

**Community Trade Mark Registration  
No 1224831 OSHO in Classes 41 & 42  
In the name of Osho International  
Foundation ("OIF") and  
Application for Invalidity No 5063  
thereto by Osho Lotus Commune e.V.  
("Applicant")**

**Witness Statement**

I, Michael Byrne, 17, Koregaon Park, Pune, MS 411 001, India also known as Anand Jayesh (formerly known as Michael O'Byrne) hereby declare that:

1. I am competent to make this declaration. The statements herein are made from my own knowledge and recollection. I believe all the statements made herein to be true. I have read the witness statement by Klaus Steeg submitted into these proceedings.
2. I am the Chairman of Osho International Foundation and I have been involved with the work of Osho (formerly known as Bhagwan Shree Rajneesh) since 1984. Between 1985 and January 19<sup>th</sup>, 1990, I worked closely with Osho having literally 100's of meetings with him, often alone, sometimes together with his legal secretary Anando (Sue Heffley), his international secretary Hasya Francoise Ruddy and his secretary for India Neelam Dahl. Due to appointments made by Osho I have full responsibility for the administration of Osho's work due to the multiple functions and positions Osho asked me to manage.
3. Nine months prior to his death, Neelam and Hasya were instructed by Osho to no longer attend our regular meetings. During the last 3 months of his life I started to meet with Osho alone on a regular basis.
4. On a number of occasions I also met with Osho and Osho's physician, Amrito. Amrito and I were the only people present when Osho died on January 19<sup>th</sup> 1990. At Osho's death almost his last words as he turned to me were, "I leave you my dream". Soon afterwards he closed his eyes and left his body.
5. It should be noted here that on the one hand Osho was a very public figure who spoke publicly to large audiences almost every day up until a period of final withdrawal from public life during the last nine months of his life. Even prior to that, Osho rarely saw anyone in private other than members of a very small secretarial team, his caretaker, his dentist and doctor, and even more rarely would he see anyone alone. And during those last nine months, the number of people Osho saw in his room dropped even further. In my own experience, during this time, Osho met only with Amrito (Dr John Andrews), his physician, Anando, his legal secretary, Avribhava – who stood in as caretaker for three weeks and myself without anyone else present.

6. Over this same nine month period, my meetings with him increased to the point where we were meeting in the morning, in the evening, and often in the middle of the night.
7. My meetings with Osho were always about his understanding of his work and his giving me specific guidance for both the expansion and the integrity of his work. In accordance with Osho's specific guidance the Foundation created archives in both digital video and audio that are used today to make Osho the publishing phenomenon that he is in both paper and digital media. The cost of the creation of these archives including creation, duplication, and distribution runs into many millions of dollars. As a result of Osho's vision of the opportunities to make his work available in digital, Osho's work can now be read and seen and heard in over 60 languages.
8. In our meetings together before his death Osho outlined what was to be done when he was no longer with us. This included a direction that in spreading his work we should focus on worldwide publication of his books; that we should have our attention on the growth of the internet which was in it's earliest stages of formation; and to make his work available in each new technology that becomes available.
9. In his discussions with me, Osho was clear and confirmed that he had placed all his rights to his intellectual property in a foundation so that the royalties from his works could be used by the Foundation to support the expansion of his proposal of meditation and celebration. His model for the administration of his work and intellectual property was to create public trusts and foundations so that there is no ownership by a private individual but rather single ownership through a trust or foundation. This model continues to this day.
10. Osho started this model, in the 1970's when he assigned his intellectual property rights to a public charitable foundation created at Osho's direction to administer all public and publishing aspects of his work. When Osho left India in 1981 these rights were assigned, with his personal involvement, to a US foundation. Besides the copyrights for his work Osho assigned rights to his name and image to the foundation, which he confirmed again in writing in 1981.
11. When Osho left the USA in November 1985 he directed that these same rights be assigned to a Swiss foundation – today named OIF. See Annex 4 of Klaus Steeg's witness statement.
12. In 1985 Osho appointed me as director to the board of OIF together with Ramateertha (Robert Doetsch) and others.
13. In 1986 while in Uruguay Osho asked me to obtain the resignation of Robert Doetsch from the board of Rajneesh Foundation Europe (now Osho International Foundation) which I did. See attached copy of resignation letter at **Exhibit MB 1.**
14. Osho personally asked me to ensure the workings of the Swiss Foundation; to operate as his international headquarters as he wanted his work to be international in scope. OIF assumed this mantle.
15. Osho also instructed that the name of the Swiss foundation be changed to Osho International Foundation. This name change was initiated prior to and was completed shortly after Osho's death.

