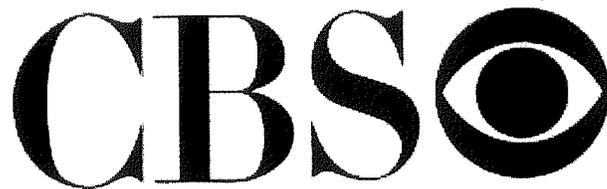


**EXHIBIT 10 TO PETERS DECLARATION IN SUPPORT  
OF OPPOSITION TO PLAINTIFFS' MOTION FOR  
PARTIAL SUMMARY JUDGMENT**



A lot of websites have been copying-and-pasting to create articles based on the piece which ran in The Wrap last week. None of these websites, such as Cinemablend, have bothered to actually contact me, however; instead, they just expound on why CBS could be coming after Axanar. None of the articles are based on any facts but are just stirring the pot, because let's face it-manufacturing drama is always a better story than discussing the truth (how a small group of fans are trying to change the way movies are made).

Here are some facts about Axanar and CBS:

1) I met with CBS while at the Las Vegas Star Trek Convention. The meeting was with two of the top people in CBS and they were very frank about Axanar. And while I can't talk about most of what we discussed over the 30 minutes we chatted, I can tell you a few things. They told us everyone at CBS and Paramount was aware of Axanar. They told us that we are certainly doing more than any fan film before and that has some people concerned. We also discussed that CBS will not tell us what we either CAN or CANNOT do for legal reasons. They are very clear that they do not want to give guidance because it could negatively impact their IP rights. Yes, we are left to make assumptions and if we cross the line the lawyers will let us know.

2) CBS rarely deals with fan films even when their behavior is questionable. For instance, **Star Trek Continues** uses the word "Official", and **Renegades** has called itself a "pilot" when it clearly was not. I know CBS didn't like any of these

things but they didn't do anything about them. At this point, selling items with CBS / Star Trek IP on it seems to be the only point at which CBS will take action and send you a Cease and Desist, which they have only done once.

3) While Axanar is more professional, and has raised more money than all other Star Trek fan films combined, we use less Star Trek IP than almost all of them. A year ago we removed "Star Trek" from our website and Facebook page. We don't use Star Trek in our title anymore. We aren't recreating TOS and using iconic characters like Kirk, Spock and McCoy. We don't use the delta shield. Yes, we use several characters from Star Trek and we are clearly set in that universe. We just try to minimize that.

4) Going into Star Trek's 50th anniversary, the last thing CBS would want is any negative publicity related to Star Trek. As of August 30th, 1.5 million fans have watched **Prelude to Axanar** on Youtube, and other fan productions have large viewerships, as well. All of the fans watching these productions are Star Trek consumers. Alienating them by changing CBS' relationship with fan films would not be good for business, particularly now, in the age of social media.

5) Axanar is good for CBS and Star Trek. There is little doubt that fans are very passionate about Axanar, and many are looking forward to Axanar more than Star Trek Beyond. Axanar gives Star Trek fans what they want in Star Trek. We love Star Trek. We get it.

So there you go. That is our take on where Axanar is vis a vis CBS. As always, we respect CBS, the wonderful job they have done shepherding this amazing franchise, and we want nothing but good relations with them.

Alec

## 58 Comments



**BSL says:**

August 30, 2015 at 9:44 am

I'm pretty confident that you have everything covered 😊



**Arthur Lane says:**

August 30, 2015 at 10:44 am

Well stated. Now, if the masses will bother to read this, there should no longer be

problems.  
( in your dreams you say!? LOL )

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**Reece Watkins says:**

August 30, 2015 at 9:57 am

Thanks for clarifying that, Alec. I'm glad Axanar is actively engaging CBS and not just relying on crossed fingers and wishful thinking when it comes to the IP owner's wishes. Amateurs act; professionals plan.

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**Jim Westbrook says:**

August 30, 2015 at 10:00 am

Yes! Absolutely, 100% agreed right down the line here. Very well done, Alec! Thank you for all that you do!! 😊

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**I am not Herbert says:**

August 30, 2015 at 10:00 am

Thanks Alec,  
...you put it very kindly with "stirring the pot" 😊  
STAY STRONG, Cap'n! We're all behind you! =)  
AXANAR KICKS @\$\$\$!!! =D

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**James M says:**

August 30, 2015 at 10:01 am

I would not be associated with Axanar if I thought there was the hint of shadiness. It will only boost Star Trek's footprint and whet the appetite for any future Star Trek endeavors and merchandising by the studios. All of us involved from the little guys like me, all the way up to Alec are keenly aware that things could change, but are doing our best to make sure that toes are not stepped upon.

