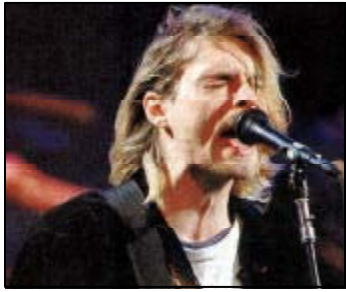


Lifestyle



Kurt Cobain (1979-1994)
2002: "You Know You're Right"
No. 1 on Modern Rock chart.

Heavenly hits

They're famous; they're rich; they're dead.

Billboard Magazine's chart toppers continue to profit in the afterlife.

For most, careers end at death. For a revered few, it's just the beginning.

The most recent reminder is the groundbreaking "grunge band" Nirvana, which disbanded eight years ago when front man Kurt Cobain took his own life. In recent months, the group resurrected itself and Cobain's voice with a greatest hits album and a new single, "You Know You're Right," which holds the No. 1 spot on the Billboard's Modern Rock hit list. The album "Nirvana," is No. 3. That's eight spots ahead of chart regular Elvis Presley, dead more than 25 years. He's at No. 11 with "Elvis: 30 #1 Hits."

In December, those who miss the soulful musings of Aaliyah can hear her latest album though the singer died more than a year ago. Already, the single "I Care 4U" holds the No. 6 position on Billboard's Hot R&B Hip-Hop singles.

From Elvis to Aaliyah, the public has long had fascination with popular musicians who pass away leaving fans wanting more. But today, more than ever, those fans are getting what they want. The deceased dot the charts with hits, show up in movies and release songs or pictures that make the old stuff new in CD box sets and books. And according to some experts and musicians, those profiting aren't worrying about exploitation on their way to the top.

Gone but not forgotten

Former recording executive Jimmy "The Wiz" says Elvis was always a good seller. "(Elvis) sold more records dead than alive."

Jonathan Faber, a spokesman for CMG Worldwide, a company that represents dead legends, from Elvis Presley and Marilyn Monroe, to Norman Rockwell and Princess Diana, finds it hard to pin down a common denominator distinguishing dead and gone celebrities from the immortal ones. He said it could have something to do with the age they left their adoring public.

"They passed too early and they had a

short-lived career - a stellar one, but short-lived," he said. "While it is not good for their life, it's good for their mystique." But youth and mystique aren't enough. Immortality gets bestowed on celebrities who touch lives. "I think if you take a Marilyn Monroe, or a James Dean, or a Kurt Cobain, or a Princess Diana - they found their way into people's hearts. Somehow or another they touched a nerve," said Faber.

More money, more money

Many dead musicians make money without their heirs or labels nudging sales. When Run DMC's Jam Master Jay died last week, fans of the rap icon bought up his work, said Kevin Dacey, who manages the Newbury Comics in Salem, NH.

People aren't buying the albums to collect them, said Dacey. Occasionally, imports with a limited run will bring out collectors. "I don't think people are going to be buying it because it is going to be worth something later on," said Dacey.

While some fans will buy anything, more will purchase a new album featuring one new song. But that doesn't mean all heirs will put that music out there. Faber says that to the heirs, it's often about the loved one's image more than the money that can be made. For example, Humphrey Bogart's heirs might not want the image of the notoriously cigarette-smoking screen legend who died of lung cancer used to advertise cigarettes. Marilyn Monroe's heirs said no to licensing Monroe images for condoms. Ginger Rogers didn't want her image to be used to promote anything with caffeine, in keeping with her religious beliefs as a Christian Scientist. Princess Diana's heirs reject about 90 percent of the licensing opportunities from plates to dolls, though they are interested in copyrighting trademark monikers, like The People's Princess. "They are extremely selective," said Faber.

Though Rogers specified that her image not be used to promote anything against her beliefs, most celebrities don't specify what should be done with their image or their work after they

die.

"It's rare that a celebrity would come forward and ask those questions, but they do get addressed," said Faber, whose firm has worked with more living celebrities lately, often addressing which states offer more liberal laws surrounding the right of publicity. Indiana grants the rights to heirs for a century, while in other states like New York, publicity rights die with the individual. For this reason, CMG now represents Mark Twain's heirs, giving them rights over the image of the author, who died 92 years ago.

Caring about the heirs

When artists live in the moment, sometimes the chaos survives them. Years ago, more rights belonged to record labels and publishers, according to Wisner, himself the songwriter behind hits like Frankie Avalon's "A Perfect Love." Today more artists hold the rights to their music, giving estates an incentive to earn money and to fight for it.

Courtney Love just fought a bitter battle against the two surviving members of Nirvana, Krist Novoselic and Dave Grohl, over the group's unreleased music. The three agreed to the greatest hits collection, a video in 2003 and a box set in 2004.

Labels still have a huge monetary incentive to release artist's work posthumously. For in artist like Elvis, whose work needs no marketing and can be produced cheaply, sharing the profits can be lucrative.

And value doesn't end in the music. Love recently released Kurt Cobain's journals detailing the intensely private man's personal thoughts about life and music. "Do I think Cobain would be bummed out by the huge amount of money that was generated by the sale of his papers? Heck no. All wannabe rock stars dream of financial success," said Gardner. "The lights, glamour, fame and, yes, money are all tremendous magnets in the early careers of rock stars. It's the public and the press who formulate this altruistic vision of what artists are supposed to be thinking."

By Rosemary Ford (abbreviated version)



Elvis Presley (1971-2001)
2002: "Elvis: 30 #1 Hits" reached
No. 1 on Billboard Top 200.