



CEASE AND DESIST

Our word is your bond.

BY TYLER YOUNG

Dear Humanity, We are Apogee LLP and we are litigation counsel to the dark-matter swarm known as X-04, which holds Galactic Patent No. 40419513934343 (hereinafter, the 'Patent'). The Patent, a copy of which is attached hereto, describes the concept of self-assembly driven by the hydrogen bond in any living organism. Courts across the galaxy have upheld the validity of patents describing biological functions. See, for example, *Alpha Centauri Investment Fund II v. Interstellar Hivemind*. Accordingly, X-04 has the exclusive right to any use of hydrogen self-assembly by any living organism.

Yesterday (according to your non-standard, Sol-based calendar), X-04 learned of humanity's existence. To state the obvious, each member of your species uses hydrogen bonding in assembling its DNA. Thus, at any given moment, your species is collectively perpetrating *12 billion individual violations* of X-04's Patent (hereinafter, the 'Infringing Activity'). Every instance of the Infringing Activity causes incalculable and irreparable harm to X-04's intellectual property. Therefore, X-04 hereby demands, through counsel, that humanity cease its use of the Patented subject matter immediately.

As you may know, our firm has successfully litigated many species-misuse claims for a wide variety of intellectual-property owners, including Fission500® companies. We have heard (and defeated) all of the arguments you

will probably make in opposition to X-04's exercise of its lawful right to control the use of the Patented subject matter. To facilitate a speedy and inexpensive resolution of this matter, we will dispose of your anticipated objections below, but we reserve the right to respond in greater detail and to cite other authority, in the event that this matter enters litigation.

First, the Patented subject matter is not 'obvious', within the meaning of 25 G.S.C. § 2456(A)(2)(b)(i). We have conducted an exhaustive survey of known life and confirmed that only Earth-based life forms use this sophisticated and valuable method. (Parenthetically, we are aware that the haemophages of the Andromeda galaxy bear a striking resemblance to humans, but their underlying biology is fundamentally different from humanity's, and from the Patented subject matter.)

Second, humanity cannot claim that X-04 did not act promptly to exercise its rights. As stated above, this letter was sent within 24 Earth hours of X-04's knowledge of the Infringing Activity. (Specifically, X-04 learned of humanity by watching a nature documentary 'Weird Life in the Milky Way'. X-04's Galcast service records will confirm the chronology of X-04's viewing of this programme.) Similar timelines have been held to be reasonable and appropriate even for beings with temporal-modification abilities that X-04 does not possess.

Third, it is immaterial that X-04 purchased, rather than invented, this technology. It has been established since time immemorial that patents, like other property, are freely alienable and transferrable. Nor does

it matter that X-04 purchased the Patent after learning of humanity's existence. Similarly, the price X-04 paid for the Patent (US\$6.53) is not relevant. The only facts that matter are these: (1) X-04 holds the Patent; and (2) humanity's existence violates the Patent.

In short, X-04 can and will, if necessary, obtain an injunction requiring humanity to cease all Infringing Activity. But X-04 is not unsympathetic to humanity's plight. X-04 is an enlightened business swarm that is eager to find a mutually beneficial solution to this problem. X-04 is willing, therefore, to license the Patent to humanity for 50% of humanity's economic output (payable in cryptoducats only) on an ongoing basis. If humanity is amenable to this offer, we ask that humanity minimize any further Infringing Activity by placing itself in cryogenic suspension, while humanity's counsel finalizes the licence agreement. (We can supply the cryogenic technology at a modest fee, if humanity has not yet mastered it.)

We assume that humanity and the other Earth-based life forms will obtain joint representation. If not, please notify us immediately and we will send similar messages to all other Earth creatures.

Kindest personal regards,
X. V. J. Glorbton

P.S. The Patent covers all isotopes of hydrogen, so any attempt to circumvent our rights by deuteration of your species will be ineffective. ■

Tyler Young is a practising lawyer living in the US Midwest. When he's not writing science fiction, he is probably at a museum or zoo with his wife and two young children.

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