

TRUE SOURCE SCIENTOLOGY FOUNDATION

Who owns Scientology – or who owns the copyrights of the works of L.Ron Hubbard?

Besides the question of what actually are the works of L. Ron Hubbard and what is mere alter-is, and besides the question of how far does copyright go with respect to exercising a religion, there is another burning question and that is: Who actually owns the copyrights of the works of L.Ron Hubbard? Popular beliefs are that they belong to the RTC (wrong, they just own most of the trademarks), the New Era Publications Inc. (wrong, they are just licensees) or the L.Ron Hubbard Library (well, this is actually not a legal entity at all but just a name under which the Church of Spiritual Technology does business – you can find out more about it under:

<http://www.sc-i-r-s-ology.com/copyrights/copyrightsindex.html>

<http://www.sc-i-r-s-ology.com/contents/howirsruns.html>

But the answer is not all that easy as this article will show.

First of all, to clear the concept: The copyright of a work actually is a bundle of rights which comprise e.g. the right to publish the work, reproduce it, or derive other works out of it (like translations). It originally lies with the author; however it can be transferred in parts or entirely, it can be licensed to others exclusively or non-exclusively and it can expire (in most countries 70 years after the death of the author) or, in some legislations, fall into the public domain which means nobody owns the copyright any longer and everybody can use the work as they please.

Now let's take a look at what happened to the copyrights of LRH works. According to the above quoted homepage www.sc-i-r-s-ology.com, LRH transferred all of his rights in his works, including future works, to HCO (a division of HASI). This was done with two

HCO PLs of 15 November 58 which can be found in the OEC Volume 1, page 13 and 15.

The text of these PLs alone might be legally sufficient to be constructed as valid transfer of copyrights – it says there, **“all copyrights, marks and rights, by blanket assignment are the property and will remain the property of HCO...the main office”** which also would include those works still to be written after the date of the Policy Letters. But the text also seems to indicate that the actual contract that achieves this transfer is to be found elsewhere: **“...It becomes...the property of HCO with no further administrative action by reason of existing contracts and franchises.”** This could mean that apart from the statement in this very HCO PL there is no further activity needed to get the copyright for each already written or future work into the property of HCO. It also could mean there is another contract, not specifically designated, which covers the assignment of copyrights in detail.

However there is no doubt that in any case there was a legally binding transfer of copyrights.

In 1964, HASI became the owner of the Church of Scientology, California (CSC), as is reflected in the HCO PLs of 6 November 1964, to be found in the OEC Vol. 7, pages 544 and 548.

Later HCO seems to have been transferred to the CSC – according to www.sc-i-r-s-ology.com this is established by Hubbard Communication Office Executive Letter of 12 March 1966, “Corporate Status”, which unfortunately is not in the Green Volumes. But let’s assume it as a fact.

Now things become blurry: On 10 May 1977, HASI Inc. is revoked by the competent state authorities because they have failed to file annual reports and thus ceases to exist. While HASI Inc. thus ceases to exist, HCO and all the intellectual property held by it, including the copyrights, remain in existence as it was made part of the CSC (which is incorporated separately and not affected by HASI’s revocation).

As the next important step, www.sc-i-r-s-ology.com offers the following assumption – here a quote from their “document index”:

“4 May 1978 ‘Assignment of copyrights from CSC to L. Ron Hubbard’. CSC appears

to be transferring to L. Ron Hubbard copyrights in only certain types of issues known as ‘Board Policy Letters’ and ‘Board Technical Bulletins’ (BPLs and BTBs), items not authored by L. Ron Hubbard but by others. But some analysts say this transferred all copyrights back to ‘Hubbard’ and therefore into his estate intentionally, secretly nullifying his own blanket transfer of 15 November 1958 to HCO... This transfer of the copyrights to the estate made possible the later transfer of the copyrights from the Estate to ‘Author’s Family Trust-B,’ and from there, by order of IRS, to the corporation known as ‘Church of Spiritual Technology’ (CST).”

(The “Author’s Family Trust-B” was a trust established to transfer LRH’s inheritance after his death. You can read more about this rather intricate and complicated scheme on the pages of www.sc-i-r-s-ology.com and others on the internet.)

However this conclusion is anything but compelling. The document given to support it is one which played a role in some court case and thus became public. If you read it thoroughly, you will find the following: The text, dated 4 May 1978, starts out with the paragraph „**WHEREAS the Church of Scientology of California (hereinafter referred to as “the Church”) has authored certain materials know as “Board Policy Letters” and “Board Technical Bulletins” (hereinafter referred to as “Letters” and “Bulletins” respectfully);..**“ and later it says

„NOW THEREFORE, in consideration of the premises above the Church does hereby assign and transfer to Mr. Hubbard the entirety of its copyrights for the above referenced Letters and Bulletins, as follows:..“

Correctly read, the copyright transfer can only be constructed to cover the Board Policy Letters and the Board Technical Bulletins.

This leaves us with the question: what happened to the LRH copyrights of his own works? We know following facts: (well, we are not completely sure if they are all facts, but likely they are:)

- The Church of Scientology California (CSC) was involved in a law suit by a Mr. Wollersheim in the 80s, and it became clear they would likely have to pay him millions of dollars damages. That is probably why the CSC was stripped of all assets to prevent they finally had to pay. One can read about it e.g. in the affidavit of Stacy Brooks Young.

- Today the CSC does no longer exist. You can look it up in the corporation register of California. It is marked there as “dissolved”. You can find some references from the beginning of the 90s in different internet resources, so they must have been in existence still then, but probably been dissolved in the Mid-90s.

What was done by the CST and “friends” during the 80s and 90s is very strange – they copyrighted a lot of materials under “L.Ron Hubbard Library”, all of which were alterations of originals, which in fact means that just the altered portions of the texts and books are protected by copyright, not the originals. We believe these were more than 4,000 copyright notices handed in to the Library of Congress – so the question is, why would they do so? You can read about it on the homepage http://www.algonet.se/~tourtel/interests/hubbard_vs_nwo.html for more details – the author comes to the conclusion that all the activities for the CST “doing business as L.Ron Hubbard Library” is strongly indicating that the original copyrights were lost for some reason or other.

So we can assume the following:

- IF there exist no other assignments of copyrights in or around 1978 from the CSC to L.Ron Hubbard which cover the works of LRH himself (not just BTBs and BPLs),
- AND IF there exist no later assignments of copyrights during the 80s or early 90s from CSC to the CST, the RTC or some other CoS-related entity,
- AND IF together with the dissolution of the CSC there was no blanket (covering all the remaining assets) assignment to some legal successor – as might be the Church of Scientology Western US,
- THEN the LRH Copyrights have no legal possessor which probably means they are “public domain”.

Unfortunately we have no means to check out the three “IF”-assumptions above.

However there are indicators that the conclusion might be factual. It might not be the only explanation of the things that happened around CST and L.Ron Hubbard Library, but it is certainly a good one.

And even if there is some transfer of copyrights from CSC – don't forget, HCO became a division of CSC at some point – to any other entity, you could still argue that the blanket assignment of LRH (see above: it says “... **all copyrights, marks and rights, are the property and will remain the property of HCO...**”) does NOT give the assignee, HCO Ltd., any right to FURTHER transfer it to any other person! Which would mean any assignment done by CSC is invalid, and with its dissolution the copyrights have fallen into the public domain.

If any of the readers could add some supporting or contrary data or supply any of the missing documents mentioned, we certainly would be glad.

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