

## MURALS CON HOMEWORK

For further reading, check out the links and cases listed below.

- **Cultural Appropriation**

- **What Does 'Cultural Appropriation' Actually Mean?, The Atlantic**  
<https://www.theatlantic.com/politics/archive/2017/04/cultural-appropriation/521634/>
- **Commentary: Cultural Appropriation Is, In Fact, Indefensible, NPR**  
<http://www.npr.org/sections/codeswitch/2017/06/28/533818685/cultural-appropriation-is-in-fact-indefensible?sc=ipad&f=1008>
- **Cultural Appropriation: When 'Borrowing' Becomes Exploitation, Huffington Post**  
[https://www.huffingtonpost.com/the-conversation-africa/cultural-appropriation-wh\\_b\\_10585184.html](https://www.huffingtonpost.com/the-conversation-africa/cultural-appropriation-wh_b_10585184.html)
- **Maya Weavers Propose a Collective Intellectual Property Law, Intercontinental Cry**  
<https://intercontinentalcry.org/maya-weavers-propose-collective-intellectual-property-law/>

- **VARA and Copyright**

- **A Guide to the Visual Artists Rights Act, Cynthia Esworthy, NEA Office of General Counsel, JD Washington & Lee Law School 1997**  
[http://www.law.harvard.edu/faculty/martin/art\\_law/esworthy.htm](http://www.law.harvard.edu/faculty/martin/art_law/esworthy.htm)
- **What Right Do Muralists Have To The Buildings They Paint On?, NPR**  
<http://www.npr.org/2015/06/27/417204222/what-right-do-muralists-have-to-the-buildings-they-paint-on>
- **Graffiti and the Visual Artists Rights Act, Amy Wang, Washington Journal of Law, Technology & Arts**  
<https://digital.law.washington.edu/dspace-law/bitstream/handle/1773.1/1479/11WJLTA141.pdf?sequence=3>

- **Lookup These Lawsuits**

- **Anasagasti v. American Eagle Outfitters Inc., No. 14-5618 (S.D.N.Y. July 7, 2014)** - Artist David Anasagasti filed a lawsuit against retailer American Eagle Outfitters for unauthorized use of his Miami mural "Ocean Grove" in an advertising campaign. The parties reached a confidential settlement in December 2014.

- **Williams v. Roberto Cavalli, No. 14-06659 (C.D. Cal. Aug. 24, 2014)** - California artists Jason Williams (known as "Revok"), Victor Chapa (known as "Reyes") and Jeffrey Rubin (known as "Steel"), filed a lawsuit against fashion design house/retailer Roberto Cavalli S.p.A. and also naming a number of retailers as co-defendants, asserting that Cavalli's "Graffiti" collection copied a mural in San Francisco on which they collaborated. The complaint asserted violation of the Copyright Act, the DMCA, and the Lanham Act. The parties reached a confidential settlement.
- **Tierney v. Moschino S.p.A., et al., No. 2:15-cv-05900 (C.D. Cal. filed August 5, 2015)** - Graffiti artist Joseph Tierney, whose street name is "Rime," filed a lawsuit against Italian fashion house Moschino, and its creative director, Jeremy Scott, alleging copyright infringement, trademark violations under the Lanham Act, and unfair competition and appropriation of name and likeness under California law. Tierney's work *Vandal Eyes* was created as a mural in Detroit. Moschino incorporated the artist's graffiti tag "RIME." Tierney alleged that Moschino's actions damaged Tierney's "street cred." Both parties filed motions to dismiss and both were denied. The parties reached a confidential settlement in May 2016.
- **Allsop v. Ultracor, Cal. Super. Ct. (Los Angeles Cty.) No. SC125210, January 4, 2016.** - British graffiti artist Mark Allsop who works under the names "Malarky" and "Malarko Hernandez" filed a lawsuit against NY fashion boutique in the Superior Court for the County of Los Angeles, asserting trademark and right of publicity claims.

## • **Professional Organizations and Resources**

- **Forecast Public Art** – Nonprofit organization dedicated to advancing the field of public art. <http://forecastpublicart.org/>
- **Americans for the Arts** – Professional organization dedicated to serve, advance, and lead the network of organizations and individuals who cultivate, promote, sustain, and support the arts in America. . <https://www.americansforthearts.org/>
- **Public Art Archive** – Database of public art opportunities for artists, contractors, conservationists, etc. <https://www.codaworx.com/>

## • **Where to Apply for Calls**

- **Call for Entry** – Database of many different opportunities for artists from fellowships, to juried shows, to residencies, to public art projects. <https://www.callforentry.org>
- **CODAWorx** – Commission opportunities and information on commission projects for artists and creative teams. <https://www.codaworx.com/>
- **Public Art Archive** – Free, continually growing, online and mobile database of completed public artworks. <https://www.publicartarchive.org/>