






	SCRIPT	IMAGES & SOUND	REFERENCE
1.1		<p>Exterior: Red Bus crossing Westminster Bridge</p> 	<p>From: <i>Temple Island Collections Ltd v. New English Teas Ltd & another</i> [2012] EWPC 1</p> <p>The opening sequence references the images at the heart of the litigation in <i>Temple Island Collections</i> reproduced below. The image on the left is the claimant's work; the image on the right is the infringing copy. For further discussion see <i>Case File #1: The Red Bus</i>.</p> 
1.2	Once upon a time, in a fictional land called London ...		<p>From: <i>Fables</i> (comic), Issue 1 (2002), by Bill Willingham</p> <p>This long-running and extraordinarily successful comic begins: 'Once upon a time, in a fictional land called New York City ...'</p>
1.3	Once upon a time, in a fictional land called London ... 221B Baker Street, NW1 6XE	On-screen Text (design)	<p>From: <i>The X-Files</i> (1993-)</p> <p>The way in which the text appears on screen, accompanied by the sound of a typewriter, mimics <i>The X-Files</i>, the long-running science fiction TV series.</p>
1.4		Exterior: 221B Baker Street, NW1 6XE	The external street scene is based on 221B Baker Street from the BBC <i>Sherlock</i> series; the actual location is North Gower Street, London.

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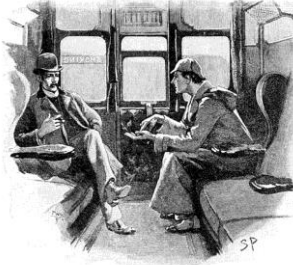







1.5		Gower's (name)	<p>We changed the name of Speedy's (from the BBC's <i>Sherlock</i>) to Gower's, referring to both the actual location of the street (North Gower Street) and the 2006 <i>Gowers Review of Intellectual Property</i>.</p> <p>Alongside various proposals for reforming the copyright regime, Gowers recommended that the Information Society Directive should be amended to allow the creation of an exception to enable creative, transformative or derivative works. This was influenced, in large part, by the way in which the fair use provision in US copyright law allows for transformative works. This recommendation was not implemented.</p>
1.6	Joseph (Jo): You've gotta help me, Mr Holmes.		<p>From: <i>Sherlock: The Great Game</i> (series 1, episode 3) (2010, dir. Paul McGuigan) and Walt Disney's <i>Pinocchio</i> (1940, dir. Norman Ferguson, T. Hee, Wilfred Jackson, Jack Kinney, Hamilton Luske, Bill Roberts, Ben Sharpsteen)</p> <p>To Sherlock: 'You've got to help me Mr Holmes. Everyone says you're the best. Without you, I'll get hung for this.'</p> <p>In the Walt Disney film, after turning into a donkey, Lampwick says to Pinocchio: 'I've been double-crossed! Help! Help! Somebody, help! I've been framed! Help! Please, you gotta help me.'</p>

