been to apply to register at least our most important marks in countries that have had two or more Worldcons. The only country that falls in this category for which we have not registered any marks is Canada, and we hope that in the coming year that will be remedied. In the past it's had low priority because any use in Canada would leak into the U.S., and we could go after any infractions in the U.S. We need to find an appropriate Canadian attorney.

There was a committee set up by the WIP BOD to find a California attorney to evaluate some proposed bylaw amendments and to assist in drafting a license agreement between the MPC/WIP and Worldcon committees. The authority of the MPC to impose a license agreement on Worldcon committees was initially passed by the Glasgow WSFS business meeting, and if ratified in Seattle, would first be used with the site selection administered by Los Angeles. So by the time we can enforce it, we should actually have it in writing. The license agreement advisory board shall consist of three WIP directors—Alan Bond, Judy Bemis and Don Eastlake—along with the chairs of the currently seated Worldcons (Seattle and Los Angeles), and the chair of the Seattle business meeting (Jesi Lipp). [The chairs can appoint others in their place.]

NEW BUSINESS

Mr. Eastlake asked if we wanted to proceed with registration in the U.S. of the "White Star" logo. It has been discussed previously. It appears on our webpage and other places, so we can show it has been used in commerce. ConZealand has money and might look favorably upon registering this mark. It would probably cost less than \$1,000. Since it includes the term "WSFS" it might already be protected somewhat, but protecting the graphic would be a good thing. Olav Rokne suggested that the graphic be slightly updated before we register it.



We were contacted by Sara Chen of SF World (published in China) asking for a license to do a fanzine called Hugo News or Hugo Award News.¹ Several suggestions were made as to what the fanzine should be called. Linda Deneroff was concerned about granting a license since that could be construed as an official publication of the Hugo Awards. Alan Bond had concerns about calling it fanzine since it was being published by a publisher. He believed Hugo Newsletter would be fine, but he felt we could improve their use as Hugo newsletter, if that is what they do. Ben Yalow suggested Hugo Awards Newsletter to avoid any complication with Hugo Boss. Mr. Bond suggested that the byline make it clear that this an unofficial newsletter about the Hugo Awards and using our service mark. Ms. Deneroff pointed out that Olav Rokne publishes the Hugo Book Club Blog without any sanction from the MPC, and she felt SF World could do the same and be completely independent. Linda Ross-Mansfield requested

¹ Alan believed we had discussed this at the Chengdu MPC meeting, but Linda did not find anything in those minutes about this.

that due to the difficulty of hearing the discussion over Zoom, that this discussion be continued on line in the near future. Don suggested perhaps scheduling a Zoom meeting in a month to finalize our decision.

The meeting adjourned at 2:23 p.m. British Summer Time.