Partner David Halberstadter Quoted in Reuters Legal on Cases Raising First Amendment and Publicity Questions

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David Halberstadter, a Media and Entertainment Litigation partner in the firm's Los Angeles-Century City office, was quoted in Reuters Legal on the implications of two videogame cases involving First Amendment protection of creators and rights of publicity of the real-life people whose images the creators have allegedly used. He said that it would be troubling if the language from these opinions applied to motion pictures because they both focus on whether the plaintiff's “likeness has been sufficiently transformed, rather than whether the work as a whole constitutes a transformative work” in which the likeness is just one of the raw materials. David went on to state that “under that standard, a movie maker could be held liable if they make a character look a lot like their real-world counterpart and have them carrying out the activities they did in real life.” David's representation of Summit Entertainment LLC in the case *Sarver v. Chartier et al.*, involving the 2008 movie *The Hurt Locker*, was cited in the article. (“Case to Watch: Movie Case Raises First Amendment, Publicity Questions,” October 28, 2013)

CONTACTS

For more information, contact your Katten attorney or any of the following attorneys.



David Halberstadter
+1.310.788.4408
david.halberstadter@katten.com

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