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[Would the Real Slim Shady Please Stand Up](#)

Posted on May 19, 2011 by [Brent Lorentz](#)

Before I launch into this post, I must provide the disclaimer that I am not a Tweeter and I do not regularly use Twitter. That being said, here we go.

If imitation is the greatest form of flattery, then Twitter is quickly becoming sycophancy central. “Fake” Twitter accounts abound throughout the Twitter-verse and, frankly, I find this accounts to be fascinating case studies where all sorts of legal rights might potentially collide.

Sitting down and just brainstorming for a minute, it occurs to me that fake Twitter accounts could potentially implicate a broad range of legal issues such as trademark rights, rights to publicity, privacy rights, defamation, and fair use.

To my knowledge, the majority of fake Twitter accounts are comical and parodic in nature, or at least attempt to be. Given this, it would appear that they would likely be protected by fair use. For some entertaining examples, see [PC World's 15 Funniest Fake Twitter Accounts](#). ESPN even took the time to document [some of its favorites](#). However, fair use is often a tricky line to draw.

To date, I believe the most visible lawsuits relating to Twitter have fallen more into the category of defamation claims arising from insulting posts. (See [here](#).) However, as more Tweeters take on alternate identities and use those identities as a platform for their own content, I can see trademark owners, copyright owners, and high-publicity figures taking a closer look at potential infringements arising from these fake accounts.

I guess what I'm trying to say is that I think Twitter is becoming an interesting Petri dish for legal experiment, and I'm curious as to how that experiment might turn out. Does anyone have their own thoughts on potential results?



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