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TAGGED: GRAFFITI'S ADVANCEMENTS IN MAINSTREAM CULTURE THROUGH EXPANDED COPYRIGHT PROTECTION IN WILLIAMS V. CAVALLI

I. INTRODUCTION

“At first, I think, then I see, then I show what I see.”¹ This is how the Russian graffiti artist P183 (Pavel Pukhov) described his creative process. Graffiti has had a long mixed relationship with the law and mainstream culture. It started as part of a counterculture during the sixties in New York.² Graffiti is found all over the world and most commonly has been associated with vandalism and a method of breaking boundaries. It has been used to tag an artist’s identity in a place, to make social and political commentaries, and to aesthetically please viewers. Presently it is accepted as an art by many and is even featured in museums. Graffiti is moving more and more into mainstream culture: it’s no longer only on the walls of cities but present online, on merchandise, and in many wardrobes. Traditionally most graffiti is created in the dark. Now it is common to see graffiti artists working in broad daylight while pedestrians pass by and tourists stop to take pictures of the artists working. Despite, graffiti’s movement into mainstream culture it is just beginning to gain acceptance in the law. “No other art movement in human history has so thoroughly confounded the deeply held concepts of public and private property; no other art movement has so thoroughly made itself a public-policy issue.”³ Interestingly, although there are many state and local laws prohibiting illegal graffiti, many artists are now seeking copyright protection for their graffiti.

¹ PAVEL, <http://www.183art.ru/information/information.htm> (last visited May 5, 2016).

² Arpone, *The History of Graffiti Writing, An Exploration Of Graffiti And It's Origins*, TUFTS (2001), http://www.tufts.edu/programs/mma/fah189/2003/bobby_ben/history/essay.htm.

³ Roger Gastman & Caleb Neelon, *THE HISTORY OF AMERICAN GRAFFITI* 23 (Harper Design 2011).

II. BACKGROUND

There is no question that intellectual property laws can protect graffiti. There are copyrighted graffiti artworks and there are cases addressing copyright infringement of these works. The first copyright infringement case involving graffiti was *Villa v. Brady Publishing*, No. 02 C 570, 2002 WL 1400345 (N.D. Ill. June 27, 2002), which took place in 2001.⁴ In *Villa*, the Chicago artist Hiram Villa brought copyright infringement claims against Brady Publishing (“Brady”) for his wall painting entitled “UNONE Piece 20” which Brady published a repainted reproduction of the artwork in the book entitled *Tony Hawk’s Pro Skater 2 Official Strategy Guide*.⁵ Villa’s claims were dismissed twice because the copyright was not registered.⁶ After Villa registered the copyright in the mural a third action was brought against Pearson Education (also known as Brady Publishing).⁷ Brady moved to dismiss the complaint by arguing that “the mural in question is not protected by copyright...because it is illegal graffiti”.⁸ The Court denied the motion to dismiss but acknowledged that there was a need to assess the illegality of the mural with respect to whether the mural is copyright eligible.⁹ This case settled out of court.¹⁰

The next time a federal court addressed copyright eligibility of graffiti, the style of art had worked its way into the fashion industry. First in 2009, Daniel Reece a well-known New York graffiti artist brought a pro se suit against Marc Ecko Unltd., Marc Ecko Enterprises, for using his artwork and likeness in a

⁴ *Villa v. Brady Publishing*, No. 02-C570, 2002 WL 1400345 (N.D. Ill. June 27, 2002).

⁵ *Id.* at 2.

⁶ *Id.*

⁷ *Villa v. Pearson Educ., Inc.*, No. 03-C3717, 2003 WL 22922178 (N.D. Ill. Dec. 9, 2003).

⁸ Bobby Ghajar & Brittany M. Elias, *Street Art: The Everlasting Divide Between Art and Intellectual Property Protection*, LANDSLIDE, May/June 2015, at 4-5, available at https://www.pillsburylaw.com/siteFiles/Publications/ABALandslide_Ghajar_MayJune2015.pdf.

⁹ *Id.*

¹⁰ *Id.*

videogame they licensed.¹¹ In 2011, Reece lost on all claims.¹² The court found that there was no substantial similarity between the graffiti and the game art and that Reece's pseudonym was not protected by copyright law.¹³ In 2014, the Miami street artist David Anasagasti filed suit against American Eagle Outfitters for using his artwork in their global marketing campaign.¹⁴ ¹⁵ The artist's original mural (located in Miami) was featured in an American Eagle Outfitters commercial.¹⁶ The artist alleged that American Eagle Outfitters did not seek permission to feature his mural in their commercial, in other words they did not obtain a license to use his copyrighted work.¹⁷ The parties later settled the case privately.¹⁸ It is my opinion that all these cases opened the flood gates for street art litigation in the United States.

