



Forum: HM General Chit Chat

Topic: Are Minor Characters/Ideas Free to Grab?

Subject: Re: Are Minor Characters/Ideas Free to Grab?

Posted by: Oz2y

Posted on: 2018/5/19 7:03:51

Quote:

Dark Wanderer wrote:

Oh HECK no! If they want to use Oni, then they will need to contact me for permission, present a legal contract that I would approve first and foremost. Then there would be a matter of payment for a "Renters" fee so to speak that would state I would still retain ALL rights to my character. I would also keep digital and hard copies proof that this is and was my character well before they got wind of him.

Can't agree more!

Quote:

pijon wrote:

Oh man! 1st off, let me say, great forum post, Ozzy!!

Thanks.

Quote:

pijon wrote:

This was a real jaw dropper when I first heard this news! BTW, I can't get the Bleeding Cool News Adams response to come up so I'm not sure what he had to say on the matter but I am disheartened by this news and I don't think Netzer's complaints are unfounded. This is a very complex issue though.

Neal's Answer from [Bleeding Cool](#), if you're curious but there is already a [follow up article to that one](#).

Show/Hide Spoiler

In response, Neal Adams replied to Bleeding Cool with the following.

Before I start this is a full and direct quote from Back issue #94 from Michael Netzer in an article named "Continuity Comics and the Talent Behind Them"

THE FATHER OF CONTINUITY COMICS

"In New York, Neal's Continuity Associates was the vortex of an amazing movement where commercial artists, comic book artists, and designers intersected. For many [perhaps most] of the generations of younger artists this was the place to be, and as so many of my peers/contemporaries, we made our way, one way or another, to enjoy the fruit of an innovator's efforts. Neal was generous enough to take many of us under his wing and give us work as fledgling comic-book artists all the while holding down the fort of being an entrepreneur, father, professional commercial artist, and advocate for various artist's issues."

MICHAEL NETZER (Megalith, Samuree)

It is shocking to me that people hear one side of a story and do not hear or ask for the other side of the story before making up their minds and then express what seems to be, "their" opinions.

I hate Donald Trump, but I listen to what he has to say before I express my opinion. Everyone could easily go to Back Issue Feb. 27 2017 #94 and read exactly what Mike Netzer has to say about my relationship with him and all the people that worked at Continuity. Was he lying then and not now?

My suggestion is everyone should think before they jump. Research before you spout. And compare what people say from one day to the next.

People lie when they get upset. That is a fact. I do not, because I carry the weight of my studio and fellow creative's in my industry on my shoulders. Michael said it himself in his notes.

He can say what he wants because he has nothing to lose and he tells you that I have. That is why I never lie and I treat everyone as an equal up to the point that they betray people around them. I am sorry that people had to read these lies and I hope you can turn it into a life lesson, not to react till you know the whole story.

And then posted, a line-by-line rebuttal.

I have answered this before and I will answer it again,...because when someone lies about one, unfairly or in a nutty way on a Public Forum, you must answer for the sake of the people who care! So, here!

I created a series of characters of my own creation to be printed in a portfolio. I began with Ms Mystic and created several others! (Mike created nothing!)

When I was asked by Pacific Comics for an original creator-owned series, My first choice of those several characters was Ms Mystic.

Since I always try to advance the work of other younger creators, I asked the young Mike Nasser if he'd like to join me in this project? He said yes.

This is what I proposed. Since I created Ms Mystic, inspired by Eve Jones (From "The Heart of Juliet Jones")by Stan Drake. One of my Heroes. And Black Canary, that I had done for D.C. I would write and rough out the story and script. Mike would pencil the book and if he completed 12 issues, for the first year of monthly books, I would share the creator profits, (if any.) He agreed.

2. Ms Mystic was never offered to D.C. Comics EVER by me!

How could I possibly propose Ms Mystic to D.C. if I was going to publish it myself? It was MY independent project.

(A very big lie by Michael, but worse, as you will see.)

Behind my back, never saying a word, Michael took Ms Mystic over to D.C. Comics and offered it for sale.... and as if it couldn't get worse... Michael billed D.C. for the pages he had half finished.... and just as incredibly D.C PAID HIM FOR THE PAGES.... AT MY RATE!.... convinced that I was fully participating!

Why didn't D.C. ever call me or contact me????? I will never know!

Actually, I was on a one-man strike against D.C. at the time. So I just don't get it.

When I got wind of these shenanigans I contacted Jeanette Kahn and Paul Levitz and told them "No, I never authorized such an offer or sale. Mike was acting very strange at this time,..and so D.C.s people understood!

In FACT D.C. sent the pages back to me, with the D.C. stamp on the backs.....and NEVER asked Michael for their money back!

Since I also paid Mike for the work,..he was paid twice for the same work!

3. Yep, I put Ms Mystic on the Ali cover,..with D.C.s permission, (A clue for a future cross-over perhaps?)

4. Only a few pages were completely penciled. Michael had the script for a YEAR! And gave excuse after excuse for not finishing the pages Or the story!.

In the end I had to re-pencil the pages and finish the story! I kept as much of Mikes work as I could,..but Michael was acting very strangely and in the final months of that year did NO WORK on the book!

Then I learned the terrible truth!

Michael was working in the back of the studio,..on a series of prints that he would have Sal Q print and sell ...called Starchilde

The character looked exactly like Ms Mystic,..super long hair and all!

Of course others in the studio let me know what was going on!

I had no choice. I took Michael off Ms Mystic, told him the deal was off, and took over the task of doing the pencils myself and finishing the book.

