

Partner David Halberstadter Discusses Copyright Implications of Animal's "Selfie" in Law360

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David Halberstadter, a partner in the Entertainment and Media practice, spoke with Law360 regarding the highly publicized copyright dispute between Wikimedia—the nonprofit behind Wikipedia—and a UK photographer whose camera was used by a crested black macaque to take a “selfie.” Wikimedia posted the photograph, which has since gone viral, in its repository of free-to-use-photos. The photographer whose camera was used has repeatedly asked for the photo to be removed from the site, claiming he owns the picture; Wikimedia counters that the work is in the public domain as it “has no human author in whom copyright is vested.” David likened the situation to a painter’s dog accidentally tipping over cans of paint and then rolling all over a blank canvas that the artist later discovers: “Would anyone claim that the artist owned the copyright in her dog’s ‘painting’?” ([“Going Ape Over IP: Five Burning Questions About Monkey Selfie,”](#) August 8, 2014)

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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