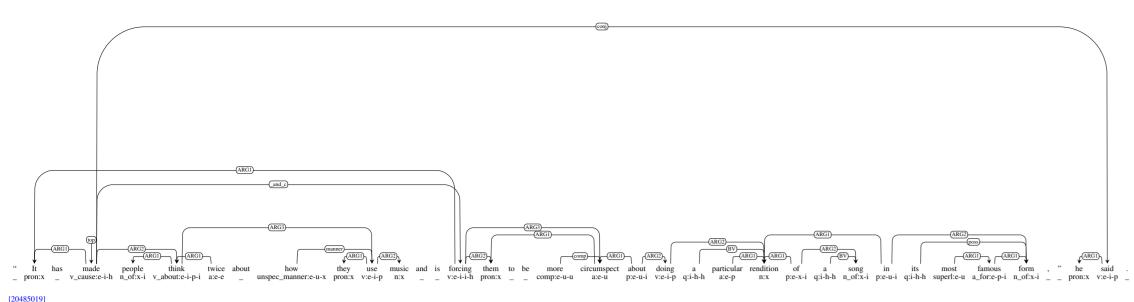
Document 0485 Bette Midler won a \$ 400,000 federal court jury verdict against Young & Rubicam in a case that threatens a popular advertising industry practice of using "sound-alike" performers to tout products named:x-c (ARGI) n a 1985 Mercury Sable TV ad that Young & Rubicam worked up for Ford Motor Co named:x-c named:xcompound from The agency then turned to a former backup singer for Ms. Midler who appeared in the ad and crooned what was generally considered a more than credible imitation of Ms. Midler 's 1973 hit song q:i-h-h n:x a:e-e v:e-i-p q:i-h-h a:e-p n:x n:x named:x-c v:c-i-p q:i-h-h n:x a:e-e v:e-i-i-i card:i-i-c much-many_a:e-i a:e-u n_of:x-i n:x named:x-c yofc:x-c n:x n_of:x-i appeals court held: "When a distinctive voice of a professional singer is widely known and is deliberately imitated in order to sell a product, the sellers have appropriated what is not theirs." n:x n_of:x-i v:e-i-h _ x:e-h-h q:i-h-h a:e-p n:x p:e-x-i q:i-h-h v_id:e-p-i neg:e-h pron:x _ x:e-h-h _ v:e-i-p x:e-h-h _ v:e-i-p q:i-h-h n_of:x-i _ v:e-i-p q:i-h-h n_of:x-i _ v:e-i-p q:i-h-h v_id:e-p-i neg:e-h pron:x _ x:e-h-h _ v:e-i-p x:e-h-h _ v:e-i-p x:e-h-h x:e The judge in the jury trial said there was insufficient evidence to hold Ford liable in the case q:i-h-h n_of:x-i p:e-u-i q:i-h-h n:x n:x v_to:e-i-h-i _ v_there:e-i a_for:e-p-i n_of:x-i _ v:e-i-i-h named:x-c a_for:e-p-i p:e-u-i q:i-h-h n_of:x-i (ARGI) In a statement , Young & Rubicam called the award "unfortunate but bearable ." p:e-u-i q:i-h-h n_of:x-i _ named:x-c _ named:x-c _ v:e-i-i-h q:i-h-h n_for:x-i _ a:e-p _ a:e-p _ ... That is a property right that belongs to the performer . " x:x v_id:e-p-i q:i-h-h n:x n:x _ v_to:e-i-i _ q:i-h-h n:x _ _ _ The award a although far less than the \$ 10 million including punitive damages are in ace-unity are in a cardi-i-c cardi-i-c cardi-i-c cardi-i-c cardi-i-c cardi-i-c ardi-i-c cardi-i-c cardi-i-c ardi-i-c cardi-i-c car is that you had three old men on the court of appeals in California coming up with a statement that Nancy Sinatra is not distinctive but that Bette Midler is v_nv:e-i-h _ pron:x v:e-i-u-h card:i-i-c a:e-p n:x p:e-u-i q:i-h-h n_of:x-i _ n:x p:e-u-i named:x-c v_up:e-i-u _ p:e-u-i q:i-h-h n_of:x-h _ named:x-c named:x-

Nonetheless , Mr. Kurnit said that the latest decisions are having a chilling effect are-h _ n:x named:x-c v_to:e-i-h-i _ q:i-h-h a_for:e-i n:x _ v:e-i-i q:i-h-h v:e-i-p n:x _

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Joanne Lipman contributed to this article named:x-c named:x-c v_to:e-i-p-i _ q_dem:i-h-h n_of:x-i _

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