



Rick Kurnit

Rick Kurnit has thirty years experience in the advertising and marketing services and publishing industries, representing advertisers, advertising agencies, public relations, promotion, and publishing companies. He has been selected by *Best Lawyers in America* in both Advertising Law and Media Law; ranked in Band I by *Chambers USA* (a “huge name” in the advertising industry); ranked first by *Legal 500* (“clearly one of a handful of leading experts” in marketing and advertising); and selected by *Law and Politics* magazine as one of New York’s “Super Lawyers” in First Amendment, Media, Advertising, and Intellectual Property.

Rick is Vice Chairman of the ABA Committee on Private Advertising Litigation. He has handled many of the leading cases defining the application of intellectual property law to advertising and marketing communications, including representing the defendants in the Vanna White, Woody Allen, and Jackie Onassis look-alike cases; Viking Press, Nelson DeMille, Terry McMillan, and other authors and publishers in libel cases based on works of fiction; Prodigy in the Stratton Oakmont case and other cases defining online liability; John Deere in defining use of trademarks in comparative advertising; the maker of a smaller copy of the necklace from *Titanic* in defining the scope of parallel marketing; and “Gone With The Wind” in defining parody and copyright infringement. Rick has also handled numerous Lanham Act and comparative advertising cases and NAD challenges.

In addition to all aspects of advertising and marketing communications, Rick advises marketing companies and individuals on mergers, acquisitions, succession plans, employment agreements, partnership agreements, stock option and phantom equity plans. Rick also serves as special advertising counsel for many leading advertisers.

Rick teaches advertising and intellectual property law and lectures regularly for the American Association of Advertising Agencies, the Promotion Marketing Association, the Association of National Advertisers, the Copyright Society of the U.S.A., and the American Law Institute/American Bar Association. He has been a featured speaker at Beijing University; Harvard, Columbia, University of Pennsylvania, NYU, Fordham, and Cardozo Law Schools; and conferences in Asia, Europe, and North America. He is a member of the Boards of The Miami Ad School, The Art Directors Club, and The Advertising Compliance Service.

Rick’s published works include: the Advertising Law chapter in *Corporate Legal Departments* (2009); The Legal Side of the Creative Process, a chapter in *Advertising and Marketing Law* (2005); “Restricting Speech on the Internet,” a panel discussion, 8 *Fordham Intel. Prop. Media L. J.* 395 (1998); “Liability Online,” 1 *Journal of Internet Law* 15 (1998); “Pornography on the Internet,” a panel discussion, 14 *Cardozo Arts and Ent. L. J.* 343 (1996); “Right of Publicity in the Year 2020,” a symposium, 20 *Columbia-VLA Journal of Law and Arts* 1 (1995); “Libel Claims Based on Fiction,” 51 *Brooklyn L. Rev.* 401(1985); and “The Forgotten Half of the Fairness Doctrine,” 10 *Harv. Civ. Rts. - Civ. Lib. L. Rev.* 130 (1975).

Before joining Frankfurt Kurnit Klein & Selz, Rick served as law clerk to Thomas P. Griesa, of the Federal District Court in New York City, and was associated for five years with the law firm of Paul, Weiss, Rifkind, Wharton & Garrison. He is a graduate of Columbia College (AB, *magna cum laude*, 1972) Phi Beta Kappa, and Harvard Law School (JD, *cum laude*, 1975).

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Practice Areas:

advertising, marketing, & public relations
branded entertainment
celebrity branding
intellectual property
executive compensation and employment
corporate and finance
technology, eCommerce, and privacy
publishing
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