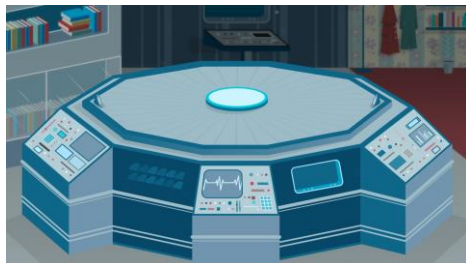


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1.7	Jo: My name is Joseph , and ...	Joseph (name)	From: <i>The Adventures of Pinocchio</i> (1883), by Carlo Collodi In Italian, Geppetto is a nickname for Giuseppe, which in English means Joseph.
		Joseph (design)	<p>From: Chiostrì's original illustrations for Collodi's <i>Pinocchio</i>, and Walt Disney's <i>Pinocchio</i> (1940, dir. Norman Ferguson et al)</p> <p>Joseph's design was inspired by Chiostrì's illustrations for one of the earliest editions of Collodi's work, and Geppetto as depicted in Disney's <i>Pinocchio</i></p> <div style="display: flex; justify-content: space-around; align-items: center;">    </div>
1.8	Jo: ... something awful is happening .		<p>From: <i>Pinocchio</i> (1940, dir. Norman Ferguson et al)</p> <p>After escaping Pleasure Island, Pinocchio and Jiminy Cricket return home but can't find Geppetto.</p> <p>Pinocchio: 'He – he's gone.'</p> <p>Jiminy Cricket: 'Yeah, and Figaro.'</p> <p>Pinocchio: 'And Cleo too. Maybe something awful happened to him.'</p>
1.9		Sherlock and John (design)	<p>The designs for Sherlock and John were broadly influenced by Sidney Paget's illustrations for <i>The Strand</i> magazine, the classic Rathbone and Bruce films of the 1930s and 1940s, and the more recent BBC series <i>Sherlock</i>, first broadcast in 2010. That said, our Sherlock is very much cut from hipster cloth.</p> <p>The Paget illustration below is taken from <i>The Adventure of Silver Blaze</i>, which appeared in <i>The Strand Magazine</i> in December 1892. The still image of Basil Rathbone and Nigel Bruce is from <i>Sherlock Holmes and the Secret Weapon</i> (1942, dir. Roy William Neill).</p>

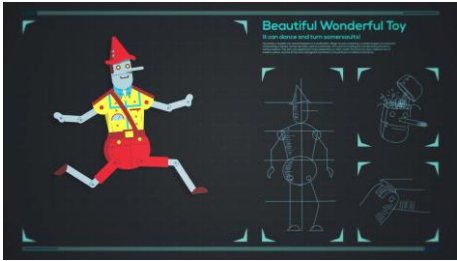



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1.10		<p>Sherlock's t-shirt (design)</p> 	<p>From: <i>La trahison des images</i> (1928-29), by René Magritte</p> <p>Sherlock is synonymous with the pipe, along with other staple aspects of his visual iconography. We wanted our Sherlock also to be associated with the pipe and so decided to feature pipes in the clothing he wears in each episode. For the first episode, we opted for a t-shirt featuring perhaps Magritte's most famous work.</p> 


