



Ray X *X-Rayer*

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Superheroic Little Guy Defeats Evil Trademark Overlords



You've invented a new kind of automobile. You call it The New Car. Suddenly General Motors and Ford sweep down, telling you to cease and desist using the term "car" because they jointly own the trademark.

Rivals co-owning a trademark? On a common word? Why not? It worked for many years with DC and Marvel comic book companies co-owning "superhero."

Note that in the past you could use "superhero" within a story but when it was used within a title or name then you were to forget about it. Ask companies involved with such projects as "Superhero Doughnuts" and "Superhero Training." Despite the fact the word can be traced back to 1917 and has been used since then. Check with Merriam-Webster.

One comic book fan who challenged the trademark was Ray Felix of Bronx Comics.

All he wanted to do is publish his comic book. He was able to register "Cup O Java studio Comix A World Without Superheroes" with the trademark office after receiving a cease and desist letter from the DC/Marvel Co-Conglomerate. Legal sharks tasted goldfish blood in the water and went after him.

As Ray explained in a Comics Crisp interview published in 2013 he found himself being treated like a leper at a comic book convention. Few people supported his efforts. As he observed: "It surprised me that people who spend their money at comic cons and read about heroes are so afraid and

un-heroic in their own code to stand for something. They're conditioned puppets of corporate structures."

Yes, selling kids the concept of independence and freethinking is OK in a comic book story, not real life. Ray didn't back down from the DC/Marvel overlords and continued to press his case through legal means.

As he explained in a blog post the shared trademark by DC/Marvel wasn't valid, that's why he could trademark the title of his comic. But the Big Screw Two went after him anyway just over the word "superhero."

He said CBLDF -- Comic Book Legal Defense Fund -- wouldn't represent him because it didn't feel it was a freedom of speech issue. As if controlling a common word by DC/Marvel for its own shared monopolistic control wasn't restricting speech.

I tried searching online to learn the outcome of Ray's case. An excerpt from the book "The Law for Comic Book Creators: Essential Concepts and Applications" By Joe Sergi states Ray's trademark was abandoned on June 2014 according to the US Patent and Trademark Office.

And then there's the case of Graham Jules, a Londoner studying law whose fight with DC/Marvel had a different outcome.

According to a Guardian newspaper article published May 25, 2016 Graham fought with DC/Marvel over the right to title his self-help manual "Business Zero to Superhero." In preparing his defense the law student used just one legal textbook on intellectual property law.

At first the Big Screw Two offered him a couple of thousand to drop superhero from the title. He declined.

As reported in The Guardian four days before DC/Marvel reps were to appear in the London Intellectual Property Office the case against Graham was dropped.

I wonder how this ruling affects other parts of the world, particularly the US.

One important note: Marvel has been subsumed by copyright maximalist Walt Disney. In 1989 it went after three day care centers in Florida for the unauthorized use of Mickey Mouse and friends with wall murals. The centers were ordered to remove the images. How many children cried when Mickey was painted over into oblivion?

Maybe one of them has grown up and will someday put a grasping corporation in its proper place.

When Smoke And Scales Get In Your Eyes

There's a plethora of videos over at YouTube purportedly exposing the reptilian shape-shifter conspiracy.

They live among us. Cruel treacherous alien humanoids who appear to be one of us until their disguise slips, their true reptilian form briefly revealed.

Of course a few of these must be put-ons, hoaxes. But after researching conspiracy theorists of the wacko kind one is amazed by what others actually believe despite the illogic and blind faith.



For eXample a video entitled "[Reptilian Hybrid Gets Mad On Dating Show & Shapeshifts](#)" - [ALIEN SHAPESHIFTING](#)" (see image above.) The woman has an unusual quirk: she can close each of her eyelids independently like a lizard. Weird but probably a rare genetic trait, not proof of monsters hiding among us.

In another video a CNN reporter in slow motion shrugs her shoulders, briefly expands her neck, and sticks her tongue out. More frog-like (amphibian) than reptile to this viewer.



And racism plays a factor with a Euronews video about anti-nukes activists in Japan. A scene is frozen to have a red mark point to a protester's eye. It's called an epicanthic fold, moron.

This same video – entitled "[Reptilian disguised as a Human Right \[sic\] Woman on Euronews](#)" – trots out the usual Illuminati conspiracy tripe, Free Mason symbols and the eye within the pyramid on the dollar bill. All part of the mega-conspiracy. But what appears to be a ultra-right-wing Xtian diatribe – warning about God's Wrath-Satan-Evil etc. ends up in the end quoting the Quran. Someone out there spoofing?

