

ABC-TV will take 'Amos Burke' back to court

Network will appeal jury verdict that it is guilty of misusing TV character and must pay creator \$1 million

ABC-TV said last week that it would appeal a New York State Supreme Court jury decision on April 2 awarding more than a million dollars to writer Frank D. Gilroy for ABC's alleged misappropriation of a TV-series character he created.

The character was called Amos Burke, and was played by Gene Barry in a series called *Burke's Law*, which ran on the ABC network from 1963 to 1966. According to various sources familiar with the situation, ABC bought the TV and merchandising rights to the character from Mr. Gilroy (who went on to win a Pulitzer Prize for his 1965 play, "The Subject Was Roses") in 1963. A year later, ABC, as part of its merchandising rights, hired an author to write two paperback Amos Burke novels for use as tie-ins to the series. When the books were published by Dell, Mr. Gilroy filed suit, claiming that he still retained publication rights. He said the paperback quickies had "ruined" his plans to write a series of Amos Burke books himself, along the lines of an Agatha Christie or an Erle Stanley Gardner.

The first decision in the case, by Justice

Sidney A. Fine of Manhattan State Supreme Court in 1972, awarded Mr. Gilroy the profits from the two books, a sum of \$15,000, as compensation for the misappropriation of the character.

Mr. Gilroy turned down the \$15,000 and appealed on the grounds that he could have reaped as much as seven figures if the two paperbacks hadn't been written. And that's essentially what the jury found on April 12.

ABC's appeal of that finding, to a five-judge panel of the Appellate Division of New York State, will probably be decided sometime next fall, these sources say. In addition to ABC, the appellants are Four Star Television, Barbety Television Enterprises, Simon & Schuster Inc. and the Dell Publishing Co.

Radio and TV take largest share of Writers Guild honors

Eighteen winners of Writers Guild of America awards for scripts produced in 1975 in television, radio and motion pictures were announced March 25 at dinners held simultaneously in New York and Los Angeles. Fourteen of the awards went to television and radio. Of those 14, eight went to CBS, four to ABC and one each to NBC and the Public Broadcasting Service.

Television winners were:

Andrew Rooney, *Mr. Rooney Goes to*

Washington, CBS, for documentary script/current events; Irv Drasnin, *The Guns of Autumn*, CBS, for documentary script other than current events; Sandor Polster, William H. Moran and Carol Ross, *CBS Evening News*, April 29, 1976, for news script; Claire Labine, Paul Avila Mayer, Mary Munisteri and Allen Leicht, *Ryan's Hope*, ABC, for daytime serial; Yanna Brandt, *The Superlative Horse*, PBS, for children's script; Jerome Kass, *Queen of the Stardust Ballroom*, CBS, for original anthology script; Fay Kanin, *Hustling*, ABC, and David Rintels, *Fear on Trial*, CBS, for anthology script adapted from another source; Arthur Ross, story by Stephen Kandel, *Prior Consent*, *The Law* series, NBC, for dramatic episodic script; Everett Greenbaum, Jim Fritzell and Larry Gelbart, "Welcome to Korea," *M.A.S.H.*, CBS, for comedy episodic script; Sybil Adelman, Barbara Gallagher, Gloria Banta, Pat Nardo, Stuart Birnbaum, Matt Neuman, Lorne Michaels, Marilyn Miller, Earl Pomerantz, Rosie Ruthchild, Lily Tomlin and Jane Wagner, *Lily*, ABC, for variety script.

Radio winners were: Norman Morris and Dale Minor, *The American Inheritance*, CBS, for documentary script; Sam Dann, "Goodbye, Karl Eric," *CBS Radio Mystery Theater* series, for dramatic script, and Hill Edell, *Voices in the Headlines*, ABC, for news script.

A new award for graphic art went to Emil Sabbione Jr. for his introductory graphics to *The Great American History Test*, WCBS-TV New York.

'Adams Chronicles' data. February Nielsens for top 13 PTV markets show *Adams Chronicles* to be highest rated series in PTV history with audience averaging 4 million viewers weekly, consistently four times that of usual prime-time non-commercial programs.

CBS Reports. April 20 broadcast (10-11 p.m.) of CBS News's *CBS Reports*, narrated by Charles Kuralt, will explore "Inside Public Television." Premise is "when a kind of television labels itself 'public' and spends tax dollars, it's earned the right to be reported on." Paul Greenberg wrote, directed and produced program.

Encyclopaedia Britannica. Company's educational division plans new batch of 14 half-hour children's documentaries. Twentieth Century-Fox Television is distributing them with 34 markets on tap so far, including WABC-TV New York, KABC-TV Los Angeles, WLS-TV Chicago, KYW-TV Philadelphia and WTOP-TV Washington.

Handyperson. Alcare Communications, Wayne, Pa., reports 16 stations have signed this year for *Maintenance Ms.* television series. Household repairs are explained by Jane Norman, young housewife, in 117 90-second features.

Special plans. Group W Productions has begun taping (at New York's Apollo Theater) six 90-minute specials called *The Apollo Presents*. First two will be made available to stations this June. Featured

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performers on these include Cab Calloway, singing group LaBelle and comedian George Kirby.

New adventures. Cinema Sound Ltd., New York, is making available for radio syndication new productions of five adventure series (13 30-minute episodes each): *Dick Tracy*; *Brenda Starr*; *Terry and the Pirates*; *Colin Doyle, M.D., Crime Doctor*; and *Counterspy ... CIA*. Stations in markets like New York and Los Angeles are being asked to pay \$200 per week for five strip half hours, in markets of Cleveland's and Cincinnati's size \$100 per week and in small markets \$50 per week. There'll be six commercial minutes in each half hour.

Melting pot. Ethnic and racial heritage of Americans is explored in *American Mosaic*. Radio series of 100 two-and-a-half-minute segments is researched, written and narrated by former Voice of America correspondent, Don Burgess. Syndication is by Merit Associates, Simi Valley, Calif.

Right show, wrong year. *The Presidents: 76 Years on Camera*, four one-hour specials to be produced by Corporation for Entertainment and Learning, New York, in association with Post-Newsweek Stations Inc., Washington, and Scripps-

Howard Broadcasting Co., Cincinnati are scheduled to be aired during second quarter this year, not next year as BROADCASTING reported March 22. James Garner, star of NBC-TV's *The Rockford Files*, will be host of series which is to include filming at White House.

'One.' MCA TV will call syndicated reruns of *Emergency*, which will continue next fall on NBC-TV (Saturday, 8-9 p.m., NYT) *Emergency One!* Over 100 stations have already bought series for airing in syndication next September.



Brought to life. Metromedia's WTTG(TV) Washington yesterday (April 11) was scheduled to air its *Patty Hearst: On the Witness Stand*, hour-long program adapted from transcripts of Hibernia Bank robbery trial in San Francisco. Program was produced by Tim McDonald, directed by Bill Dobbs, with set design by Joe DeVito. Show is being offered for syndica-