

Airbnb Faces Suit for Using Julia Child's Name in a Contest

Gonzalo E. Mon

June 23, 2016

Earlier this year, Airbnb ran a contest in which one winner could “come stay in the former home of Julia Child.” The company



advertised that entrants could imagine themselves “walking the halls of Julia Child’s former home,” and “channeling the culinary genius of Julia Child,” while “combing over the knick knacks in her kitchen exactly as she left them.” Although the contest may have been a hit with travelers and fans of the original celebrity chef, the chef’s estate was less enthused. This week, The Julia Child Foundation for Gastronomy and the Culinary Arts sued Airbnb and its publicity firm, arguing that contest violated Child’s right of publicity.

According to the complaint, Airbnb contacted the Foundation in April, and sought permission to use Child’s name and likeness in connection with the contest. Consistent with Child’s longstanding policy of refusing requests to associate her name or image with commercial products or brands, the Foundation expressly declined the request. Nevertheless, Airbnb moved forward with the promotion, and used Child’s name on its website, on social media, and in an e-mail campaign. As a result, Airbnb won a trip to the California court system, where it can walk the same halls that many celebrities have walked.

As we’ve noted before, the risks of using a celebrities name in ads without permission can be significant. And although there may be cases in which a company can argue that it doesn’t need permission – such as when the use is protected by the First Amendment – it can be hard for a company to argue that permission isn’t necessary, when it had previously asked for it. For a more detailed analysis of this case, please see [this post](#) from our friends at Drye Wit. And, while you’re there, be sure to read their [three-part series on Right of Publicity claims](#).