MailboX

Please send all reactions to raypalmx@gmail.com, making sure to refer to the particular issue/article you are responding to. Your comments may be edited for length and clarity.

tyrbolo@comcast.net Dave Heran
Re:XR #117

Hi Ray,

Here's another crappy movie I found, I haven't seen this one but it looks like another real winner. [Galaxy of Terror poster]

My wife hates me for picking out things like disappearing bullet damage and the time travelling weapons you see in cowboy movies. Both TV and movies have a real problem with colt pistols which keep showing up 20 years before they were made. I actually saw someone reload in a movie once. When they were doing dimematinees everybody was carrying the infinite repeaters of a Bolo Resartus shaped like a Colt Thumbuster. I have a Bollywoodepic that ends well, right at the end the director went "Shit, weforgot to expend the ammunition budget !!!" Then everybody began to shoot and a passing destroyer fired off a few rounds. With a sigh of relief they could wind down the love story to conclusion.

I do remember Stephen King sidestepped all the quibbles by moving his work into a different world line than our lovely one. Then you can use 457 Magnums etc without sideline carpings.

I had a sign of old age recently. I helped with the 25th edition of Starguard rules when it got labelled as the game that will not die. In poking around their website I see the 7th edition rules are out this is the 42nd year set. Where did the 17 years go?

Well I used to know a lot of good jokes about senility too.

Regards

[RX: I've seen Galaxy of Terror (1981.) Nutshell: In the future a star ship crashes on a desolate planet. Most of the space travelers are killed off, each one in a gruesome way. For eXample one character portrayed by the cute TV actress Erin Moran (Happy Days, Jeanie Loves Chachi) is crushed, her head exploding ala Scanners. And then there's... well, just Google "galaxy of terror worm" and find out for yourself.]

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Re: X-Rayer #116
Lloyd Penney Etobicoke, ON CANADA M9C 2B2

Dear Ray:

Thanks for X-Rayer 116, and there must be something to say about the contents. Give me a chance here, and I will prove it.

Being Canadian, I never got much into comics, especially those war comics like Captain America. A different time back then? Maybe, maybe not, but the comics seemed to be effective propaganda to make sure that the next generation had the same hatreds as that generation of fighters and politicians. Racist indeed, but they also allowed America to feel good about itself. America was late into the war, and indeed turned the corner for Britain and its allies, but to say that America won the war? I suspect none but Americans would say that. Rewrite history to make your nation feel good about itself, and the role it played in a war that killed millions. Today, some things just don't change. Syrian refugees and Muslims as a whole are the new targets.

I remember The Man From UNCLE on television, and wondered if this movie would do it justice... not a hope. I never saw it, and every review I've read says that it was crap. I've saved some money, too. I would like to see the new Alice movie with Johnny Depp, Alice Through The Looking Glass, but the reviews seem poor. We really like the original, so I expect we will see the sequel anyway, and enjoy it, in spite of reviews.

I hope you've got my previous locs... it's time for me to wrap it up. Busy day today, and a big job interview tomorrow. Wish me luck, and off I go. See you with the next issue.

[RX: Hope your job interview went well. But won't a job cut into your prodigious LOC output? I read that you won four Fan Activity Achievement Awards in the Letterhack/Loc Writer category. I wish my zine output could match your LOC activity.]

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LOC on X-Rayer #117
Bob Jennings FabFicBks@aol.com 29 Whiting Rd. Oxford, MA 01540-2035
<http://efanzines.com/Fadeaway/index.htm>

Hi Ray;

Received my copy of the X-Rayer #117 a week or so back. Wow! Another new issue and I haven't even commented on the last two you sent along. My apologies, I've had some health problems that have played hob with my fanac for the past six or seven or so weeks.

Your explanation of why the 2005 Fantastic Four movie made the Human Torch into a black guy is as good as any other I've heard. [RX: I made a mistake in my article. That particular FF movie was released 2015.] Clearly the people making the studio decisions have never read the comic, or maybe they think that the premiere flagship title of the Marvel comic empire, up and running since

1961, had finally crashed and burned. Gosh, nobody pays any attention to a comic book that has been around for fifty-five years, right? Or maybe they were just a bunch of egotistical idiots who felt they had to meddle with the movie to make sure their fingerprints were on the final product. These particular fingerprints probably helped sink the paper boat faster than it would have tanked otherwise, altho from what I hear the story plot was pretty awful too. I admit I have not seen this movie, or, in fact, any of the Fantastic Four films. When an overwhelming majority of critics, plus friends all tell you a flick is awful I have learned to heed their advice and not waste my time and money seeing the thing. My personal opinion is that if you spend your money supporting bad movies, the people who make the things will just take your money and use it to make even more bad movies. I feel I am doing my small bit to improve the quality of the cinematic experience by not spending my buckos to suffer thru dreadful crap.

It seems to me that super hero franchise movies, currently the hottest trend in the movie biz, are particularly venerable to bad writing, bad plotting, bad special effects, and sometimes bad acting. I don't think you can blame actors when they are given wretched scripts to work with even tho the studio expects the director and the actors to somehow pull off a genuine miracle and turn garbage into box office gold. Things just don't work that way, but there are apparently enuf people out there willing to drop wads of money on these things to keep the flood of super-hero movies coming out at almost a gusher rate. Sometimes I wish these people would just leave my comic books alone, but there is too much potential money to be made from the stuff for that to ever happen. Sometimes the modern world is not always a wonderful place to live in.

