

LUZKER & LUZKER — LLP —

Lutzker & Lutzker Newsletter September 2020

To our clients, colleagues and friends:

We hope you were able to enjoy summer despite the continuing challenges we face. Although fall lacks its usual invigorated spirit, we are working hard to serve our clients and will do so remotely for the foreseeable future. Through this periodic newsletter we discuss important new developments

that may affect your business. IP and related issues continue to make headlines every day.

But first, we want to introduce you to a good friend and an artist with stunning work and a timely message. Meet Washington [artist BK Adams](#), whose Blue Horse sculpture is in the permanent collection of the Smithsonian Institution National Museum of African American History and Culture (see image below). Be sure to check out BK's *World on My Shoulders* on [Instagram](#) (and see the image below). His message of personal responsibility to aid others is inspirational. We have counseled BK on artist rights and protection of his intellectual property.

As anticipated in our last newsletter, we have now launched an FAQ feature on our website that we hope will provide some helpful answers to legal issues that are repeatedly arising in our current environment. [The first set of FAQs focuses on the safe and appropriate use of technology in K-12 classrooms](#), both physical and remote. We hope this will be helpful as educators start the school year, often in hybrid teaching environments. Other FAQ topics coming soon!

We've [updated](#) our [earlier blog](#) on copyright issues facing music streaming services with a focus on Twitch and its allegedly flimsy scheme for filtering out unlicensed music. Don't miss our blog on the fascinating topic of [deep fakes](#), a topic we will undoubtedly be hearing more about in this campaign season. We also look at the under-recognized risks of [sharenting](#), or sharing news and images of children on social media.

Finally, we take a look at the [advertising injury coverage included in many business liability insurance policies](#) and how broad exclusions and limiting definitions may render coverage for trademark and copyright infringement all but illusory.

Don't hesitate to reach out to us at info@lutzker.com with any questions and please stay safe.





Photos courtesy of the artist.

New From Lutzker & Lutzker LLP: FAQs

Lutzker & Lutzker has launched an FAQ feature on our website to provide additional relevant content on pressing issues. We begin by answering frequently asked questions related to technology in K-12 classrooms, which you can find at the link below.

More FAQ topics coming soon.

[Click Here](#)

Blog Posts from the Firm

If You Think You Are Insured Against Copyright

and Trademark Infringement Claims, Think Again

General liability insurance policies which contain coverage for “advertising injury” may contain intellectual property exclusions that are so broad as to render coverage for copyright and trademark infringement illusory. Specialized IP policies provide sounder protection.

[Read Here >>](#)



Deepfakes: The New Frontier of Disinformation

“Deepfakes” are AI-created videos of people replaced with the likeness of other individuals. It is urgent that we understand the legal framework that may prevent them from spreading disinformation at an alarming rate.



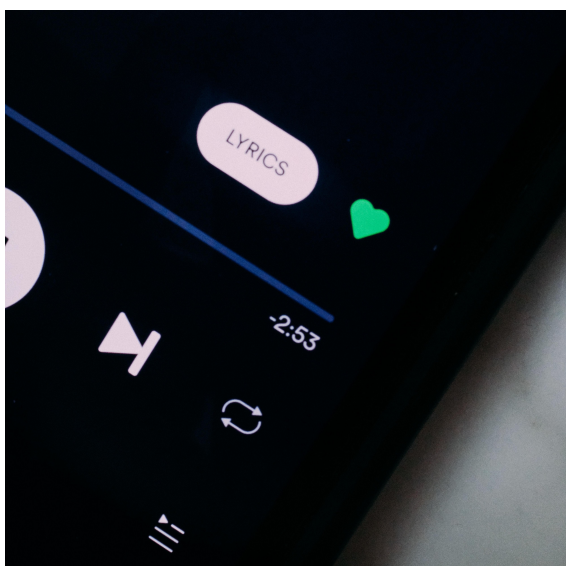
[Read Here >>](#)



"Your Video Was Not Posted": An Addendum

Amazon CEO Jeff Bezos recently received a demand letter regarding his video streaming platform Twitch that permits unlicensed music, escalating concerns from copyright owners.

[Read Here >>](#)



"Sharenting": Precautions and Consequences of Creating a Child's Digital Footprint

Many children today have an expansive digital footprint while still in diapers. Parents are quick to post cute photos of their children on social media, but many are unaware of the unintended



consequences. As schools continue to expand their social media presence, they too contribute to the development of their students' online identities, requiring parents to stay informed about school privacy policies and use of student images. School photographers must also understand both the privacy and intellectual property laws regulating their profession so that they respect students' right to privacy and appropriate ownership of copyrighted images.



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Arnold Lutzker and Susan Lutzker founded Lutzker & Lutzker LLP in 1998 to provide high-quality, cost-effective legal services to businesses, creative professionals and their lawyers in the creation, strategic exploitation and defense of intellectual property assets.

Drawing on their experiences in law, business and the arts, our firm's lawyers have stayed on the leading edge of digital-era issues, including online content, social media, mobile applications, cybersecurity and data privacy requirements. We advise corporate counsel on challenging intellectual property matters and also help more than 300 clients protect and manage their traditional copyright and trademark portfolios.

Questions: please email us at info@lutzker.com



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