

Bell and Mason in Texas Lawyer: AI Slop or IP Gold? The Business of Brainrot

By David A. Bell, Preston C. Mason | September 28, 2026

RELATED PRACTICES Trademark and Advertising, Intellectual Property

As AI-generated content reshapes digital culture, questions surrounding ownership and commercialization are becoming increasingly important. Haynes Boone Partner [David Bell](#) and Associate [Preston Mason](#) explore these issues in a *Texas Lawyer* article examining a legal dispute over "brainrot" characters, viral AI-generated memes featured in the popular Roblox game Steal a Brainrot.

Bell and Mason discuss how the case could influence trademark rights and brand protection strategies for AI-generated and internet-native content as memes increasingly evolve into valuable commercial assets.

Read an excerpt from the article below.

A federal case arising from the popular Roblox game "Steal a Brainrot" touches on those questions. Spyder Games v. Mementum Lab, 5:25-cv-10248, (N.D. Cal.). At the center of the dispute are "brainrots," absurd-looking characters born from a wave of AI-generated memes that initially swept internet communities in early 2025. One of the most popular characters, and one at the center of this dispute, is Tung Tung Sahur, a wooden stick character holding a club. The court has been asked to determine who — if anyone — owns the IP rights to that meme and others. ...

When Memes Become Money

Let us summarize the parties and claims in this suit. Mementum Lab SAS — a self-described collective of meme creators, attorneys, and others — effectively operates as a talent, licensing and enforcement agency for memes. Spyder Games LLC and Speedy Simulator Gaming, LLC are the owners of "Steal a Brainrot," a highly successful Roblox game incorporating brainrot characters such as Tung Tung Sahur. ...

Brainrot Goes to Court

Spyder and Speedy filed a declaratory judgment action, seeking a ruling that Mementum lacks enforceable rights in the relevant brainrots and no infringement occurred. Mementum responded with trademark and unfair competition counterclaims, including a trademark infringement claim pertaining to the name and image of Tung Tung Sahur. Among other remedies, Mementum seeks injunctive relief and a share of the plaintiffs' profits, which it claims are in the tens of millions of dollars. ...

Who Owns the Brainrot Content?

In any event, Mementum has not alleged copyright infringement to date before the court in this case, so trademark issues appear poised to take center stage. The defendant points to its purported agreement with the creators of Tung Tung Sahur, its U.S. trademark application incorporating Tung Tung Sahur's name and image, and its commercial licensing activities related to

Tung Tung Sahur — including a collaboration with Epic Games, owner of the popular game “Fortnite.” The plaintiffs, meanwhile, argue that even if the defendant owned valid trademark rights at any point, such rights were extinguished by widespread and uncontrolled use of brainrots — including this character — across the internet. ...

To read the full *Texas Lawyer* article, click [here](#).