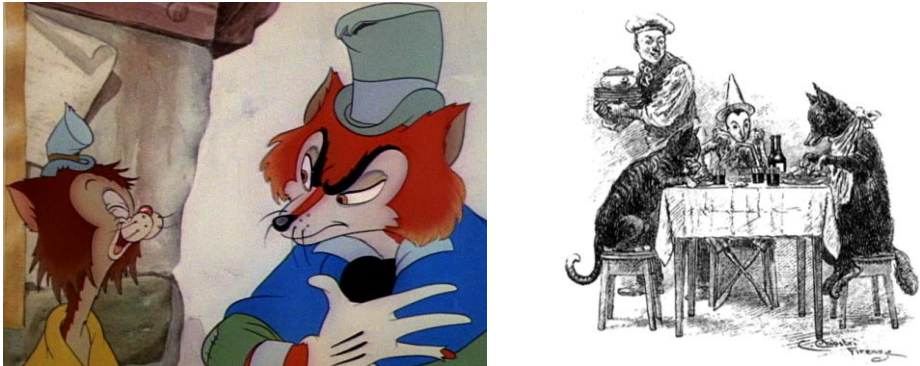

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1.11		<p>Interior: Console</p> 	<p>From: The design of the bridge for Star Trek, Intrepid class, USS Voyager NCC-74656</p> 
1.12		<p>Interior: Wallpaper</p> 	<p>From: <i>Designer Guild Limited v. Russell Williams</i> [2000] UKHL 58</p> <p>This famous case involved two wallpapers designs, one of which was alleged to infringe. The judge identified seven points of similarity between the claimant's wallpaper and the defendant's infringing copy. We gave our illustrator Davide Bonazzi the same seven points as a guide to creating the wallpaper in our video. For further discussion see <i>Case File #7: The Matching Wallpaper</i>.</p>
1.13	Jo: Some time ago, I created a beautiful, wonderful toy. It can dance and turn somersaults. Kids love it.		<p>From: <i>The Adventures of Pinocchio</i>, by Carlo Collodi</p> <p>Chapter 2, Geppetto: 'I thought of making myself a beautiful wooden Marionette. It must be wonderful, one that will be able to dance, fence, and turn somersaults.'</p>
1.14		<p>The text in the right-hand corner of the illustration</p>	<p>From: Wikipedia entry for 'Pinocchio' (as it was in 2014)</p> <p>In the top right-hand corner of the design drawings for Joseph's toy are four lines of barely legible text. This text was cut and paste from the wikipedia entry for Pinocchio as it was at the time. The text of the entry has been updated since that time.</p>

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1.15		<p>Pinocchio (design)</p> 	<p>From: Chiostri's original illustrations for Collodi's <i>Pinocchio</i>, Walt Disney's <i>Pinocchio</i> (1940, dir. Norman Ferguson et al), and <i>Blade Runner</i> (1982, dir. Ridley Scott)</p> <p>For our 'beautiful, wonderful toy', we drew inspiration from three different sources, a mixture of public domain and copyright works: Chiostri's <i>Pinocchio</i>, Walt Disney's <i>Pinocchio</i>, and one of the toys made by Roy Batty the toymaker from <i>Blade Runner</i>, a film based on the Philip K. Dick novel <i>Do Androids Dream of Electric Sheep?</i></p> 
1.16	<p>Jo: So, I set up a little company and started selling it; you know, just to bring home the bacon.</p>		<p>From: <i>The Adventures of Pinocchio</i>, by Carlo Collodi</p> <p>Chapter 2, Geppetto: 'With it I intend to go around the world, to earn my crust of bread and cup of wine.'</p>
1.17	<p>Jo: Well, it was so successful some guys decided to option a movie.</p>	<p>Exterior: Hollywoodland</p> 	<p>'Hollywoodland' was what the world-famous Hollywood sign first read when erected in 1923. It was only in 1949 that the word 'land' was removed from the sign, nine years after Disney had completed work on Pinocchio.</p> 

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1.18		<p>The Fox and the Cat (design)</p> 	<p>From: Chiostri's original illustrations for Collodi's <i>Pinocchio</i>, and Walt Disney's <i>Pinocchio</i> (1940, dir. Norman Ferguson et al)</p> 
1.19		<p>Poster: The Money Tree</p> 	<p>From: <i>The Adventures of Pinocchio</i>, by Carlo Collodi</p> <p>The poster depicting a money tree refers to the trick played on Pinocchio by the Fox and the Cat, when they persuade him to travel to the Land of Barn Owls, and then to the Field of Miracles, where gold coins, once planted, apparently will grow into a money-producing tree. Later, disguised as murderers, the Fox and the Cat attack Pinocchio and hang him from a tree.</p>
1.20	<p>Jo: They offered lots of money and I thought: 'Why not?' But now I'm not so sure.</p>		<p>From: <i>Pinocchio</i> (1940, dir. Norman Ferguson et al)</p> <p>Stromboli declares: 'You will make lots of money ... for me!'</p>
1.21	<p>Jo: As soon as word got out, some dreadful images began appearing all over the city. Violent, bloody images of death.</p>	<p>Graffiti: Pinocchio Hanging from a Tree</p>	<p>From: Chiostri's original illustrations for Collodi's <i>Pinocchio</i></p> <p>The blue 3D paint effect was inspired by Johannes Vermeer's <i>Girl with a Pearl Earring</i>.</p>

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1.22 Jo: And those movie guys don't like trouble Mr Holmes; I'm afraid they'll pull out of the deal.

