

Keeping Up With The Kopyrights

July 24, 2017 – The TMCA

by Case Collard



Kendall and Kylie Jenner are beefing with the late Tupac Shakur. The Jenners are not singers or rappers (yet), but they do have a fashion line, the "Kendall + Kylie" brand. The famous sisters' company used images of the late rapper on t-shirts. However, the images they used were from photographs taken by Michael Miller and Kendall + Kylie allegedly did not obtain a license directly from Mr. Miller prior to using the

images. Earlier this month, Mr. Miller filed suit in the U.S. District Court for the Central District of California alleging copyright infringement by the Jenner sisters and their company for using his images without properly licensing them.

Representatives for the Jenners denied the allegations, saying that they purchased shirts created by another company that **were** properly licensed, and then added Kendall and Kylie's images and their logo. While not the most original design scheme, it might help them defend against the copyright allegations. However, it is unlikely to come to that because it turns out, the Jenner sisters only sold two—yes, tu!—Tupac shirts before pulling them from stores. The Jenner sisters did not only potentially run afoul of Mr. Miller's copyrights, they also created shirts using images of Notorious B.I.G. (Christopher Wallace), Pink Floyd's "Dark Side of the Moon" logo, Ozzy Osbourne, and more.

The Jenner sisters unwittingly invited a copyright infringement action, but also waded into the thorny thicket of "rights of publicity" and "post-mortem rights of publicity." We've written about those before, after the passing of Prince. The Jenners received a swift backlash after introducing the shirts—everyone from Christopher Wallace's mother to

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Ozzy's wife Sharon Osbourne objected to the shirts. Pulling the shirts out of stores quickly may help them avoid a bigger fight with rightful owners of the IP. Kendall + Kylie can hopefully avoid a fight and shift their focus back to selling bodysuits and rompers **without** any famous faces on them.