



**The Grand Magisterial Chancery
The Knights Hospitallers
Of The
Sovereign Order Of Saint John Of Jerusalem,
Knights of Malta
(The Ecumenical Order)**



**MESSAGE FROM THE GRAND MASTER
On Litigation Brought Against our Grand Priory of Florida
By SMOM**

Dear Knights and Dames,

The unfortunate suit brought against the Grand Priory of Florida of our Order in July 2009 by SMOM, the Vatican-recognized Sovereign Military Hospitaller Order of St. John of Jerusalem, is drawing to its conclusion. In the suit SMOM accused us of Trademark infringement, false advertising for pretending to be their Order and other unsubstantiated and unsubstantiable charges. After costing us more than \$ 500,000 in legal fees, SMOM has lost the core of its case in a decision handed down initially by the U.S. Federal; District Court of West Palm Beach in September 2011 and subsequently re-affirmed by decision of the U.S. Federal Court of Appeal in Miami in October 2012.

The Appeal Court upheld the lower court's decision that SMOM and our Order share the same history, and that no false advertising has taken place. The Appeal Court also restored SMOM's four trademarks in the USA, which had earlier been cancelled by the District Court on the ground that they had been fraudulently obtained.

Our Order's trademark in the US, consisting of the double headed eagle holding an escutcheon with the cross of Malta, was never in question.

We are not opposed to SMOM's regaining of its trademarks, as they were not prejudicial to ours, and they are entitled to have their own.

The Appeal Court decision now makes it unchallengeable that, as at this time, only our Order and SMOM have been found by a competent Court in the USA to share the same history prior to 1798 AD, when the original Order left Malta and the splintering of that Order into many offshoots began. The Appeal Court decision effectively signals that our Order and SMOM both have a creditable claim as direct descendants of the original Order which was, in any event, founded as an Orthodox-controlled Order in 1048 AD in Jerusalem.

The Order was Orthodox-controlled because it received its initial permission to operate from Patriarch Michael Cerularios of Constantinople, the chief prelate of the Christian Church, which at the time was only Orthodox. The Catholic Church came into being subsequently, in 1054 AD, the year of the Great Schism. The Order then was recognized by the Vatican as an Order of the Catholic Church in 1113 AD. Later, in 1798 AD, the Order again came under Orthodox influence when Emperor Paul I of Russia was duly elected Grand Master of the Order. Subsequent Orders of Saint John, such as the Johanniter Order in Germany, the Most Venerable Order of the Hospital of St. John in the UK, and others, were all manifestly established in the 19th century. This may also explain why they are not permitted to have a Grand Master, but only Priors and Grand Priors.

Interestingly also, research associated with and subsequent to the trial demonstrates that the so-called cross of Malta was first used, long before the creation of the Order in 1048 AD, by early Christian communities living in the Arabian Peninsula. Excavations conducted under the auspices of Heidelberg University in Sir Bani Yas (modern-day Abu Dhabi) have revealed stone carvings of the so-called cross of Malta dating back to the 8th century AD or earlier. These excavations now require that SMOM revise its version of history which states that it was first to design the cross of Malta, and which have possibly contributed to its ill-advised legal claims of false advertising and infringement.

The trial did additionally bring to light the fact that SMOM is not recognized as a sovereign entity by the government of the USA and that its headquarters building on Via Condotti in Rome pays municipal taxes to the city of Rome, thereby raising serious doubt as to its alleged sovereign territory status. Lastly, the trial also did highlight the fact that SMOM's passports are not recognized by the US Government and that the European Union's Schengen Treaty classifies them as "Fantasy Passports".

We are glad to put this litigation behind us as we always considered it unseemly for two creditable Christian charity organizations to be involved in such controversy. We express here the hope that SMOM will now, like us, get back to the real mission, that of helping the poor and needy and supporting Christians who are under persecution in many counties because of their faith.



Nicholas F.S. Papanicolaou
Grand Master

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