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LIFE SUES TO HALT BOOK ON KENNEDY

Magazine Charges Misuse
of Its Assassination Film

Life magazine has brought suit against Bernard Geis Associates, Random House and Josiah Thompson, the author of "Six Seconds in Dallas," for alleged infringement of copyrighted pictures of the assassination of President Kennedy.

The suit, filed in the United States District Court for the Southern District of New York on Dec. 1, seeks to halt distribution and sale of the book and to recover unspecified damages.

Life alleges in its suit that segments of a movie film made by Abraham Zapruder at the moment of the assassination and purchased by Life had been "stolen surreptitiously" by Mr. Thompson "at the instigation" of Mr. Geis.

Mr. Thompson's book, which was published by Mr. Geis's company and distributed by Random House, purports to show that three assassins participated in the slaying of President Kennedy on Nov. 22, 1963. The Warren Commission found that Lee Harvey Oswald was the lone assassin.

Drawings Based on Film

Included in Mr. Thompson's book are 49 charcoal drawings derived from the Zapruder film. Life bought the original print of the film from Mr. Zapruder on Nov. 25, 1963, for a reported \$150,000 plus half of all subsidiary rights, and has published much of the film at various times since.

According to Life's suit, Mr. Thompson and Mr. Geis sought permission to use the Zapruder film in the book and were turned down by Life. Mr. Thompson, however, had access to the film while working from November, 1966, to February, 1967, as a consultant to Life.

Mr. Thompson, an assistant professor of philosophy at Haverford College, said in an interview that the claim that he had "stolen" the Zapruder film was "a silly charge." He said a Life editor had been present when he studied the film and made copies of it "and he gave permission." Some copies, he said, were made for him by the Life photographic laboratory.

Mr. Geis, in an interview, said that "our sole motive in publishing this book was to correct a gross error in American history."

Film Called Public

"In order to prove that there was such an error," he went on, "it was necessary to refer to the Zapruder film. We considered this a public service and offered to give Life the entire profit from this book in return for the use of the film. They refused our offer and we were compelled to resort to the use of drawings. We have not violated Life's copyright but we urge Life not to regard this precious documentation as private property but as a public trust and to share it with the American public."

Mr. Geis said he is prepared to carry the case to the United States Supreme Court in an effort to establish the principle that public interest at times supersedes the rights of private property.

A spokesman for Random House said that it was "merely the distributor of the book" and was "distributing it under the terms of a contract with Bernard Geis Associates."

"As distributor," the spokes-

man went on, "we will continue to fulfill our contractual obligations unless the courts direct otherwise."

Mr. Geis said that a total of 50,000 copies of the book, which was published late last month and excerpted in the Saturday Evening Post, are now in print.