1.23


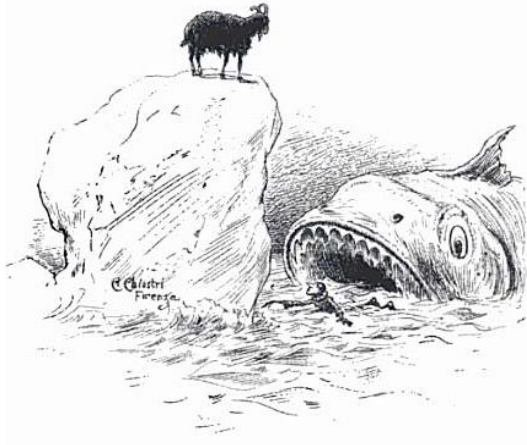
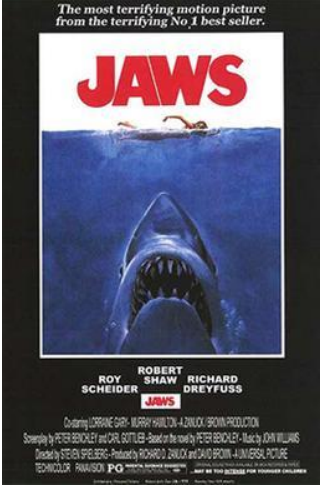



Exterior: Location of Graffiti

From: Pollard Street, Bethnal Green



Pollard Street is the location of the Banksy mural *Yellow Lines Flower Painter*. We used the same street corner for the graffiti of Pinocchio hanging.





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1.24		<p>Graffiti: Pinocchio and the Shark</p> 	<p>From: Chiostri's original illustrations for Collodi's <i>Pinocchio</i>, and the movie poster for the film <i>Jaws</i> (1975, dir. Steven Spielberg)</p>  
1.25		<p>Graffiti: Pinocchio and the Monster</p> 	<p>From: Chiostri's original illustrations for Collodi's <i>Pinocchio</i>, and <i>Saturn Devouring His Son</i> by Goya</p>  

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1.26	Jo: I spoke to the police, but they tell me these anonymous street artists are almost impossible to track down.	<p>Masks (design)</p> 	<p>From: <i>V for Vendetta</i>, by Alan Moore and David Lloyd, and the online activist group <i>Anonymous</i></p>  
1.27	Jo: But I did find this photo online; this mysterious woman ...		<p>From: <i>The Adventures of Pinocchio</i>, by Carlo Collodi</p> <p>Chapter 24 ends with this line: 'And Pinocchio threw himself on the floor and clasped the knees of the mysterious little woman.'</p>
1.28		<p>Mysterious Woman (design)</p> 	<p>From: <i>The Fairy Bower</i> (the Cottingley Fairies), and <i>Pinocchio</i> (1940, dir. Norman Ferguson et al)</p> <p>The design and colouring of the mysterious woman are based on one of the fairies captured in a colourised version of the fifth and last of the Cottingley Fairy photographs (The Fairy Bower, authorship disputed), as well as the Blue Fairy from Disney's <i>Pinocchio</i>. This detail from the colourised version of The Fairy Bower features on the front of <i>Reflections on the Cottingley Fairies</i>, by Frances Griffiths and Christine Lynch (Belfast, JMJ Publications, 2009).</p>  

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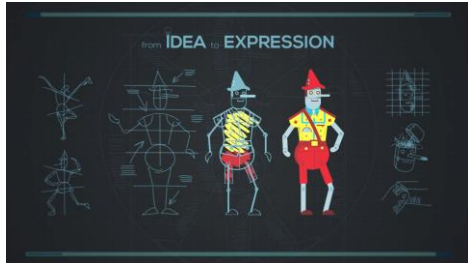

