

Beretta Sued Over Elvis-Themed Ad Campaign

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April 15, 2014

Last week, we [posted](#) that White House had objected when Samsung used President Obama's image in a tweet. And before that, we [posted](#) that Michael Jordan had objected when Jewel-Osco used his name and a picture of his iconic shoes in ad. Now, the estate of Elvis Presley has filed a new lawsuit alleging that Beretta used the name and image of the legendary singer (and gun enthusiast) to promote its new Beretta 692 competition shotgun.

The Italian gun-maker featured Elvis imagery in various ads, including the one below, and hired Elvis



impersonators to appear at various events. (Catch a video [here](#) before it's taken down.) According to the complaint, Beretta's unauthorized use of the Elvis imagery "falsely indicated to the purchasing public that Beretta, its business, and its goods were somehow sponsored, endorsed, or approved by plaintiff . . ." This caused injury to the estate "by depriving the plaintiff of its right to control the usage of its property and to derive monetary benefit from authorized usage of such property." The estate seeks an injunction and monetary damages.

This case serves as a reminder that a celebrity's right of publicity can extend beyond the grave. A number of states — including Tennessee — have statutes that explicitly recognize a post-mortem right of publicity. Even in states without these types of statutes, the estates of celebrities may have certain common law rights. If you want to use a celebrity in your ad campaign — regardless of whether that celebrity is dead or live — make sure you check with your legal team first.