

Writer: 'I cannot devote my life to a lost cause, you know?'

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Tale of two scripts

Months after "Goonies" was released, Clark wrote to Spielberg.

In a letter dated Dec. 13, 1985, Clark asked the famous filmmaker for either fair compensation or evidence that "The Goonies" was conceived before Clark submitted his screenplay. No response came from Spielberg.

Clark met with Leonard DuBoff, a Portland attorney who specializes in intellectual property law, in early 1986. Clark faced formidable obstacles to bringing a lawsuit, the attorney told him.

For one thing, Clark didn't have thousands of dollars for the attorney's retainer.

For another, Clark said he registered "Golden Ventures" with the Writers Guild of America West, but he hadn't registered the copyright with the U.S. Copyright Office.

This, Clark believes, was his big mistake. Although any work put in a tangible form, like a script, is automatically protected by copyright, the creator cannot enforce that copyright in litigation unless it is formally registered.

What's more, since Clark didn't register the copyright before the alleged infringement, he wouldn't have been able to recover attorney's fees and statutory damages.

Finally, DuBoff reminded Clark in a follow-up letter that, to successfully sue, he would need to prove substantial similarity between his work and Chris Columbus' screenplay, and that the filmmakers had access to his work.

"In your case," DuBoff wrote, "it would be quite difficult to establish substantial similarity since you indicated that the 'Goonies' movie apparently embodies many of your ideas, rather than your actual work."

To determine substantial similarity, a court would look not just at whether "Goonies" mirrors the setting (Astoria), general subject matter (kids, a treasure map, gold, villains) and broad themes (perseverance, facing fears, coming of age) as "Golden Ventures," but whether, say, specific characters seem copied. The court would also look at whether a viewer would perceive "Goonies" as having been clearly lifted from "Golden Ventures."

Over the next few years, Clark corresponded with John Schulman, Warner Bros. vice president and general counsel. The exchange continued sporadically before Schulman told Clark that no one at Warner or Amblin reviewed a script called "Golden Ventures."

In his final letter to Schulman in 1988, Clark wrote: "(T)he striking similarities between 'Golden Ventures' and 'Goonies,' and the timetable of my submission and your production, leaves little doubt that the one led to the other. Without 'Golden Ventures,' 'Goonies' would never have been made. Two scripts could not have independently been written, in such a time frame, each about a group of children in Astoria, Oregon, who come into possession of a treasure map, and their subsequent adventures finding it while being pursued by a gang of offbeat criminals."

DuBoff noted in an interview with The Astorian that claims like Clark's are not uncommon.

"We get contacted by people at least once or twice a year saying, 'We wrote this in this book, or this in this article, and somebody's copying our article or book or piece of music or the like,' only to find out that it's similar but there's a separate but independent creation, and that's not an infringement,"



December 13, 1985

Mr. Steven Spielberg
Warner Brothers, Inc.
4000 Warner Boulevard
Burbank, California

Dear Mr. Spielberg:

Similarities between your movie "Goonies" and my screenplay "Golden Ventures" exceed coincidence. Both deal with a group of children in Astoria, Oregon, who come into possession of a treasure map, and their subsequent adventures finding the treasure while fleeing a gang of criminals.

In 1981 I distributed in California, approximately 20 copies of "Golden Ventures" and registered it with the Screen Writer's Guild of America, West, Inc. Enclosed is a photocopy of my registration. A copy of "Golden Ventures" is being sent under separate cover and should reach you within a few days.

Please send me evidence of your prior conception of this story, or contact me regarding fair compensation. If such prior evidence exists, please accept my deepest apologies.

Sincerely

George K. Clark
George K. Clark

CC: (This correspondence and "Golden Ventures");
Ted Mahar, Drama Critic, *The Oregonian*, Portland, Oregon.
The Los Angeles Times, *Variety*, Warner Bros. Inc.

GC:bls

A letter George Knight Clark said he sent to Steven Spielberg in 1985. See more documents referring to Clark's screenplay online at DailyAstorian.com

the attorney said.

Interesting documents

This part of Clark's story is unclear, even to the people involved.