The influx of street art litigation is extremely interesting because street art has traditionally been seen as illegal and associated with vandalism. It is not surprising to see graffiti in videogames and in clothing stores, such as American Eagle, because those industries are targeted at young adult and teen consumers. It is surprising, however, to see graffiti in the arenas of high designer fashion. This trend is reflective of graffiti's increasing recognition as an accepted art form, and as this

¹¹ *Reece v. Marc Ecko Unltd.*, 10 CIV. 02901 JSR DF, 2011 WL 4112071 (S.D.N.Y. Aug. 19, 2011).

¹² *Id.* at 19-23.

¹³ *Id.*

¹⁴ Brittany Elias, *Really American Eagle? Don't You Think You Took It A Little Too Far?*, THE DOTTED LINE REPORTER (Aug. 4, 2014), <http://dlreporter.com/2014/08/04/american-eagle-copyright-infringement/>.

¹⁵ According the Center for Art Law street art infringement cases began in 2014 with the copyright case *Anasagasti v. American Eagle Outfitters, Inc.*, I disagree with this because the Villa and Reece cases preceded the Anasagasti case. However, I believe it is because of this case that street art infringement cases have become more noticeable.

¹⁶ Nadege Green, *Miami Artist Sues American Eagle Outfitters for Copyright Infringement*, WLRN (Jul. 29, 2014), <http://wlrn.org/post/miami-artist-sues-american-eagle-outfitters-copyright-infringement>.

¹⁷ Bill Donahue, *American Eagle, Street Artist Settle Copyright Suit*, LAW360 (Dec. 2, 2014), <http://www.law360.com/articles/600542/american-eagle-street-artist-settle-copyright-suit>, also available at Docket number 1:14-cv-05616.

¹⁸ *Id.*

recognition grows, the influx of street art litigation will continue to grow.

Lately, high fashion designers have taken photographs of graffiti artists' artworks in California and have used those artworks in their own clothing lines without permission from the artists. Despite previous street art cases, the specific issue of copyright management information¹⁹ has never been applied to the protection of copyright registered graffiti before, until the case *Williams v. Cavalli*. *Williams* is the first case that addresses whether or not a graffiti artist's signature in their graffiti artwork is copyright management information. This is important because often in graffiti art the signature of the artist is a pseudonym and is part of the artwork itself as opposed to the traditional signature in the corner of an artwork that is often the norm in non-graffiti artworks.

III. SUBJECT CASE: *WILLIAMS V. CAVALLI*

In *Williams*, the plaintiffs Jason Williams, Victor Chapa, and Jeffery Rubin (collectively, "Plaintiffs"), are well-known and respected graffiti artists who have exhibited their work around the world.²⁰ In 2012, the Plaintiffs created a mural in San Francisco. The mural contained the Plaintiff's signature elements. The stylized signatures of "Revok" and "Steel" are the pseudonyms that identify the plaintiffs Williams and Rubin. These signatures appear on a background of "revolutions" imagery which is publicly recognized as plaintiff Chappa's signature style.²¹ The Defendants are the producers and distributors of *Just Cavalli* clothing, Roberto Cavalli S.P.A., an Italian corporation; Staff International S.P.A., an Italian Corporation; Staff USA, Inc., a

¹⁹ Copyright Management Information ("CMI") is information conveyed in connection with copies or phonorecords of a work or performances or displays of a work, including in digital form, except that such term does not include any personally identifying information about a user of a work or of a copy, phonorecord, performance, or display of a work. There are eight categories of information that can be CMI. CMI is brought within the Digital Millennium Copyright Act. 17 U.S.C. § 1202 (2012).

²⁰ Pls. ['] Compl.

²¹ *Williams v. Cavalli*, No. CV 14-06659-AB JEMX, 2015 WL 1247065 (C.D. Cal. Feb. 12, 2015).