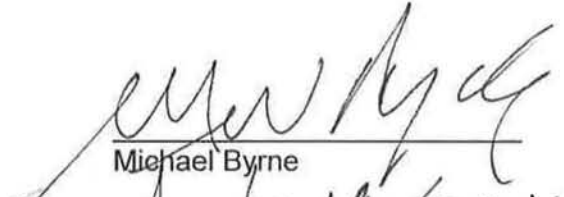
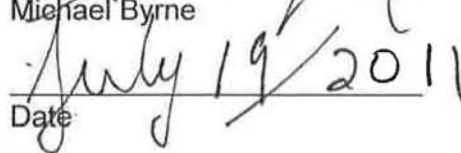
16. Osho explained to me on more than one occasion that the greatest risk to this, his proposal, was that people with good intentions and no understanding would try to turn his proposal into a new religion. In this context, he said that many people around him had guru minds and would surface when he left his body. He said to ignore them and not to give them any attention – “giving them attention just adds energy to their nonsense”. Instead he said to make the content of his work available; this would finish their guru business.
17. Already during Osho’s lifetime there were constant requests and suggestions to make changes to his life’s work. For example people often asked Osho if they could change the change the music for his active meditations; change the times of day they were offered, the times of each phase and even to change the sequences of his meditations. These were, without exception, rejected by Osho. These requests/suggestions continue to be submitted to this day and to this day we continue to stay with Osho’s clear guidance, to protect the integrity of his work.
18. Osho was particularly concerned that he would be perceived as a religious leader or that the name OSHO would be associated with a religious movement, and he expressed these concerns to me personally on many occasions. His denouncement of religion was a regular subject of his public discourses and interviews. He did not want to be viewed or associated in any way as a religious leader, spiritual guide or the founder of a collective movement or religious tradition. One of his objectives was to spread the scientific method of meditation without any religious ritual and that meditation should be talked about in terms of science and not religion. That way, his meditations were open to everybody including atheists.
19. Having read the submissions by Jonas in these proceedings, I am amazed that Osho Lotus Commune e.V. has made reference to OSHO in a religious context because Osho’s views on religion have been publicised very clearly in his own words through his books and taped discourses. For example, I attach at **Exhibit MB 2**, true and accurate pages from Chapter #13 of the book by Osho entitled The Sword and the Lotus and from Chapter #20 of The Last Testament, Vol 4. confirming these views which Osho expressed personally to me.
20. In May of 1989 Osho announced the creation of the Inner Circle, a concept we had been discussing in private for two months prior to this public announcement. Osho created the Inner Circle as a body of individuals responsible for the continuation of his work in India, including operating the Osho International Meditation Resort, formerly known as Osho Commune International. Osho appointed me Chairman of this body.
21. Shortly after creating the Inner Circle Osho created the Osho International Presidium – a group formed to oversee the international expansion of his work. Osho appointed me Chairman of this body as well. The Presidium which works closely with OIF overlooks all areas related to Osho’s and the foundation’s intellectual property, international publishing and licensing activities, the maintaining of the Osho Archives of documents and thousands of audio recording, video recordings, art and music. The Presidium also overlooks Osho Meditation Center activities and licensing in accordance with Osho’s express instructions.
22. As noted I am the original chairman of both groups and continue in those functions today. The vice chairman of both groups and also appointed by Osho is Amrito (Dr John Andrews), Osho’s personal physician for the last 11 years of Osho’s life. Amrito is also the Vice Chairman of OIF and was and still is closely involved with the

publication of Osho's work. He was instructed by Osho to write a number of biographical works regarding Osho's life.

23. In the early meetings of the Inner Circle Osho was given an overview by me after each of the meetings and gave specific instructions about how it was to function and it continues to function as he directed to this date.
24. After this, Osho started to appoint me to more leadership functions in regards to the administrative aspects of his work including the following; Head of Finance, 1985; Chancellor of the Osho Multiversity, 1988; and as noted Chairman of Inner Circle, 1989; Chairman of Osho International Presidium 1989.
25. In working with Osho so closely over many years I was impacted at how informed he was regarding administrative details and legal issues even though he assigned others to take care of the day to day operations related to his work.
26. Osho was informed daily about the activities of the commune in Pune, India where he was living and the work of the foundations and trusts. He was personally very involved with the publication activities of his talks, published as books, audios and video tapes. His legal secretary, Anando, shared every detail of the editorial, design and publishing process with Osho right up until a few days before his death.
27. I would guess that Osho may have been the first mystic to have a personal lawyer. Osho appeared in and gave a number of depositions in legal cases and for instance, while giving sworn testimony in a US copyright case, stated that he had assigned his copyright in his work to a foundation a statement later confirmed by the same court.
28. In the fall of 1989 Osho changed his name from Rajneesh to Osho. He asked that we totally eliminate any reference to Rajneesh in his work and to replace it in totality, in any public expression, with Osho, a term which he said he derived from William's James's word oceanic.
29. Osho told me specifically that his name would become a worldwide brand and that many people seeing this would try to come under his "umbrella", trying to offer their own teachings using his name. On another occasion he told me to keep his work '24-karat gold' as many would try to pollute his work, offering rubbish and attempting to call it Osho. He specifically asked me to protect his name; as we had protected Rajneesh we should use the same model to protect his new name Osho.
30. As instructed by Osho we re-branded all the meditation services, group and therapy programs, changed and re-branded all and any Indian and International trusts and related entities, and all meditation centers substituting Rajneesh with Osho.
31. Osho was very aware and involved in the use of OSHO as a brand and personally initiated the re-branding to OSHO on everything that had once been branded Rajneesh, for example creating the new Osho Multiversity and its Osho faculties. On one occasion he went on a viewing of the re-branding of the programs offered by his "Osho Multiversity" which included advertising for meditations and groups he directed we rebrand. I note that Klaus Steeg has exhibited images from a video of Osho reviewing presentation of the programs at the Osho Multiversity.

32. I personally wrote to Osho Global Connections and asked them to implement the name change requested by Osho in all the Osho meditation centers worldwide. See a copy of this letter at **Exhibit MB 3.** The Osho International Secretariat and Global Connections instructed all former Rajneesh entities, including related companies and the Multiversity to re-brand all of Osho's work with the new OSO mark.
33. Also, in accordance with Osho's request I asked the office of Osho Global Connections to collate Osho's guidance on how his centers should operate and circulate same to all the international centers.
34. Today because of the efforts of Osho International Foundation, the Inner Circle, the Osho Presidium and a network of hundreds of Osho centers and licensees in Europe and worldwide, the Osho brand has become widely recognized for meditation services that represent the unique quality that is the Osho's proposal of meditation and celebration.

The statements made herein are from my personal knowledge and recollection and I believe all of the statements made to be true.

  
Michael Byrne  
  
Date

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