
NEWS RELEASE

SDA Kinship International, Inc.
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FOR IMMEDIATE RELEASE

October 15, 1991

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Babcock/trademark lawsuit

A lawsuit against the gay and lesbian support group Seventh-day Adventist Kinship International Inc. by the Seventh-day Adventist Church resulted in a victory for gay rights.

The General Conference Corp. of Seventh-day Adventists, with a membership of 6.7 million, filed the suit Dec. 7, 1987 in U.S. District Court seeking to bar the Kinship organization from using the name "Seventh-day Adventist" or its acronym "SDA" in their corporate name and advertising. The church, who holds trademarks for the name, sought to disassociate itself from the Kinship organization, claiming that the organization was committing trademark infringement, unfair competition, and false advertising since they were not officially affiliated with the SDA Church.

Kinship's argument that their membership is made up of gay and lesbian members of the SDA Church and that the name "Seventh-day Adventist" is a generic term describing its members was upheld by the court in a decision handed down October 7. U.S. District Judge Mariana R. Pfaelzer said, "There is no term that adequately describes an adherent to the religion of Seventh-day Adventism other than 'Seventh-day Adventist.'" The term is, therefore, generic because it refers to a religion and is not

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entitled to trademark protection, said Pfaelzer.

Michael McLaughlin, president of SDA Kinship, stated "This decision is important in that it says the church can't take away the name which signifies our belief system." McLaughlin said that good has come from the lawsuit since many of the church's members are now aware of Kinship and its ministry because of the publicity and tremendous expenditure of church funds that has accompanied the suit. "If the church would assume the responsibility of educating its members and ministering to the needs of gays and lesbians," said McLaughlin, "Kinship would not be needed."

The church has until November 6, 1991, to appeal the decision. Church officials refused to comment, but according to Jayson B. Lumish, Partner--Fulbright & Jaworski, the law firm that defended Kinship, Kinship has an excellent chance of winning such an appeal. Lumish called the court's decision one more example of a situation in which the country's legal practitioners are not going to sit back and allow the gay community to be pushed around.

SDA Kinship is an organization for gay and lesbian members, former members, and friends of the Seventh-day Adventist Church. The organization has 500 active members and a mailing list of 2,000 people in 17 countries. Kinship maintains area group meetings and a toll-free support hot-line at 1-800-4-GAY-SDA.