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**Joe Benn says:**

August 30, 2015 at 10:06 am

Thanks for that. Yes I can't wait to see both films. You guys are awesome. !! Thank you. !!

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**Mark says:**

August 30, 2015 at 10:24 am

The negativity that has arisen of late toward Axanar is perplexing and disappointing, moreso because we are all fans of Star Trek, and by extension, Roddenberry's outlook on human society. It seems certain people have either personal grudges or are unable to cope with their feelings of jealousy toward a highly successful crowdfunding effort. It is, simply, sad.

I am pleased with what my (too small) donation is helping to bring to fruition. I have read all of the materials provided by the Axanar team and have no question as to the transparency and accountability of all involved. Patiently waiting for Axanar in 2016. You guys rock!

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**Mary Capizzi says:**

August 30, 2015 at 10:26 am

I have faith in you and Axanar.

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**Leo Almond says:**

August 30, 2015 at 10:31 am

We should all be calm and let the team take the lead on this and just make the best movie we believe that will be better than all the others that came before. So I say Go Team Axanar!

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**Robert Clontz says:**

August 30, 2015 at 10:32 am

Thank you so much for this information. So many people and sites out there are trying to weigh in on what they "think" they know, and what they speculate, many are using as fact. I'm sure all of Axanards out there appreciate you setting the record straight. Peace!

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**Derek says:**

August 30, 2015 at 10:45 am

Those of us who have seen the project up close can attest to not only the authenticity of the project and Mr. Peters production crew. Some of us have tried to be of assistance in making sure that donar packages have been distributed as promised. Looking behind the scenes so to speak, the influence of Star Trek is rich throughout the production, yet when I look back on what I have seen personally, the words "Star Trek" have indeed been almost conspicuously absent from the plethora of donar items that have been distributed. Axanar is not trying to compete with CBS at all, but doing their best to enhance the fans love for this valued franchise. Thank you for trying so hard, and keeping your integrity in your production Mr. Peters.

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**Herpchat says:**

August 30, 2015 at 10:53 am

You are a professional and everything I have seen shows this is going to be a top notch production.

I know not why these groups would want to stir the pot but when I read those stories I had questions and figured you would set the record straight.

Thanks for all you do!

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**John O Nelson says:**

August 30, 2015 at 11:01 am

It sounds like you guys have dotted the "I's" and crossed your "T's" And having worked on Hidden Frontier all those years ago. I remember alot that that production had to do way back then.

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**Steve Dixon says:**

August 30, 2015 at 11:32 am

When Axanar is complete and available for all to view, the negativity will whither away.

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**Dennis Castello says:**

August 30, 2015 at 12:14 pm

Can you hear that? That's the sound of thunderous applause from Axanar fandom!

I believe that you really shouldn't engage with the fools who make comments to those articles — that kind of nonsense isn't worth your time. Let your fans defend you there.

\*This\* is the place to post the "Official" word from Alec Peters and Team Axanar.

Nice work — as always!

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**Denny Flynn says:**

August 30, 2015 at 12:54 pm

"Alienating them by changing CBS' relationship with fan films would not be good for business, particularly now, in the age of social media."

Is this your option of the situation, Alec or based on something CBS said?

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**Jeff Kincaid says:**

August 30, 2015 at 8:46 pm

Denny, he didn't specify, but really I would think this would be common sense. I doubt serious if CBS were to risk the ire of thousands or more fans and the potential spending that they may do of some minor quibbles.

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**Greg says:**

August 31, 2015 at 12:48 pm

One would hope, but there is precedent. Paramount has gone on several "ban rages" against online sites in it's history, as well as the infamous Purge of the Merch back in the mid/late 80s when it meddled with all the licensed products (the infamous Maizlish/Arnold era).

