

# The Detroit News

## Marketing Rosa Parks: It's a fine line

Companies that market deceased celebs eager to plaster Parks' image on everything from posters to collectible coins.

Joel Kurth / The Detroit News

In her final days, Social Security checks helped Rosa Parks get by. But in death, she could be worth a fortune.

As family members and caregivers spar in court over control of the image of the civil rights icon, who died Oct. 24 at age 92, companies that market deceased celebrities are eager to plaster Parks' likeness on everything from posters to collectible coins.

No deal is in the works, but a marketing push seems likely no matter which side prevails.

Relatives are thinking movie deal. Caregivers who control her estate have met with at least one company that markets famous dead people and say they'll explore a licensing deal when the case is resolved.

At issue, say both sides: Will the marketing be respectful or tacky? Detroit-area relatives are still sore about a failed deal by Parks' representatives to put her face on phone cards, as well as a 1999 lawsuit against the rap group OutKast for using her name in a song.

"We think it cheapens her," said Rhea McCauley of Ypsilanti, one of 13 nieces and nephews seeking control of Parks' estate. "What's next? The Rosa Parks bobble-head doll?"

A quiet woman, Parks was reportedly embarrassed by the fuss made over her when she was alive. She may lack the star power of Elvis Presley or other icons who generate more than \$5 million annually, but analysts said her image could make a few hundred thousand dollars a year for decades.

"She can expect to make enough revenue to make it worth figuring out who owns her rights," said Jonathan Faber, president of CMG Worldwide, an Indianapolis company that makes about \$20 million a year representing Marilyn Monroe, James Dean, Jackie Robinson and 250 other dead stars.

Faber said his firm met with Parks' agents about a deal four years ago. Nothing came of it. "Rosa Parks has significant earnings potential," he said.

### Relatives, caregivers at odds

Parks died childless. Children of her brother, Sylvester McCauley, are contesting Parks' will. She moved to Detroit two years after her 1955 arrest in Montgomery, Ala., for refusing to give up her seat on a segregated public bus.

Relatives claim Parks suffered from dementia as well as undue influence when she signed a will in 2003 naming retired Judge Adam Shakoor and longtime friend Elaine Steele as representatives of her estate.

The next hearing will be held Dec. 14 before Wayne County Probate Judge Freddie Burton Jr.

The action follows years of bad blood between Parks' relatives and caregivers. McCauley said relatives were denied access to Parks as early as 1997, about the time they objected to the management of her affairs.

Topping their complaints is the OutKast suit, which was settled this year for an undisclosed sum. In recent years, Parks faced eviction for unpaid rent until Hartford Memorial Baptist Church in Detroit took over the payments. Her family was told by an attorney that she was subsisting on Social Security when she died, McCauley said.

Now, they fear Parks' name will be used for all manner of products and advertising, she said. "We're worried about what could happen," said McCauley, who unsuccessfully petitioned to control Parks' estate in 2002.

"(Her representatives) have no boundaries and will sell my auntie in any way they want. These people say they have longtime relationships with her. Try 50 years. Did she raise you? Did she give you lunch money? Did my auntie care for you when your mother was sick?"



Khue Bui / Associated Press Rosa Parks' relatives and former caretakers are sparring over rights to her name and image.

Parks' longtime attorney, Gregory Reed, said the OutKast suit was about preserving Parks' integrity, not money. Representatives fought to keep her name out of advertising, he said. An exception was Apple Computer's "Think Different" campaign that also featured icons such as Albert Einstein.

Proceeds went to the Rosa and Raymond Parks Institute, a nonprofit that mentors youths.

"It was selective use. Her name is never going to be overly marketed," Reed said. "That's why Ms. Parks' name is of such great value, because it hasn't been saturated. We were aggressive in protecting her legacy so it was never tarnished."

## Licensing rights valuable

Even so, both sides acknowledge they may pursue a marketing deal. Shakoor said, "We'll start looking at licensing her image in ways that would be appropriate to her wishes" after the court fight.

"The largest value would be licensing for movie rights," said Darren Findling, a Royal Oak lawyer representing family members. "The question is how that's handled and whether it's done so respectfully. I'm sure there's something there in terms of future licensing rights, but it's too early to say. That's not the family's goal. It's that her image is held in the highest standard."

Both sides are upset about merchandise on eBay and other Internet auction sites. Findling said some relatives suspect Parks' caregivers sold programs from her funeral for \$100 or more.

Not true, said Shakoor, noting they printed more programs to dilute the value and discourage Internet opportunism: "We've been putting out the fires on the eBay exploitation," he said.

Last week, on eBay, T-shirts featuring Parks getting fingerprinted at a Montgomery jail sold for \$19.95; her autograph on collectibles fetched up to \$400, while a trading card from the 1979 "Super Sisters" set went for \$9.95.

"Rosa wasn't for a lot of publicity," said her oldest friend, Johnnie Carr, 94, a Montgomery civil rights activist.

"I wouldn't say she'd be overjoyed, (but) anything anyone can do to remember Rosa Parks and how she started us on the road to treating each other better would be positive."

The value of Parks' estate is unclear. So is how much of future sales or advertising would benefit charities, such as her institute. Shakoor said it is one beneficiary of Parks' trust, but the rest are private.

"I wouldn't say she's destitute, but she certainly wasn't well-off," said Jon B. Gandelot, a St. Clair Shores lawyer representing Shakoor and Steele in the probate fight.

## What's it worth?

If the estate does nothing, merchandise will likely be illegally sold, Faber said.

The laws governing the use of dead people's images vary from state to state. Some have explicit privacy and publicity statutes, but Michigan does not.

That means the commercial use of Parks' name and likeness likely will be controlled by whomever the court puts in charge of her estate. Licensing laws allow estates to regulate such deals and aggressively prosecute those selling knockoffs, Faber said.

Unlike Presley or Monroe, Parks has no body of work that would be resold. That limits her commercial worth, said Henry Baskin, a Birmingham attorney who represented singer Marvin Gaye.

"She's certainly an 'A' celebrity, but she's not an 'A' list advertising icon," Baskin said. "You can only go so far with it. Something will be done to memorialize her commercially, but it won't be a bonanza. The banks are large enough to hold what money there is to be made."

Presley was the top-earning dead celebrity last year, making \$45 million, followed by cartoonist Charles Schulz, \$35 million, and musician John Lennon, \$22 million, according to Forbes magazine.

Faber said Parks would be in the upper echelon of his client list, but wouldn't speculate on her future worth. It would behoove both sides to reach a deal soon, Faber said.

The 50th anniversary of Parks' arrest is Dec. 1 — a golden marketing opportunity, he said. "I don't think she'll ever be forgotten, but the market could wane if they don't take steps to build a brand around Rosa Parks," Faber said. ■ END

### RICH AND REMEMBERED

American icons can bring in a fortune long after they depart. Here's a list of the top-earning dead celebrities of 2005:

- Elvis Presley**, singer: \$45 million
- Charles Schulz**, cartoonist: \$35 million
- John Lennon**, musician: \$22 million
- Andy Warhol**, artist: \$16 million
- Theodore "Dr. Seuss" Geisel**, author: \$10 million
- Marlon Brando**, actor: \$9 million
- Marilyn Monroe**, actress: \$8 million
- J.R.R. Tolkien**, author: \$8 million
- George Harrison**, musician: \$7 million
- Johnny Cash**, musician: \$7 million

Source: Forbes magazine

Companies that market deceased celebrities are eager to plaster Rosa Parks' likeness on everything from posters to collectible coins. What do you think about marketing the memory of Rosa Parks?

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