

**Tiffany Design, Inc. v. Reno-Tahoe Specialty, Inc.,
55 F. Supp. 2d 1113 (D. Nev. 1999)**

Year	1999
Court	United State District Court for the District of Nevada
Key Facts	Both parties, plaintiff Tiffany Design, Inc. and defendant Reno-Tahoe Specialty, Inc., produced and distributed postcards and other “novelty items.” Plaintiff Tiffany Design claimed to own the copyright in a digitally rendered image of the Las Vegas Strip that it incorporated into certain products. Defendant Reno-Tahoe reproduced Tiffany Design’s image of the Las Vegas Strip and incorporated portions of it into its own products.
Issue	Whether Reno-Tahoe’s unauthorized reproduction and incorporation of portions of Tiffany Design’s image into its products was fair use.
Holding	The court held that Reno-Tahoe failed to “meet its burden in establishing the applicability of the defense of fair use to its alleged misconduct.” In reaching its conclusion, the court weighed its determination that Reno-Tahoe’s use was commercial and not transformative against a finding of fair use. The court also relied on its determination that Reno-Tahoe’s use “might have great effect upon commercial demand for [Tiffany’s] depictions of the Las Vegas Strip.”
Tags	Ninth Circuit; Painting/Drawing/Graphic; Photograph
Outcome	Fair use not found

Source: U.S. Copyright Office Fair Use Index. For more information, see <http://copyright.gov/fair-use/index.html>.