

February 17, 2012

About the Public Statement Concerning the Decision of the Intellectual Property High Court by Seicho-No-Ie Shakai Jigyodan

Religious Juridical Person, “Seicho-No-Ie”  
Nippon Kyobunsha, Co. Ltd.

Seicho-No-Ie Shakai Jigyodan has sent to the Seicho-No-Ie seven representatives for missionary activities and others a public statement concerning the decision of the intellectual property supreme court, entitled “The *Seimei no Jisso* of Rev. Masaharu Taniguchi Will Be Protected,” dated January 31, 2012, the day of the decision, regarding the appeal’s case decision on the civil suit for the copyright of the *Seimei no Jisso* and so forth. Nevertheless, that public statement contains items that are different from the facts, and if left unaddressed they may cause misunderstanding among Seicho-No-Ie leaders and followers, and that is why we will state our opinion on that statement. Furthermore, due to the such illegalities as insufficient examination in the decision for the appeal’s case for this matter, our Corporation and our Company have appealed to the supreme court on February 14, 2012.

1. The Intellectual Property High Court Clearly Decided “It Was Not An Illegal Act”

The public statement by Seicho-No-Ie Shakai Jigyodan states under the sensational caption “The Wrongdoings of Nippon Kyobunsha, Which Published the *Seimei no Jisso* by Illegal Means, Has Been Exposed” that about those “wrongdoings,” “through the secret pressure from a certain someone” the royalty for the reprinted edition of the original leather cover *Seimei no Jisso* was not paid to Jigyodan and “finally the seal of the chairman of Seicho-No-Ie Shakai Jigyodan was erased from the colophon.”

Nevertheless, about this seal of the chairman, the intellectual property high court states (1) a lengthy period has lapsed since the copyright of the *Seimei no Jisso* was donated to Jigyodan in 1946, (2) the

title of the original leather cover reprinted edition of the *Seimei no Jisso* does not appear in the confirmation document and memorandum of March 22, 1988 between Mrs. Teruko Taniguchi, Rev. Seicho Taniguchi and Mrs. Emiko Taniguchi and Jigyodan regarding the copyrights of the works of Rev. Masaharu Taniguchi that are in possession of Jigyodan, and (3) after pointing to various circumstances, including the fact that Jigyodan has not received payment of royalties for an extended period of time, the court overturned the decision of the first trial and clearly wrote in the decision “as for the printing of ‘the author’s seal omitted’, it cannot be determined as having sufficient irregularities to be judged as an illegal act.... The actions of the appellant of the appeal, Nippon Kyobunsha, that had printed ‘the author’s seal omitted’ do not amount to an illegal act,” and the request by Jigyodan in the incidental appeal for compensation for damages and a public notice of correction was rejected.

In spite of the fact that the intellectual property high court clearly decided “the printing of ‘the author’s seal omitted’ was not an illegal act,” how could it be concluded that “Nippon Kyobunsha, which published the *Seimei no Jisso* through improper means, had engaged in wrongdoing” from the fact that “there was also the erasure of the seal of the chairman of Seicho-No-Ie Shakai Jigyodan from the colophon”? Where is the basis for such a claim?

## 2. Royalties Are Rev. Masaharu Taniguchi’s and His Heirs

Since the first edition of the reprinted edition for the leather cover *Seimei no Jisso* was published temporarily in 1982 as a special publication for the fiftieth anniversary of the publication of the *Seimei no Jisso*, it was not believed to be contained in the publications for which royalties are paid to Jigyodan. Nevertheless, Rev. Masaharu Taniguchi had directed Nippon Kyobunsha to donate a portion of the royalties for the reprinted edition to strengthen its financial base, and from the 20,000 copies of the first and second editions, the royalties of 10,000 copies were paid to Jigyodan and the royalties for the remaining 10,000 copies were paid to Rev. Masaharu Taniguchi. Publication continued for the reprinted edition because of requests for purchase, and until about 1983 the royalties were divided mutually between Shakai Jigyodan and Rev.

Masaharu Taniguchi. This distribution was based on the directions of Rev. Masaharu Taniguchi.

Nonetheless, since then the financial base of Jigyodan become considerably firmer with the increased subsidies from Tokyo Metropolitan Government to the child welfare institution of Jigyodan and so forth. It was because of this that through the understanding of Rev. Masaharu Taniguchi, the royalties to Jigyodan from subsequent printings of the reprinted edition were discontinued. The royalties from that time on were all paid to Rev. Masaharu Taniguchi, but due to his passing in 1985, from the eleventh printing on they were paid to his heirs, Mrs. Teruko Taniguchi, Rev. Seicho Taniguchi and Mrs. Emiko Taniguchi.

In spite of the fact that Jigyodan, as a matter of course, was aware of the circumstances for the royalties of the reprinted edition to not be paid to them, they had filed a lawsuit after more than twenty years on the bases of unpaid royalties for the reprinted edition. This action by Jigyodan is clearly against the intentions of Rev. Masaharu Taniguchi, and we can only say that is in truly baffling.

Again, while the public statement by Jigyodan states that the royalties for the reprinted edition were not paid to Jigyodan, “through the secret pressure from a certain someone,” we cannot possibly imagine the wild fancies upon which this is based.

Furthermore, the royalties for the reprinted edition of *Kuon no Jitsuzai* were, from the circumstances described above, paid from the start to Rev. Masaharu Taniguchi and they were not donated to Jigyodan.

