

Wednesday, August 18, 1993

Fred Saberhagen  
c/o TOR Books  
175 5th Avenue, 14th Floor  
New York, New York 10010

Dear Mr. Saberhagen

A couple of years ago, I wrote a Berserker story. I never intended to publish it, and I still don't. I wrote it because I like the Berserker stories, and because I had an idea for one.

I've given copies of the story to various of my friends, and one of them suggested that I should send you a courtesy copy. It had never occurred to me, but he was right.

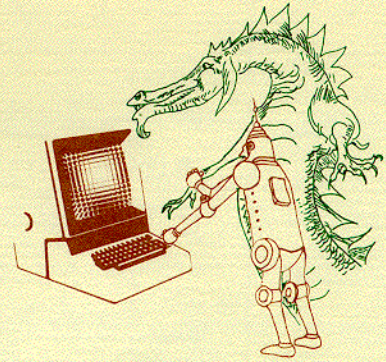
I call the story *Cold War*. It's about 13,000 words in length, and ends in such a way that it might be the last ever Berserker story. On the other hand, it might not. Enclosed herewith is a copy. I hope you enjoy it.

Sincerely,

A handwritten signature in cursive script that reads "Sam A. Milam III". The signature is written in dark ink and is positioned below the word "Sincerely,".

Sam A. Milam III  
Box 21633  
San Jose, California 95151  
408 272-2817

# Saberhagen



Sept 2 1993

Mr. Milam,

Here's your COLD WAR manuscript back, unread at this end--beyond the title page which contains your "LiteraShare" announcement, in which you invite people to send you cash, after reading and copying a work that evidently contains my intellectual property.

Be advised that you are standing on the brink of very serious legal difficulties, if you haven't already gone over the brink. Berserkers are not "LiteraShare" and they are very definitely protected by copyright. Permission for you to use them in any way is expressly denied, and if you have them out on any electronic network you had better get them off before I find them there.

Sincerely,

*Fred Saberhagen*

Wednesday, September 15, 1993

Fred Saberhagen  
13313 Desert Flower N.E.  
Albuquerque, New Mexico 87111

Dear Mr. Saberhagen

I have received your letter of September 2, 1993, to which I'm responding herein.

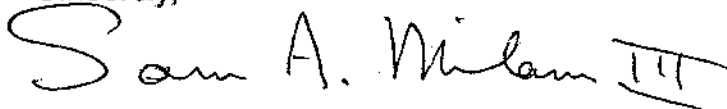
I hadn't intended to annoy you by writing *Cold War*, but to make an unpublished contribution to your Berserker saga, which I greatly admire. I sent you a copy as a simple courtesy. It's unfortunate that you discarded the story, which I believe you would have enjoyed.

Since I do not copyright my work, I placed a LiteraShare statement on the story as a matter of routine. With regard to your allegation that Berserkers are protected by copyright, you are mistaken. The word *Berserker* originated more than a thousand years ago. The first known written occurrence of it in English was in the early 19th century. Therefore, it cannot be copyrighted. The idea of berserk war machines is far from being uniquely yours, and is no more your property than any other idea about which a story may be written. The only thing your U.S. copyright laws can protect is your specific stories, and not the ideas or words used in the stories. I do not need permission to write a Berserker story.

As it happens, I support neither copyright laws nor the notion of intellectual property. A copyright is a monopoly enforced by coercive government for the benefit of one man and the detriment of everyone else. Intellectual property is a contradiction in terms. Although I'm not under the jurisdiction of the U.S. copyright laws, I do respect the work of other authors. Had you read my story instead of attacking me, you would have seen that I did not copy your work. Rather, I paid you a compliment by making an original contribution to your saga. Furthermore, on the page which you removed from my story and presumably kept, I clearly gave you ample recognition. Also, my story has resulted in the sale of several of your books, which would not otherwise have been purchased. You should thank me for my support.

Your letter was rude. Your attitude reminds me of a spoiled child. A simple statement of your preferences would have been sufficient, and far more courteous. Between honest men, simple respect is a sufficient constraint, and copyright laws are extraneous.

Sincerely,

A handwritten signature in cursive script that reads "Sam A. Milam III". The signature is written in dark ink and is positioned below the word "Sincerely,".

Sam A. Milam III

Box 21633

San Jose, California 95151

Sunday, November 28, 1993

Fred Saberhagen

13313 Desert Flower N.E.

Albuquerque, New Mexico 87111

Dear Mr. Saberhagen

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*The Uplift War*

rubbed her shoulder. "They tell about a certain Paha rior, back when the Paha were still being uplifted. Would you like to hear it?"

Puzzled Fiben nodded. "Sure, tell me about it, Gaillet."  
"Okay. Well, you've surely heard of the Paha. They're tough fighters, loyal to their Soro patrons. Back then they were coming along nicely in the tests given by the Uplift Institute. So one day the Soro decide to give 'em a little responsibility. Sent a group of them to guard an emissary from the Seven Spin Clans.

"Seven Spin . . . Uh, they're a machine civilization, right?"

"Yes. But they aren't outlaws. They're one of the machine cultures who've joined Galactic society as honored members. They keep mostly out of the way by sticking to high-density spiral arm areas, useless to both oxygen-breathing and hydrogen breathers."

*What's she getting at?* Fiben wondered.

"Anyway, the Soro Ambassador is dickering with the high muckity mucks of the Seven Spinners when this Paha scout detects something out at the edge of the local system and goes to investigate.

"Well, as luck would have it, he comes upon the scout to find one of the Seven Spinners' cargo vessels under attack by rogue machines."

"Berserkers? Planet busters?"

Gaillet shuddered. "You read too much science fiction."  
Fiben. No, just outlaw robots looking for loot. Anyway, when our Paha scout gets no answer to his calls for instructions, he decides to take some initiative. He dives right in, guns blazing.

"Let me guess, he saved the cargo ship."

She nodded. "Sent the rogues flying. The Seven Spinners were grateful, too. The reward turned a questionable business deal into a profit for the Soro."

"So he was a hero."

Gaillet shook her head. "No. He went home in disgrace for acting on his own without guidance."

"Crazy Eatees," Fiben muttered.

"No, Fiben." She touched his knee. "It's an important point. Encouraging initiative in a new client race is fine, but during sensitive Galactic-level negotiations? Do you trust a bright child with a fusion power plant?"

Fiben understood what Gaillet was driving at. The two

# THE UPLIFT WAR

David Brin



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Sincerely,

*Sam A. Milam III*

Sam Aurelius Milam III

Box 21633

San Jose, California 95151