



International Subud Committee
EXECUTIVE to THE WORLD SUBUD ASSOCIATION
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TO: Subud USA National Committee
FROM: WSA Executive, (ISC)
DATE: 1 March 2007
SUBJECT: **REGISTRATION “SUBUD” NAME IN U.S. UPDATE**

1. Background

At the World Congress in Colombia in 1993, it was resolved that the Subud name and the Seven Circles Symbol are the property of the World Subud Association, and as a consequence, work needed to be done to make this resolution into a legal reality.

The name ‘*Subud*’ has been registered by some national organizations, which have then transferred the ownership to WSA; others are currently applying in the name of WSA. In situations where it has been difficult to transfer or register in the name of WSA, we have a licensing agreement between the country organization and WSA.

The word ‘*Subud*’ is registered as the property of WSA in the following countries: The European Union (covering 25 countries through the Madrid Protocol), Australia, Japan, and the application process is currently in process in Canada. The Seven Circles Symbol is registered in the above-mentioned countries, and also in the United States of America.

In the past, WSA has made two applications to register the name ‘*Subud*’ in the United States (in different categories and each with a different emphasis), neither of which has succeeded on the grounds that the word ‘*Subud*’ is descriptive.

2. Actions of the Current ISC

The current ISC team wanted to try to overcome the problems with the previous applications. We contacted John Daly, who managed the previous two applications, to gather all the relevant documentation concerning the applications and rejections.

Afterwards, ISC contacted a US lawyer, George Limbach, who is an expert in this field (he helped Marcus Bolt win a case against BP regarding a logo). We sent him all the relevant documentation. Mr. Limbach also looked at the registrations from Australia and Japan. Based on his analysis, His conclusions are as follows:

“Although Subud was originally a coined abbreviation of the words “*Susila, Budhi and Dharmā*” and originally registerable as a trademark for goods and services, the term “*Subud*” has since become descriptive and is NOT now registerable as a trademark in the US. The trademark examiner submitted many examples of descriptive use of “*Subud*”, but perhaps the most damaging evidence of descriptiveness is the existence of “*Subud*” in the “New Shorter Oxford English Dictionary”:

‘A system of exercises by which the individual seeks to approach a state of perfection through divine power, a movement (founded in 1947 by the Javanese mystic Pak Muhammad Subuh) based on this system.’”

Our situation was hindered by the number of websites (around 150) in which the name ‘*Subud*’ appears in the domain name, most of which belong to individuals rather than the World Subud Association.

Matthew Weiss, the ISC website coordinator, has made a huge effort to change this, as well as to get websites to put the ® sign next to both the Symbol and the name ‘*Subud*.’ However, according to Mr. Limbach, these efforts will not alter the situation in the USA, whereby ‘*Subud*’ has become a generic and descriptive word. Nevertheless, Matthew’s work to organize the websites increases the possibilities of WSA being able to protect the word ‘*Subud*.’

3. Some Recommendations

Regarding the name ‘*Subud*’ in the USA, Mr. Limbach outlines the following possible options for the WSA, without giving any specific recommendations:

1) Registering the name ‘*Subud*’ written below our seven circles logo ‘as a whole’. In other words, making one image that has the two elements, the logo and the name, combined. This should present no problems, as the logo is already protected in the US.

2) Registering ‘*Subud*’ as a phrase i.e. in combination with some key words that are important to us. For example, we might try to register: ‘*Subud latihan*’ and ‘*Subud Organization*.’ Of course, there are other possible word combinations that we also might register, but we should confine ourselves to the essential.

3) The World Subud Association, Inc is a registered corporation of the District of Columbia; this could be extended as a trademark, though this is probably not necessary.

4. Conclusions

ISC is trying to organize the current situation with regard to the trademarks of the Subud name and symbol, as well as the copyright of the words of Bapak and Ibu. We have consistently asked individuals to place the ® sign next to the word ‘*Subud*’ as well as the Symbol. Subud library is now a WSA site. We now have a licensing agreement with SPI, and we are currently finalizing a licensing agreement with Subud Radio. We shall establish a simple agreement with Subud Voice, and we are preparing a comprehensive agreement between the WSA and the member national bodies concerning these issues. (We need to develop a policy for websites created by individuals using the name Subud.)

We would like to thank all individuals that ask for WSA permission to use the name and symbol.

ISC’s recommendation with regard to registering the name ‘*Subud*’ in the USA would be pursue option N° 1 and with regard to option N° 2 to register the combination ‘*Subud Latihan*.’

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