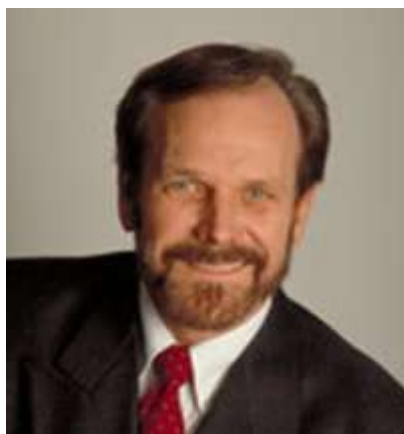


Adaptation Rights and Repurposing a Musical

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This is a story of modest success after writing a musical; but it's also a story about overcoming obstacles and the sweet taste of revenge (best served cold, as I understand).

I grew up listening to and loving the musicals of Rogers & Hammerstein, Cole Porter, Lerner & Lowe, Irving Berlin, Frank Loesser, Leonard Bernstein, et al. As a teenager, I knew all the words to all the songs from musicals like *South Pacific*, *Oklahoma*, *Anything Goes*, *My Fair Lady*, *Camelot*, *Guys & Dolls*, *Annie Get Your Gun*, *West Side Story* and dozens more.

I blame that on my parents, especially my dad. Although he was a WWII fighter pilot and Colonel in the Air Force, my dad had a guilty pleasure: all things Musical. In spite of the rigid disciplinarian exterior he showed to the military world, at home he was a talented poet, pianist and songwriter who not only introduced his six kids to all the musicals of the day, but also taught us to sing their songs as a group, in harmony, whenever we drove anywhere in the family car. (He even played with the idea of turning us into another version of the Trapp Family Singers, but that's another story.)

I inherited some of his knack for verse and music, and though I never took formal lessons, I taught myself enough on the piano to knock out a tune or two. At 17, I decided I was destined to write my own musical; but pesky interruptions like college, a stint in the military and a new career in technology kept getting in my way. Besides, I hadn't hit on the perfect idea of what my musical should be about. I just knew it was something I was meant to do.

I wanted my musical to be a comedy—something classically, hysterically, side-splittingly funny, if possible. But what comedy? The solution came to me one wet Saturday afternoon when I was flipping through TV channels and landed on *Arsenic and Old Lace*, starring Cary Grant. Perfect! Not only was it a well-known and universally loved farce that had had a long run on Broadway in its day, but the movie version (unlike the original play) took place on Halloween night. As far as I knew, no successful musical ever focused on Halloween, even though many schools and community theatres have productions in the Fall, right around that holiday. I thought that *Arsenic*

and Old Lace, adapted well with great music, could become the quintessential Halloween musical for all ages to enjoy.

I was concerned about copyright issues, of course, so I did a little bit of Googling—and came to the wrong conclusion. I read that the copyright for *Arsenic and Old Lace* was never renewed when the duration for copyrights was extended from 25 to 95 years, and erroneously concluded that the play was in the public domain. That, of course, was way too good to be true. It was only later that I learned that, while MGM Studios had failed to extend the copyright for the *movie* version, the original play was absolutely still covered by copyright.

Not knowing that at the time, though, I happily forged ahead and started adapting *Arsenic*, changing it into a Halloween musical. I took the liberty of introducing more Halloween decorations inside the house, a doorbell scream that could become a running gag, and repeated visits by trick-or-treaters that interrupted at the most inopportune (and funny) times.

Of course, I wrote songs – lots of them. In fact, I wrote 21 songs, including ballads, comic songs, explaining songs, move-the-plot-forward songs, and a dream-sequence “Dance of the Zombies”. I was in heaven! That is, until I found out that I still needed to get adaptation rights. That’s when everything went to an unhappy place.

After some searching and a little help from the people at Samuel French, I learned that I needed to request adaptation rights from a law firm in New York. So I sat down and wrote a very polite and humble email to ask what process I should go through to get the rights I needed. The response I got really hurt my feelings:

“Dear Mr. Lunsford: I regret to advise you that the rights you request are unavailable. You obviously should have thought of this prior to writing your adaptation, which may not be publicly performed or otherwise exploited. Be guided accordingly.”

Wow. Not only was I told in no uncertain terms that the adaptation rights were unavailable (period!), I got thoroughly schooled for being thoughtless and sternly warned not to perform or “exploit” my adaptation.

But hey, I’m a diplomatic guy, maybe if I wrote back to him to reassure the law firm that I never planned to be in any way underhanded or exploitative, I could get a dialog going that could possibly turn a firm NO into a happy YES. (After all, I was raised on musical comedies, so of course I’m a cockeyed optimist!)

So I wrote the nicest, humblest email I could:

“Thanks so much for getting back to me so quickly. I’ve been very naïve, no question about it, but I don’t feel badly about the work I’ve done. It was a lot of fun and I learned a lot.”