Clark has what he believes are copies of internal Warner Bros. documents related to "Golden Ventures" that he obtained in the late 1980s. He is unable to prove, however, that the documents actually came from the entertainment company.

Clark and his then-wife, Beverly Champlin, had an acquaintance in Friday Harbor, Washington, who had worked as a writer and director for various producers. Clark's understanding is that this person received the documents from someone at Warner Bros., who dug them out to be passed along to Clark.

When The Astorian reached out to this acquaintance, he remembered Clark, but did not recall doing him this favor. However, he confirmed he knew people who worked in Warner Bros.' story department, and said he couldn't imagine Clark getting the documents from anyone else.

One document was dated Dec. 24, 1985, days after Clark sent his first letter to Spielberg. Addressed to Schulman and stamped "EYES ONLY," it contains a brief summary of "Golden Ventures":

"Three pre-teenaged kids, CARL (11), PAUL (11), and ROXY (9) set sail into a Washington river to find buried treasure. But the treasure island turns out to be a drug smuggling drop point, and once the kids find their treasure (\$20 gold pieces buried after the depression), two drug smugglers move in to steal their find. When it looks as if the kids are about to be killed for their gold, they make a break for it, a break that turns into a sea chase, as the kids attempt to navigate their wooden sailboat back to their Oregon home. In the end, Carl is wounded, but the kids manage to get away with their gold, and the smugglers are arrested by the Coast Guard."

Another set of documents contains a longer synopsis of Clark's script, along with commentary.

The reader compliments Clark's "solidly written screenplay," including his realistic depiction of children and their dialogue, but notes, "this story seems to be too small to generate a wide box-office interest and would, perhaps, be better suited for cable sales, especially Disney Channel's Wonderful World of Disney



Reyzart

George Knight Clark with his dog, Dusty.

series."

The recommendation: Pass.

Clark admits he doesn't know the significance of the documents—who saw them, which employee uncovered them, and whether they suggest the "Goonies" team had access to his work.

Warner Bros. did not respond to The Astorian's requests for comment.

Kevin Jones, the Warner Bros. story analyst cited in the documents, is now an associate professor at the University of North Carolina School of the Arts. He said the documents look authentic.

But Jones said the documents suggest Warner Bros. didn't review the script until after "The Goonies" came out.

He said claims that movie studios stole people's ideas "happen all the time."

"Any time you have a successful movie, it seems to attract people, and on some occasions it's been proven that there have been some questions," Jones said.

Clark said his script was less sophisticated than "The Goonies" and his characters less savvy than the ones in the movie. Both tales rely on well-worn kiddie-flick tropes—and, as the alleged Warner Bros. reader notes, "Golden Ventures" offers "rather heavily cliched drug smugglers."

But, Clark said, "Golden Ventures" had more innocence.

"Mine was pretty down-home. The kids weren't nearly as smart-mouthed and all that, you know? I was trying to be nice. I was thinking Disney, I think," he said.

By the early 1990s, Clark—divorced with two kids and working odd jobs after selling his business, Portland Sailing Center—had grown discouraged with the fight for his work to be acknowledged. Knowing it was unlikely he would ever be able to collect any money, he chose to move on.

"I cannot devote my life to a lost cause, you know?" he said. "So I finally let it go with the idea, 'OK, well, my child didn't live for me, but it lived for somebody else. I'm glad it lived somewhere.'"

"That's the attitude I had to take to live with it without becoming embittered," he added.

Others remember

After Clark's children got out of high school, he left Friday Harbor and became a kind of vagabond, spending years on the road in an old van and, later, an RV.

As he traveled the West, he kept his correspondence with Schulman and DuBoff and the alleged Warner Bros. documents. But, while reducing his possessions, he tossed his last copy of "Golden Ventures."

"I saw the thing again, and I thought, 'Oh, I gotta give this thing up for good,'" he said. "I suppose I was despondent or depressed, or just disgusted, so I just threw it."

"It was a memory I didn't want to live with anymore," he said.

Why did Clark keep the other documents but not the script itself? "I have no idea," he said. "They may not have been in the same place, or they weren't taking up very much room. Or ... I

don't know why."

Not having the script, he realizes, is a huge hurdle for anyone looking to validate his story.

