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January 28, 1993

Richard J. Horswell
1050 Ferry St., #606A
Eugene, OR 97401

Re: Petition for Public Records Disclosure Order
University of Oregon

Dear Mr. Horswell:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on January 25, 1993, asks the Attorney General to direct the University of Oregon to provide you with a copy of the University seal for use in campus activities. You wish the seal in computerized form. For the reason that follows, we respectfully deny your request.

Your request of November 4, 1992, to George Beltran, Director of University Publications, was never denied. Your letter was sent to the Assistant to the President for Legal Affairs who recognized the validity of your request, but needed to confirm that the University seal was a registered service mark so that you could also be informed of the restrictions on its use.

We understand that the University has now provided you with a diskette containing the University seal. Accordingly, we deny your petition as moot.

A public body may charge fees to cover its actual costs for making records available. ORS 192.440(3). From your petition, we do not understand that you are either challenging the University's authority to require payment of its actual costs or its denial of any request for waiver of fees. Thus, we conclude that this issue is either moot or premature.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the
Attorney General

cc: George Beltran
Melinda Greer

ESH:AV:jpl/JAA00A5C