

MEETING OF MARK PROTECTION COMMITTEE

May 18, 2025

The meeting was called to order at 11:03 a.m. PDT with Don Eastlake presiding. A quorum was present, with Judy Bemis Alan Bond, Joni Dashoff, Linda Deneroff, David Ennis, Olav Rokne, Randall Shepherd, Kevin Standlee, Alissa Wales, Nicholas Whyte, and Ben Yalow in attendance.

APPROVAL OF MINUTES

The minutes of the August 8, 2024, and August 12, 2024, meetings, which were sent out September 21 and 24, 2024, respectively were discussed. Nicholas was not present at the August 12 meeting, and the minutes were corrected to reflect that. By unanimous consent, the minutes of both meetings, as corrected, were approved.

STATUS REPORTS

Bylaw Changes: We are continuing to seek a California attorney to review the proposed by-law changes. Don recently contacted the California Lawyers for the Arts, a nonprofit attorney-referral service, requesting an attorney to review our bylaws. They received the request on May 5 and said they would get back to us within a week. Don will phone them tomorrow (May 19) to follow up because we should have heard from them by now. The work should be pretty straightforward once we're in contact with an attorney. The first half-hour is a free consultation. After that, the cost to us will depend on what we need and how much we can pay, but it may take a while to get someone assigned to us who will do more than the initial interview.

Status of thehugoawards.com: Deb Geisler originally set up these domains. At that time, it might not have been easy to set up forwarding, but that has changed. These days, at GoDaddy it is easy to forward domain names, and we should set up thehugoawards.com to forward to thehugoawards.org. However, before we can do this, we need to transfer the domain from Mike Benveniste (Deb's executor and heir) to the MPC. Kevin Standlee hasn't done a transfer in years, so he has to figure out how to do it, but it might just take being on a zoom with Mike. Alan Bond asked if we have an email address we use as the registrant for the domains or do we use someone's personal email. Kevin couldn't remember what email he used when he set them up. Don Eastlake also has several domain names that he would be happy to transfer, among them worldcon.info, but they are set to forward appropriately so they aren't as urgent. TheHugoAwards.com and TheHugoAwards.org are the most urgent.¹ This is an action item for Kevin.

Australian Mark Registrations: We successfully registered WORLDCON as a trademark. We are still trying to register HUGO AWARD. The Australian trademark office found two instances of the use of Hugo, one for an online gaming service provider, and the other is Hugo Boss. Hugo Boss is the big issue. Our lawyer had put in very extensive claims for us, even for things we don't do, and Hugo Boss automatically objected. We decided to negotiate with Hugo Boss for an agreement and restriction on what we should use the mark for. In addition to clothing, Hugo Boss wanted us to agree to not use the mark for jewelry, beverages, etc., and not to use type fonts similar to what they use. If we were to agree to that, we might

¹ Per an email from August 29, 2024, Mike has also parked the following: thehugoawards.net, thehugoawards.info, thehugoawards.com, thehugoaward.org, thehugoaward.net, thehugoaward.com, thehugoaward.info, hugoawards.org, noawards.net, noaward.com, noaward.org.

only be able to use italics or decorative fonts.² So, we objected and are awaiting further negotiations with Hugo Boss as to how extensive a binding undertaking they want from us. We should make the same agreement as we have with Hugo Boss in Europe, and our European attorney should have that. **Action Item:** Don Eastlake will query our British/European attorneys for this agreement.³

Marks Coming Up for Renewal: Don Eastlake owns three marks that are coming up for renewal this year: wsfs.us, wsfs.info, and worldcon.us. Don will renew them for 2 or 3 years, and the MPC will reimburse him. Kevin made a motion to renew for up to 5 years at Don's discretion, which Alan seconded and passed with unanimous consent. David Ennis said we might want to do a comparison of registrars for a better deal or just transfer them to the MPC. It would be nice to try and get all the marks in one place.

wsfs.us	Donald Eastlake	godaddy.com	2025-06-19
wsfs.info	Donald Eastlake	godaddy.com	2025-07-25
worldcon.us	Donald Eastlake	godaddy.com	2025-08-11

Licensing Agreement Subcommittee: We have an early draft of a possible licensing agreement. Alan Bond suggested that that committee hold another meeting and get this done.

Seattle Worldcon's Use of a Large Language Model (LLM): Alan Bond broached the subject of Seattle's use of LLM (ChatGPT) as possibly injurious to our marks. We established in our meetings last year that when something happens that might damage our marks it should be reported to the MPC for discussion to determine if we need to take action. He wanted to make sure that this was being enforced equally against all conventions that use our marks. Ben Yalow said it was really important that we not do or say anything concerning this because this issue concerned the convention's program, which is entirely under the control of the convention committee. We need to maintain the separation between what the convention is responsible for and what the MPC is responsible for. If someone were to object to a person being included in or excluded from the program and tried to bring the WIP/MPC into the dispute, we can point to the WSFS Constitution and say that that is not our remit. Once we soften the division, it makes it easier to drag WSFS into the mud.

Nicholas Whyte felt that Seattle's use of an LLM was damaging to the Hugo brand and felt we have a right to discuss issues that affect the value of the brand. The division between WSFS and the convention was not evident to outside observers, and given the first response Seattle made, Nicholas felt there was a sufficient lack of clarity for WSFS to take action against Seattle. However, he is now personally satisfied with the explanations that Seattle subsequently offered and need not be discussed further. Nicholas then thanked Alan Bond for raising the subject. Olav Rokne felt we might need to take a proactive approach to the use of AI, given its built-in biases and hallucinations, and say something to the effect of "AI should not be used in the Hugo Awards process." Linda Deneroff felt that saying anything would just add fuel to the fire. Alan noted that Seattle's use of AI was mainly to prompt further review if there was a potential issue. It was not used to determine accuracy. The program team did what they could to mitigate AI biases, but its use was intended only to flag, not to evaluate. Kevin Standlee said we as a committee have

² Olav Rokne noted that Hugo Boss's serif typeface is Walbaum Monotype, which has a fairly high stroke differentiation. So a serif typeface that has low stroke differentiation might probably be okay. Their sans serif font looks like the typeface "MADE Evolve" and is very geometric.