1.29	Jo: I think she may be the culprit. Please help me Mr Holmes. You're my last court of appeal ...		From: <i>The Adventure of the Five Orange Pips</i> (1891), by Arthur Conan Doyle Holmes: 'I am the last court of appeal. '
1.30	Jo: ... my only hope.		From: <i>Star Wars</i> (1977, dir. George Lucas) Princess Leia, in her recorded message: 'Help me Obi-Wan Kenobi, you're my only hope ... '
1.31		Interior: Hologram Effect 	From: <i>Star Wars</i> (1977, dir. George Lucas) Our hologram projection of Joseph was influenced by the hologram message that Princess Leia entrusts to R2D2. 
1.32	Sherlock (S): Bored!		From: <i>Sherlock: The Great Game</i> (series 1, episode 3) (2010, dir. Paul McGuigan) Sherlock, who is bored, exclaims: ' Bored! '
1.33	S: There's no case here John. There's no crime ... Oh, but I'm forgetting: graffiti is criminal damage ... Boring!		
1.34	John (J): Come on Sherlock, this guy looks scared. What if it's a threat? That's what the graffiti might mean.		From: <i>The Blind Banker</i> (series 1, episode 2) (2010, dir. Euros Lyn) Holmes: 'Yes, he was being threatened ... It was a threat. That's what the graffiti meant. '

1.35		Data Waterfall Effect 	From: <i>The Matrix</i> (1999, dir. The Wachowski Brothers) 
1.36	S: We have no evidence, John, and it's a mistake to theorise before you have all the data; it biases the judgement.		From: <i>A Study in Scarlet</i> (1888) and <i>A Scandal in Bohemia</i> (1891), by Arthur Conan Doyle In <i>A Study in Scarlet</i> , John remarks, 'You don't seem to give much thought to the matter in hand,' to which Sherlock responds, ' No data yet ... It is a capital mistake to theorize before you have all the evidence. It biases the judgment. ' Similarly, in <i>A Scandal in Bohemia</i> , Holmes remarks: ' I have no data yet. It is a capital mistake to theorise before one has data. Insensibly one begins to twist facts to suit theories, instead of theories to suit facts. '
1.37	J: Well ... if nothing else, it's copyright infringement.		
1.38	S: Meaning what?		Throughout Conan Doyle's canon Sherlock routinely displays complete ignorance of seemingly everyday facts and information, famously pleading ignorance of the fact that the Earth revolves around the Sun. It should come as no surprise, then, that our Sherlock appears to know very little about copyright law.
1.39	J: Copyright infringement. You know: copying someone's work without permission.		

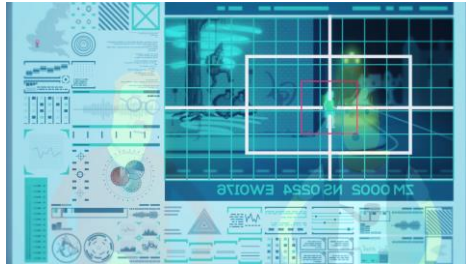

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1.40	S: Not interested.		Few people are.
1.41	J: What are you talking about? You're a creator yourself, you compose don't you?		
1.42	S: Composing only helps me think John ...		From: <i>Sherlock: A Scandal in Belgravia</i> (series 2, episode 1) (2012, dir. Paul McGuigan) John asks Sherlock, ' You composing? ' He replies, ' It helps me to think. '
1.43	S: ... and the work is its own reward.		From: <i>The Adventure of the Norwood Builder</i> (1903), by Arthur Conan Doyle Lestrade asks Holmes if he wants his name to appear on the report of the case. Holmes replies: ' Not at all. The work is its own reward. '
1.44		Sherlock Playing the Violin 	From: Sidney Paget's original illustrations for <i>The Strand Magazine</i> , as well as Basil Rathbone and Benedict Cumberbatch's on screen depictions of Sherlock playing the violin.   

