

# The Eastern Script

*Shameless self-promotion since 2011*

## IN THIS ISSUE

Presidential Address	1
Who Needs an Opinion?	2
Beyond the Broadcast: Lessons from 1938 for Audio Storytellers	3
More Intellectual Property to Worry About: Typefaces and Fonts	4
Recent Projects	6

## GET IN TOUCH

### CANADIAN OFFICE

#223-829 NORWEST ROAD  
KINGSTON ON K7P 2N3

### U.S. OFFICE

41 HAVELOCK ROAD  
WORCESTER MA 01602

WEBSITE: [easternscript.com](http://easternscript.com)

EMAIL: [amm@easternscript.com](mailto:amm@easternscript.com)

TELEPHONE: 844.842.3999



[linkedin.com/company/eastern-script](https://www.linkedin.com/company/eastern-script)



[facebook.com/easternscript](https://www.facebook.com/easternscript)



[@easternscript](https://twitter.com/easternscript)

## PRESIDENTIAL ADDRESS



That change is constant has been the common denominator for the 30+ years of this business. Don't get too comfortable with how things are going because you're about to live through a (fill in the blank: industry downturn, pandemic, writer's strike, etc.) Some changes are hard; some changes make things easier. The latter is what we are hoping for with our offering of a new product: title search opinions. Please read on to find out more. We've also got a piece bringing you back to Orson Welles' famous 1938 War of the Worlds radio broadcast, a topic we've previously written about but are revisiting to link it to clearances for audio productions, a category of work that has increased for us over the last five years. Finally, we've got a primer on "font vs. typeface" that we hope will come in handy.

We're heading into full-blown Spring now, a welcome change, with a new prime minister, a busy summer ahead of us, and another year of work with some wonderful people. Thank you.

Anne Marie Murphy  
President



530

EVIDENCE, RULES OF EVIDENCE, ETC.

Reply.

Accused's right of reply in jury trials, see Code sec. 544(2).  
Evidence in reply on a "preliminary hearing", see Code sec. 573.  
(b). Evidence in reply in "summary conviction" cases, see Code  
sec. 721(4).

See Gestae.  
of the thing itself". See *Phipps*,  
Buddingfield, 14 Can. C.C. 7.

2

## BEYOND THE BROADCAST: LESSONS FROM 1938 FOR AUDIO STORYTELLERS

The article above investigated the basics of portraying public figures. In 1938, a voice crackled over the airwaves: “Ladies and gentlemen, we interrupt our program of dance music to bring you a special bulletin: Martians have landed in New Jersey!” What followed was radio history, the infamous War of the Worlds broadcast that sent listeners into a panic, believing an alien invasion was underway. While much has changed since Orson Welles’ Mercury Theatre rattled the nation, one thing remains constant: script clearance matters.

Even back then, CBS’s legal team knew that fiction wasn’t a shield against legal trouble. Before the broadcast aired, they demanded key changes to the script. Real-world names were altered—Hotel Biltmore became Park Plaza, the U.S. Weather Bureau turned into the Government Weather Bureau—all to avoid potential lawsuits for defamation, unauthorized name use, and even claims of inciting public panic. Despite these efforts, the program’s realism still led to chaos, proving just how effective (and risky) immersive audio storytelling could be (for a more detailed history on the broadcast, see our article from 2017 [easternscript.com/PDFs/2017-summer-Eastern-Script.pdf](https://easternscript.com/PDFs/2017-summer-Eastern-Script.pdf)).

Welles and his team seemed to view authenticity as essential to the storytelling, so fictionalizing so many elements felt like a creative compromise. John Houseman, producer of Mercury Theatre, later recalled that these script changes were made “under protest and with a deep sense of grievance...” But CBS’s legal team stood firm, enforcing about 28 revisions to reduce legal exposure.

Fast forward to today, and audio productions are more dynamic than ever. Podcasts, audiobooks, and scripted audio dramas fill the media space. Modern audio producers must navigate potential clearance pitfalls. If your story references real businesses, institutions, or individuals, you need to ensure you’re legally protected (or better still, use fictional names instead.) Setting a story in a recognizable real-world

location can also raise concerns, as can creating content that could be mistaken for fact, leading to unintended harm or liability. These issues are perhaps even more potentially damaging in today’s digital age, where audio content spreads rapidly and legal exposure is higher than ever. The last thing you want is for a creative decision to land you in legal trouble.

