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UK-Based Graffiti Artists Dismiss Their US Lawsuit Against Vivienne Westwood

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We have previously reported on the lawsuit that UK-based graffiti artists Cole Smith, Reece Deardon and Harry Matthews filed against Vivienne Westwood and retailers of the brand for the British fashion house's allegedly unauthorized use of their tags "to lend credibility and an air of urban cool" to its apparel. *Smith v. Vivienne Westwood, Inc.*, Case No. 2:25-cv-01221 (C.D. Cal. Filed 02/12/25)

The plaintiffs, known professionally as DISA, SNOK and RENNEE, respectively, claimed that Vivienne Westwood used images of their graffiti to adorn items of clothing without permission. In our previous reporting, we raised a number of key questions about the viability of the plaintiffs' claims, including whether the artwork, which likely was not commissioned by the owners of the buildings on which it appeared, would be considered illegal and therefore not protectible under US law.

On April 30, the plaintiffs and Vivienne Westwood jointly filed a stipulation to dismiss the entire action with prejudice, with each of the parties bearing its own attorneys' fees and costs. The court filing is silent as to whether the dismissal was part of a more comprehensive settlement agreement, whether any money changed hands or whether the fashion house agreed to discontinue its sales of the offending apparel. In any event, so ends the most recent dispute between so-called "street artists" and retailers that lies at the intersection of graffiti, fashion and advertising.

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