

Osho is Mine, Yours, Everyone's

Soon after spiritual mystic Osho died in 1990, a foundation called Osho International Foundation (OIF) based in Zurich applied for trademark registrations (patenting) of the name 'Osho' at the Chicago based patent and trademark office. They sought exclusive rights for the name Osho as well as for his publications, meditations, therapies and meditation centres, which were named after him or created by him. Some of the patents were accorded to them. This implied that OIF had to be paid heavy fees if anyone wanted to start a meditation centre or even upload anything about Osho on the Internet. This led to mass protests from Osho followers all over the world, led by former spokesman of the Osho Commune, Swami Chaitanya Keerti, based in Delhi now. In the year 2000, a group called Osho Friends International, with Swami Keerti in the lead, hired American lawyers and filed a case with the United States Patent and Trademark office (USPTO) petitioning against patenting of Osho. After nine years, last fortnight on January 13, USPTO gave a judgement against patenting of Osho, stating 'Osho' cannot be a patent trademark as it is used to describe various things like his teachings, meditations and names of centres. It compared it to a case relating to 'Montessorie' wherein it had declared that the name is synonymous with primary education and hence is 'general.' While followers of Osho all over the world are rejoicing, the Osho Commune headquarters in Pune has termed the judgement akin to downgrading down Osho to 'tissues and computers.' An overview of this interesting case that has its roots in Pune



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While the photographs of the spiritual mystic Osho may have been stripped from every visible place in the Osho Meditation Resort headquarters in Koregaon Park, the fight to hold on to exclusive rights over the name 'Osho', his meditation techniques, his works including lectures, books, audio and video tapes, his Zen tarot card reading and meditation centres went on for nine long years.

The rights, which were self-stylishly adorned by a firm, called Osho International Foundation (OIF) with its headquarters at Zurich was run by western disciples of Osho, some of them belonging to the management that runs the Osho commune in Pune. The OIF lay claim to all that Osho stood for, soon after his death in 1990. For this, the OIF had filed for patent at the Chicago based official patent registration office in the USA. They had been granted some patents, and some were pending.

This self-seized monopoly had several implications. It meant that permission was required and fees were charged if any disciple opened an Osho Meditation Centre. Until then, any individual could open centres. Swami Chaitanya Keerti, former spokesman of the Osho Commune who is based in Delhi and led the fight against patenting of Osho reasons why no one can monopolise Osho. He cites an excerpt from Osho's discourse 'Om Shanti Shanti' wherein Osho has stated that, 'Things can be copyrighted, thoughts cannot be copyrighted, and certainly meditations cannot be copyrighted. They are not things of the marketplace. Nobody can monopolize anything. But perhaps the West cannot understand the difference between an objective commodity and an inner experience. For ten thousand years the East has been meditating and nobody has put trademarks upon meditations.'

Website monopoly denied

States Swami Chaitanya Keerti, 'Soon after "Osho", left His body in 1990 Osho International Foundation OIF Zurich attempted to hijack the legacy of Osho. On the basis of these registrations the Zurich entity started to monopolise Osho and His heritage of meditations. The Zurich entity used these maneuvers to harass and force many centers around the world. Many Osho centers closed their centers to avoid

dealing with the threats of legal actions by OIF using their purported claims of ownership of trademarks, copyrights etc.'

In March 2000, a web site www.oshoworld.com dedicated to making a huge volume of Osho discourses freely available on the internet, was served with a notice and pulled down from the net. The Zurich based foundation tried to force Osho Dhyam Mandir to abandon the domain name www.oshoworld.com and transfer its ownership to them. The Osho Dhyam Mandir sought legal intervention.

In its verdict on July 28, 2000 the National Arbitration Forum of USA decided in favour of Osho Dhyam Mandir and stated that :

"To grant (OIF, Zurich's) request for relief would be to permit virtual monopolisation on the Internet by the Osho International Foundation (Zurich entity)...While making no judgment on the relative merits or validity of the world's religions or spiritual movements or any leader thereof... permitting this would be as improper as doing the same with Christianity, Judaism, Islam, Zoroastrianism, Hinduism, Buddhism, Taoism, Confucianism, Shintoism or any of the several hundred other of the world's religions and/or spiritual movements."

Despite this verdict, many Osho Meditation Centres all over the world were being pressurised to eight pay fees or close down, states Swami Keerti.

Osho Friends file for cancellation of copyright

When the Zurich entity continued to work towards legal ownership control of Osho movement and centers around the world Osho Friends decided in 2000 to file for cancellation of the said copyright. Swami Keerti states that 'Chicago law firm of DLF Piper Rudnick came forward with its whole hearted support to the Osho Friends, in the cause for freedom of spirituality and meditation.'

OIF loses the case on January 13, 2009

The Osho International Foundation (OIF) had to finally bite dust on January 13, last month, when the official patent outfit of the USA, gave a verdict against any such copyright and declared that 'Osho' is a generic name as it is used for various purposes and hence cannot be copyrighted. The judgement interestingly compared it with the case of 'Montessorie' - the lady whose missionary zeal was primary education. In that case too, copyright was denied as the word 'Montessorie' had become synonymous with education. Similarly, in a strongly worded unanimous verdict