

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA  
OFFICE OF THE GENERAL COUNSEL



1111 Franklin Street, 8th Floor • Oakland, California 94607-5200 • (510) 987-9800 • FAX (510) 987-9757

James E. Holst  
GENERAL COUNSEL

Writer's direct line: (510) 987-9725  
E-mail: david.birnbaum@ucop.edu

February 1, 2005

**VIA FACSIMILE (215) 717-3440 AND MAIL**

Robert L. Shibley, Program Officer  
FIRE  
210 West Washington Square, Suite 303  
Philadelphia, PA 19106

Re: [www.thedarksideofucsb.com](http://www.thedarksideofucsb.com)

Dear Mr. Shibley:

This is in response to your letter of January 31, 2005, to University of California, Santa Barbara Chancellor Yang. I am the attorney for the UCSB campus. I appreciate your contacting the campus with your concerns.

As it happens, those responsible for this matter concluded prior to receipt of your letter that the web-site in question, [www.thedarksideofucsb.com](http://www.thedarksideofucsb.com), does not at this time pose a potential for confusion that the site is affiliated with the campus, and we do not intend to pursue the matter further. We advised Mr. Baron of that fact by letter dated January 31, sent before your letter arrived.

While there does not appear to be any continuing dispute in this case, I want to advise you that the content of the web-site had nothing to do with the campus's communication regarding the use of UCSB's name. Misuse of the campus name occurs fairly regularly, in circumstances that do create a potential for confusion, and the campus objects to such misuse when it occurs, regardless of any political or other points of view involved. Disclaimers are sometimes sufficient to resolve the problem.

Very truly yours,

David M. Birnbaum  
University Counsel

cc: H. T. Yang  
D Carpenter  
M. Clow  
Y. Harris  
G. Lucas