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PRIDE

Pride Society sues WE newspaper

VPS alleges WE misrepresented itself as publisher of Official Pride Guide

Nathaniel Christopher

THE VANCOUVER PRIDE SOCIETY (VPS) is suing *WE Vancouver* (formerly known as the *Westender*) for $25,000, alleging the weekly newspaper misrepresented itself to potential advertisers as the publisher of this year's official Pride guide.

"In early 2012, the defendant fraudulently represented themselves as the publisher of the Official Vancouver Pride Guide," reads the VPS's statement of claim filed in BC small-claims court on July 13.

The statement, filed by Ray Lam on behalf of the VPS, accuses *WE* of acting "with great malice aforethought causing us to suffer significant financial losses in the form of advertising sales for the legitimate 'Official Vancouver Pride Guide.'"

WE publisher Anne Devereaux declined comment for this article, but *WE* has 14 days from the time it was served to file its statement of defence in small-claims court. None of the VPS's allegations have been proven in court. *WE* is published by Black Press.

According to the VPS statement of claim, the society had contracted *WE* to publish eight editions of its official Pride guide between 2004 and 2011. The VPS decided not to renew the contract in December 2011, claiming *WE* failed "to pay out revenue shares in a reasonable or timely fashion," and put the contract to tender.

The VPS statement of claim alleges that, despite the non-continuation of its contract with *WE*, the newspaper continued to "fraudulently" represent itself "as the publisher of the Official Vancouver Pride Guide."

"This fraudulent activity was brought to our attention in June 2012," reads the VPS statement of claim. "When confronted, the defendant claimed a single erroneous email was sent to one of our official 2012 festival partners and that they had not sold any advertisement on our behalf for the Pride Guide."

The VPS statement of claim alleges that *WE* actively solicited advertising by "claiming to be our Presenting Media Sponsor." The statement also alleges that *WE* used the VPS's old logo in published sales material and included references to "the Official Vancouver Pride Guide," "the 9th annual" and "the 9th edition" in unspecified communications.

Such references are consistent with the language used in earlier communication, the VPS statement of claim alleges, "falsely promoting their connection to us."

The VPS statement of claim further alleges that *WE*'s published Pride guide "contains several elements which are intended to mimic the Official Pride Guide."

"This includes but is not limited to: the same layout, font, style, and graphics used in the 5th, 6th, 7th, and 8th editions of the Pride Guide published by the defendant; the use of the term 'we' in the description of an official Vancouver Pride event; a cover image which is similar to an image published online in January in a document titled 'Vancouver Pride Society // Brand Guidelines' and ads from long-standing Vancouver Pride Partners placed in the same preferred partnered placing as in previous years," reads the VPS statement of claim.

"To date, the defendant has not issued an official erratum or acknowledgment of their wrong-doing and continue to be financially benefitting from their misrepresentations, while causing damage to our reputation and sales," the VPS statement of claim alleges.

WE had not yet filed a statement of defence as *Xtra* went to press.

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