Delaware corporation; Nordstrom, Inc., a Washington corporation; Amazon.com, Inc., a Delaware corporation; and Zappos.com, Inc., a Delaware corporation (collectively, “Defendants”)²² The Defendants, using high resolution photography, obtained images of the Plaintiffs’ mural and placed those images on their clothing collection.²³ The Defendants rearranged the “Revok” and “Steel” signatures, but left Chapais’s “revolutions” intact.²⁴ The rearrangement of the signatures rendered them indiscernible. Furthermore, the Defendants placed the brand name “Just Cavalli” on some of the items in the clothing collection.²⁵ The Defendants have sold items from their collection all around the world. The Plaintiffs applied for federal copyright registration for the mural on June 5, 2014. After, the Plaintiffs learned of the Just Cavalli collection, they demanded that the plaintiffs cease using images of their mural and remove the collection from the marketplace.²⁶ The Defendants refused. The Plaintiffs brought suit in the Central District of California. Plaintiffs asserted causes of action under federal copyright law, federal and state unfair competition law, and common law. The Plaintiffs also assert that the Defendant’s use of their artwork has damaged their reputation and credibility.²⁷

The defendants Staff USA, Inc., Nordstrom, Inc., Amazon.com, Inc., and Zappos.com, Inc. (collectively, “Moving Defendants”) moved to dismiss the Plaintiffs’ second, third, fourth, and fifth causes of action on December 2, 2014. This case addresses the motion to dismiss. The third, fourth, fifth causes of actions deal with unfair competition under federal, state, and common law.²⁸ The motion to dismiss these three causes of action

²² Pls. [?] Compl.

²³ *Williams*, 2015 WL 1247065 at 2.

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.* at 2-3.

²⁷ *Id.* at 3.

²⁸ Plaintiff Chappa alleged that the Defendants violated § 43 (a) of the Lanham Act by using Chapa’s signature “revolutions” imagery in the Cavalli Collection Items. *Williams*, 2015 WL 1247065 at 4. “Section 43(a) of the Lanham Act prohibits producers of consumer goods from using a “false designation of origin” that” is likely to cause confusion, or to cause mistake, or to deceive as to its affiliation, connection, or association of such person with another person, or

were denied by the court.²⁹ This note will address the second cause of action, Removal and Alteration of Copyright Management Information in Violation of 17 U.S.C. § 1202.

The Plaintiffs alleged that by removing and altering their signatures “Revok” and “Steel” from the images of the mural that were used on the clothing collection, that the defendants Roberto Cavalli, S.p.A, Staff USA, Inc., and Staff International, S.p.A. violated 17 U.S.C. § 1202.³⁰ Only Staff USA, Inc. is party to this motion to dismiss from the three previously named defendants. This act prohibits the intentional removal or alteration of copyright management information with knowledge that doing so “will induce, enable, facilitate, or conceal” copyright infringement. “Copyright management information means any of the following information conveyed in connection with copies or phonorecords of a work or performances or displays of a work, including in digital form, except that such term does not include any personally identifying information about a user of a work or of a copy, phonorecord, performance, or display of a work.”³¹ There are eight listed categories in which information is deemed copyright management information.³² The Plaintiffs allege that the signatures

as to the origin, sponsorship, or approval of his or her goods, services, or commercial activities by another person.” 15 U.S.C. § 1125(a). *Id.* The plaintiff alleged that his “revolutions” imagery functions as “product packing or logo” and that the Defendant’s use of the “revolutions” imagery is a false designation of origin and likely to cause consumer confusion. *Id.* at 5. The Defendant moved to dismiss this cause of action claiming that the Supreme Court decision *Dastar Corp. v. Twentieth Century Fox Film Corp.*, preclude the Plaintiff’s claims. In *Dastar* the court distinguished between “reverse passing off” and “passing off”. Reverse passing off is taking someone else’s work and selling it under the seller’s own name. Passing off is using someone’s work to create a false and deceptive impression. The Court in *Dastar* reasoned “that when section 43(a) of the Lanham Act refers to a “false designation of origin”, it means a false designation of the producer or manufacturer of tangible goods, not the source of communication embodied in the work” *Id.* The Court in *Williams v. Cavalli* found that plaintiff Chappa’s claim established a passing off and not a reverse passing, and dismissed Defendant’s motion to dismiss on this claim.

²⁹ *Williams*, 2015 WL 1247065 at 16.

³⁰ *Id.* at 5-6.

