

# Our Internet Rights

By Sahlan Diver

This month, Subud Vision has reprinted an article by Matthew Weiss that was first published in Subud World News. The article explains the background to the initiative to trademark both the Subud symbol, and the name "Subud". It is difficult to deny that there is value in having registration, if only for our protection on the Internet - Matthew gives a compelling example of how a domain registrar tried to profit at our expense from assumed ownership of the Subud name. However, the use of a trademark creates issues of its own. Marcus Bolt discusses some of these in his article entitled *Subud Trademark Registration - A Response*. I would like to discuss an issue not covered by Marcus, that of members' rights.

First, it is worth re-iterating a problem described by Matthew in his article, which is peculiar to the Internet but certainly not peculiar to Subud -- it is a problem that could be encountered by any similar non-commercial organisation.

There are already many web sites about Subud run by Subud members. A large proportion of these are "unofficial" in the sense that they are initiatives of individual members. "Subud Life" is such a web site, "Subud Vision" is another. It is natural, since these web sites are themed around matters relating to Subud, that they would want to use the word "Subud" in their title. In the future, if Subud grows, there could be many more such web sites, e.g. "SubudAndRetirement.org", "SubudExchangeHolidays.com", "SubudDancers.biz" etc etc.

On the Internet you can't just slap a name on a web site and that's that -- you need to "register" the name. Effectively one pays an annual rental to a "domain registrar" for the exclusive right to use the name. None of this is a problem while a web site is up and running. The problem, as Matthew Weiss points out in his article, occurs when Subud members' web sites come to the end of their useful life and are closed down by their owners. At that point, the rental on the web site name is usually allowed to expire, which means that anyone can pick up the name, including unscrupulous people who will either rent the name and then try to sell it back to us in the future for a large fee, or who will use their newly acquired name on a web site that trades in goods, or indulges in some other activity which Subud would not want its name associated with. This is why it is useful to have trademarks -- we can point to our prior right to use the name "Subud". Unfortunately trademarks don't protect us absolutely from financial loss - one still has to take people to court, or reach a settlement. Read Matthew's article and take note in his example that though our legal registrations did protect us, we were still involved in the payment of a settlement fee.

Are there ways out of this problem? One way is for WSA to be forewarned when a web site using the name Subud is to be closed down, and for WSA to take over the annual rental of the web site name, to protect it from the "sharks". Obviously this isn't practical, because, as Matthew points out, there could very quickly build up a large and expensive portfolio of lapsed Subud web site names.

Another way, suggested by Matthew, is for members to post their web site content on existing Subud web sites. This seems unworkable. Take "Subud Vision" as an example. If we had approached WSA and they had said, "yes we'll give you a special section on the WSA web site", the numbers of members initially strongly opposed to the Subud Vision venture would no doubt have caused WSA to have

spend a lot of time dealing with member's protests, and would have put them in the unfair position of having to pass judgment on the initiative. If there was a judgment and it had gone against us, we would naturally have considered that our right to free speech was being denied. One can imagine any number of circumstances where members may wish to establish a web site on some issue important to Subud, but where no existing web site is willing or able to offer space.

Matthew says in his article that protests about infringement of rights are invalid because the trademarking issue is all about protecting our rights. In reality, however there are two different rights involved, firstly the right of Subud not to have its name stolen or abused by outsiders, secondly the right of Subud members to discuss Subud matters freely and naturally. You can't trade one off against the other, saying "well, we made a special effort to protect these rights, so if we take some of those other rights away from you, we're quits". Both rights should be protected.

Is there a solution to the dilemma? Subud members should be able to use the name "Subud" freely in the name of web sites, but at the same time, it is unfair to burden the Subud administration with maintaining and protecting an increasing number of lapsed Subud web site names.

I can suggest a scheme to solve the problem, but it would require a consortium of well-meaning members willing to pool sufficient money and Internet expertise. They would establish a company to become an official "domain registrar". This would act like a normal domain registrar, advertising itself and charging annual fees for domain name registration. But the company would also have a special function, i.e. issuing names for web sites of Subud members and reserving those names at nominal cost for Subud when they lapse. This way web site names could be issued for Subud members' sites without the spectre of needing official approval, but also without the burden of huge protective maintenance cost to WSA if and when the web sites lapse.

Having suggested a scheme, I am now going to recommend that we don't do it, because it has a major flaw. It would only provide protection for names of lapsed web sites, where we probably wouldn't want to use those names again anyway. A "shark" could still predict names we hadn't thought of and reserve them through another domain registrar in anticipation that Subud might want to use the names in the future. For example, how about these names: subudenterprise.biz, subudcharity.org ?

In fact, it's highly debatable whether Internet "sharks" will bother to reserve Subud domain names, apart from the real obvious high-demand names like subud.com, subud.org, subud.biz, which I assume Subud now has reserved. Every reserved name costs time and money -- spread this task across the millions of domains on the Internet and it seems unlikely that Subud will be targeted when there are commercial interests, potentially much more lucrative, to target.

So isn't all this using a sledgehammer to crack a nut? Worse what is the effect on our image as a spiritual movement?

Consider this example: I am currently putting together a web site where enquirers can ask questions about the latihan and get answers from a panel of Subud members. The name of the web site includes the word *latihan*, but not the word

*Subud*. In fact, Subud is mentioned by name only once on the site, on the links page, from where a reader can go to [www.subud.org](http://www.subud.org) for more information. If the new web site does the good job it is intended to, it should build an anticipation and interest in the reader of a spiritual movement offering an experience that is fresh and uncorrupted. But then they go to the links for further information and what do they see -- the single word *Subud* with a ® symbol next to it - unfortunate, don't you think?