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Studio Renews Fight For Soviet Cartoons

By Olga Razumovskaya

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Soyuzmultfilm will resume its 16-year battle Wednesday to regain the rights to its beloved catalog of Soviet cartoons, seeking to invalidate a 1992 agreement under which it transferred roughly 1,200 films to a U.S. company.

The state-run studio has filed a suit in the Moscow Arbitration Court seeking to cancel its contract with California-based Films by Jove. Soyuzmultfilm, whose creations include "Hedgehog in the Fog" and the Russian version of "Winnie the Pooh," has argued that the deal was invalid because an unauthorized employee signed off on the sale.

Soyuzmultfilm almost immediately began seeking to regain control of the cartoons, and in 1994, the U.S. firm agreed to return about half the collection, leaving it with 547 titles.

But Films by Jove agreed to sell the rights to the "Golden Collection," which also includes the iconic "Cheburashka" and "Mowgli" cartoons, for an undisclosed sum to Metalloinvest owner Alisher Usmanov in August 2007.

The billionaire donated the collection to the state-run children's channel Bibigon in September 2007.

The purchase included "the entirety of intellectual property that the owner [Films by Jove] had purchased in 1992 and 1994 from Soyuzmultfilm," Metalloinvest's press service told Interfax at the time.

"Since then, nothing has changed. Mr. Usmanov has no relation to the collection at this point," a spokesman for Usmanov's metals holding told The Moscow Times on Tuesday.

Soyuzmultfilm declined to elaborate on its expectations from the court hearing or comment on why it continued to pursue Films by Jove in court.

"It would be incorrect to comment on the hearing before its completion," a spokesperson told The Moscow Times.

Joan Borsten, who founded Films by Jove with her husband, actor and director Oleg Vidov, told The Moscow Times in 2007 that they were "out of the Russian animation business."

They could not immediately be reached for comment Tuesday.

By the time of the sale, the couple had already gone through the ups and downs of the Russian and U.S. legal systems, defending their millions of dollars of investment to restore parts of the collection.

Russia's Supreme Arbitration Court overturned the decisions of lower courts and gave the rights for the cartoon collection to Soyuzmultfilm in 2001, but U.S. courts backed Vidov and Borsten's claims to the collection.

"The Americans found the agreement valid to the best of my knowledge. Even if the Russian court rules that the contract is invalid, it would be really difficult to enforce this decision in the U.S.," said Denis Voyevodin, a partner at the Salans law firm.

"In this situation, the statute of limitations may become an issue. The case has been dragging on since 1992," he said.

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