As a complement to the 1991 Washington conference sessions and special events, CAA is pleased to offer a day-long tour of the museums and cultural institutions of Baltimore, Maryland. This postconference tour will include visits to the Baltimore Museum of Art; the Walters Art Gallery; historic properties, with extensive art collections, on the campus of Johns Hopkins University; and the internationally acclaimed National Aquarium, designed by Cambridge Seven Associates. The tour is scheduled for Sunday, February 24. The cost of the tour is $50 per person, which includes lunch, round-trip transportation, and all fees.

Buses will depart from the Sheraton Hotel in Washington at 8:15 A.M. and return by 7:00 P.M. The first stop will be at the National Aquarium, one of the largest and most sophisticated aquariums in the world. Nicholas Brown, its director, will welcome the group. The aquarium’s collection includes over 5,000 aquatic animals. While it is perhaps an unusual stop for CAA members, Paul Claudel, the early 20th-century poet, recognized the relevance...
of aquariums to the art world. He explained, "Aquariums are the link between art and science."

After leaving the aquarium, we will travel a short distance to the Walters Art Gallery, where we will be greeted by the director, Robert Bergman. The museum was founded when Henry Walters bequeathed his collection of 22,000 works of art to his native city of Balti-
more. The permanent collections include ancient art, medieval art, Renaissance and Post-Renaissance sculpture and decorative arts, old-master paintings, 19th-century painting and sculpture, Asian art, armor and arms, and one of the nation's most important collections of illuminated manuscripts. A special exhibition, "The Gothic Revival: The Illuminated Manuscript in Medieval and Modern Times," will also be on display. The museum is generously offering a 10 percent discount at its bookstore to our group.

From the Walters the group will go to Johns Hopkins University for lunch and a tour of two historic properties. Lunch will be served in the 19th-century carriage house, one of the few remaining carriage houses that is still completely intact. Everything within the structure is in its original form, including the horse stalls and wood panels. After lunch, the group will visit Ever-
green House, bequeathed to the uni-
versity in 1942 by John Work Carret, whose family were the original inhabi-
tants. The estate, built in the 1830s in the classic style, is on the National Register of Historic Places. The house includes a theater wing, which has a theater and stage decorated by Léon Bakst, the costume and set designer of the Ballets Russes, and collections of early 20th-century paintings; Chinese blue-and-white porcelain; Tiffany chandeliers; Japanese netsuke, fans, and lacquer; and rare books.

Our final stop will be the Baltimore Museum of Art, where Arnold Lehman, the museum's director, will greet us. The museum's permanent collection is extensive, including the Cone Collection, comprising paintings and sculpture by Matisse, Picasso, Renoir, Cézanne, van Gogh, Gauguin, and other Postim-
pressionists; the American wing with furniture, decorative arts, paintings, miniatures rooms, and period rooms; art from Africa, Oceanias, and the Americas; Asian art; European old masters; and a print and drawing collection. The CAA News, a publication of the College Art Association, is published six times a year. Material for inclusion should be addressed to:

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CONTINUED ON PAGE 4

From the Executive Director

Entering the 21st Century

W hile the College Art Associa-
tion national headquarters are both part of and witness to changes in the association and the pro-
cesses it serves. As we embark on the new CAA fiscal year as well as a new academic year, our office staff is under-
taking the usual seasonal activities, among them, gearing up to send out membership renewals and process new and renewed memberships; working with colleagues to launch the publication of CAA journals, Positions Listings, and this newsletter; and organizing the an-
ual conference. In short, the day-to-day activities of the association continue. But this is not all we do, and it is but a small part of the activities and services that many members would like us to support in the future.

At the beginning of the next millen-

nuim, CAA will be made up of an ex-
tremely active membership who will benefit from enriched programs and services that many members would like us to support in the future.

The deadline for all session and panel proposals for the 1992 conference is October 1, 1990.


Affiliated Society

Calls for Papers
NCA (North American Historians of Islamic Art) will hold a symposium (previous committees have been sponsored by the CAA) at the University of Washington, Seattle, Washington, April 1990.