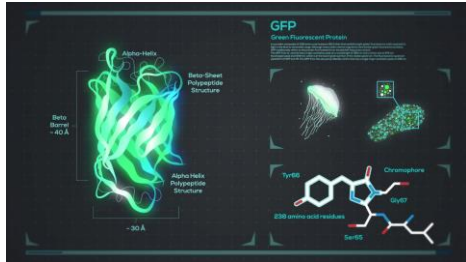
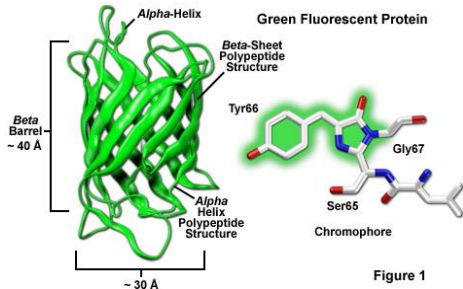

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1.45	J: Well that's fine for you, but not for Joseph. He had a fine idea ...		From: <i>The Adventures of Pinocchio</i> , by Carlo Collodi Chapter 2, Geppetto: 'This morning a fine idea came to me. '
1.46	J: ... he worked hard on it ...		This provides a passing reference to the criterion of originality under UK copyright law, and the so-called 'sweat of the brow' theory. Traditionally, the expenditure of 'skill, labour and judgment' was thought sufficient to determine that a work was original, and so worthy of copyright protection.
1.47	J: ... and, you know, money doesn't grow on trees.		From: <i>The Adventures of Pinocchio</i> , by Carlo Collodi Again, a reference to the trick played on Pinocchio by the Fox and the Cat when they convince him to plant gold coins in the hope of growing a money tree.
1.48	J: If you were a professional musician, you wouldn't want people copying and mutating your work.		This provides a passing reference to the moral rights that authors and artists enjoy, in addition to their economic rights, under the UK copyright regime. The language used here refers to the right of integrity, which allows an author to object to the derogatory treatment of their work whenever the treatment would be prejudicial to their honour or reputation. Under the UK copyright regime, the treatment of a work will be derogatory if it amounts to 'distortion or mutilation of the work or is otherwise prejudicial to the honour or reputation of the author or director' (CDPA, s.80(2)(b)).
1.49		Design Drawings 	From: Pinocchio's model sheet, produced as part of the animation process for the Walt Disney film. 

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1.50	J: And what about this girl in the photo? She looks like a ghost, like she could walk through solid walls.		From: <i>Sherlock: The Blind Banker</i> (series 1, episode 2) (2010, dir. Euros Lyn) Sherlock and John discuss the mysterious graffiti artist and likely murderer, noting that he appears to be ' someone who can walk through solid walls '.
1.51	S: Good old Watson!		From: <i>His Last Bow</i> (1917), by Arthur Conan Doyle Holmes declares, affectionately: ' Good old Watson! You are the one fixed point in a changing age.'
1.52	S: That's as plain as the nose on your face.		From: <i>Pinocchio</i> (1940, dir. Norman Ferguson et al) and <i>Sherlock: The Empty Hearse</i> (series 3, episode 1) (2014, dir. Jeremy Lovering) The phrase appears in both the Disney film and the <i>Sherlock</i> series.
1.53		Interior: Point of View through Screen 	From: <i>Minority Report</i> (2002, dir. Steven Spielberg) We see Sherlock and John through the screen, a point of view borrowed from <i>Minority Report</i> . 
1.54	S: Look: Enhance 224 to 176. Enhance. Stop.		From: <i>Blade Runner</i> (1982, dir. Ridley Scott) Deckard is examining a photograph on the ESPER machine. He instructs as follows: ' Enhance 224 to 176. Enhance, stop. Move in, stop. Pull out, track right, stop. '