³ Ben Yalow subsequently found the lost correspondence documenting our negotiations with Hugo Boss on our European registrations.

to be concerned with the service marks we protect, but our bylaws say that we do not have jurisdiction over the way a convention works. We do not want the responsibility of micromanaging a convention. He felt it's a can of worms we shouldn't touch, and we should not take a position. Nicholas said the important point is that using AI to assess the eligibility of Hugo nominees could lead to this sort of issue, and that is what the Hugo Award finalists and nominees this year told him they were worried about. He agreed that there is no substitute for a human being judging the eligibility of the nominees. He reminded the committee that Hugo finalists being disqualified for no reason whatsoever is what happened two years ago. The MPC wants things to be done properly and right, and we assume everyone else does as well. But the evidence is that when things have gone wrong, it's because human beings made bad decisions. Randall Shepherd said we shouldn't be micromanaging conventions, but any license agreement we make with a WSFS convention could require them to **not** use LLMs in the Hugo process. Don Eastlake thought it would be extremely unlikely that future WSFS conventions in the near future will make use of anything like this, due to the blowback that has occurred, and we don't know what the far future will bring with regard to AI and LLMs.

Nicholas noted that the MPC acted when human beings screwed up in terms of damaging the Hugo mark. AI was not involved in the Hugo process this year, and he felt it was consistent that the MPC act when it is necessary and we don't when it isn't. But he also felt that it is necessary to discuss these things when they happen, and he thanked Alan for raising the issue.

Alan stated for the record that all Hugo finalists were exempted from the AI process as soon as they became Hugo finalists, and they were exempted from vetting for the program as well. Therefore, he felt the Hugo Awards should not be affected by this in the long run.

Alan also raised another issue: the use of LLMs has harmed our community, specifically the use of ChatGPT, which is owned by OpenAI. He noted that many artists, authors and others in our community are suing OpenAI for theft of their copyrighted material, and this deeply affects the reputation of the Worldcon's mark, with only incidental affect to the Hugo Award mark. The damage to the Worldcon mark is still ongoing based on the harm to the community. Joni Dashoff agreed with Alan that Worldcon's reputation is harmed by using AI when members of our community are trying to protect their intellectual property from being misused by it, but she didn't know if we or Seattle should make a statement to the effect that "we didn't mean to, and we agree that your intellectual property rights need to be protected."

Linda suggested that when we do create an agreement between WIP and a WSFS convention that we put in some language regarding the use of AI. With three members of the Licensing Committee present Linda proposed a motion that the Licensing Committee (which is an advisory board of the WIP) discuss this in a separate meeting and include a prohibition against LLM use in its licensing agreement with WSFS conventions. This was seconded by Randall. Without objection, Kevin made a modification "that the Licensing Committee is directed to consider issues regarding large language models (LLMs) in the operation of WSFS conventions." The Licensing Committee will make its recommendations to the WIP, and MPC/WIP can make it part of their report to the Business Meeting if the Committee gets the work done in time for this year's Business Meeting. The motion passed by acclamation.

Olav noted in the chat that within our community, the use of AI will inevitably lead to a reasonable apprehension of bias. Alan said the Seattle Worldcon is bringing in an external auditor to look at the process that was used and investigate it.

WSFS Business Meeting: Most of the items we proposed last year are coming up for ratification this year so the WSFS Business Meeting will probably be busy, and Don Eastlake asked if we wanted to propose any new business. The MPC did not propose any new business, although some members may propose new business on their own recognizances.

That there should be a Licensing Agreement between the MPC/WIP and bidders and conventions, is up for ratification at the Business Meeting this year. Don elucidated some of the things that should go into the licensing agreement as it's being considered. The constitutional amendment up for ratification would require bidders to sign the licensing agreement to appear on the site selection ballot. The bidders would be signing the most recent license agreement approved by two-thirds of the MPC, and Don felt that while the licensing agreement should be made known to the Business Meeting (pending ratification of the licensing agreement constitutional amendment by the Business Meeting), it was not actually something for the Business Meeting to approve or disapprove.

When asked, Don reminded everyone that the current recommended donation is one dollar per WSFS member for Worldcons, and thirty cents for NASFiC members, as passed in a resolution at the Glasgow Worldcon Business Meeting. While Bruce Farr was not in attendance to confirm, Don believed we currently are in possession of approximately \$8-10,000, and we are somewhat better off than in the past.

Linda Deneroff noted that she will shortly be sending out our MPC report to members for their review. It is due to the Business Meeting by June 4, 2026.

Future MPC/WIP Meetings: Nicholas Whyte suggested that we schedule some meetings throughout the year. Our regular meetings run from Business Meeting to Business Meeting. With an online business meeting scheduled this year in July, it would appear that MPC nominations would be scheduled for July 4, and the MPC election would be held either July 13 or July 19 to fill the three vacancies. So early in the convention, the MPC would meet with the "lame duck" members, and the newly constituted MPC would meet after the site selection business meeting ended *sine die* and new MPC members assume their positions. Terms are expiring for Kevin Standlee, Nicholas Whyte, and Ben Yalow.

There was unanimous consent for holding quarterly online meetings for the MPC/WIP between the Seattle and Los Angeles Worldcons. Our annual general WIP meeting will be held at the Seattle Worldcon.

The meeting adjourned at 12:04 p.m. PDT