This is where Eastern Script can provide valuable assistance. We also specialize in clearance research and reporting for audio productions, ensuring your story has been reviewed carefully for potential issues. Whether it’s verifying name usage, avoiding defamation risks, or ensuring historical accuracy, we report on the items that might cause problems so that you can focus on storytelling without risk.

Better yet, **we offer discounted rates and fast turnaround times** exclusively for audio productions—because we know your timelines are tight, and your budgets are lean.

Don’t let legal concerns hold your production back. Reach out to us today, and let’s make sure your story is as sound legally as it is creatively.



Wikipedia Commons

## MORE INTELLECTUAL PROPERTY TO WORRY ABOUT: TYPEFACES AND FONTS

Just as decisions about many elements of a film or television project contribute to a story's overall impact, so can selection of a typeface for the written word. When we are reading text, the meaning of the information can change when different typefaces are used. Here is an example:

Why not?

**Why not?**

*Why not?*

The first has a neutral vibe. The second seems a bit more aggressive. The last of the three looks is playful. Each has a different message created by the presence or absence of serifs, the thickness and form of the lines, and the connect- edness of the letters.

And guess what (newsletter time!): there are intellectual property issues to consider when selecting how your words will look. Copyright protection for typefaces varies from country to country. In the U.S., typefaces cannot be copy- righted. They do have various forms of protection similar to copyright in other countries though, such as in the U.K., France, and Germany. Trademark registration can give a distinctive typeface more protection in every country; the U.S. Coca-Cola's logo comes immediately to mind. An important distinction to keep in mind in this conversation is the difference between typeface and font, as described here by Ross Kimbarovsky in a blog on the topic:

*Technically, a “font” is a computer file or program (when used digitally) that informs your printer or displays how a letter or character is supposed to be shown.*

*A “typeface” is a set of letters, numbers, and other symbols whose forms are related by repeating certain design elements that are consistently applied (sometimes called glyphs), and used to compose text or other combinations of characters. Although many people would call “Helvetica” a font, it’s actually a typeface. Variations of Helvetica, such as Helvetica Regular, Helvetica Italic, Helvetica Bold, etc., are fonts. The software that tells your display or printer to show a letter in “Helvetica” is the font.*

[www.crowdspring.com/blog/font-law-licensing](http://www.crowdspring.com/blog/font-law-licensing)

When you access a font online for use in your project, you'll want to find out the font's copyright status. If protected, you'll need a license for its use. Using an unlicensed font in a two-second clip of a character glimpsing a computer screen will bear much less scrutiny than use of that font in a publicity campaign for your project (one-sheets, online ads, trailers). This practice of licensing fonts should be a well-honed tool in your art department's kit. There are many online sources of public domain fonts, among them Font Squirrel ([www.fontsquirrel.com](http://www.fontsquirrel.com)) and the Google Fonts library ([fonts.google.com](http://fonts.google.com))



Photo by Kristian Strand, Unsplash



Here are a few examples of litigation focused on unauthorized font use, with credit to type designer and expert Thomas Phinney for compiling these:

- Banana Republic in legal battle over distinctive ampersand (Nov 2020, Moshik Nadav)
- Miracle Mop inventor “stole” my font for her new logo: lawsuit (Oct 2019)
- Font Diner sues Haribo over packaging design of its Halloween sweets (Nov 2017 for \$150,000)
- Cher wins dismissal of lawsuit over album cover font (Moshik Nadav sued Cher, but dropped the case in March 2017)
- My Little Pony toymaker sued over alleged font misuse – BBC News (Font Bros vs Hasbro over Generation B, Jan 2016, \$150,000 per infringement)
- NBCUniversal Sued for \$3.5 Million Over Font Theft... Again (Exclusive) / NBC Universal sued for \$3.5 million for font license infringement by Brand Design a.k.a. House Industries (July 2012 \$3.5M)
- Lawsuit Claims TNT’s “Falling Skies” Has a Font Problem by +ISM Studios (Jan 2012, \$200,000)—this was settled out of court, details unknown.
- Harry Potter and the Dangers of Font Non-Compliance / NBC Universal Accused of Million-Dollar ‘Harry Potter’ Font Theft by P22 (Jul 2011)—this was settled out of court, details unknown.
- Font Bureau clashes with NBC over font licensing (Oct 2009, \$2M)

