

PARTING SHOT

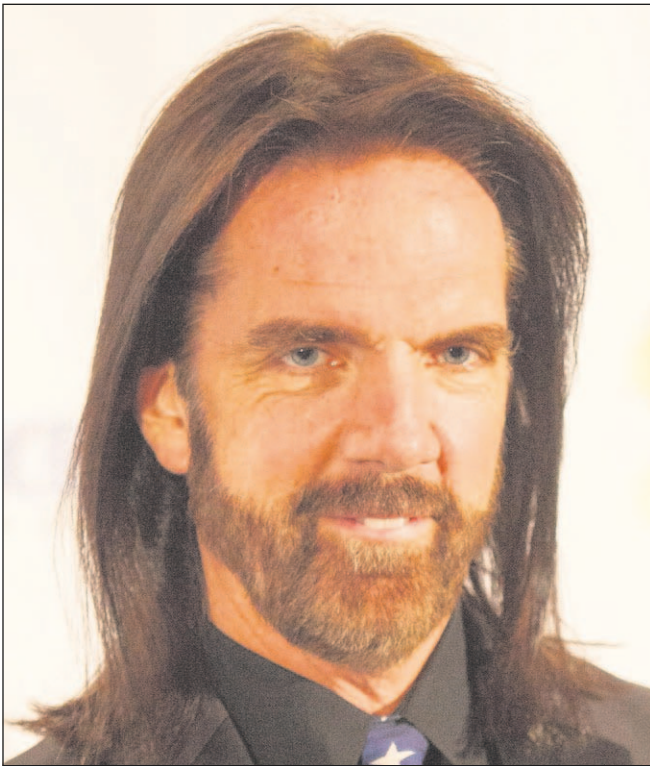
A weekly snapshot from The Daily Astorian and Chinook Observer photographers



A heron catches a fish under the Astoria Riverwalk earlier this month.

Joshua Bessex/The Daily Astorian

ODDITY



Barry Brecheisen/Invision/AP Photo



Cartoon Network

LEFT: Video gamer Billy Mitchell appears earlier this year at PAC-MAN'S Official 35th Birthday Celebration in Schaumburg, Ill. New Jersey Federal District Judge Anne Thompson threw out Mitchell's lawsuit against the Cartoon Network claiming that a cartoon character portraying him as a bearded, floating head stole his likeness. The court ruled the show is protected by the First Amendment. RIGHT: Garrett Bobby Ferguson

Garrett. Not Billy

Former ‘Donkey Kong’ record-holder’s cartoon lawsuit tossed

Associated Press

TRENTON, N.J. — A judge has ruled against a video gamer known for holding the world record in Donkey Kong who claimed that a cartoon character portraying him as a bearded, floating head stole his likeness.

New Jersey Federal District Judge Anne Thompson threw out Billy Mitchell's lawsuit against the Cartoon Network, ruling that the "Regular Show" exaggerated his traits to make the character "cartoonishly evil" and that the show is protected by the First Amendment.

Giant floating head

The lawsuit stems from a character named Garrett Bobby Ferguson on the "Regular Show." Cartoon Network said the floating, bearded head that cheats to

‘And when GBF loses his title, the character literally explodes, unlike plaintiff.’

Anne Thompson
federal district judge

win an arcade game is a transformative depiction of Mitchell. The Hollywood, Florida, man has had a long, successful career in video games and is known for his long, dark hair and beard, and wardrobe of a black shirt and pants and American flag tie.

"The television character does not match the plaintiff in appearance: GBF

appears as a non-human creature, a giant floating head with no body from outer space, while Plaintiff is a human being," Thompson wrote in a ruling this month. "And when GBF loses his title, the character literally explodes, unlike plaintiff."

Cocky self-promoter

Mitchell has held record scores in Donkey Kong — he was the first to pass 1 million points — and Pac-Man and Ms. Pac-Man.

The 2007 documentary "The King of Kong" tells the story of another gamer's attempt to break Mitchell's first high score and portrays him as a cocky self-promoter. He also sells a line of hot sauces, Rickey's World Famous Sauces.

A message left with Mitchell's New Jersey-based attorney was not immediately returned.