

# Daily Variety

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THE VARIETY

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## Preventing indecent exposure overseas

CMG Worldwide has led the way in establishing a legally enshrined right of publicity in the United States, protecting the names and likenesses of celebrities, even after they have died. Today though, the march of globalization poses a new challenge.

"We're still working on the international front," says Mark Roesler, chairman-CEO of CMG Worldwide. "That's the other 95% of the world."

CMG begins by trademarking the client's name and likeness wherever possible. Then it works with local trademark offices and courts, with support from the U.S. Embassy. Some foreign governments don't back CMG's intellectual property claims, though.

Asian countries have been notorious for intellectual property infringements.

"Those are areas that are more difficult to protect," says Roesler, "because often the government in those countries go out of their way to protect the rights of their own citizens at the expense of the valid intellectual property rights of other people."

"We've been fighting a battle over in Korea with James Dean for eight or nine years now," says Roesler. "That's a company that's doing a whole line of James Dean high-fashion men's and women's underwear."

"We have long maintained that the Korean government is a co-conspirator in the infringement. They have cooperated every step of the way with the infringer and it's been a very difficult legal battle."

CMG ultimately fights infringement in the courts, so they try to sue in the most favorable jurisdiction. They



**DOT CALM:** CMG protects clients online and procures domain names for their sites such as *MarilynMonroe.com*.

always file in the United States when they can.

"Often infringers ... somehow promote or sell their products through the Internet, and if that's the case, that gives us grounds for jurisdiction," he says.

By pursuing an aggressive legal strategy, they have been

able to retrieve the domain names for most of their clients. "We've been very successful in retrieving JamesDean.com, MarilynMonroe.com and BabeRuth.com," says Roesler. "That's been a very important accomplishment for us."

-David Cohen