



## **Right of Publicity Roundup**

March 7, 2011 by Bob Tarantino

A slew of interesting materials have recently been posted relating to developments in the United States law relating to the "right of publicity" (for Canadians, the closest analogue would be the rights protected by the tort known as "appropriation of personality" - for some Canadian-specific academic treatment of the topic, see the resources listed in this earlier Signal post):

- Aaron Moss's When It Comes to the Right of Publicity, Yes Doubt, looks at some recent California cases revolving around the use of celebrity images, particularly in the context of videogames
- Mark Litwak provides a short but information-packed post discussing the Jimi Hendrix Right of Publicity Suit - meaning the recent decision of the US District Court for the Western District of Washington in Experience Hendrix, LLC vs Hendrixlicensing.com, Ltd., a case which examined the post-mortem treatment of publicity rights, particularly where there are conflicting state laws which might be applied
- Mark A. Fischer and Franklin H. Levy have written a lengthy discussion on Privacy Rights and Celebrities: Truth, Fiction and Biopics, examining the right of publicity as modulated by free expression concerns in the context of "biopics" or "docudramas" - with a focus on the recent movie *The Social Network*

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