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MUSÉE VIRTUEL CANADA



Nailing Down Bits:

Digital Art and Intellectual Property

By Richard Rinehart

Copyright as Subject

In any discussion of the cultural heritage community's response to intellectual property, one should mention art that explicitly addresses copyright. Of course sometimes art works become unintentionally well-known for copyright issues that arise around them. These artworks can become exemplary of a specific intellectual property issue, or can even become cultural touchstones and rallying points for copyright activism. One work in the former category is the aforementioned sculpture by Jeff Koons, *String of Puppies*. A work in the latter category is *Molotov*, a painting by artist Joy Garnett. Joy Garnett's paintings incorporate mass media imagery in the form of painted versions of photo-journalistic images that she finds online and elsewhere. Her subject is not just the subject of the photo, but the photo itself as a cultural artifact. In one such painting, *Molotov*, she cropped and painted an image of a young man about to toss a soda bottle Molotov bomb. She exhibited this painting and was sued [*sic*]* by the photojournalist who had produced the original photograph. This might have remained a routine instance of alleged copyright infringement but for what happened next. The art community rallied to Garnett and many artists began appropriating the same image for works of their own, sometimes changing the contents of the bottle or other details, in a cultural movement that became known as *Joywar!*

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*The threat of an injunction was dropped after Garnett removed the jpeg of *Molotov* from her website.