

# INTELLECTUAL PROPERTY NORMS IN THE TATTOO INDUSTRY

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TATTOO'S











# FORMAL COPYRIGHT PROTECTION FOR TATTOOS





# TATTOO INDUSTRY NORMS

- Client autonomy
- Copying or reusing custom designs
- Copying flash designs
- Copying other visual art

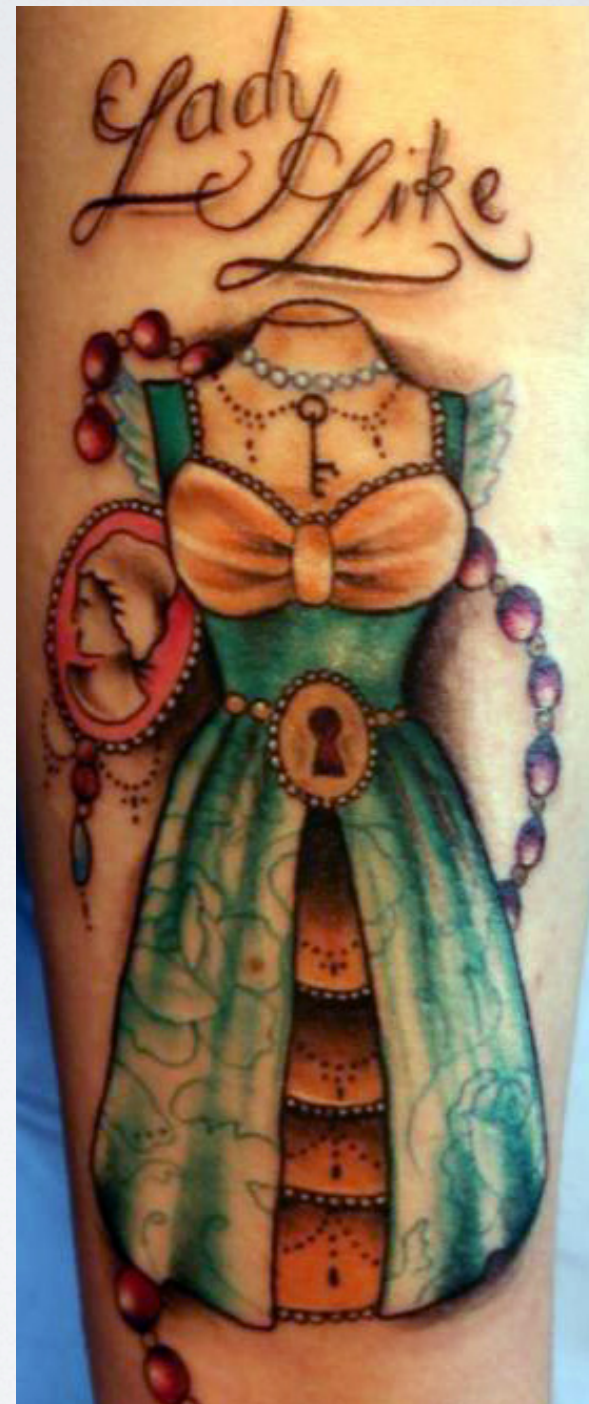
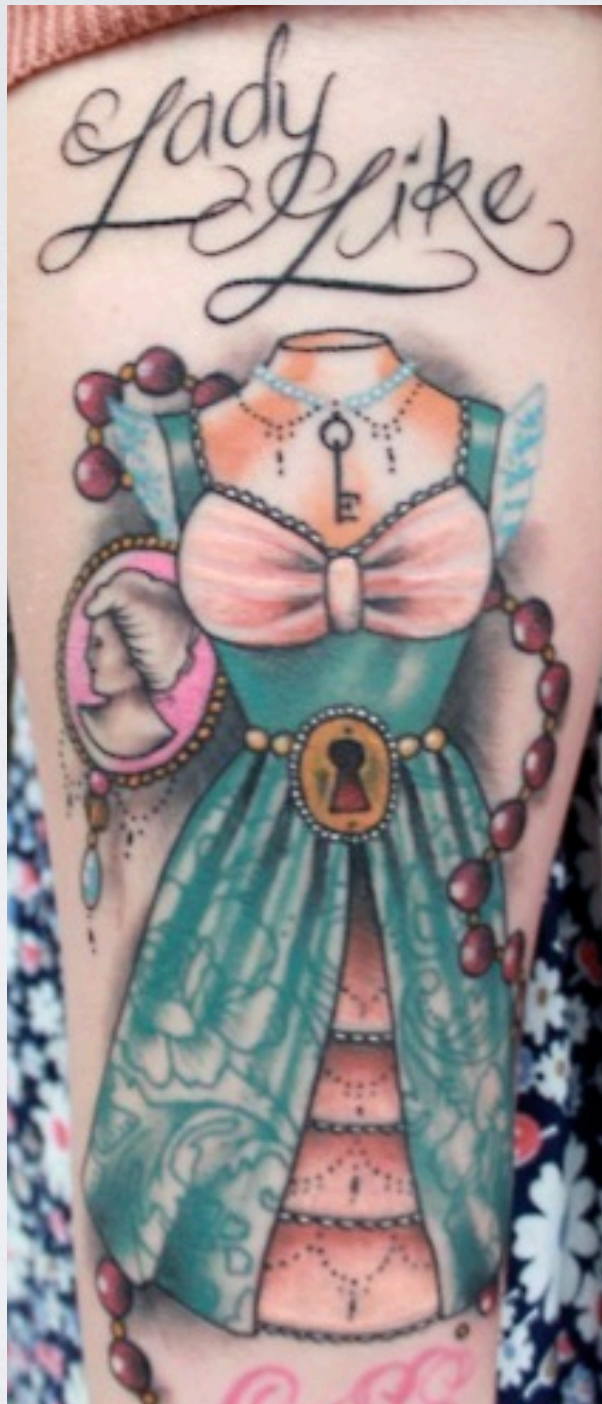