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**Eodeon says:**

August 30, 2015 at 1:08 pm

I also believe that Axanar is in many more ways beneficial to Star Trek brand than potentially threatening. Over the years, I have bought hundreds of comic books, hundreds of novels, countless videogames and other Star Trek merchandise licenced by CBS and I keep doing that because there is something that's keeping my interest in these stories going on. And by "something" I mean fan culture and especially fan films. I am sure there are a lot more fans who feel the same about it. I consider Axanar one of the most promising fan films ever in development, for obvious reasons. The better it gets, the more love for Star Trek and more success of the brand and it's licenced products.

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**Mark Heber says:**

August 30, 2015 at 3:07 pm

I would think the main reason the studios are paying attention to Axanar is due to the broader implications of people making their own movies with crowd funding. CBS and Paramount can only benefit from Axanar specifically but people making their own self-funded features has to be concerning them. Realistically, the studios have an opportunity to get ahead of the curve in a way they missed in the past.

Star Trek has always been a trail blazer in the entertainment world. First run syndicated shows, multiple shows and movies based in the same universe with concurrent plot lines and massive novel tie-ins to mention three instances that spring to mind.

When Axanar succeeds, there will be a lot more crowd funded films coming down the pike.

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**Greg says:**

August 31, 2015 at 12:55 pm

Not just making them, but making them increasinly WELL. CBS has got to be looking at that fact and fearing confusion with their product.

Something that looks like a bunch of nerds in some basement with a few cardboard sets filmed on video can't be mistaken for "real" Trek. Axanar, and an increasing number of projects CAN.

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**James Heaney says:**

August 30, 2015 at 9:19 pm

"At this point, selling items with CBS / Star Trek IP on it seems to be the only point at which CBS will take action and send you a Cease and Desist, which they have only done once."

I think this has actually happened twice, though it's entirely possible CBS has forgotten one, or doesn't count one as a true C&D.

The first was, of course, the famous Cease & Desist against Star Trek New Voyages, which was eventually withdrawn after Cawley & Co. swore never to pocket any money from STNV, never to show it at conventions, never to claim a right to the property, and never to seek fan donations. (Several of these have very obviously changed in the years since 2005, when it happened.) CBS might not count this, since it was before the Viacom divorce, and because it was withdrawn.

The second went almost completely unnoticed by the community at large. It was 2009, I believe, when the community discovered a fan film project made by a bunch of high school students that had been toiling in complete obscurity for several years. The production values were low, and I feel safe saying it wasn't about to be anyone's favorite show — but it had amassed an impressive library of episodes, with steadily improving writing and effects, over those years. Unfortunately, they were also selling DVDs of their show on their website. Almost as soon as the fan community became aware of the project, so did CBS (I guess they read the TrekBBS!), and the Cease & Desist orders went out within a couple of weeks. They shuttered and have not been heard from since. Bit of a shame, but it put the fear of God into the rest of us.

As a fellow fan producer (shameless plug: click on my name in this comment to see our stuff!), I'm very grateful to Axanar for pushing the envelope, taking risks, and finding out what fan films can and can't do in the modern era. Us small, no-budget shows could never afford taking the risks you take to blaze a trail for us. At the same time, everything about this story makes me nervous — anything that draws media attention to fan films and CBS's tolerance of them raises the chances of a crackdown, from which we'd all suffer. So please, for all our sakes, keep that relationship with CBS strong and try not to give the media anything to talk about!

I can't wait for the Axanar premiere, and neither can anyone else on my production team!



**DMK says:**

August 31, 2015 at 12:26 am

I have no reason to believe CBS will clamp down on Axanar or any other fan film. I would just point out that it COULD do so at any time. Bean counters worry about budgets. Legal departments start sniffing around. Executives get shuffled. Next thing you know, you get a C and D letter. If CBS were interested in licensing fan films, in 30 minutes they could hammer out a simple one-pager. The fact that they don't means they reserve the right to sue. Removing

explicit references to the Star Trek brand provides only the illusion of a defense. It could be argued that crowd-funding deprives CBS of revenue, and that fan productions engage in unfair competition by trading on the valuable characters, writing, and good will of the official franchise. (It could also be argued that fan productions create more fans and more money for CBS.) I have no interest in stirring the pot, but you need to get real when large sums of cash are involved.

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**Marcel says:**

August 31, 2015 at 12:33 am

Thxs Alec for clarifying . On pinterest I saw an axanar pic with the txt: Is axanar in legal trouble. First thing I did was checking here to fint out what Really was going om.

