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Legal Ink: An Overview of Copyright Law and Tattoos

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Troutman Pepper Intellectual Property attorneys Michael D. Hobbs, Jr. and Kimberly E. Coghill have published an article in the *Journal of Intellectual Property Law & Practice*.

Excerpt:

In 2021, Kat Von D, a world-renowned tattoo artist and reality TV star, was sued for copyright infringement based on images taken from social media accounts, depicting her tattooing an image of jazz legend Miles Davis onto a client's arm. The plaintiff, the registered copyright owner of what is referred to in the complaint as 'The Iconic Miles Davis Portrait,' alleges that Kat Von D and her affiliates made multiple unauthorized and unlicensed derivative reproductions of a famous photograph of Miles Davis. This lawsuit is one among many involving tattoos and allegations of copyright infringement filed across the country in the past decade or so but may be the first in which the tattoo artist is the named defendant (and celebrity). With many of these lawsuits settling confidentially and none having yet proceeded to trial, a number of legal issues regarding the applicability of U.S. copyright laws to the tattoo industry remain unresolved. This article aims to provide an overview of these unsettled issues and considerations to be weighed by those in the tattoo industry and their customers.

[The full article is available here.](#)

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