I also told him I expected him to remove the super-long hair from starchilde and I wouldn't make an issue of his insult.

I was very worried about Mike by this time, since he was drawing himself as a kind of Messiah, and included my daughter Kris in his drawings.

5. That "new Pursuit"??? Well, as folks who know will tell you, that pursuit was the most troubling of all, and because of Michael's family I choose not to speak of it, but it was profoundly problematical!

6. Landings? Michael, should tell the people what he was doing all this time and where he was sleeping at night and if and when he worked. He should tell about the phone calls from the police calling me to vouch for and identify him. Tell the people who he thought he was!

7. I TRIED to get Mike to straighten out! Ms Mystic was DONE! I was trying to save Mike. We all were.

8. Nope! NEVER finished the first book of pencils!

9.10. Correct....generally!

11. Mike's presence was NONEXISTENT! Had Mike not disappeared. I would have helped him as best I could as I have done for many others.

Most of the rest of this is the rantings of what Michael has become... but I will respond.

12. No,.... I re-penciled and then inked! (Since the original layouts were mine for Mike to work from.

13. True. Mike was a true mess! My choice! And it remains my choice!

14. Incorrect!

15. Rant!

16. Mike here blames me for his going to Israel. GOOD, I'll take that one. Moving to Israel was the best thing for Michael. He seemed to straighten his life out and gain some values. It was a relief for all.

17. A lie!

18. The rate was correct for the time... and I never mentioned he'd already been paid by D.C.

19. Mike promised he had "changed" and would "prove it to me." If I gave him another chance. Against all advice I let him come back... If I could "see" the change.

20, 21, 22, 23, 24. And so the , old man Mike rears his head with lies! How does one fight flies? FACTS!

25.26. _____

27. Whoa. Dropping names in comic books is an old tradition. It was done as a tip of the hat and in good will and with a little affection, since Mike was doing so much better. Nothing was meant by it.

It's Arab names. If one broods over it, and one were that sort one 'could' twist it to another meaning...but I never meant it to be so! (Hey, a Jim Steranko effect!)

Let me explain further. The "Old Mike" when he began in the studio,... he and I played practical jokes on each other all the time. Mike once traced one of my pages and then with other paper ripped it up and strew it all over my work area, I in turn hid his chair in the outside bathroom,... he would in turn play another gag on me,... and sometimes this would go on for days.

THIS was the old-new Mike Nasser.

28. Yep. True? And, truly I again became concerned.

29. Nope. No heart attack. The judge had many more reasons. Many!

30,31,32,33,34, 35, 36- Rant!

In some way, I wish some spark of Michael's story was true,... So I might have some reason to reach out to him and relieve his self created burden and self pity! I want to,... but I cannot.

Mike has betrayed me time after time, as he has others and lied to get into my studio in many ways. He and I have had some few good times and many bad times . He has oppressed my family (5 adult kids, now) along the way and no matter how he may cry at my door, and he has. I will never let him NEAR me and mine!

For you, I hope you are never cursed by having a Mike Netzer as a life burden! FOR MIKE'S FAMILY...BLESS YOU. You are in my heart and it wounds me that things I may have said, in any way have hurt you.... please

forgive me.

Quote:

pigon wrote:

...

Now, ..."In the opinion of this people, as I understand it, it is OK to steal/borrow someone else idea/character IF its not a big one or well know... "?

Well, in the opinion of THIS person, that's not so easy to define as simply "yes" or "no". Legally speaking, yes, it is okay to steal someone else's idea if it resides in the public domain. BUT that does not automatically assume the creator has given his/her permission so whether it's right or wrong depends on your value system. Of course, it's ALWAYS wrong when someone steals YOUR work!

but what about when YOU use others characters?

Most of us here use others' characters ALL THE TIME!! Not JUST public domain...AND we use others creations (like 3D models and sets, photos, even their art) ALL THE TIME TOO! Let me not even get into how often folks doing "original" work are "borrowing" concepts and ideas from others!

So me, I'm okay with borrowing or stealing... up to a point. I agree with Netzer on his position: if someone steals your creation, claims it entirely as their own, and publishes and profits from your creation, it's flat out wrong! But if anyone wants to pay me a commission for a fan art illustration or render of a DC or Marvel character, I'm totally cool with that!

Ok, a couple things here:

What we do, and a LOT of professional artist do too, when taking commission work with some known character is not the same thing. We (and any artist I see posting commissioned works) NEVER CLAIM that said character to be ours.

Of course, I'm not including here the 3D stuff you're mention or even when someone (you know who you are) uses parts of others works to make new images without giving credit.

-- WE EVEN have a rule about that in our [Posting Policy](#) --

My point here was and is asking what if someone steals your Original character and publish it with new original stories as their own creation.

Even Public Domain characters, people who pick them up to create new stories with them DON'T CLAIM them as original creations from them (the ones I heard about, at least), in fact I know of some character in Public Domain (one of them released by its creator himself) that others have done more stories with them BUT with the original creator being mentioned...

Quote:

pigon wrote:

...

As to my own original characters, my present view is largely that I would allow others to use them IF they asked permission from me AND credited me for their usage of my creations (and perhaps credited the original work from which they appeared) BUT I firmly maintain my right to change my mind on these permissions so ask first, kiddies!

This right here IS THE RIGHT THING TO DO, if said character to be used in a non-commercial way, in my opinion.

Of course, IF the case is to be used by a publisher and such, I totally agree with DW. After all, business is business.