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**I am not Herbert says:**

August 31, 2015 at 4:53 am

...IMO, the negativity towards AXANAR is from POLARIZED nu-trek fans: they identify with the new (empty and vapid) version of so-called Star Trek [sic], so they hate AXANAR out of hand.

...they hate what is good and true and right about REAL Star Trek, so they attempt to throw AXANAR under the bus =(

...however, I \*can\* see how Paramount would be threatened by AXANAR: I am a proponent of boycotting nu-trek, and i believe that AXANAR will make nu-trek look even MORE stupid by comparison =P

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**Stephen Fender says:**

August 31, 2015 at 7:01 am

As a fellow creator, I know full well the fine line we have to walk when dealing with someone's IP. I have no doubts that Axanar is going to do exceptionally well, both for themselves and for the franchise in general. We (meaning both fans and creators) need to realize that as the 50th approaches, even more crowdfunded projects will likely pop up, and not all of them will have the franchises best interest in mind. As fans, part of respecting someones sandbox is making sure we don't soil the name with less then stellar projects. I'm proud to say that Axanar has done very well in respecting CBS and the other affiliates, and I believe in their vision.

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**Claude Francis Doziere says:**

August 31, 2015 at 7:32 am

The war are bad for everyone, all the company's must be respect the interests of each company, if the two company's will be do that, CBS will be use Axanar for a free Pilot for and matbe for a new serie of Star Trek and Axanar Productions will be use CBS for a new approach of market business and fans request. A good cooperation can be interesting for new market opportunity (Internet television).

I am sure that Alec will find the right key for this possible new style of cooperation.

Business is Business !

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**Charles Zimmerman says:**

August 31, 2015 at 8:09 am

All - I think some people are missing the underlying message that Alec and the Axanar crew are working very hard to ensure that relations with CBS and Paramount remain cordial, if not fully engaged to the point of public endorsement.

That said, it's bad form - and frankly counterproductive - for Axanar fans to start bashing and trash talking CBS and Paramount, especially in Axanar forums. By extension, this includes the current movie series. No matter what you think of it.

My advice: If you want to debate or bash any of the above, do it somewhere else, and leave Axanar out of it. (Though I think it hurts the franchise just like the "Trekkie" perception of obsessive Trek fans in the 70s.)

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**David Hernandez says:**

August 31, 2015 at 10:10 am

Well done Alec, and thank you for all you do. — Dave

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**Raphael Salgado says:**

August 31, 2015 at 10:15 am

I can't be the only person who saw the tweet, ran to this page and first thought, "Holy crap, CBS is ordering a season of Axanar!"

Thanks for the clarification, it's always a fine line when 'fan films' pass the level of prime-time

TV production and/or go viral to the point of "Why isn't anyone picking this up for a mainstream release?"

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**waycomp2002 says:**

August 31, 2015 at 10:23 am

I believe on one fact you are mistaken however I am glad that axanar can continue. Renegades Called itself a pilot cause it wa the first one and they plan on making more

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**waycomp2002 says:**

August 31, 2015 at 10:24 am

Keep up the good work on Axanar

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**Joe says:**

August 31, 2015 at 10:44 am

Hey Alec, great news. Very supportive of what you are attempting to do to flesh out Star Trek canon in a dignified way.

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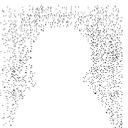


**Dominic Parry says:**

August 31, 2015 at 10:48 am

As a Star Trek fan who works on 2 of the most prominent fan productions I am exceedingly grateful that these productions are tolerated. We do it for the love of the franchise. And the good will generated certainly leads to merchandising sales. Will I spend money to see the next BR film? Yes. Would I love to work on any possible future Star Trek TV series? YES. I hope the story quoting CBS as considering options is a fabrication. Personally I feel a rising tide raises all ships.

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**Douglas Mayo says:**

August 31, 2015 at 10:56 am

I like many other Star Trek fans from across the globe love and support quality fan produced

Trek and hope that CBS will continue let these projects flourish as long as everyone abides by the rules—a Trek fan since '68 and proud supporter of Axanar

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**Jerry says:**

August 31, 2015 at 11:02 am

CBS has every right to protect it's IP. But there are ways of doing this which enhance CBS. For example, CBS could give its blessing in exchange for advertising its properties such as the upcoming Trek movie. Or CBS could negotiate a deal that would allow them to market Axanar as a direct to DVD for-profit movie if they like the result with some reasonable payment to Ares. These might be impractical but to me cooperation is not only possible but a great idea: how can we cooperate in a way that benefits both of us is a million times better than fighting. Corporate "Good Will" is a balance sheet item and either the current informal path of indirect permission or active cooperation can only help in that regard.

