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## California Couple Sues The Brain Store To Censure "Sensorcises"

*Authors Attempt to Own the Intellectual Property Rights to Yawning, Drinking Water and Stretching*

For Immediate Release

SAN DIEGO/EWORLDWIRE/March 29, 2005 --- Throughout history, various groups have attempted to ban books based on their content and message. Usually, the book is about a controversial subject: Bibles in Saudi Arabia are still subject to confiscation by customs officials according to the U.S. Department of State International Religious Freedom Report 2004.

Readers would be surprised by what's under attack these days. A book that was written to assist classroom teachers with students plagued by attention deficit and sensory dysfunction is the target of a recent attack. Just when readers thought they've heard it all, authors Paul and Gail Dennison recently sued The Brain Store Inc., asking a California court to order that all copies of "Sensorcises" be delivered up and destroyed. The couple alleges that the book, published by The Brain Store, infringes on their copyrights in a methodology known as "Brain Gym," which instructs students to do things as simple as drink a glass of water during class to increase awareness.

According to Dennison, as a former marathon runner, he realized that after his students drank water, they seemed more alert. He then conveyed his observation in a book declaring water is good for the brain and improves learning.

Now, in the same legal climate in which Donald Trump is pursuing a trademark for "You're fired," the Dennisons claim their epiphany about water and other instructions about energizing exercises to help students learn is their private intellectual property. They assert, in court documents, that no one else can use them without payment or permission.

The book raising eyebrows is "Sensorcises," the state-of-the-art book revealing brain and body activators for classroom teachers. It has extensive scholarly research and practical strategies for mitigating learning and movement dysfunctions that seem to be more and more prevalent in schools today.

Eric Jensen, president of The Brain Store said, "We credited the Dennisons for their early work in this field, but they had only two of 157 works our author consulted in compiling this new system. They were acknowledged along with the others who influenced the final version."

Jonathan Paul of The Tech Law Group, attorneys for The Brain Store, said, "The claims in this lawsuit are patently absurd. The plaintiffs even refer to their works as a 'methodology' in the complaint, which is governed by patent law and not copyright. You can't copyright an idea and the Dennisons couldn't get a patent for something like a system and method for energizing the organ of thought and cerebral coordination by the act of consuming an odorless and tasteless liquid, so they attempted to capitalize on their idea through copyright. The Copyright Act doesn't allow it and we intend to prove that in a motion for summary judgment."

### **About The Brain Store**

The Brain Store is an educational publisher that produces materials related to teaching, the brain and learning. Their readers are primarily educators but also include school administrators, trainers, parents, students and lifelong learners.

The original complaint and related case history are available online at <http://www.thetechlawgroup.com/thebrainstore.htm>

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