### 3. Regarding the Court Case of Religious Juridical Person, “Seicho-No-Ie”

The public statement by Jigyodan says that the court case by Religious Juridical Person, “Seicho-No-Ie” that asserts its “supervisory authority” is “loathsome harassment.” Nevertheless, the court case is not of the nature of the “harassment” that Jigyodan speaks of.

At the board of directors meeting of Religious Juridical Person, “Seicho-No-Ie” on May 10, 1988, “Regarding the Supervision of the Copyright Belonging to Incorporated Foundation, ‘Seicho-No-Ie Shakai Jigyodan’” was presented as agenda item 4. It was unanimously passed in its original form. Through this Religious Juridical Person,

“Seicho-No-Ie” became the representative for the supervision concerning the copyright of the works of Rev. Masaharu Taniguchi that are listed in the earlier mentioned confirmation document of March 22, 1988, and it acquired from Jigyodan the authority to conclude agreements for permission to use the copyrights for publication with Nippon Kyobunsha, Co. Ltd. Through the exercise of the supervision right, Religious Juridical Person, “Seicho-No-Ie” supervises the concerned copyrights and prevents publication activities by Jigyodan that infringed on the religious activities of Religious Juridical Person, “Seicho-No-Ie.”

Among the directors present at the board of directors meeting of Religious Juridical Person, “Seicho-No-Ie” on May 10, 1988, 4 held the additional post of a director of Jigyodan, which had 7 directors at the time, and from the fact that this was the majority of the directors of Jigyodan, it was believed that Jigyodan had agreed with this decision. What is most important is that based on the above supervision method that was decided on May 10, 1988, on and after May 10, 1988, until immediately before the present incident, for many years agreements for permission to use the copyrights for publication were concluded between Jigyodan and Nippon Kyobunsha, and it is a fact that the supervision of the copyrights by Seicho-No-Ie was carried out harmoniously.

Furthermore, the measure in question was preliminarily deliberated at the standing board of directors meeting of Religious Juridical Person, “Seicho-No-Ie” on April 19, 1988, and in the proposal to the standing board of directors it is stated, “the *Seimei no Jisso* and the Holy Sutras are works that should be called the essence of propagation by literature, and the nature of the business of their supervision necessitates they be done by the Headquarters rather than Shakai Jigyodan.” Accordingly, at the board of directors on May 10, 1988, as a matter of course, the purpose for the proposal from the earlier mentioned standing board of directors meeting was explained, and it is evident that all present, who included the majority of directors of Jigyodan, based on the clear understanding that since “the *Seimei no Jisso* and the Holy Sutras are works that should be called the essence of propagation by literature,” they should be supervised not by Jigyodan but by Religious Juridical Person, “Seicho-No-Ie,” unanimously passed “Regarding the Supervision of Copyrights Belonging to Incorporated Foundation, ‘Seicho-No-Ie

“Shakai Jigyodan.”

Religious Juridical Person, “Seicho-No-Ie” brought a court case against Jigyodan and its assertion for the “supervision right” is based on these facts and it is not “loathesome harassment” and the like.

4. The Mission to Protect the True Teachings of Rev. Masaharu Taniguchi Is With the Seicho-No-Ie President

The public statement by Jigyodan has the caption “The Holy Mission of Seicho-No-Ie Shakai Jigyodan to Protect the True Teachings of Rev. Masaharu Taniguchi.” It says that Rev. Masaharu Taniguchi had made the copyright of the *Seimei no Jisso* “the basic assets of the Nonprofit Foundation, Seicho-No-Ie Shakai Jigyodan to permanently and everlastingly preserve as the cherished treasure of humankind and to contribute to the public good of national society.”

Nevertheless, just after the war, in January 1946, during the time of food shortages, Jigyodan was established by Rev. Masaharu Taniguchi with the main purpose of engaging in social welfare services to open a farm to increase food production and to create a facility to protect the swarms of war orphans and so forth. Accordingly, among the items in the purpose of the Deed of Endowment, which should be considered the articles of incorporation at the time of the founding of Jigyodan, there are no such statements as “to protect the true teachings of Rev. Masaharu Taniguchi.” In the Prospectus for Jigyodan, Rev. Masaharu Taniguchi wrote “as the site for the building of the various facilities of the foundation, the President of Seicho-No-Ie, Masaharu Taniguchi, contributes a tract of land of 90 thousand *tsubo* in his possession, and as permanent liquid assets, he contributes his royalty income from the *Seimei no Jisso*, and in the Deed of Endowment (Articles of Incorporation) in the item on basic assets in article 5, there is only written “copyright of the work of Masaharu Taniguchi, *Seimei no Jisso*.” Where can we find a statement as in the public statement that we can attribute to Rev. Masaharu Taniguchi? Such writings in that public statement are nothing but the foolish imaginings of the Jigyodan.

The Religious Constitution of Seicho-No-Ie, the highest standard for

religious affairs of Seicho-No-Ie, which was carried out in 1951, during Rev. Masaharu Taniguchi's lifetime, clearly states in Article 11: "The President and Vice President preside over the teachings, establish the teaching ranks of the lecturers, and so that the teachings disseminated by the lecturers, who belong to this teaching and the missionary centers, training centers and missionary headquarters in each region, do not deviate from the proper interpretation, they provide good guidance and corrections..., and aim for the consistency of the teachings." That is to say, what is stated in the Article 11 of the Religious Constitution of Seicho-No-Ie is the will of Rev. Masaharu Taniguchi. Accordingly, it is evident that by no means is it Jigyodan and the like that performs the mission of protecting the true teachings of Rev. Masaharu Taniguchi, but the President of Seicho-No-Ie.