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An Advertising Face-Off: Images and the Right of Publicity

The California Supreme Court heard oral argument on June 3 in an important “right of publicity” case, *Christoff v. Nestle USA Inc.* Issues included whether the single publication rule applicable to mass communication-based torts applies to right of publicity claims; whether use of another’s likeness on a product label is a “publication” for purposes of the rule; whether its continuing use on product labels and in various product advertisements constitutes a “republication” for each use giving rise to new causes of action; and whether the discovery rule applies to right of publicity claims.

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