

Bills aim to silence impostors performing as original groups

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TALLAHASSEE — Carl Gardner's popular 1960s R&B group is down to its last Coaster.

The 78-year-old Port St. Lucie resident is the last surviving member of the original Coasters, best known for their hit songs *Yakety Yak*, *Charlie Brown* and *Poison Ivy*.

But that hasn't stopped as many as a half-dozen other musical acts from performing under the group's name.

Since the 1990s, Gardner and his wife, Veta, have spent

■ **Crist, Cabinet to vote on false rights, 4A** thousands of dollars trying to stop "impostor groups" from calling

themselves the Coasters. Now they're hoping two bills being considered by the Florida Legislature will finally put an end to their fight — at least in Florida.

"In spite of owning the trademark, we still do have a lot of problems," said Veta Gardner, who manages her

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Carl Gardner, founder and lead singer of the Coasters, and his wife, Veta, have been fighting impostors using the group's name since the 1990s. Bills in the Florida Legislature may help them.

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husband's group. "They go up on stage and they get a standing ovation. It's very frustrating. All of the credit that the original guys have, they just take those credits."

The bills (HB 1040, SB 426) would prohibit a musical act from performing under the original group's name unless it included at least one member who recorded music with the original group or it identifies itself as a "tribute" act. The measures would not apply to groups that hold the legal rights to an act's name but don't have any original members.

If approved, groups that falsely identify themselves could be charged with a second-degree misdemeanor and face up to a \$5,000 fine.

Sen. Burt Saunders, R-Naples, who sponsored the Senate bill, said the proposed law is meant to protect consumers who think they're getting the real deal when they buy a ticket.

"It just seemed to make sense for consumers," Saunders said. "If you are advertising that the Temptations are going to be playing somewhere, there ought to be some indication that the group is not really the Temptations."

Saunders said he filed the bill at the urging of Tallahassee lobbyist David Bishop, who is working with the Vocal Group Hall of Fame, a nonprofit organization based in Sharon, Pa.

Bishop, who works for the firm Uhlfelder and Associates, said he's volunteering his time to help with the bill because he loves music.

"I have been to concerts in parts of the country where I was sort of taken in thinking that they were members

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of the original group when they weren't," Bishop said. "I consider myself to be a pretty aware person. ... I hope that this bill is going to prevent this kind of thing from happening."

The hall of fame has been pushing the anti-impostor law, dubbed the Truth in Music Act, across the country.

Similar legislation has been approved in at least seven states, including Pennsylvania and Michigan. A dozen others are considering the law.

Jon "Bowzer" Bauman, formerly of the group Sha Na Na and chairman of the hall of fame's Truth in Music Committee, said the law successfully stopped two impostor groups in Pennsylvania. The shows were turned into "tributes" and the public was offered refunds, he said.

Old-time groups such as the Coasters, Platters and Drifters are among the most imitated groups in the country, Bauman said. Their members aren't as recognizable as many of today's artists, who appear in music videos and on multiple Web sites.

"The visual identification was lacking," Bauman said. "Therefore to some extent, you can put any four or five guys up there and the public is really not going to know what it's seeing."

Gardner, the Coasters' founder and former lead singer, stopped performing with the group after he suffered a stroke that affected his voice, Veta Gardner said. His son Carl Gardner Jr. has replaced him. The group also includes several members

who recorded with the Coasters over the years.

But while Gardner's Coasters continue to perform, another group using the name takes the stage nightly at the Sahara Hotel and Casino in Las Vegas. The group, Cornell Gunter's Coasters, is named after one of the original members and also performs with groups working under the names the Platters and Bear, Hobbs Drifters.

The Sahara referred all calls about the Coasters show to the band's promoter, Bill Caron. He declined to comment on the Truth in Music effort, which is also being considered by Nevada lawmakers.

"There has been so much going on with that, I don't want to confuse the issue," Caron said Monday. "I just don't speak to it."

Veta Gardner said knock-off groups take work away from the real artists and put unnecessary stress on her husband. She said they have gone as far as autographing the original group's albums.

"It is very difficult," said Veta Gardner, who is also a member of the hall of fame's committee. "This time of his life we should be able to relax. ... Now, when we should be really enjoying life, we are fighting these impostor groups."

Bauman said he knows lawmakers have more pressing issues to address. But he said the knock-off acts are a problem that can be easily stopped at no expense to state taxpayers.

"We are aware that we are not dealing with health care," Bauman said. "This is a sad and pathetic form of identity theft. It's awful if you are Carl Gardner. It's aggravating if you're the public."

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