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**John Allen says:**

August 31, 2015 at 11:03 am

Alec,

Thank you for this clarification. As a life long fan of ST, I can tell you that THIS production is the only one I am looking forward to next year, and not the revisionist garbage coming from the "JJ-verse" I am happy to contribute to your wonderful vision!

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**Forest Wells says:**

August 31, 2015 at 12:03 pm

I still say if CBS were smart, they'd pick up your film and give it their full support. Somehow, this one has something more than any other fan film I've seen, and that's without studio support. I could only imagine how much better it could be if they said, "run with it, we got your back".

Would also make a lot of Trek fans very, VERY happy.

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**Jay Pennington says:**

August 31, 2015 at 1:13 pm

The only context in which "official" appears in text to STC is on the facebook page, because back when it was created, there was a competing Facebook page for the show that was not run by anyone associated with the show. It is to denote which facebook page is run by STC, nothing more.

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**Alec Peters says:**

September 1, 2015 at 12:14 am

Really doesn't matter WHY they do it. The point is they are claiming to be "Official" Star Trek.

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**Darrin Bell says:**

August 31, 2015 at 1:23 pm

I'm looking forward to both Axanar and Star Trek Beyond. I wouldn't mind watching the alternate universe on the big screen once every three years, while also having stories set in the prime universe coming out of Axanar Studios in the meantime.

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**Aliza says:**

August 31, 2015 at 3:28 pm

I'm really impressed and inspired by the way you've handled all this, Alec, and I find it encouraging to hear that CBS realizes how dedicated fan film producers are to the brand. I'm glad to hear that CBS is giving us some breathing room to create our content, as long as we don't egregiously step out of line. Thanks for the update!

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**Brenda Handam says:**

August 31, 2015 at 9:31 pm

I think Axanar has done a good job of being respectful of Star Trek and its IP owner. As I've said I enjoy the new movies, but they are not Trek I grew up with, Axanar is which is why I support it with. All I can say is keep up the good work Ares Crew.

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**Tony Rowley says:**

September 1, 2015 at 8:49 am

Projects with such high standards do not dilute but enhance the genre. Did Branagh's version of "Henry V" detract from Shakespeare?

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**Mark says:**

September 1, 2015 at 10:21 am

Shakespeare is public domain so you're comparing apples and oranges. That being said; one of the many reasons Trek is still popular is the fact that the fans have always made their own when CBS or Paramount didn't provide it. The studios know which way the wind is blowing.

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**John Edgeworth says:**

September 1, 2015 at 10:33 am

Great to hear, I was slow to become a big Axanar fan as I like and support one or two the other TOS based fan made series. BUT I did come along and donated a few bucks for the "pre", and then a few more after the "pre". I soon became a big fan and now read and watch your posts almost everyday. Soooo, keep up the good work, I may never be able to visit you there, but I will be with you every (almost) day!

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**tarbasch says:**

September 1, 2015 at 8:29 pm

I really hope there is not any negativity or competition between Axanar, Continues and Renegades, while they are all very different production they are all fantastic and all true Star Trek fans should embrace them all in my opinion. They are all more true to what Star Trek is and should be way more than the Abrahams films. I look forward for more of these production in the future 😊

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**Alec Peters says:**

September 1, 2015 at 11:26 pm

Alec here. I can tell you that we at CBS Axanar never speak ill of other productions. I started with Star Trek: New Voyages and still work with them. I have friends on Star Trek: Continues and worked with Renegades. We believe that none of us competes against each other and we should all support each other. I support more projects than anyone else. New Voyages, Horizon, Intrepid, Pacific 201, Ambush, Anthology and more. But not everyone believes that. There is one individual who Continues to talk smack about Axanar because he is jealous of our success. I think that tells you the kind of person he is. You will not find Team Axanar stooping to that level.

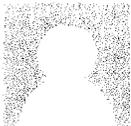
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**Jerry says:**

September 1, 2015 at 11:31 pm

Amen. I will of course judge various Trek productions based on characters, script, production values and the like but my hope is that every video inspires all to step up their game. That way we all benefit.

