Published on The National Law Review https://natlawreview.com

Hirst Spot Print Turned into Spots by MSCHF, Courtroom Artists Face New Challenge, Banksy Pays Homage to Hospital Workers

Article By:

Jana S. Farmer

John P. Cahill

Still No LOVE in Robert Indiana's Estate Battle

In the ongoing suit over the rights to Robert Indiana's artworks, defendant Michael McKenzie, the founder of American Image Art, filed new counterclaims against the Morgan Art Foundation alleging that Morgan orchestrated "one of the most massive art frauds in history." McKenzie argues that intellectual property rights were abandoned by Indiana decades ago and that the artist's famous LOVE artwork is in the public domain. McKenzie further alleges that Morgan "fraudulently affixed" copyright to more than 1,000 sculptures worth more than \$100 million and an additional million items valued at least \$50 million in retail sales – Indiana did not affix a copyright symbol to his work when it was first published. McKenzie also seeks to invalidate two federal trademarks that Morgan registered for the design and reproduction of LOVE. Notably, several other counterclaims made by McKenzie and Indiana's estate were dismissed in 2019. Morgan maintains that it has the rights to all images and sculptures that Indiana produced between 1960 and 2004, as well as the exclusive right to fabricate and sell certain sculptures, including LOVE, pursuant to agreements dating back to 1999. Morgan's direct claim against McKenzie is over the sale of works it alleges were falsely attributed to Indiana.

- The Art Newspaper: Robert Indiana's LOVE at Centre of New \$150m Fraud Claim
- Artnet: Art Industry News: A New \$150 Million Fraud Claim Raises the Stakes in the Nasty Battle Over Robert Indiana's Legacy + Other Stories

As SCOTUS Moves Oral Arguments Online, Courtroom Artists Forced to Use Their Ears – and Imaginations – for Illustrations of Oral Arguments

The U.S. Supreme Court's justices and their staffs are not the only people in the courtroom having to adapt. Court-appointed artists still capture the oral arguments, but must now rely on their ears and

imaginations rather than their eyes to create the illustrations. The inability to be inside the courtroom during the arguments not only makes it difficult to paint a picture but also leaves lawyers in the dark as to the justices' reactions to their arguments.

The Art Newspaper: <u>Courtroom Artists Draw from Imagination as the U.S. Supreme Court Moves Oral Arguments Online</u>

The Most Expensive Game of (Dis)Connect the Dots: A \$30,000 Hirst Print Sold Off Spot by Spot

Damien Hirst created a spot print titled L-Isoleucine T-Butyl Ester. Now, MSCHF, a Brooklyn-based art collective, cut out each of the print's 88 spots as part of the project called Severed Spots, created in protest against the practice of fractionizing the ownership of artworks. MSCHF sold off each of the spots for \$480, generating a profit of about \$12,000 over the \$30,000 purchase price; in yet another example of an artwork's value apparently growing as a result of its destruction (think Banksy's Love Is in the Bin), they stand to gain even more as bidders line up to purchase leftover white paper. Our readers will remember MSCHF for auctioning off The Persistence of Chaos, a computer with the world's most malicious viruses last year, among other news-making stunts/artworks. MSCHF also sold Jesus Shoes, custom Nike Air Max 97s with holy water from the River Jordan in the soles. Damien Hirst's studio has not yet responded to this latest stunt by the collective.

- Artnet: An Art Collective Bought a \$30,000 Damien Hirst Spot Print and Cut It Up. Now They're Selling the Spots for \$480 a Pop
- Art Critique: MSCHF Cut up a \$30,000 Damien Hirst Spot Painting
- CNN: A \$30K Damien Hirst Was Cut up and the Pieces Are Selling for Seven Times as <u>Much</u>

Founder of Napster Involved in Suit Over Ownership of an Old Master Painting

Auction house Christie's recent court filings to enforce an arbitration award reveal that art collector Sean Parker, founder of Napster and first president of Facebook, was embroiled in a dispute over a sale of Peter Paul Rubens's A Satyr Holding a Basket of Grapes and Quinces with a Nymph (1620). In 2018, Parker acquired the artwork at a Christie's auction for his foundation, after which the consignor of the artwork inexplicably sought to cancel the sale, despite making more than \$1 million in profit. The consignor claimed that she tried to withdraw the painting before the auction took place. When the parties were unable to amicably resolve the dispute, it was submitted to arbitration. The arbitrator ruled that Christie's complied with its contractual obligations and that Parker lawfully acquired the painting. The case highlights the legal and financial responsibilities of the parties involved in consigning an artwork to an auction house.

- Artnet: <u>Tech Kingpin Sean Parker Bought an Old Master Painting at Christie's for Almost \$6</u>
 Million. After That, Things Got Messy Fast
- The Value: <u>Seller Wants to Retrieve US\$5.7 Million Rubens Painting Sold to Tech Billionaire Sean Parker at Christie's</u>

Former Paddle8 CEO Sued for Alleged Misappropriation of Funds

A group of creditors brought suit in the Southern District of New York, accusing former Paddle8 CEO Valentine Uhovski of engaging in acts of gross mismanagement and disloyalty, including alleged misappropriation of funds from the auctions to pay the company's operating expenses. Uhovski has denied the allegations. Paddle8 filed for bankruptcy in March, following a separate suit by a nonprofit cinema group that alleged misappropriation of funds from a charity auction.

- Artnet: <u>Creditors Are Chasing Bankrupt Auction House Paddle8's Former CEO for Allegedly Mishandling Funds to the Tune of \$1 Million</u>
- Art Newspaper: Former Paddle8 chief executive sued for \$1 million

Mail Art Experiencing Revitalization

In recent months, Mail Art – a 1950s art movement centered around sending small-scale artworks via the postal service – has regained popularity. Artists have been reaching out via social media for submissions, and to date, hundreds of individuals have answered the call. The original idea was to create a form of artistic production that bypasses the traditional channels of art dissemination. The reborn interest in Mail Art is "creating a sense of connectivity" while allowing for people stuck in their homes to take a break from their screens.