Sorry to bother you with one more question, but could you please let me know why the rights are unavailable? Are they already granted to someone else? If so, perhaps I could get in touch with the person to see if any of the work I've done would be at all interesting to them...

Thanks again for your response to a novice in this area.

*Sincerely,
E. Michael Lunsford*

I didn't have to wait long. The reply was short, but not exactly sweet. I was told:

"We're not some bagel shop where you can just stand in line and eventually get what you want."

WOW! That's not only "NO," but "HELL, NO!"

What could I do? I wrote back to thank him for letting me know his firm wasn't a bagel shop.

Meanwhile, I was depressed, and wrote about my experience to Robert Kelley, Artistic Director for Theatre Works in Silicon Valley. He was kind enough to take the time to write a long email back to me, giving me his views on the situation, and including a very wise piece of advice:

"Michael, save your songs--you'll use the best of them in another musical someday!"

Sure, why not? That's the solution. I could just write a new comedy, with a completely different story line, designed to use my best songs in my own copyrighted vehicle. It could still be about Halloween. In fact, I could make it *more* Halloween than my adaptation of *Arsenic*.

For example, I could start out with a hero and heroine making a last-minute visit to a spooky costume store, *The House of Mask & Magic*, on Halloween. And the store could be run by a creepy manager who moonlights as a murderer. Oh, and the backstory could be that, as a kid, the evil manager once blew up his rich parents with his chemistry set, and after the authorities carted him away, his home was bought by a kooky man-and-wife couple, both morticians, looking for a stately manor to convert into a funeral parlor. Of course! And the hero and heroine plan to go over to the funeral home to show off their new costumes to those kooky morticians because, as it turns out, they're actually the hero's parents, but there's this dead body...

Well, I don't want to give away the whole plot. Suffice it to say, I was completely lit up with the idea, and wrote the entire script in a couple of months. The music took a bit longer, but each new song seemed better than the rest—which surprised me. I thought I'd already done my best work with the *Arsenic* songs, but new lyrics and tunes came knocking like surprise dinner guests I'd somehow forgotten I'd invited to come over.

Of course, it's one thing to write a musical comedy, and quite another to get it performed. I signed up for Carol de Giere's Musical Writerzine newsletter and read her book, *Defying Gravity*, which I found excellent and encouraging. I also signed up for the Playwrights' Center (<https://pwcenter.org>) and Play Submissions Helper (<http://playsubmissionshelper.com>) to learn about opportunities to submit my play.

I told many friends and relatives about my musical, and freely handed it around for comments (and of course, praise!). One of the best comments I got was that the play was a funny comedy even without the music, and I should open up my horizons by creating a non-musical version. With that, I'd be able to respond to any submissions opportunity, musical or not.

And so I did. It didn't take long at all to convert my lyrics to dialogs and monologues, and when I was done I had to admit I had a pretty funny non-musical comedy on my hands.

I got a copy of the *Dramatists Sourcebook* and wrote to every theatre and drama group I could find that was listed as "willing to accept unsolicited plays," but that didn't yield any positive results. I persevered, though, and responded to every Call for Submissions I came across. Over a period of two years, I sent out partials, song samples, complete CDs, full comedy scripts and full musical librettos in response to 149 submissions calls. Along the way, I continued to tweak the script and added a couple more songs.

Then, in August, 2014, the musical was selected as a finalist at the Venus/Adonis Festival/Competition in New York. (Unfortunately, being a novice at this, I hadn't realized that I'd have to supply a director, actors, stage manager, band members and sound and lighting technicians, not to mention rehearsals. I had to decline, with embarrassment.)

But August was a good month for another reason, as both the comedy and the musical were accepted for publication by Heartland Plays, Inc. (<https://heartlandplays.com>), even though it had never been performed.

Then, in early 2015, I had a welcome series of successes. The comedy was selected as a finalist by the Shawnee Original Playwright Series, and had a staged reading in March, 2015, to some great reviews (see www.lunsfordmichael.com/?page_id=61#Reviews) and then was selected as a semi-finalist in the annual Playwrights First contest in New York. Also in March, the musical version was selected as a semi-finalist in Caryl Crane Youth Theatre's 2015 Ronald M. Ruble New Play Festival.

Finally, I recently learned that the comedy graduated from Finalist to Winner at the Shawnee Original Playwright Series, and now has a full production scheduled for October, 2016. (I asked if there was any chance they'd consider performing the musical instead, and was told it's soooooo much harder, but they'll think about it and get back to me. Fingers crossed.)

But now you might be wondering, “What about the revenge you mentioned in your opening sentence?” Well, I’m planning to send a free ticket for opening night to that dismissive lawyer who turned me down for the *Arsenic* adaptation rights. If he actually attends, he might notice that I named the evil costume store manager after him.

Published by Carol de Giere

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