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**tarbasch says:**

September 2, 2015 at 12:27 am

That is good to hear, I wish all of you and the other productions continued success 😊

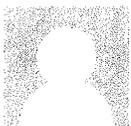
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**Darrin Bell says:**

September 2, 2015 at 8:19 am

Just a thought, but maybe all these "Axanar is more Star Trek than Abrams' films are" comments are part of what's worrying CBS.

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**I am not Herbert says:**

September 2, 2015 at 10:32 am

...i would think this is valid \*only\* if paramount could leverage cbs over any perceived "threat" to what licensing they have paid for ...which would take some serious legal twisting, IMO

i get the feeling that paramount is \*not\* in a position to leverage cbs over star

trek (thank god)

i also get the feeling that cbs won't cry too hard for paramount's troubles,  
perceived or otherwise

\*I\* don't think that AXANAR creates \*any\* kind of pause for cbs, or that you  
should insinuate such

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**Brian Heite says:**

September 2, 2015 at 11:54 pm

Alec, Thank you for a very clear and unambiguous post about this issue. It really is a non issue, that has been twisted around into a Gordian knot. Your post was right on, clear, eloquent, and very well stated. Great Job. Star Citizen is having similar issues, where a particular game producer is going around speaking bad of it, and getting some attention. The facts of Axanar and the degree of transparency are excellent examples of how the Trek community should behave and encourage growth. Your other response was also right on, no production, no matter how "amateurish" should be castigated when coming from the common bond that Star Trek has created in the last 50 years. To do otherwise would be a bad representation of the original intent behind it. Thanks for your efforts! Great job!

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**Mikael Johannesen says:**

September 4, 2015 at 10:25 am

I get the sensation that CBS is watching this closely to gauge the market if there is enough viewers to start a new franchise. So in a way they see it as a free market analysis. When Axanar is showing as being successful in its own right they have every opportunity to pick it up with most of the backstory already being completed, thus reducing development cost.

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**Max says:**

September 6, 2015 at 6:10 am

I think if CBS/Paramount invested their money into fan production instead of trying to 're-create star trek on their own with clearly not much insight into what the fans want then any production by CBS or Paramount will be second best compared to the fan production that's created on less than \$1 mil budget.

**Wil Hansen says:**

September 11, 2015 at 10:52 am

Alec posting a bit on the FB Fan page about supporting Pacific 201 on Kickstarter reminded me I wanted to comment here.

I long for the day when folks stop griping about what CBS doesn't do or should do with Trek. Also continuing to ask or suggest that fan fic projects should be picked up by CBS Inc. and supported. Once and for all, lets play that one out, okay?

If CBS picked any of these projects up, they would not be the projects we love. They would have to be assimilated into the Hollywood system, the budgets would be bigger, the actors more well known, but they would also be subject to marketing plans and corporate goals.

Furthermore, young creative minds who LOVE Trek like Tommy Kraft and Eric Henry would have to fight to be part of the projects because of studio process. Fan fiction gives them, gives us all, the opportunity and experience to do things that Hollywood doesn't.

That said, I hope, with the surge in high quality fan produced Trek content, CBS will take a page from the George Lucas playbook and embrace fan fiction, make it part of the overall brand. Allow fan produced content win awards and rewards at Fan Fiction events, etc. That way, the projects stay pure while being part of the bigger picture.

Either way, we need to stop griping about CBS, realizing they are (mostly) looking the other way while this great stuff happens. But if we continue to poke the corporate bear they will be forced to react in some way. Lets just leave well enough alone and enjoy what we have.

**Sally Ramey says:**

August 31, 2015 at 7:40 pm

It's not like CBS was unaware of the other productions and Alec suddenly exposed them by illustrating his point re: how CBS has turned its head to IP violations. And seriously – if CBS ever dings Axanar for using as little IP as it does, then other fan productions should be shaking in their shoes because they are soooooo much farther over that as-yet-undefined line. I am stating the obvious, of course. We — and CBS — can all this for ourselves. And that's what makes these recent blog posts so damn silly. Insinuating that Axanar is in some sort of IP trouble while other productions attempt to flat-out duplicate Trek is stupid. This attempt to stir drama – to me – is most likely due to someone, somewhere having sour grapes over Axanar's success, and they're trying to find something to complain about. Jealousy is so transparent.