

Letter of Complaint and Request for Mediation

Copyright Infringement 'On a Hidden Field'

November 13th 2008

[REDACTED] (Author) [REDACTED] El Cerrito CA 94530

[REDACTED]
[REDACTED] Ph.D. (Author) [REDACTED] El Cerrito CA 94530

[REDACTED]

November 10, 2008

Parties Involved:

[REDACTED] (Creator)
Heroes (TV show)
c/o Sunset Gower Studios
1438 N. Gower St.
Hollywood, CA 90028

[REDACTED] (EXECUTIVE PRODUCER)
Heroes (TV show)
c/o Sunset Gower Studios
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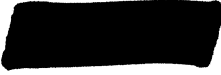
 (EXECUTIVE PRODUCER)
Heroes (TV show)

c/o Sunset Gower Studios
1438 N. Gower St.
Hollywood, CA 90028


NBC Universal (President/COO, Universal Studios)


NBC/Universal Corporate
3000W. Alameda Ave.
Burbank, CA 15231=0001

NBC Universal (Vice Chairman, General Electric)


NBC/Universal Corporate
3000W. Alameda Ave.
Burbank, CA 15231=0001

NBC Universal (President/CEO, NBC Universal Entertainment)


NBC/Universal Corporate
3000W. Alameda Ave.
Burbank, CA 15231=0001

Re: ['On a Hidden Field' Screenplay, Trailer, Treatment]

To All Parties Involved,

According to our records, and witnesses yet to be divulged, in August of 2005, Arvel (Domencio) [REDACTED] gave NBC/Universal a treatment, screenplay and trailer for a film project titled 'On a Hidden Field'.

Registration numbers:

8-21-2004 WGA 1016065

2-12-2005 WGA 1045340

5-21-2005 WGA 1064674

I am therefore filling this complaint in regards to the TV series entitled 'Heroes' asserting that its basis, concept and storyline being our screenplay 'On A Hidden Field'.

The similarities are as follows:

1)

2005 OAHF

The Screenplay, trailer and treatment given to NBC/Universal in 2005

1)

2006 Heroes

The Heroes Series first aired in 2006 only months later.

2)

From OAHF (Trailer)

The Tagline

“A group of ordinary citizens with extraordinary capabilities.”

2)

Heroes

Plot (source: wiki-pedia)

The plot tells the stories of “disparate and ordinary individuals from around the world who inexplicably develop superhuman abilities...”

Also from wiki-pedia (enclosed)

“ordinary people who would discover extraordinary abilities.”

The wording is almost identical.

3)

OAHF

(1 of OAHF Goals)

An essential goal of the protagonist is to save humanity from Catastrophes such as killer storms. In fact on our www.1976katrina.com website it has the words of Katelena Jones saying

"A year ago there was a storm, a cyclone actually, it was called Katrina, the name you will honor me with; Five and 1/2 years past the next 1000, she'll appear again, bigger and much more destructive and it will be a dressed rehearsal for the end, as was always foretold"

3)

Heroes (A Goal)

To save humanity from catastrophes like storms. In fact on a commercial advertising that episode the girls' voice describes a killer storm just like the story and our website.

4)

OAHF (A Killer Virus)

OAHF tries to warn Americans about a killer virus called "ATEF virus"

And in the screenplay it says

"...in the end will destroy us all"

4)

Heroes (A Killer virus)

Characters try to save US from a killer virus, "Shanti Virus".

(from Wiki-pedia) "stop the release of a deadly strain of the virus and avert a global pandemic."

5)

OAHF

Claims the world will end in 2012

5)

Heroes

Claims the world will end in 2012

6)

OAHF

On A Hidden field was revealed on our website to be on the web page of a computer screen (Google), the location of a way of communicating that would be one day be known as the internet (On 1976katrina website).

6)

Heroes

One entire Episode about the power of Internet

7)

OAHF

Has bad Agents who have a maniacal and driven if not partially insane boss

7)

Heroes

Also has bad agents who have a maniacal and driven if not partially insane boss

8)

OAHF

The name of the pursuers or organization is never given in On a Hidden field.

"There existed a government organization that had no name."

