President Obama is poster boy for artist copyright row

A PENSIVE Barack Obama looking upward, as if to the future, inspiring hope, belief, faith - and a nasty legal battle. The iconic image has become the subject of copyright fight between the press agency which took the original photo, and the artist who created it. Designed by Shepard Fairey, a Los-Angeles based street artist, the image has led to sales of hundreds of thousands of posters and stickers, and has become so much in demand that copies signed by Fairey have been purchased for thousands of dollars on eBay. The image, Mr Fairey has acknowledged, is based on an Associated Press photograph.

AP says it owns the copyright, and wants credit and compensation - but Mr Fairey disagrees. 'The Associated Press has determined that the photograph used in the poster is an AP photo and that its use required permission,' AP's director of media relations Paul Colford said. 'AP safeguards its assets and looks at these events on a case-by-case basis. We...hope for an amicable solution.' But Mr Fairey’s lawyer said ‘fair use protects his right to do what he did here’. Fair use is a legal concept that allows exceptions to copyright law based on, among other factors, how much of the original is used, what the new work is used for and how the original is affected by the new work..