³¹ 17 U.S.C. § 1202

³² *Williams*, 2015 WL 1247065 at 5-6.

fall into the third category, “the name of, and other identifying information about, the copyright owner of the work, including the information set forth in a notice of copyright”.³³ The Moving defendants provided no support for their argument that the signatures do not constitute copyright management information. The Court reasoned that signatures are “the exact type of information that would identify the author of a work”.³⁴ Although, the signatures of the Plaintiffs are pseudonyms, they are widely recognized and associated with the Plaintiffs and therefore fall within the scope of copyright management information.³⁵ The Court relied on *Tylor v. Rhythm of Life Cosmetics, Inc.*³⁶, which held that a photographer’s signature in the bottom corner of a photograph constituted copyright management information.³⁷

The Moving Defendants then argued that the Court should look to the legislative purpose behind the Act. They stated that the Digital Millennium Copyright Act (“DMCA”) was targeted at digital copyright issues and that “therefore some technological process must have been used in placing or removing the signatures” for the Act to apply.³⁸ The Moving Defendants relied on two cases in this argument. The first case’s holding, *I.Q. Grp. V. Weisner*³⁹, was rejected by the Third Circuit in *Murphy v. Millennium Radio Grp. LLC*. 650 F.3d 295, 305 (3d Cir. 2011). The second case, *Textile Secrets Int’l v. Ya-Ya Brands, Inc.*, 524 F. Supp 2d 1184, 1201-1202 (C.D. Cal 2007), did not withstand further inquiry by the Court because a more recent Central District of California opinion, *Fox v. Hildebrand*, 2009 U.S. Dist. LEXIS

³³ *Id.* at 4-5.

³⁴ *Id.* at 5.

³⁵ There are no cases that discuss whether or not judges have sole authority in determining if an artists’ pseudonym is widely recognizable to count as a signature for copyright management protection. If “widely recognizable” becomes the standard for street artist pseudonyms to qualify as being a signature there are several problems that can arise. Street artists whom are not widely recognizable, either because they are newer or strictly local may have difficulty obtaining copyright management information protection.

³⁶ *Tylor v. Rhythm of Life Cosmetics, Inc.*, 2014 WL 253012 (D. Haw. 2014)

³⁷ *Id.*

³⁸ *Williams*, 2015 WL 1247065 at 7.

³⁹ 409 F. Supp. 2d 5827 597 (D.N.J. 2006)

60886, 2009 WL 1977996, at *2-3 (C.D. Cal. 2009), came to the opposite conclusion of *Textile*.⁴⁰ The Court states that “many other recent cases have rejected the proposition that Copyright Management Information is limited to information that is created or removed through a technological process”.⁴¹ The Court cites *Leveyfilm, Inc. v. Fox Sports Interactive Media, LLC*, 999 F. Supp.2d 1098, 1101 (N.D. Ill. 2014) which found that there was no requirement that copyright management information must be digital or connected to internet commerce.⁴² The Court found that the Murphy and Fox decisions were most persuasive in determining the statutory interpretation. The Court further stated that legislative history should not even be discussed when the statutory text is clear⁴³ and that the text of the Act is clear in its definition of what constitutes copyright management information, specifically pointing out that listed in the definition is “including in digital form” which would not have been included if it was limited to digital information in the first place.⁴⁴

The Moving Defendants last attempt was claiming⁴⁵ that the Plaintiffs failed to allege the signatures were altered or removed.⁴⁶ The Moving Defendants reason that since the Plaintiffs allege that images of the mural were copied, they cannot also allege that they altered the mural. The Court found that the “Moving Defendants mischaracterize[d] the Plaintiffs’ allegations”. The Plaintiffs alleged that the Chapa’s revolutions are fully recognizable and the “Revok” and “Steel” signatures were edited and rearranged in order to not be recognizable.⁴⁷ In other words, the Plaintiffs’ claimed that the Defendants copied the mural but omitted identifying portions.⁴⁸ The Court denied the Moving Defendant’s Motion to Dismiss Plaintiff’s second cause of Action. On January 6, 2016 the Plaintiffs filed a stipulation to

⁴⁰ *Williams*, 2015 WL 1247065 at 7-8.

⁴¹ *Id.*

⁴² *Id.* at 8.

⁴³ *Id.*, citing *Ratzlaf v. U.S.*, 510 U.S. 135, 147-148 (1994).

⁴⁴ *Id.*

⁴⁵ *Id.* at 9.