DF (Design Forum) is organizing a session on new research; send abstracts for 20-minute papers to D. Fairchild Ruggles, CASVA, National Gallery of Art, Washington, DC 20565.

Annual Conference Update

Session Information

The deadline for all session and panel proposals for the 1992 conference is October 1, 1990.

Planned are (1) an epigraphy workshop with Sheila Blair; register before September 20 with NAHIA, c/o Susan Sims, UCLA, Dept. of Art History, 405 Hilgard Ave., Los Angeles, CA 90024-1417; and (2) a session on new research; send abstracts for 20-minute papers to D. Fairchild Ruggles, CASVA, National Gallery of Art, Washington, DC 20565.

End of page 2

End of page 3
museum also has two sculpture gardens. At the time of our visit a special exhibition of prints, lithographs, and drawings by Baltimore artist Grace Hartigan will be on view, as well as drawings by another Baltimore artist, Aaron Sopher. The Baltimore Museum is graciously extending a 10 percent discount (the museum members' discount) at its bookstore to our group.

To reserve a space on the tour, complete the registration form and return it with your payment by December 21, 1990. Additional information and confirmation notices will be mailed to all participants by January 4, 1991. Space is limited, so reserve early. The tour will be canceled if there is not a minimum number of participants.

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**Legal Update**

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**Whose Image Is It?**

Contemporary artists often use appropriation—the copying of existing imagery—as the basis of their artistic expression. Such use of preexisting images as a source for new artwork has created conflicts with the owners of the rights to the existing material under federal copyright and trademark law. Several artists have been sued for copyright and trademark infringement for the use of appropriated images—but since the cases were settled out of court, no judicial opinions have considered appropriation per se. Two cases, however, both against New York-based artist Jeff Koons, are presently being argued in the federal district court in New York.

In Art Rogers v. Jeff Koons and Sonnabend Gallery, Inc., Art Rogers, a professional California-based photographer and artist, created and copyrighted a photograph titled *Puppies*. During 1988 and 1989 Koons created wood polychrome sculptures titled *String of Puppies* that Rogers claims infringed on the copyrighted *Puppies* and represent a false designation of origin of the goods.

In another case, United Feature Syndicate v. Jeff Koons, United Feature, the owner of the copyright in the *Garfield* comic strip and the character Odie, who has been featured continually in the strip, sued Koons for violation of federal copyright law, among other claims. United Feature claims that Koons infringed on its copyright by creating and selling a sculpture that pictures a dog that is copied from and bears a substantial similarity to the character Odie. The Copyright Act of 1976 provides in section 106 that the owner of copyright has the exclusive right to reproduce the copyrighted work and to prepare derivative works; it also...
The report that accompanied the copyright law specifically included the exceptions and limitations for fair use, and the courts have further provided that in any determination, the court shall consider the following factors, in order of importance: (1) the purpose and character of the use, (2) the nature of the copyrighted work, (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole, and (4) the effect on the market or value of the copyrighted work. The courts have consistently found that a work is a fair use of the copyrighted work if it is not being used to compete with or replace the copyrighted work, is not being used to derive a profit, and is not being used in a way that would unreasonably interfere with the author's right to control the use of the copyrighted work.

To prove copyright infringement, a copyright holder (plaintiff) must show that the alleged infringer (defendant) copied or adapted the copyrighted work. Copying may consist of reproducing or adapting the copyrighted work, including such things as altering the copyrighted work. The courts have consistently found that a work is a fair use of the copyrighted work if it is not being used to compete with or replace the copyrighted work, is not being used to derive a profit, and is not being used in a way that would unreasonably interfere with the author's right to control the use of the copyrighted work.

