

Battle looms over Lennon footage

Mass. firm says it owns 1970 tape

By Jonathan Saltzman

GLOBE STAFF

A lawyer for a Massachusetts company insisted yesterday that his client owns the rights to 10 hours of documentary footage of John Lennon and Yoko Ono and hopes to win a federal court battle with the widow of the famed musician so the world can see it.

"I'm sure there will be a substantial audience for it," Joseph T. Doyle Jr., a Quincy lawyer for World Wide Video of Lawrence, told reporters after a five-minute scheduling conference in US District Court in Boston. "We're the lawful owners, and she isn't."

US District Judge Rya W. Zobel has asked lawyers for World Wide Video and for Ono to make arguments May 21 on Ono's motion to dismiss the company's copyright infringement suit against her. Zobel said she expects to issue a ruling at a later date.

Ono's lawyer, Jonathan M. Albano of Boston, declined to comment after the hearing, which his client did not attend.

In March of last year, Ono blocked World Wide from showing "3 Days in the Life," a two-hour film culled from the 38-year-old footage, at a private school in Maine. World Wide sued her last month, and Ono filed a counter-suit, alleging she has exclusive rights to the footage.

In an odd twist, a New Hampshire man who identified himself as a former World Wide employee said after yesterday's hearing that the company had only limited rights to the footage and that Ono was right to block it from being shown.

"I'm here for John and Yoko," said John Messina, 55, of Hampstead, N.H., whom the company had accused of stealing the videotapes in a Middlesex County lawsuit that was settled out of court in 2001. "She doesn't deserve this. They want to take these tapes and go around the world and make money off of them."

The Globe viewed portions of the film last year. The grainy, black-and-white images were shot in February 1970 by Ono's former husband, Anthony Cox, at Lennon and Ono's estate in England. Lennon was 29 and was to remain with the Beatles for just two more months.

The tapes capture him in one of his most creative periods; he had recently written "Instant Karma" and is seen practicing the song "Remember." He is also seen smoking marijuana, discussing how he kicked a heroin habit, and saying he would like to spike Richard Nixon's tea with LSD, according to those who have seen it.

Cox filmed Lennon and Ono at

their Tittenhurst Park home over four days in cinéma vérité style. The couple gave him unfettered access to their family, including Lennon's young son, Julian Lennon. The young daughter of Ono and Cox, Kyoko Cox, is also featured in the footage.



**Yoko Ono claims
she is the owner.**

Tim Riley, a Concord rock critic who is writing a biography of Lennon, said in an interview yesterday that he has viewed portions of the footage and considers it of historical interest, rather than a movie with commercial potential.

"It's literally a handheld camera following

John and Yoko around the house on a typical day," said Riley, who said he found much of it boring.

Still, he said, there are valuable nuggets for Beatles aficionados: Lennon commenting on how he kicked his heroin habit; Lennon at the piano practicing "Remember," a song that would turn up on his first solo album; and a home radio broadcasting pop hits of the era.

World Wide asserts that it bought the raw footage for \$125,000 from Cox in 2000 and that Ono had no right to stop it from being shown at Berwick Academy in Maine last year. Ono says she bought it from a Florida man in 2002 for \$300,000 and obtained a copyright.

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