 Artnet: Mail Art, a Quirky Pursuit That Hasn't Been Popular Since the '60s Is Suddenly Having a Renaissance Amid the Worldwide Lockdown

EUROPE

INTERPOL Recovers 19,000+ Artifacts in a Massive Operation Spanning 103 Countries

More than 300 INTERPOL investigations coordinated between 103 countries resulted in recovery of more than 19,000 artifacts. Recalling the work of the Monuments Men – unlikely World War II heroes who saved many of Europe's art treasures – the investigations were focused on criminal networks that deal in artworks looted from war-torn countries as well as artifacts stolen from archeological excavations and museums. The success of the mission highlights the need for global cooperation in fighting the trafficking of cultural goods.

- The Art Newspaper: International crackdown on art trafficking leads to 101 arrested and 19.000 artifacts recovered
- CNN: Over 19,000 Artifacts Seized in Global Anti-Trafficking Operation

MoMA Voices Concerns Over Norway's Handling of Picasso Murals

The Norwegian government is in the process of demolishing a government building in Oslo that

features Pablo Picasso's murals sandblasted onto the concrete walls. While plans have been made to relocate the artworks, many are concerned that once moved, the murals will crack. The MoMA letter, published in the Norwegian press, expresses grave concerns over the preservation of the murals and emphasizes their significance to the art community. In addition, the petition to preserve the building holding the murals has garnered more than 47,000 signatures.

- Smithsonian Magazine: <u>MoMA Joins Chorus of Critics Urging Norway to Save Site of Picasso</u> <u>Murals</u>
- The Art Newspaper: <u>Battle to save concrete Picasso murals in Oslo intensifies after MoMA steps in</u>

Van Eyck Exhibition Organizers Argue Coronavirus Triggers Cancellation Policy

Organizers of the largest exhibition ever dedicated to the Flemish Old Master Jan Van Eyck will distribute refunds to 144,000 ticket holders who were unable to attend due to early closure following the coronavirus outbreak. The organizers are seeking coverage from their cancellation insurer for the refunds of more than €3.5 million.

- The Art Newspaper: Organisers of Van Eyck Blockbuster Bank on Possible €3.5m Insurance Payout to Refund Ticketholders
- The New York Times: When the Virus Came, Some Museum Curators Lost Years of Work

Counterfeit Artwork Seized at Heathrow Airport Part of a Larger Problem

The British Museum's inspection revealed that hundreds of what looked to be Middle Eastern artifacts intercepted last July by an officer at Heathrow Airport were fakes. While the items were discovered to be counterfeit, they had the potential to be sold for thousands of dollars to unsuspecting buyers.

- Artnet: A Trove of Artifacts Inscribed with Gibberish Was Intercepted at Heathrow. They May Reveal an Alarming New Front in the War on Forgery
- Antiques Trade Gazette: <u>Fake Mesopotamian antiquities seized at Heathrow airport with help of Border Force officers and the British Museum</u>

Croatia Rushes to Save Valuable Pieces of Art

While the world deals with the ongoing coronavirus pandemic, Croatia experienced a 5.4 magnitude earthquake in its capital, Zagreb. The earthquake damaged some 26,000 buildings, palaces, university buildings and hospitals. The Museum of Decorative Arts, which planned on celebrating its 140th anniversary, suffered a roof collapse during the earthquake. While the building has been classified as unsafe for use, the Museum has been expeditiously removing many fragile objects, even while the aftershocks continued. Many other pre–20th century buildings also sustained damage.

• The Art Newspaper: The Disaster of Being Hit by an Earthquake in a Time of COVID-19

Banksy Pays Homage to Hospital Workers

As a tribute to the National Health Service and health care workers during this pandemic, renowned street artist Banksy created an artwork titled Game Changer (2020), which he donated to England's Southampton General Hospital. The piece came with a note to the health care workers that read: "Thanks for all you're doing. I hope this brightens the place up a bit, even if it's only black and white." Just days after the artwork was installed, an opportunistic thief wearing a hazmat suit and armed with a drill was caught attempting to steal it.

- Artnet: <u>Banksy Just Made a Surprisingly Earnest Painting of a Superhero Nurse and Donated It to a British Hospital as a Morale Booster</u>
- Artnet: A Thief in a Hazmat Suit Tried to Steal Banksy's \$6 Million Painting from a UK Hospital Just Days After the Generous Gift Was Installed

ASIA

Archaeologists Uncover Further Evidence of Vital Role of Women in Ancient Mongolian Society

Archaeologists discovered 1,500-year-old skeletons of women warriors in northern Mongolia, near China – recalling the story of Hua Mulan, originally described in the Ballad (Ode) of Mulan composed in the fifth or sixth century CE, and appearing as the main character in the 1998 animated Disney film. A study of the skeletons revealed the two women to be skilled in archery and horseback riding. The skeletons were found in a cemetery at the Airagiin Gozgor archeological site. Disney has been planning to release a live-action adaptation of Mulan, currently scheduled for July 24, social distancing guidelines permitting.

Artnet: <u>Archaeologists Have Discovered the Skeletons of "Badass" Warrior Women in Mongolia</u>, <u>Dating Back to the Period of Mulan</u>

© 2025 Wilson Elser

National Law Review, Volume X, Number 149

Source URL: https://natlawreview.com/article/hirst-spot-print-turned-spots-mschf-courtroom-artists-face-new-challenge-banksy-pays