

Joel Weiner Quoted Regarding Olivia De Havilland's Right of Publicity and False Light Lawsuit

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Litigation partner Joel Weiner was recently quoted in an article published in Law360 Media & Entertainment and Intellectual Property regarding a petition filed by 101-year-old legendary actress Olivia de Havilland with the California Supreme Court, seeking to revive a lawsuit she filed over her portrayal in the FX docudrama "Feud: Bette and Joan." The show portrayed the infamous Hollywood rivalry between famed actresses Bette Davis and Joan Crawford. Ms. De Havilland sued FX in 2017 over her "unauthorized" appearance in the show, claiming the network had violated her right of publicity by using her name and likeness without permission. She also claimed it cast her in a false light by taking artistic liberties with the story, making her appear to be a gossip and vulgar.

Her current petition claims she was deprived of her right to a trial and urges the justices to revive her case. If the California Supreme Court grants review, it could have a chilling effect on films and television programs about real people. "Producers could be at risk of more 'heads I win, tails you lose' lawsuits, whereby realistic portrayals result in right of publicity claims and fictionalized portrayals result in false light claims," said Joel, "chilling producers' willingness to make intriguing docudramas."

Read "[In Publicity Rights 'Feud,' The Show Ain't Over Yet](#)" in its entirety.

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