

24th June, 2014

Beloveds,

We are writing to update you on two of the legal attacks which Osho International Foundation (OIF) has been forced to deal with:

- 1) The pending European “Trademark” case – now decided in OIF’s favor. See details below.
- 2) A new attack, by the same people who started the “Trademark” case, now directly targeting OIF’s board members. See details below.

Attacks on Osho’s work and on the foundations, trusts and people appointed to take care of certain aspects of this work, are not new. Both during Osho’s lifetime and since his death there have been endless attempts to prevent Osho’s work from expanding, orchestrated by a wide range of forces, from upset individuals, to governments.

Lately, any legal actions against the Foundations (and other bodies like the inner circle) which Osho has asked to take care of the continued functioning of his work, are mostly instigated by “discontented Osho lovers” – people who profess to “love Osho” but who either seem to think they know better than Osho, or who have their own agenda.

- 1) The European “Trademark” case – now decided in OIF’s favor.

The European Trademark Commission has now come to its decision: it has judged the application to overturn OIF’s Osho trademarks to be “without foundation” and has rejected it.

The ruling states, “The Cancellation Division considers that the request for a declaration of invalidity against the contested CTM [Community Trade Mark] is without basis and will be rejected for the reasons below.” The ruling concludes with: “Consequently, having regard to all the factors of the case, the Cancellation Division concludes that the request for invalidity [of the trademarks] must be rejected in its entirety.” (The full text of the ruling is given on <http://osho.info/documents/eu-tm-ruling-june-2014.pdf>. Also attached with this mail to you is a copy of the “OHIM invalidation action brief - Keltie LLP” in which OIF’s lawyers state their analysis and understanding of what this “Trademark” case was about).

Some background:

This case was the attempt by Osho Lotus Commune Verein, Cologne, Germany (driven by Ramateertha of Osho Uta Institute) to deny OIF the right to protect Osho’s work by the use of “Osho” as a trademark.

In reality, the situation is simple: Since the early days of his work, in accordance with Osho’s wishes “Rajneesh” (one of Osho’s former names) was already established as a trademark around the world. The process of trademarking “Osho” began while Osho was still in the body, at his request of course, shortly after Osho chose “Osho” to brand his work. In July 1989, OIF’s lawyer was given the Power of Attorney for registering trademarks. In the middle of this legal and administrative change (“Rajneesh” to “Osho”), Osho left the body, and the trademark registrations for “Osho” were deposited and granted soon afterwards.

None of these “discontented Osho lovers” seem to have had any problems with the trademarks while Osho was alive, nor – if they did have any misgivings about Osho protecting his work in this way – did they have the courage to express their views to him. Even after the registration of trademarks for “Osho” rather than for “Rajneesh,” it took these people many, many years to start raising objections and to try and take the rights away from the Foundation under the guise that they should never have been established in the first place.

Maybe most revealing about the mindset behind the attack on the Osho trademark is an argument the applicant [Ramateertha/Osho Lotus Commune Verein] submitted in support of its position: ***“The intentions of Osho himself are irrelevant for the purposes of these proceedings.”***

This mind-revealing argument may not be surprising in the historical context: In 1985 Ramateertha himself was appointed to the board of OIF by Osho’s former secretary Sheela. His work with the Zurich foundation was short lived. It was abruptly terminated when he visited the house where Osho was staying in Uruguay, in spite of having been asked not to – putting the delicate safety of Osho himself and the negotiations for the continuation of his work in danger. When Osho learned that Ramateertha was a director of OIF, he directed his secretary Hasya to request his immediate resignation from that board, explaining to her that Ramateertha did not have the capacity to understand the priorities of his work, or its dimensions.

In any case, this attack on the Osho trademarks in Europe has failed. We are pleased to let you know that the outcome of this long legal process is that OIF and the Osho centers will be able to continue to protect the quality and content of Osho’s methods as needed, through the use of these trademarks.

And now:

- 2) A new (May 2014) legal attack, driven by the same people who started the Trademark case, now directly targets OIF’s board members, with wild accusations of mismanagement and misappropriation of funds. As a result of these allegations the board members, with decades in those functions, were suspended pending a hearing – and this order of suspension was passed without allowing the Foundation to even see the allegations.

Some background:

Yes, it is again Ramateertha and friends who are behind this most recent attack. A few weeks ago they submitted grave allegations against the OIF board members. In response the Swiss authorities took the step to suspend the entire board from functioning. They have appointed their own government administrator to function as the authorized caretaker of the Foundation during the time it will take the Swiss authorities to investigate the validity of these outrageous claims. This appointed caretaker has the responsibility to fulfill any of the legal responsibilities regarding the Foundation’s functioning, for this time.

Interestingly, in the “Trademark” case – as noted in the summary of arguments – the applicant [Ramateertha] had tried to hide his longstanding association with trademark holder, OIF. Not surprisingly, because during his own short time as a board member of the Foundation he had shared responsibility for looking after the trademarks. Also, for many

years he acknowledged the Rajneesh and Osho trademarks in the Osho publications of his own Institute and related activities. This did not fit well with his sudden attack against the trademarks! During his time on the Foundation board he was also an administrator of Osho's copyrights, having been a signatory on the transfer of copyrights from the USA to the Swiss Foundation – another fact he avoids mentioning, when it suits his purpose.

However, in this new case against the individual OIF board members, Ramateertha now features his status as a former board member of the Foundation as an empowering argument for starting this new action.

This new legal challenge is of course again a time-consuming and expensive obstacle to deal with, to say the least. We are happy to be able to let you know as a positive development, that recent meetings with the Swiss authorities created a clear, shared understanding how to continue day-to-day operations of licensing and publishing of the Foundation, while they look into the claims. A corresponding broad Power of Attorney has been issued to guarantee that essential parts of the work, such as our relations with the publishers, can continue unharmed.

Meanwhile, we have been informed that two of the co-complainants with Ramateertha in this latest attack on OIF, Chidananda and Videh, have also in recent weeks attempted to apply legal pressure to try and take over the board of the largest Osho Center in Italy, Osho Miasto Institute and Meditation Center [Miasto] because the Miasto board would not support Chidananda and Videh's moves against the OIF board in Switzerland. This after the OIF directors already spent months dealing with the lawyer these two "Osho lovers" had hired in order to challenge the copyright ownership of OIF. Their attempt against the Miasto board failed and Osho Miasto Institute continues to operate with the strong support of the people who have benefitted throughout the years of its existence.

To end with, we would like to stress that in spite of the on-going poisonous attacks by these and other "discontented Osho lovers," the work of making Osho available goes on day and night around the world, including the contribution of the Osho Centers, translators, editors, facilitators, meditators and many more.

Preparing us for his departure and having established the inner circle in the year before he left the body, Osho explains [his words paraphrased here]: "Some of my people – whom you may not even know – will attack you with any means possible. Don't be troubled. In fact, the source of these attacks is their anger towards me. They cannot express that anger because they will lose their friends, so they will attack the people I have appointed. It is always their ego's anger towards me, making the attacks." This Osho insight has been very valuable for us.

Thank you for your continuing understanding, your support, and for your many contributions to Osho's work and vision.

Love,

The Inner Circle

Attachment: OHIM invalidation action brief - Keltie LLP.pdf