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### **Trademark Issue: Regarding Pastors Opposition to VGR Application for Trademarks Statement**

Posted on Monday, March 15 @ 19:40:32 EST by [WMB1](#)

### **Statement Regarding Pastor's Opposition to VGR Application for Trademarks January 2004**



Dear Brothers and Sisters,

In 2001, without much public knowledge and certainly without fanfare, a legal proceeding was started that could place the sole exclusive right to use Bro. William Branham's name and his sermons in the hands of a corporation. After much prayer and consideration, we, the undersigned Brothers, believe it is necessary to make perfectly clear the stand we have made on this issue. As servants to the Bride and our Lord Jesus Christ, we felt led to oppose such an attempt and to do our part to insure the unrestricted use of Bro. Branham's ministry.

Because of the stand we have taken, certain people have made false accusations that we are suing Brothers in a court of law. This is not true. While one would not normally respond to a false report, the sinister nature of the rumors and misinformation being spread requires us to issue a public statement on this matter.

### **Voice of God Recordings, Inc.'s Attempt to Trademark Bro. Branham's Name**

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Voice of God Recordings, Inc. (VGR) on June 22, 2001, applied for a trademark of the name WILLIAM BRANHAM. Again on April 9, 2003, VGR applied for the trademark of the name WILLIAM MARRION BRANHAM. VGR has made the claim that they are the sole owner of and have the exclusive right to the name, voice, and likeness of Bro. Branham, as well as all sound recordings made of his sermons. If granted a registered trademark of the names WILLIAM BRANHAM or WILLIAM MARRION BRANHAM, VGR would have the legal means to enforce the idea that they should have the ultimate control and power over the use and distribution of books, tapes, digital recordings, pictures, and all things relating to Bro. Branham's ministry.

To some this reality may seem far fetched, but the ownership of a legal trademark can be used as a tool to stop works that are on-going in the United States, Canada, and around the world. VGR and their legal representatives have already forbidden some from translating, printing, and distributing Bro. Branham's messages. Basically anyone using Bro. Branham's name in any form, whether in print, audio, or video, could be subject to legal actions by VGR. The results of giving all of the rights to Bro. Branham's name to a single entity should not to be taken lightly.

### Explanation of Trademark Proceedings

When anyone (the Applicant) wants to obtain the exclusive right to use a name, phrase, logo, or slogan (referred to as a "mark"), they must first apply for a trademark with the U.S. Patent and Trademark Office (USPTO). Once the Applicant has passed the USPTO's initial examination phase, the proposed mark is published for opposition in the USPTO Gazette. After the mark is published, any party (the Opposer) which believes they may be damaged by the registration of the mark or that the Applicant should not have the exclusive right to use the mark can file a Notice of Opposition.

Once an opposition is filed, the Opposer and the Applicant ultimately present their testimony to the Trademark Trial and Appeal Board (TTAB), an administrative body at the USPTO. At the end of this proceeding, the TTAB will either grant or deny the Applicant's registration of the mark. This legal proceeding is not a court trial or a lawsuit. In these proceedings, the TTAB does not award damages, costs, or attorney's fees. Simply put, it is a forum that allows the Opposers to inform the TTAB of their right to use a mark or that the applicant should not have the sole exclusive use of the mark. The TTAB then takes into account all the facts when making a final decision. This system was put in place in order to insure fairness and equity when granting exclusive rights to a mark, and to provide a means by which the public could oppose anyone's effort to gain exclusive rights to a mark the applicant is not entitled.

### Our Opposition to the Trademark Application

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On December 9, 2003, we filed a Notice of Opposition in regards to VGR's application for the mark WILLIAM BRANHAM. This proceeding is not a lawsuit against VGR, nor is it a matter of any of the Opposers taking VGR "to court". VGR actually initiated the legal proceedings by asking an administrative agency to judicially grant them the exclusive right to use the name WILLIAM BRANHAM. As a result, we have been placed in the position of having to oppose the application and defend against losing our right to use Bro. Branham's name. Consequently, we are simply going to the administrative agency that VGR has already contacted and are asking them to deny VGR's request for the trademarks.

We are not attempting to forbid or restrict VGR's use of Bro. Branham's name in any manner. We are only attempting to preserve our right to use Bro. Branham's name. VGR nor anyone else should have the exclusive right to the name, and the Message should be free for anyone to use and distribute.

We are fully aware that in the past Bible Believers of Washington obtained a trademark of the name WILLIAM BRANHAM. Even though some would want to make this an issue, we believe that the past registration of the mark is irrelevant to our opposition. What is relevant, however, is that before Bible Believers of Washington abandoned the trademark, they offered to transfer the trademark outright to Voice of God Recordings under the following conditions: 1) VGR would recognize the right of all persons to use the name WILLIAM BRANHAM in a descriptive manner to refer to Bro. Branham's teachings, and 2) VGR would not threaten or engage in litigation aimed at inhibiting the use of the name WILLIAM BRANHAM for such descriptive purposes.

It is a great concern that this offer was rejected. By doing so, VGR expressly declared that all Believers should not have those rights. After the mark was abandoned by Bible Believers of Washington (in recognition that the name should not be owned by anyone), VGR maintained their application to obtain the sole exclusive right to use the name WILLIAM BRANHAM. Because of the explicit and undeniable rejection by VGR of such assurances we must oppose their application. Further, we would oppose anyone's application for a trademark of any form of Bro. Branham's name because all Believers worldwide should have at a minimum the rights mentioned above.

We want it to be understood that we greatly appreciate the work that Voice of God Recordings, Inc. has done and continues to undertake. We respect highly their efforts to spread the Message via books, tapes, and other materials. We do not desire to see their work stop or even slow down. We have labored for years to see Bro. Branham's message spread around the world, and we hold the same desire with more fervency today than ever before. However, to join them in their efforts to monopolize and control the entire distribution of the Message would be contrary to the Word of God.

We stand ready to support and work together with VGR, or anyone else who shares a burden to see the Bride receive the Message of the Hour. But we all must work according to the principles of the Word of God. Our vision and burden have not changed over the years; it is simply to see the Message reach a dying world in fulfillment of Bro. Branham's desire. We feel that this great work of evangelism should be done without any restraint or restriction on the name of the prophet who delivered the Message to us. In harmony with the Message of the Hour, we labor to see the Message reach the Bride of Christ as quickly and freely as is possible.

Your Brothers in Christ,

Bro. Barry Coffey  
Bro. Paul LaFontaine  
Bro. Tim Pruitt  
Bro. Donny Reagan

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