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.* at 9-10.

dismiss the claims with prejudice, suggesting that there may have been a settlement.⁴⁹

IV. ANALYSIS

The decision in *Williams* is significant because it has opened the door for graffiti artists to seek protection through copyright management information. This will help serve future graffiti copyright infringement cases, by providing graffiti artists and their attorneys with stronger arguments in infringement cases. A similar case to that of *Williams* is underway, the case is *Joseph Tierney v. Moschino S.p.A. et al*, Docket No. 2:15-cv-05900 (C.D. Cal. Aug 05, 2015), Court Docket.⁵⁰ In *Tierney*, the graffiti artist Joseph Tierney's, known as "Rime", artwork was placed on Moschino's high profile designer apparel and was shown at the Metropolitan Museum of Art's "Met Gala". The clothing featuring Tierney's artwork, has been seen worn on Katy Perry, supermodel Gigi Hadid, and Jeremy Scott. Nicholas O' Donnell's blog post⁵¹ illustrates Tierney alleges that not only did Moschino's actions constitute copyright infringement, trademark violations under the Lanham Act, unfair competition, and appropriation of name and likeness under California law, but also that he was harmed in numerous ways by "opening him up to accusations of selling out" and that his "street cred" is harmed by the associating his graffiti artwork with European fashion. Moschino not only used Tierney's Detroit mural "Vandal Eyes" but also included a forgery Rime's (Tierney's pseudonym) name and Moschino's name throughout the design. The Court's decision on copyright management information in *Williams v. Cavalli* is likely to affect the Tierney case because Tierney's pseudonym name was used in Moschino's

⁴⁹ Stipulation.

⁵⁰ *Jason Williams et al v. Roberto Cavalli, S.p.A. et al*, Docket No. 2:14-cv-06659 (C.D. Cal. Aug 25, 2014), Court Docket.

⁵¹ Nicholas O'Donnell, *Graffiti on the Runway: Street Artist Rime Pursues Lawsuit Against Moschino for Damaging His Street Cred*, ART LAW REPORT (Nov. 4, 2015), <http://www.artlawreport.com/2015/11/04/graffiti-on-the-runway-street-artist-rime-pursues-lawsuit-against-moschino-for-damaging-his-street-cred/>.

clothing and the *Williams* case opened the door for copyright management information protection of graffiti pseudonyms.

Williams affords graffiti artists greater copyright protection.⁵² As a result, I believe there will not only be an increase in the graffiti copyright infringement cases but also more diverse claims.⁵³ Earlier graffiti cases, the infringement of the graffiti took place in areas more closely associated with graffiti such as the Tony Hawk Skater video game strategy guide. More recent cases such as *Williams* and *Tierney* involve the high fashion industry which is not a traditional venue for graffiti art. As graffiti continues to become more mainstream there are bound to be more infringement cases in unlikely places.

Street art is unique in how it so exposed to the world and can be easily photographed. I can imagine a case arising against Google for showing an artist's artwork on the Street View feature of Google Maps. With the accessibility of street art and the easy use of technology many different legal problems can occur. In *Tierney* the artist is understandably concerned with his street cred. I can foresee an artist alleging a harm for their artwork being seen out of context. Because street art is literally apart of its surrounding I can foresee this being a harm. However, I believe this type of litigation would be harmful because the very nature of street art is that it is public and in the hypothetical of the Google Street View issue the very function of the Google Street View is to provide people with factual virtual map. If this issue is considered an infringement, then where would the line be drawn on what we can depict that is already in the public's view. Google is not receiving profits specifically because people can view graffiti through Street View or other public artworks and sculptures. There

⁵² Alternatively, artists could seek remedies under trademark infringement and right of publicity claims. Most recently, the British graffiti Artist Mark Allsop (known as "Malarko Hernandez" and "Malarky") brought a complaint against the New York fashion boutique Ultracor (owned by Bandier Holdings LLC). 91 PTCJ 712 (Issue No. 2244, 01/15/2016). Allsop filed the complaint January 4, 2016 but did not raise any copyright infringement claims because he has yet to obtain a copyright for his works. Instead Allsop raises trademark and right of publicity claims.

⁵³ Greater protection in trademarks will likely also be afforded to street art as copyright protection advances.

are graffiti copyright infringement cases because an artist's street art was depicted in a movie. I do not think that copyright infringement cases should be brought because a street artwork can be viewed within a film or show for a few moments. If the work is heavily featured in the film and or even worked into the plot of the film or show, then I think there is cause for an infringement. These works are in the public and often become iconic parts of different cities and the local culture and for that reason I think street art that does appear in films or shows in good faith should not be seen as copyright infringement.

