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Italian court sides with WKU in Big Red lawsuit

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Italian television character Gabibbo is shown in Milan in this undated photo.

Associated Press

It's been a long, strange trip for Ralph Carey, the inventor of Western Kentucky University mascot Big Red.

When the WKU graduate first created Big Red in 1979, he couldn't have predicted it would lead to a 15-year-old lawsuit against an Italian media company accused of copying WKU's iconic mascot for one of its TV shows.

But on Wednesday, Italy's highest court published a decision recognizing the merits of Carey's case.

"It's been an interesting journey," Carey told the Daily News on Thursday, going on to quote American baseball legend Yogi Berra: "It ain't over till it's over."

In a lawsuit first filed in 2002, WKU and several other parties sued Mediaset, an Italian television company it accused of copying its mascot for its satirical news show "Striscia La Notizia."

The mascot, named Gabibbo, bears a striking resemblance to Big Red, with both characters having rotund bodies with red fur and gaping, white eyes. There are a few minor differences. For his part, Gabibbo wears a mock tuxedo and cufflinks and can talk.

The lawsuit claimed lost earnings of \$250 million, but the judge ultimately sided with Mediaset.

The suit was later filed again to include Carey as a party, which prompted the decision Wednesday. It will now be re-filed and head to the Milan Court of Appeals.

Representatives of "Striscia la Notizia" have claimed that Gabibbo was trademarked in Italy in 1990, and that WKU didn't do so for Big Red until 1991.

But Antonio Ricci, the TV show's creator, admitted in a 1991 interview with Novella 2000 magazine that he saved Gabibbo from a life as "a clown in Kentucky."

"There was this puppet called Big Red who was the mascot of an American basketball team. The team is Western Kentucky University," Ricci is quoted as saying, according to a previous Daily News article.

"I've wrested him from a life of hardships and humiliations. He was a clown in Kentucky; he's the biggest TV star here, in Italy ... Big Red became Gabibbo."



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Ricci didn't deny making those remarks in a 2004 interview with the New York Times, but he said he was joking.

Steven Crossland, who manages WKU's international licenses, told the Daily News on Thursday that he's pleased with the court's decision. He hopes to move forward with exerting WKU's rights and "figure out a way that this makes sense for everybody."

The case has become somewhat of a running joke in Carey's household. He never imagined this fate for a character he said started as a scribble in a spiral notebook.

When Carey looks at Big Red, he sees a character inspired by his trips to the Kings Island amusement park and the costume characters he encountered. He's enjoyed watching the character turn into a WKU tradition.

Although he has faith there will be a fair judgment in the case eventually, Carey said he's learned to be cautious when making predictions about how things will turn out.

"Who knows," he said.

– *Daily News crime and courts reporter Justin Story contributed to this story.*

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