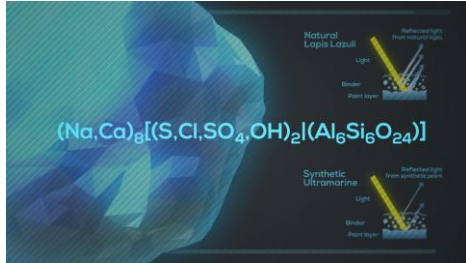
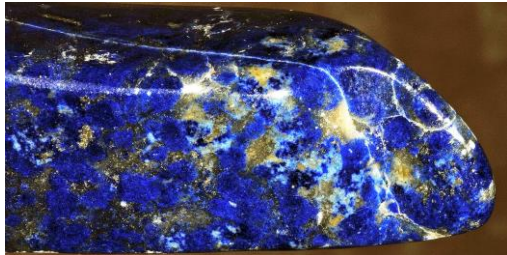
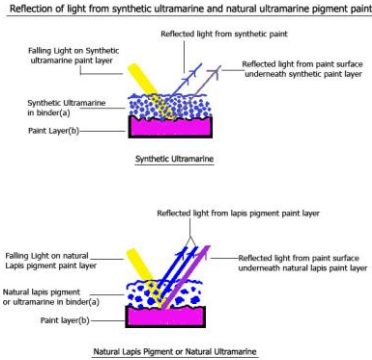
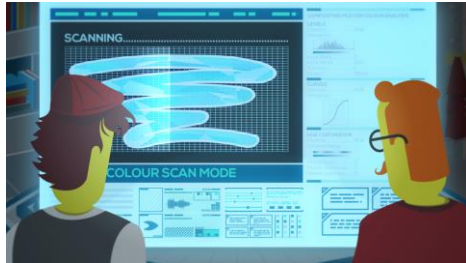

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1.55	S: Change from night-time to daylight. You see? It's nothing magic. It's just fluorescence John ...		<p>From: <i>Sherlock: The Hounds of Baskerville</i> (series 2, episode 2) (2012, dir. Paul McGuigan)</p> <p>Sherlock, in a state of agitated boredom, is reading through petitions for help received on their website. One case concerns a rabbit, Bluebell, that turned luminous – ‘like a fairy’ – just before it disappeared.</p> <p>The subplot about the rabbit Bluebell apparently references Alba, a transgenic albino rabbit that glowed in the dark. Alba, allegedly commissioned by the American artist Eduardo Kac, was created in 2000 by French scientists who injected the fertilized egg of an albino rabbit with green fluorescent protein (GFP) from a Pacific Northwest jellyfish.</p>
1.56	S: ... caused by a protein called GFP, isolated from a jellyfish which glows in the dark. The protein is composed of 238 amino acid residues ...	The text in the right-hand corner of the GFP illustration	<p>From: Wikipedia entry for ‘Green fluorescent protein’ (as it was in 2014), and Alba the transgenic albino rabbit</p> <p>Like the text in the top right-hand corner of the design drawings for Joseph’s toy (see 1.14 above), the six lines of text that are visible under the heading GFP are taken from the wikipedia entry for ‘Green fluorescent protein’.</p> <p>For further details about Alba, see 1.54 above.</p>
1.57		GFP Illustrations	<p>From: Sapphire Coast Marine Discovery Centre and Carl Zeiss Microscopy</p> <div data-bbox="669 1015 1133 1278">  </div> <div data-bbox="1160 999 1621 1289">  <p>Figure 1</p> </div> <div data-bbox="1720 946 2078 1385">  </div>

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1.58	J: Alright, alright, take it easy Crick. I get it. In daylight, her hair is actually just plain blue.		From: <i>Sherlock: The Hounds of Baskerville</i> (series 2, episode 2) (2012, dir. Paul McGuigan), and Francis Crick, English biologist John, speaking to Sherlock: ‘Yeah, alright Spock, just take it easy.’ We replaced the reference to Spock from <i>Star Trek</i> with Crick, itself a reference to Francis Crick, English biologist who co-discovered the structure of the DNA molecule together with James Watson. We thought this was more appropriate following Sherlock’s explanation of the structure of the GFP protein.
1.59	S: Say that again.		From: <i>Sherlock: A Study in Pink</i> (series 1, episode 1) (2010, dir. Paul McGuigan), and <i>The Hounds of Baskerville</i> (series 2, episode 2) (2012, dir. Paul McGuigan) Holmes: ‘Say that again.’
1.60	J: Take it easy ... Crick?		
1.61	S: The other part.		
1.62	J: Just plain blue?		
1.63	S: Blue, John. Exactly! Centre in. Pull back. Stop.		From: <i>Blade Runner</i> (1982, dir. Ridley Scott) More dialogue taken from Deckard’s instructions to the ESPER machine. as follows: ‘Centre in. Pull Back. Stop.’
1.64	S: Look at the paint, there is something intriguing about the blue. That three-dimensional, gem-like effect can be obtained only with natural lapis lazuli. Why would a street artist use such an expensive pigment when she could just use synthetic Ultramarine? It’s chemically identical, but much cheaper.		We were attracted to the idea that a vital clue in this episode turns on the fact that an exact replica of natural lapis lazuli could be manufactured in the form of synthetic ultramarine.