But people from his past remember the script's existence, including his neighbors at the time he said he wrote it in the winter of 1980-81.

Clark lived on a small boat in Harbor One, a marina near Portland International Airport. Between dropping students off for school in the morning and picking them up in the afternoon, he had time to write. The script was partly a way for Clark to distract himself: In the months prior, he'd broken up with a girlfriend, his dog had been run over, and his mother had fallen ill.

"I could see this long winter coming, and I wanted kind of a project to get my mind off things," Clark said.

A married couple, Doug and Tina Jones, lived in a houseboat a short distance from Clark.

Clark recruited Tina Jones, who was studying accounting at Portland State University, to type up the screenplay. Tina remembers the typing, but not the content; transcribing Clark's longhand was a mechanical process, she said.

But Doug Jones, the moorage's handyman, remembers discussing the plot with Clark in the cabin of Clark's boat—the boating sequences in particular.

For example, Clark's young protagonists search for the treasure on an island in Willapa Bay, Washington, then hop into a boat to escape the criminals en route to Astoria.

Clark would bounce an idea off Doug—a former Coast Guardsman with intimate knowledge of the Willapa Bay and Columbia bars—who gave feedback on whether the action was plausible.

"He would write, and then he'd say, 'Well, what do you think about this?'" Doug Jones recalled. "We were just working out the details of getting the kids to the island and off the island," he added.

Doug Jones never saw the finished product, but remembers how Clark felt when rejection letters and returned scripts started arriving in the mail.

"He was devastated," Doug said. "It was a big blow."

After "Goonies" came out, Champlin, who was then Clark's girlfriend, directed him to DuBoff.

Clark and Champlin have a rocky history, but Champlin vouches for the screenplay. She called it "an absolute road map" to "The Goonies."

"With a few variations, it was very similar," said Champlin, who has since remarried and is a deputy court clerk at San Juan County Superior Court.

She views Clark's experience as a cautionary tale of what happens when artists don't protect their work.

"To me, it was like: Who writes something like that

and submits it without copyrighting it?" she said.

In the 1990s, Clark skippered a boat for San Juan Excursions, a tour and whale watch company out of Friday Harbor. He told the "Golden Ventures" story to Lynn Danaher, the company's owner, who read Clark's screenplay.

"I honestly believe George should have gotten credit for it," she said. "He should have been paid."

Art and adventure

Clark grew up on Tomahawk Island in the Columbia River and worked for his father, a gyppo logger. He describes himself as a wild, undisciplined kid who basically skipped high school.

At 16, he stole a Cadillac—his own car was in the shop—to drive his friends and their dates to a wedding, but the owner didn't press charges.

To keep the incident off his record, Clark said he enlisted in the Navy in 1955 at age 17. He took two cruises to the Far East, with stops at Hawaii. He said he was honorably discharged in 1959. "I think, in a way, they kind of straightened me out a bit," he said.

For a decade, he worked toward a bachelor's degree at Portland State, but took time off to explore the West Coast and Europe, he said. Before graduating in 1969, he published two one-act plays in the university's literary magazine.

Afterward, in San Francisco, Clark frequented coffee shops and befriended aspiring thespians in the North Beach neighborhood. The city's music, literature and Beat influence fueled his artistic streak.

For much of the '70s, Clark lived in Galice, near Grants Pass, alternately working as a gold miner on an old claim and as a white-water river guide on the Rogue. In southern Oregon, he joined the Barnstormers Theatre and wrote, produced and directed a one-act farce.

Clark has also freelanced for several newspapers, sailing magazines and other publications.

Now 80, he lives in Gold Beach in an RV park with his red heeler, Dusty. He's in a recreational gold mining club, The New 49ers, based in Northern California. He self-publishes novels and enters his work in screenwriting contests—making sure to copyright them.

"The Goonies" has cast a shadow over Clark's life, but only recently did he learn that the movie, a pillar of '80s pop culture, is among the most durable draws in Astoria.

In a way, Clark is grateful that with "Golden Ventures," he may have contributed something special to the world—that his creation, if it was an influence for "The Goonies," had a life of its own beyond anything he could have imagined.

"I've talked to people who say, 'Oh yeah, it's my favorite movie! I know 'Goonies!'" he said.

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