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Republican National Committee Issues Cease and Desist Order to John Canegata

Politics / **Published On April 14, 2022 06:21 AM /**

Staff Consortium **April 14, 2022**

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John Canegata By. V.I. CONSORTIUM

The Republican National Committee has issued a cease and desist order to former local chairman of the Republican Party, John Canegata, from using "in any manner of the name of the Republican National Committee and the trademarks it holds."

"We demand the same regarding your use of RNC trademarks in your fictitious purported capacity as "Chairman" of the Republican Party of the Virgin Islands ("VIGOP"). Accordingly, consider this a revocation of any license the RNC may have granted to you as Chairman of the Republican Party of the Virgin Islands," reads the cease and desist order, written by RNC General Counsel Kyle Hupfer and provided to Mr. Canegata via an official letter using a Republican National

Committee official letterhead.

The letter reads, "You and the organizations you lead or purport to lead have not acted in a manner consistent with the RNC's good reputation nor did you act in good faith as the RNC assisted the territorial party with holding elections for party office. In 2016, the RNC Committee on Contests concluded, and the full RNC agreed, that you wrongly disqualified the undisputed winners of an election that you oversaw from serving as delegates to the national convention. A separate contest was filed challenging your status as state party chairman, and although the Committee declined to take jurisdiction over your status as an automatic delegate, it brokered a settlement that required you to hold new elections for the offices of chairman, national committeeman, and national committeewoman.

"When questions about the validity of your delegate plans arose again in late 2019, the Counsel's Office discovered you had made procedural mistakes in adopting the 2020 plan and provided instructions for remediation. You never took any action to rectify the errors, which compounded the issue and contributed to another contest being filed. In the absence of evidence to demonstrate that either the contestants or respondents were properly elected, the 2020 Committee took the extraordinary step of recommending that no delegates from the Virgin Islands, aside from the then-serving RNC members, be seated at the national convention. This recommendation was adopted by the RNC and affirmed by the Committee on Credentials. Because your status as chairman of the Virgin Islands Republican territorial committee was integral in determining whether the slate of delegates you certified should be seated, the Committee became well-versed in the irregularities surrounding your purported reelection in 2020 and recommended that the full RNC consider the matter. On August 22, 2020, the RNC ceased to recognize you as chairman of its affiliate in the United States Virgin Islands or as a member of the RNC until and unless a new election could be held.

"Following the August 2020 decision, the RNC initiated contact with you to begin the planning process for holding new elections. The Counsel's Office, Chairman McDaniel, and RNC members, including myself, attempted to work with you for nearly two years to effectuate such an election. Despite providing input on the process, calling for and presiding over the state committee meeting authorizing a new caucus, and voting for said caucus, you chose not to participate in the caucus and instead actively sought to undermine the process by being non-responsive, publicly hurling false accusations at the RNC, and attempting to suppress voter turnout. It was our sincere hope that you would run for Chairman. By choosing not to file as a candidate, you essentially guaranteed the race for chairman would be uncontested, and now, just because the results were not close, you cannot cry foul. You were free to choose not to participate in the caucus, but you must now abide by the results. You are no longer chairman of the RNC affiliate in the Virgin Islands, and you must stop holding yourself out as such.

"As part of its August 2020 decision, the RNC also mandated that all VIGOP-branded political activity, political action committees, and fundraising be placed on hold until the new caucus could be held.² In blatant contradiction of this directive, you continued to raise and spend funds as part of the VIGOP PAC.³ In addition, you continue to host a website, usvigop.org, that is riddled with references to the RNC, GOP, and Republican National Convention, and bears the RNC logo.⁴ Finally, as recently as April 8, 2022, you have used the RNC logo and the term "GOP" to purportedly call a meeting of the VIGOP.

"As you are likely aware, the RNC is charged with "the general management of the Republican Party."⁶ The RNC owns trademarks related to the Republican Party, including the terms "RNC" (Federal Trademark Registration Number 2486855), "Republican National Committee" (Federal

Trademark Registration Number 1975707), “GOP” (Federal Trademark Registration Number 2110224), the RNC elephant logos (Federal Trademark Numbers 74426459, 74456174, and 90689788), and various marks related to the Republican National Convention (Federal Trademark Numbers 86829601, 90014081, and 88539066). The reputation and goodwill that the RNC has established in its name and associated marks are of substantial value, and the RNC takes infringement of our trademarks very seriously.

"Neither you, nor the VIGOP PAC have any official relationship with the RNC nor do you have any authority to utilize the name of the RNC or any RNC-held trademarks. Your unauthorized uses of the RNC's name and intellectual property and the manner in which you have used them, to promote a party committee website, to issue meeting notices, and to raise money for a federal political action committee, are deceptive and likely to lead individuals to believe that you and your organizations are affiliated with the RNC, when they are not, and that the RNC recognizes or provides financial support to those organizations, when it does not. Moreover, false representations that solicitations are being made for the benefit of the Republican Party is a federal crime,⁷ punishable by fines or imprisonment of up to 20 years.

"The RNC hereby demands that you, whether acting in your individual capacity or in your purported (and fictitious) capacity as “Chairman” of the VIGOP, and the VIGOP PAC: (1) immediately cease and desist from any use of its name, the terms “RNC,” “GOP,” and RNC-trademarked images and (2) refrain from making any reference to the RNC, its agents, and/or its projects or initiatives in any manner that would lead individuals to believe that you and VIGOP PAC are somehow affiliated with the RNC. This demand includes ceasing and desisting of the VIGOP name and usvigop.org domain, which make use of the RNC's “GOP” trademark.

"To indicate your agreement to these terms, you must provide the RNC with prompt written confirmation of the same by signing the enclosed agreement and returning it to the RNC Counsel's Office by mail or email. In view of the urgency of this matter, I strongly urge you to return this form no later than 5:00 P.M. EDT, FRIDAY, APRIL 15, 2022. If an adequate response is not received, the RNC intends to take such action as it deems necessary to protect its reputation and proprietary rights."