There are other issues that can arise with the copyright protection of street art. Brittany M. Elias and Bobby Ghajar discuss, in their article *Street Art: The Everlasting Divide Between Graffiti Art and Intellectual Property Protection*, that an issue arises between copyright and property law. Graffiti artists often do not own the physical building or medium they use to place their graffiti on. The artist will own the copyright to the art but the owner of the building owns the property and therefore owns the physical artwork.⁵⁴ There are a number of cases in which street art was destroyed because the building owners decided to either remove the artwork or remodel or destroy the building. Elias and Ghajar also discuss whether or not graffiti art can be protected by the Visual Artists Rights Act ("VARA") and bring to light international public policy concerns to the consequences of protecting street art with copyright law. The main concerns are whether or not moral rights for the artist will interfere with the property rights of others and grant moral rights for any graffiti artist even for illegal works. For further discussion, please see Elias and Ghajar article.⁵⁵

In this day and age everything is becoming digitally accessible and the extension of copyright protection is increasingly important to protect street art. I firmly believe that street art should afforded the same level of copyright protection that any other

⁵⁴ Bobby Ghajar & Brittany M. Elias, *Street Art: The Everlasting Divide Between Graffiti Art and Intellectual Property Protection*, LANDSLIDE, Vol 7 Number 5 May-June 2015, at 5, available at https://www.pillsburylaw.com/siteFiles/Publications/ABALandslide_Ghajar_MayJune2015.pdf.

⁵⁵ *Id.*

artwork would receive. The question of whether street art should or can be protected under copyright law has been asked and answered many times. However, we should be asking how does this legal protection, absorption into mainstream culture, and digital presence affecting the street artists and their artwork. I believe that there are two main effects on both the art and the artists. The first effect is that as legal protection continues to expand for street art it will no longer be categorized as part of a counter-culture. An example of this is that the Google Cultural Institute (also known as Google Art Project) allows people to view art, historical monuments, and even museum exhibits from all over the world. Graffiti from São Paulo, Brazil can be viewed entirely online on the Google Cultural Institute. Graffiti art is now found in museums as well, but the mere fact that Google Art Project first allowed people to view collections in museums that house what is considered to be fine art now also incorporates graffiti into its digital collection illustrates the shift in how people now see and value street art.

The second effect is that street art will divide into two different factions: the street art that seeks to remain a counterculture (strictly non-commercial) and the commercial street art which is already happening now. In 2015, Amazon.com initiated a project called the Amazon Street Art Project. The Amazon Street Art Project coincided with the end of the Miami Art Week and was a project that commissioned seven Miami street artists to make street art prints which were sold for a limited time on Amazon.com.⁵⁶ This effect is not an inherently negative effect unless personal views of street art differ. However, the continued commercialization of street art will certainly lead a much larger number of street art litigation but it will not be limited to copyright infringement, breach of contract, and other issues that typically arise in the marketplace will certainly follow.

⁵⁶ Russell C. Smith & Michael Foster, *Talking With a Top Curator at Amazon Art, on the Fine Art of Reinventing Art Buying*, THE HUFFINGTON POST (Mar. 31, 2016), http://www.huffingtonpost.com/russell-c-smith/talking-with-a-top-curato_b_9568258.html, see also <http://www.amazon.com/b?node=11079035011>.

V. CONCLUSION

As graffiti continues to evolve into mainstream culture the greater copyright protection will be granted to street art as illustrated by *Williams v Cavalli*. The current trend in increasing street art litigation cases illustrates that the law will continue to be developed and refined around the issue street art protection. Not only will cases continue to increase in number but the legal issues will diversify and more protection will be granted to street art. This will result in more graffiti being recognized as an art and the street art counterculture will change and develop into factions: commercial street art and counterculture street art. Although *Williams* was ultimately settled, the effect this short case has on the copyright protection of street art is significant. The case has granted copyright management information protection of artists' pseudonyms. Using a pseudonym or signature style is how graffiti artists sign their artworks. These pseudonyms are more commonly known as graffiti tags. Graffiti artists are now able to afford their copyrighted artworks with greater copyright protection by ensuring they tag their artwork.

*Luma Zayad**

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