

CREATIVE RIGHTS
On Appropriation, Copyright and Copyleft

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Azin Feizabadi
 Gilbert & George
 Christian de Lutz
 Triple Candie
 Creative Rights Library

Opening: 27 November 2009, 8pm

Duration of Exhibition: 28.11.-7.2.2010, Sa+So 2-6pm

Winter pause: 18.12.2009-3.1.2010

Workshop: "Copyright and Related Themes for Artists, Musicians, Filmmakers and other Creative Professionals" in German with the Berlin based lawyer Andreas Lichtenhahn, 28 November, 3pm (for free, registration necessary)

Art Laboratory Berlin is pleased to announce the fourth exhibition in the series *Art and Law: The exhibition **Creative Rights. On Appropriation, Copyright and Copyleft** investigates questions concerning the use, re-use and misuse of images and information in the contemporary art world from artistic, legal, political and philosophical viewpoints.*

Since the late 1970s appropriation of images and information by such artists as Sherrie Levine and Richard Prince has become a common and accepted technique, part and parcel of postmodernism's critical approach. Indeed it follows a tradition that goes back through pop art and nouveau réalisme to Dada and cubist collage.



Triple Candie, David Hammons, *The Unauthorized Retrospective*, 2006

Not without ethical, aesthetic and legal controversy, a number of law cases involving appropriation seems to have increased in recent years involving artists such as Jeff Koons, Richard Prince and Shepard Fairey. The exhibition "Creative Rights" consists of three parts: The exhibition with four artistic positions, the Creative Rights Library with extensive material on the presented artists and other recent law cases as well as a workshop on the theme of copyright.

The exhibition shows four positions offering unique views on appropriation, fair use (a term defining legal use of images outside of copyright restrictions) and 'copyleft' (the decision of the artist to forego the protections of copyright).

Triple Candie (curatorial duo Shelly Bancroft and Peter Nesbett) provoked controversy in 2006 with their exhibition *David Hammons: The Unauthorized Retrospective* in which they exhibited color and black and white copies from books, brochures, catalogues and websites documenting the work of the American artist David Hammons. The resulting exhibition, part of which is on display in "Creative Rights" as a curatorial quotation, cast a unique critical light on both Hammons work and art world traditions, and was both highly praised and criticised.

Repetitions-Revolutions-Rituals by the Iranian-German artist **Azin Feizabadi** documents a project started by the artist in 2004 when he sprayed an image of a woman in a headscarf using a stencil throughout the Kreuzberg district of Berlin. The work was initially an homage to his mother, the artist Farkhondeh Shahroudi, who as an 18 year old during the Iranian Revolution, sprayed left wing graffiti in Tehran. In 2006 the German glossy newsweekly Focus used a photograph of the image for its cover, with the words 'The Multi-cultural Lie' stamped over it. Feizabadi has chosen to 're-appropriate' the image by signing the magazine and displaying it as an artwork. His accompanying text contrasts the work's original context with the magazine's altered (and in the artist's view mis) use of the image. The work also refers to the fact that German copyright law allows use of images

from the public space regardless to the original artist's wishes or intent (as part of the so called 'panorama freedom' clause).

Christian de Lutz's work *The Copyright Piece* (2009) situates itself on the border between infringement and fair use, making reference to this legal gray area, as well as functioning as a critique of both the current financial and art markets. The artwork consists of a CD with a sound piece which the artist created by substantially altering a piece of music. In addition to the CD there is an artist text and a contract, which offers the work, at no cost, to a collector who will then assume all rights (and attendant responsibilities, 'legal and otherwise') to the work, with a provision licensing back limited exhibition usage by the artist. This contract replaces capital with risk, a nod to the current financial crisis.

Planned (2007) by **Gilbert and George**, the Italian- British artist duo, is featured in the exhibition as an example of 'copyleft', a chosen alternative to traditional copyright. The artists offered the work as 9 files for download, in cooperation with the BBC and Guardian newspaper. The work was offered for free to the general public, without any stated restrictions.

In addition to the exhibition there is the **Creative Rights Library**, a collection of articles, manifestos and documents covering a number of topics pertaining to copyright and 'copyleft'. It features two current cases of artists in copyright disputes. The American artist Shepard Fairey, known for his now famous Obama campaign posters, is currently in a legal dispute with the Associated Press (AP). Both the artist and the AP recognize that the image Fairey used for the posters was based on photographs taken by an AP photographer. The dispute is whether Fairey's usage, altered and in a new context is covered by 'fair use' provisions. The other case is that between Richard Prince and the photographer Patrick Cariou. Richard Prince, long famous for his appropriations of 'Marlboro cowboys' and biker magazine 'girlfriends', used photographs from Cariou's book *Yes Rasta* in his recent series of collages 'Canal Zone'. Earlier this year Cariou filed a lawsuit for copyright infringement.

Additionally the library will have materials on the artists in the exhibition as well as material on both US and German copyright law, Creative Commons, the Stanford University Fair Use Project as well as the Swedish and German Pirate Parties. The goal is to provide a wide range of information and viewpoints on the topics involved.

As a third part of "Creative Rights" on Saturday, 28 November at 3 PM Art Laboratory Berlin will also present a **workshop** on *Copyright and Related Themes for Artists, Musicians, Filmmakers and other Creative Professionals* in German with the Berlin based lawyer Andreas Lichtenhahn.

-Regine Rapp, 2009

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