# CLIENT AUTONOMY

It's not mine anymore. You own that, you own your body. I own the image, because I have [the drawing] taped up on my wall and I took a picture of it. That's as far as my ownership goes. [Claiming control over the client's use of tattoo] is ridiculous. That goes against everything that tattooing is. A tattoo is an affirmation that it is your body, ... that you own your own self, because you'll put whatever you want on your own body. For somebody else to say, "Oh no, I own part of that. That's my arm." No, it's not your fucking arm, it's my fucking arm. Screw you.

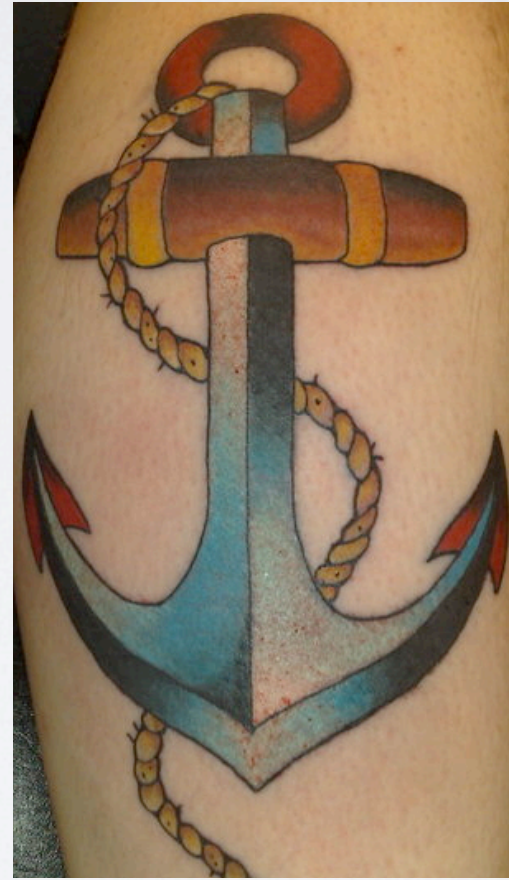
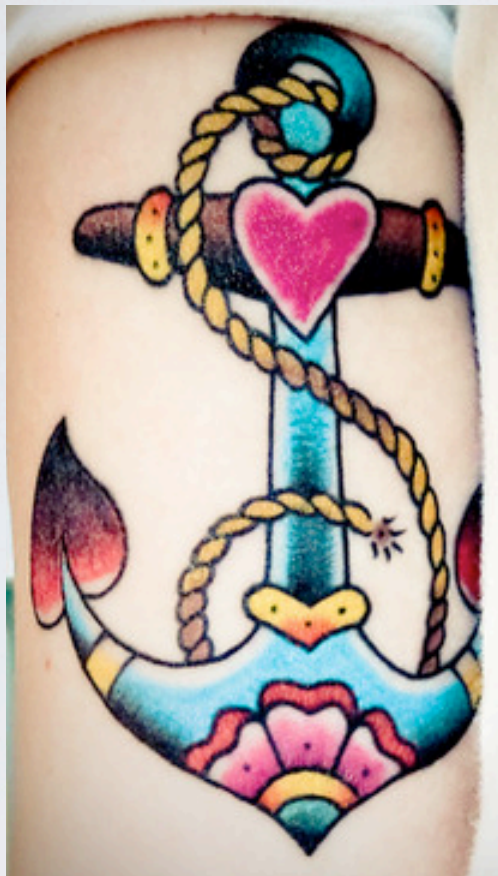


# COPYING CUSTOM DESIGNS





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In that grey area, there isn't a line until someone draws it. But that's always retroactive. The line is identified as being crossed after the fact. You can't identify it.



# COPYING CUSTOM DESIGNS

Nobody has ever been able to fix that boundary, and nobody ever can.... [W]hile we are as aware as any one that the line, wherever it is drawn, will seem arbitrary, that is no excuse for not drawing it; it is a question such as courts must answer in nearly all cases ... [w]hatever may be the difficulties *a priori*.

Nichols v. Universal Pictures Corp., 45 F.2d 119 (2d Cir. 1930).



# COPYING FLASH DESIGNS





# COPYING FLASH DESIGNS

If you purchase a set [of flash], you have purchased rights to tattoo these images should someone want them.

You do whatever you want to do with it. You can tattoo that on anybody, however you want to do it.

If you buy [flash] from a guy and when he leaves town, you color copy it and give it to everyone in town, he's going to be pissed. "I sold it to you. You're the only one who can use it." You don't do that.



# COPYING OTHER VISUAL ART





# COPYING OTHER VISUAL ART

The skill of tattooing is refining something into a tattooable image. Tattoos are tattoos. Paintings are paintings. And you have to make one into the other. An oil painting looks good because it's ... layered and has a certain sheen to it. It will never look like that on skin. But when you reinterpret it, it's developed a new meaning and developed a new power behind it.



# COPYING OTHER VISUAL ART

When it's a painting or an illustration, it's not another tattooer's work. So in that sense, it's not another pirate you may run across one day. It's a square, a regular artist.



# EXPLAINING TATTOO NORMS

- Tattoo culture
- Tattoo economics
  - Collective self interest
  - Exclusionary practices



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# QUESTIONS