[www.thomasphinney.com/2024/05/do-companies-get-sued-for-using-fonts-illegally/](http://www.thomasphinney.com/2024/05/do-companies-get-sued-for-using-fonts-illegally/)

Hopefully this font of useful information will save you from this type of potentially expensive legal faceplant. ■



Photo by Aamy, Unsplash



## RECENT PROJECTS

### ALMA'S WAY SEASON 3 (TV animation)

"Alma's Way, the Emmy-nominated animated series from Fred Rogers Productions, has been renewed for a third season at PBS Kids. The new season will feature 15 half-hour episodes, including a 22-minute musical special inspired by "The Wonderful Wizard of Oz." Designed for children aged 4-6, "Alma's Way" is created by Sonia Manzano and produced in association with Pipeline Studios."

Ethan Shanfeld, [variety.com](https://www.variety.com)

### ANY OTHER NIGHT (feature film)

"Community and Love star Gillian Jacobs and Aladdin break-out Marwan Kenzari are set to lead Berlin-set romantic comedy "Any Other Night." Written by Patrick Whistler and directed by Michiel Ten Horn, the comedy follows two strangers thrown together as their lives are falling apart. Freshly dumped Maggie (Jacobs) and flailing cab driver Max (Kenzari) meet the night of a crippling transit strike, with the latter loading all of Maggie's worldly possessions into the back of his decrepit van-cab. What should have been a simple fare becomes a wild, late-night odyssey."

Manori Ravindran, [variety.com](https://www.variety.com)

### ITHAQUA (feature film)

"For the First Time in 60 Years, Hammer Films Unleashes a Brand New Monster. Hammer announced on Instagram over the weekend that director and producer Casey Walker will soon unleash Ithaqua, which is set in the brutal wilderness of 1800s Canada. Now in production, Ithaqua will feature a cast of notable actors including Luke Hemsworth, Kevin Durand, Michael Pitt, Craig Lauzon, and Leenah Robinson."

John Squires, [bloody-disgusting.com](https://bloody-disgusting.com)

### PARIS & PUPS (TV animation)

"In its first expansion into the kids & family space, Paris Hilton's next-gen media company 11:11 Media has partnered with HappyNest Entertainment, the kids & family-focused joint venture from Stampede Ventures and UTA, as well as 9 Story Media Group on Paris & Pups, a new kids' animated series inspired by Hilton's real-life pets."

Matt Grobar, [deadline.com](https://www.deadline.com)

### PHREAKER (feature film)

"New information about Adam Yorke's true crime-inspired feature directorial debut has come to light. The Cinemaholic can reveal that 'Phreaker' will revolve around a blind teenager who joins the underworld of phone freaks in the early 2000s. He uses his unique skills to become a prolific hacker, only to end up on the FBI's most-wanted list. Principal photography for the movie will take place in Toronto, Ontario, between January 13 and February 14, 2025"

Sartaj Singh, [thecinemaholic.com](https://thecinemaholic.com)

### SISTER S SEASON 2 (TV series)

"Sister S, the dark comedy starring Barry's Sarah Goldberg and Susan Stanley, will be back for a second season... The series, which is an international co-production between IFC, Ireland's RTÉ and Canada's Crave, launched on the AMC Networks channel in 2023 and will return for its second season in 2026."

Peter White, [deadline.com](https://www.deadline.com)

### THIS IS NOT A TEST (feature film)

"This Is Not a Test, a horror-thriller based on the YA novel by New York Times bestselling author Courtney Summers, which is now in production in Canada. Directed by Adam MacDonald [the film] follows Sloane and four other students who take cover in Cortège High to escape a world plagued by the infected. As danger relentlessly pounds on the doors, Sloane begins to see the world through the eyes of people who actually want to live and takes matters into her own hands."

Matt Grobar, [deadline.com](https://www.deadline.com)