So far as the closed captioning on old movies, obviously somebody is using a cheap-ass word voice reading computer program to do the translations. This ranks right up there with people who do English language voice-overs on foreign films, particularly animation films, even tho they haven't read the script and really don't know modern English language usage. Happens all the time, sometimes with hilarious results. The people who produce ads undoubtedly have a genuine budget, and can afford good equipment, and good software, so all those words are captioned correctly. Why am I not surprised?

I remember the shock waves that swept thru the country when the Russians put Sputnik into orbit. Suddenly magazines and radio was full of dire comparisons between US schools (woefully inadequate and sub-standard) with Russian schooling system (modern, efficient, structured to challenge and educate their youth for the future). Science classes boomed everywhere. Fortunately we managed to escape the most 'efficient' part of the Russian school system, which was political indoctrination, altho some of the schools I attended during my youth had a few nut case teachers who felt that their real mission was to instruct their students in fundamentalist Christian theology instead of whatever it was the school board had actually hired them to teach.

I didn't notice any giant leap forward in the educational system, altho new government contracts to assorted technology companies opened up some plum well paying jobs for engineers and physicists that meant they got paid for doing theoretical research and applications from other research projects. I suppose it all worked out for the best, altho I'm still waiting for flying cars, floating cities and moving sidewalks. And what about that household robot that was going to cook gourmet meals for me and keep the place immaculately clean every day? Sometimes the modern world is not always a wonderful place to live in.

You are likely to see even more venerable American brand names being slapped on cheap imported junk from Asia. General Electric recently sold off their appliance divisions to companies in China, following a twenty-year trend by other US companies. Why worry about consumer products and quality issues when there is so much easy money to be made elsewhere? Here's something pertinent from my collection of quotes---

"There is hardly anything in this world that some man cannot make a little worse and sell a little cheaper, and the people who consider price only are this man's lawful prey."---John Rushkin (1819-1900)

Sometimes the modern world is not always a wonderful place to live in.
Enjoyed the issue. Keep it up.

[RX: Good quote. Isn't it the motto of Wal-Mart? As for STEM don't be surprised it produces more applicants than job openings, another market flooded with overqualified graduates. A few more cases of a Phd who can only get a job washing dishes. ThanX for the feedback. I enjoy your Fadeaway zine. Hope you're feeling better.]

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letter of comment for RXXR #118

Dale Speirs Calgary, Alberta <http://efanzines.com/Opuntia/index.htm>

You mentioned a MAN FROM UNCLE episode with missing bullet holes. My favourite for inconsistencies is the Season 2 episode "The Project Deephole Affair".

The plot is that THRUSH has a drilling rig hidden inside a San Francisco skyscraper and are trying to trigger an earthquake that will send California sliding into the ocean. It is plausible to hide a drill rig inside a building and run the drill string down an elevator shaft. Contrary to popular belief though, no earthquake would cause California to slide into the ocean. The faults are strike/slip faults, moving sideways to the north, not downward. The worst that could happen would be Marin County becoming part of Oregon and San Jose sharing a common border with Sacramento.

THRUSH leader Marvin Elom rhapsodizes about how he likes to be deep underground where it is cool and dark. Of course, the deeper you dig a hole, the warmer it becomes, not cooler. Even the ancients knew that, which is why Hell was depicted as a hot place. Modern deep drilling has to use drill bits made of special alloys so they don't melt.

Elom also tries to kidnap a sedimentation geologist because the drill bit can't get past a hard layer of sediment. This makes no sense because drill bits can do so, and because a sedimentologist would be useless on a drill rig unless he had previously worked as a roughneck.

When the drill bit is raised, it is all shiny and clean. Real-life rigs use a specially formulated type of mud to lubricate the drill bit and carry away the rock chips.

Another major purpose of drilling mud is that its weight keeps any oil or gas from blowing up the pipe and causing a gusher. That was why the Deepwater Horizon blowout happened. BP was in a hurry to complete the well and removed the mud before the pressure-control valves were on line. Elom ends up causing a blowout when the drill bit hits oil.

MAN FROM UNCLE is out in a boxed DVD set. An enjoyable way to waste time.

[RX: Despite its goofs and bad writing at times The Man From U.N.C.L.E. had some clever episodes especially in the first season. Sometimes it delved into SF. For eXample "The Double Affair" features a superweapon called Project Earthsave. The nations of the world created the power source after alien signals from space were detected. It was a safeguard in case the aliens were unfriendly. I won't spoil the episode for those who haven't seen it; I will only say what happens during the Earthsave scene was like an incident you would expect in The Outer Limits (the original B&W series.)]

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