

Bikram Yoga vs. Yoga for people

Not only can trademarks and patents be protected by the Intellectual Property Laws, copyright is also an important instrument in the protection of an individual's ideas. The benefit of copyright is that it offers an enormous range of protectable features, but how broad can this protection be? For example, can you imagine that your sport routine could constitute a copyright? This is the case of BIKRAM YOGA.

Bikram Yoga was created by Mr. Choudhury, and consists of a sequence of 26 postures and two breathing exercises, performed in a room heated to 105 degrees. The protection that its creator obtained is for the specific sequence of postures practiced in each session.

The purpose of copyright protection is to prevent the theft of ideas, but what about people that put extra limits on this protection to hinder the competition, or try to appropriate commonly known knowledge? When is an idea completely original and when is it compound, created from existing elements? What needs to be protected?

In the example case, some people might think that the copyrighted sequence was stolen by Mr. Gumucio, a yoga instructor that taught this at the Bikram Yoga Studios and after that he used the sequence at his own studios called YOGA TO THE PEOPLE for his own benefit.

Switching perspectives, in Mr. Gumucio's defense, it can be argued that yoga movements cannot constitute a copyright, that because of their ancient origins, anybody can practice them without infringing on third party rights. Does setting them in a specific sequence give someone the right to appropriate them?

In his defense, Mr. Choudhury could say that through his creativity, he selected from the hundreds of positions 26 to constitute his own sequence, just as choreographers choose specific dance steps and those dances could be registered too, and also we could say that his counterpart could have selected a difference sequence without stealing from Mr. Choudhury.

The federal copyright office ruled that arrangements of preexisting exercises, like yoga poses, could not be copyrighted. Nevertheless, Mr. Gumucio wrote in a letter posted on the Yoga to the People website, that he decided to settle the suit by agreeing to stop offering the course patterned after Bikram.

Both positions could sound reasonable and this is exactly what our firm does, we look for the right grounds and arguments that fit our clients' needs. We can protect your intellectual property rights or protect you from extra limitations imposed by the protection held by others.