8)

Heroes

Agents work for Boss whose company has no name

"...while Noah Bennet represents a secret organization known only as the "Company"

9)

OAHF

Agents are in pursuit of one of many talented kids and want to do harm to her if not put her away. (When they come to get her, she kills herself to stop them).

9)

Heroes

Agents are in pursuit of these talented individuals and want to do harm to them are put them away.

"Since before you were even born, I was finding these people and locking them away so that they couldn't hurt anybody."

10)

OAHF

Author originally states that the story is partially biographical of his life in Sacramento California when he accidentally got in a basketball program that had no balls and no court. He is African American.

10)

Heroes

One of the talented ones is a five-year-old African American boy of approximately five years of age.

Coincidentally, there are no other 5-year-old African Americans boys in any series other than this one.

11)

OAHF

Another Theme

The question that the author possess in the end after she is gone is was she and he hero or villain, good or bad. Did she want to save humanity or harm it saying , "she tried to save a world that did not love her".

11)

A Heroes consistent question

Are they heroes and want to save the world or actually villains.

12)

OAHF

The Protagonist in OAHF is Katelena Jones

Her basic characteristics are she is unstable and in therapy for she believes she's lived many lives as many different people and has super strength.

12) Heroes

Niki Sanders

Niki needs therapy as she thinks she's many different people and has super strength.

13)

OAHF

Has an individual who can read people's minds

13)

Heroes has individual who can read people's minds

14)

OAHF

Has an Individual who can see the future, in fact it is a central theme.

14)

Heroes

Has an individual who can see the future

15)

OAHF

Writers altruistic motives; stating he wrote On a Hidden Field to ignite people into action and get involved in world matters; as he says in treatment

"A modern day Greek tragedy is on the horizon (June 2003 five years earlier about to June 2008) if it (America) doesn't change its ways....this film is an attempt to stop it."

15)

Heroes

Creator says he created hero's characters that

"..viewed the world as big and scary"

and saying that it was

"a character driven series about people who could do something about it."

16)

OAHF

Is entrenched in mythology.

There is the ATEF virus, The organization with no name, ancient Asian warrior, super abilities and powers, predicting the future and many others.

16)

Heroes

From wiki-pedia, also entrenched in mythology

“Among the show's mythological elements are the Company, the legend of Takezo Kensei, paintings of the future, superpowers and their origins, the Shanti virus, *9th Wonders!* comic book and numerous other elements and mythological themes.”

17)

OAHF

Has one large mystery that the viewer must solve. *What is/ Where is this Hidden Field.*

17)

Heroes

Has a mystery that needs to be solved, *what is the Helix.*

It is our assertion that Heroes has taken nearly every major characteristic from our story and simply expanded it to the point of creating the same story, except expanded. This gives the illusion of being original, conversely taking away from the marketability of my expanded book version of 'On A Hidden Field'. People can no longer say they have never heard of a story like it before because most of its characteristics, except past lives are now in your series Heroes. On a Hidden Field had a *FIRST EVER* premise and concept, we introduced it to you and you introduced it to the world only months later.

We list the above instances for the purpose of this complaint as it only reflect parallels in the creation and concept process of the series. No individuals associated who have statements that assist in the confirmation of our claim have been listed above. Still, our case above is substantial. We therefore propose mediation of this issue and look forward to hearing from you in regards to a mutually beneficial resolution of this matter. I will wait 7 business days from receipt of this complaint. If no contact by that time it will be inferred that you either disagree, do not wish to respond or both.

We do realize that it is possible that we have things wrong. If you have the same copy written creative expression registered before ours please let us know. We would find this difficult to believe but it is possible that this is a strange case of two distinct entities writing the same strange and unusual story at the same time despite large social and geographical differences. Please send evidence that this is the case and this complaint will be dropped.

Please feel free to contact us at the above address or by phone

[REDACTED]

Or

[REDACTED]

Yours sincerely,

[REDACTED]

[REDACTED] PhD.

Enclosed Documents

****3 registration Forms

****1 Treatment

****Wiki-pedia Outline

Also Available Upon Request

****Original Trailer

****Original Screenplay