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# Hughes Hubbard & Reed

## Hughes Hubbard Settles Copyright Ownership Dispute for Golf Photographer

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One Battery Park Plaza • New York, New York 10004-1482 • +1 (212) 837-6000

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Hughes Hubbard & Reed successfully negotiated a settlement pro bono for famed golf photographer Jules Alexander with a California winery contesting his copyright ownership of iconic photos he took of golfing legend Ben Hogan at the 1959 U.S. Open.

The U.S. District Court for the Central District of California dismissed the copyright infringement and breach of contract case on March 5, after Hughes Hubbard orchestrated the settlement in late February.

In January 2009, Alexander granted a six-year limited license agreement to JanKris Vineyards for limited commercial use of six pictures on a Ben Hogan wine label. JanKris, however, exploited the six pictures in an unauthorized manner, including significantly altering the photos by replacing a cigarette in Hogan's hand with a glass of wine without permission, and using a seventh unlicensed photo belonging to Alexander.

When Alexander demanded that the infringing uses cease and desist, JanKris sued him in 2011, contesting copyright ownership and seeking more than \$1 million in damages for alleged interference with its business. Hughes Hubbard brought counterclaims on behalf of Alexander.

The settlement Hughes Hubbard designed preserves Alexander's intellectual property rights and secures appropriate compensation for the misuse of his photos. JanKris may use the unaltered photos of Hogan until the license agreement ends in January 2015.

Alexander was represented by Alex Spjute and Michael Bareket.