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1.65		<p>Synthetic Ultramarine v Natural Lapis Pigment</p> 	<p>From: Gemcoach and De Mairo Pigments</p>  
1.66	S: What's she telling us, is it some kind of code?		<p>From: <i>The Blind Banker</i> (series 1, episode 2) (2010, dir. Euros Lyn)</p> <p>Sherlock asks about the graffiti, 'Why were they put there?' John responds, 'Some sort of code?'</p>
1.67	J: I'm not sure I'm following you.		
1.68	S: Extract the colours. Isolate the blue. Analyse.		
1.69		<p>Interior: On-screen Interface</p> 	<p>From: Adobe After Effects interface (c.2015)</p> 

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1.70	S: There's no binder, no glue ...		<p>From: <i>Creation Records Ltd & Others v. News Group Newspapers Ltd</i> [1997] EWHC Ch 370</p> <p>This case concerned the artwork for the 1997 Oasis album <i>Be Here Now</i>. Mr Justice Lloyd considered various arguments about how best to define different types of artistic work, such as a work of sculpture or collage. In relation to the latter, he determined that a work of collage must involve, as an essential element, the sticking together of two or more things; it was not enough to point to the 'random, unrelated and unfixed elements' in the photograph in question. In other words, without glue there could be no collage. We wanted to reference this aspect of Lloyd J's opinion in the mystery at the heart of the graffiti.</p>
1.71	S: ... it doesn't make sense .		<p>From: <i>Sherlock: The Hounds of Baskerville</i> (series 2, episode 2) (2012, dir. Paul McGuigan)</p> <p>Sherlock: 'Nothing there! Doesn't make any sense.'</p> <p>Stapleton: 'What were you expecting to find?'</p> <p>Sherlock (pacing): 'A drug, of course. There has to be a drug – a hallucinogenic or a deliriant of some kind. There's no trace of anything in the sugar.'</p>
1.72	J: Because?		
1.73	S: Because without a binder the paint shouldn't stick.		
1.74	J: So, it's impossible?		
1.75	S: Impossible, John? No. But as I always say, once you've ruled out the impossible, whatever remains, however improbable, must be true.		<p>From: Various</p> <p>This expression, or a similar version of it, is used in various stories from Doyle's canon, including <i>The Adventure of the Beryl Coronet</i>, <i>The Adventure of Silver Blaze</i>, <i>The Adventure of the Priory School</i>, <i>His Last Bow</i>, <i>The Adventure of the Bruce-Partington Plans</i> and <i>The Adventure of the Blanched Soldier</i>.</p> <p>In addition, it is often quoted in popular fiction, including in the BBC series <i>Sherlock</i>, and by Leonard Nimoy as Spock in <i>Star Trek VI: The Undiscovered Country</i> (1991, dir. Nicholas Meyer).</p>

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1.76	S: Grab your coat John, the Game is On!		<p>From: <i>A Study in Pink</i> (series 1, episode 1) (2010, dir. Paul McGuigan)</p> <p>Sherlock: 'Want to see some more?'</p> <p>John: (Blurts out of him) 'Oh, God, yes!'</p> <p>Sherlock: 'Get your coat.'</p> <p>and</p> <p>Mrs Hudson: 'Look at you, all happy. It's not decent.'</p> <p>Sherlock: 'Who cares about decent? The game, Mrs. Hudson, is on!'</p>
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