**Title:** Will University of Alabama Case Decide the Future of Sports Artists?

**Subtitle:** Universities and sports artists around the country are closely watching a sports law case pending in a federal court in Atlanta.

**Meta Description:** Will University of Alabama Case Decide the Future of Sports Artists?

**Date:** 1-2-2012

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Universities and sports artists around the country are closely watching a sports law case pending in a federal court in Atlanta. The legal dispute pits the University of Alabama against a local artist famous for chronicling some of the team’s greatest victories.

The lawsuit, which was first filed in 2005, seeks to prevent artist Daniel Moore from selling posters and other commercial items made from his paintings without first obtaining a license from the university. By depicting its recognizable uniform, logo, and other insignia without permission, Alabama claims Moore is infringing on university trademarks.

The History of the Dispute

In November 2009, a United States District Court in Birmingham ruled that much of Moore’s work is protected by the First Amendment, including his painting and prints. However, the court found that the sale of paintings on mugs, T-shirts, and other merchandise did infringe on Alabama’s trademark. Both sides appealed, and a hearing was held earlier this month.

As reported by the New York Times, Moore, an Alabama graduate, views the paintings as a tribute to his alma mater. In fact, according to Moore, the school supported his efforts for nearly two decades, even granting him access to the field and team football equipment for his paintings.

However, in 1999, the university asked Moore to pay a licensing fee for all his images of the football team. Since then, Moore has balked at attempts by the university to collect royalty payments, arguing that licensing would limit his freedom to choose subjects and require approval of university officials and anyone whose likeness he used.

The Potential Impact of the Case

Sports artists around the country are closely watching the case. A legal victory for the university would mean that many sports artists would have to reach expensive licensing agreements with colleges and universities in order to sell their work commercially.

The Collegiate Licensing Company, which wrote a friend-of-the-court brief on the university’s behalf, also has a vested interest. According to reports, the overall retail market for collegiate licensed products is valued at $4.3 billion a year, less than 1 percent of which is in the “art category.”

**Raw Content:** <!-- wp:html -->
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