

WHY NOT MONOPOLIZE THE TERM “FOR PREVENTION”?

Eight years ago I went to a conference for young breast cancer survivors. It was pretty useful to be around a bunch of other women who, like me, had been diagnosed with breast cancer in their twenties and thirties. It was also useful to hear doctors who had actually thought about things like long term survival and fertility.

But the most memorable—and creepy—part of the conference was the way they referred to us, the survivors, as “customers.” They explained they did it to emphasize the active role we had in deciding our own treatment. But since the conference was sponsored, in part, by a bunch of drug companies selling a bunch of obscenely expensive drugs, I found the term really disturbing.

In addition to the drug companies, Susan G. Komen Foundation sponsored the conference.

And so it is with great interest that I read HuffPo’s report on Susan G. Komen foundation beating up smaller non-profits—at a price tag of almost a \$1 million a year—for using the phrase “for the cure.”

In addition to raising millions of dollars a year for breast cancer research, fundraising giant Susan G. Komen for the Cure has a lesser-known mission that eats up donor funds: patrolling the waters for other charities and events around the country that use any variation of “for the cure” in their names.

So far, Komen has identified and filed legal trademark oppositions against more than a hundred of these Mom and Pop charities, including Kites for a Cure, Par for The Cure, Surfing for a Cure and

Cupcakes for a Cure—and many of the organizations are too small and underfunded to hold their ground.

[snip]

“It’s never our goal to shut down a nonprofit,” [Komen General Counsel Jonathan Blum] said, “and we try very hard to be reasonable, but it’s still our obligation to make sure that our trademarks are used appropriately so there’s no confusion in the marketplace over where people’s money is going.”

Blum told HuffPost that legal fees comprise a “very small part” of Komen’s budget, but **according to Komen’s financial statements, such costs add up to almost a million dollars a year in donor funds.**

[snip]

Michael Mercanti, an intellectual property lawyer, said he is surprised by the large number of oppositions Komen has filed against other charities—a number he would expect from a company like Toys”R”Us or McDonalds, but not a charitable fundraising organization. [my emphasis]

It’s perverse enough that Komen is wasting donor money on protecting its brand from other people trying to combat cancer.

Think about the even more perverse aspect of this: if you wanted a really superb brand, wouldn’t it be better to own “preventing” cancer rather than “curing” it? Wouldn’t the really noble goal be preventing women, people generally, from having to undergo the life-threatening “cures,” along with all the other unpleasantness, in the first place?

But I guess that wouldn’t leave open all the lucrative partnerships with drug companies. I guess that wouldn’t be compatible with selling

women on the idea that to survive cancer they must be savvy customers.