

Purvi Patel Albers, Tiffany Ferris in Today's General Counsel: Use of Landmark Images in Advertising

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PRACTICES Intellectual Property, Copyright, Trademark and Advertising, Advertising, Marketing and Promotional Law

In an age of increased consumer choice, marketers frequently turn to localized campaigns to connect with purchasers on a “hometown” level. One strategy is to use architectural landmarks in campaign materials. If you see the art deco spire of the Chrysler Building, you know you’re in Manhattan. The wrought-iron lattice of the Eiffel Tower indicates Paris. Companies take advantage of this and incorporate imagery of city landmarks into advertising and branding materials to create a business-next-door feeling.

Though landmark images are valuable visual assets in advertising, their use can raise serious legal concerns. They are often protectable under intellectual property laws. Unauthorized commercial use could rise to the level of infringement, the potential consequences of which include an injunction (read: forced rebranding) and monetary damages. Marketers should consider whether use of a landmark’s image is a violation of intellectual property rights and should weigh that risk in crafting a localization campaign that includes the use of a landmark’s image.

Excerpted from the Fall 2019 issue of *Today’s General Counsel*. To read the full article, click [here](#).