For example, in the 1987 case of King v. Ammirati and Paris, Inc., the plaintiff had made a photograph of a woman seated in the Village Vanguard; the woman was appropriately dressed and behind her was a large mural on the wall. The defendant was a photographer hired by an ad agency who had made a photograph of a man seated in front of the same mural in the Village Vanguard, holding a saxophone, with a bottle of lime juice on a table nearby. The defendant conceded access to the court in refusing to dismiss the claim as a matter of law. The court determined that the copyright infringement on a motion for summary judgment noted that camera angles, lighting, etc., were taken when the plaintiff's photograph was made. The court is unable to conclude that a rational trier of fact would not be significantly, a rational trier of fact would not be significantly affected by the camera angle, lighting, etc, in making a change in the medium of expression, most of the "photographic" and thus protected elements are gone. (Normally, the change in the medium of expression does not preclude infringement, i.e., a photograph of a painting.)

Evidently this argument is difficult to apply in the United Feature case, where the source of the image is not known but the combination of elements is identical. John Koegel, the lawyer's former partner, has argued that the appropriate test is "whether the confluence, the juxtaposition of elements is identical." This argument is the same as the Koegel's argument in the City of New York v. Harper & Row Publishers, Inc. v. Nation Enterprises, the Supreme Court instructed that the court must consider the "potential market for the work is "un- doubtedly the single most important element of fair use." The courts have consistently found that a work is a fair use of the copyrighted work if it is not being used to compete with or replace the copyrighted work, is not being used to derive a profit, and is not being used in a way that would unreasonably interfere with the author's right to control the use of the copyrighted work. While Koegel's argument with respect to the single most important element of fair use is not being used in a way that would unreasonably interfere with the plaintiff's work, is not being used to derive a profit, and is not being used in a way that would unreasonably interfere with the plaintiff's work.

While Koegel's argument with respect to the single most important element of fair use is not being used in a way that would unreasonably interfere with the plaintiff's work, is not being used to derive a profit, and is not being used in a way that would unreasonably interfere with the plaintiff's work, is not being used in a way that would unreasonably interfere with the plaintiff's work. The courts have consistently found that a work is a fair use of the copyrighted work if it is not being used to compete with or replace the copyrighted work, is not being used to derive a profit, and is not being used in a way that would unreasonably interfere with the author's right to control the use of the copyrighted work.

The defendant's argument in this case is undermined by the fact that the alleged infringer (defendant) copied the work. Copying may consist of reproducing or adapting the copyrighted work, including such things as altering the copyrighted work. The courts have consistently found that a work is a fair use of the copyrighted work if it is not being used to compete with or replace the copyrighted work, is not being used to derive a profit, and is not being used in a way that would unreasonably interfere with the author's right to control the use of the copyrighted work.

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Solo Exhibitions by Artist Members

Only artist who are CAA members are included in this listing. When submitting information, include name of artist, gallery or museum name, city, dates of exhibition, medium. Please indicate CAA membership. Photographs are courtesy but will be used only if special permission. Photographs cannot be returned.

ABROAD/

MID-ATLANTIC/


MIDWEST/


Bena Goldman

CAA Welcome an affiliated society of groups or artists whose scholars are generally considered to be of CAA, with a view to facilitating enhance their communication and mutual enrichment. It is assumed that a substantial number of the members of such groups will already be CAA members. Recognized by a CAA as an affiliated society, a group must be national in scope and must present evidence that it is primarily, or in large part, concerned with the serious process and advancement of the visual arts or to the study of an area, major area of the history of art, and that it possesses a formal organization. The CAA welcomes an affiliated society, which studies concerns with the study of Islamic art. The CAA recognizes that the purpose of the study of Islamic art, the purpose of the study of Islamic art, and that it possesses a formal organization.

Bena Goldman


Grants, Awards, & Honors

Publishing policy: Only grants, awards, or honors received by individual members or member leaders of the College Art Association are listed. The grant/award/honor amount is not included. Please note the demanding format.

Individual members: cite name, institutional affiliation, and title of the grant, award, or honor; institutional members: cite name of organization, title of the grant, award, or honor, and (optional) a note or purview of grant. Please indicate that you are a CAA member.

Catherine M. Allen has been awarded an NEA Fellowship for painting.

Michael Arbusch, assistant professor of fine arts at Vanderbilt University, received a Tennessee Arts Commission's Visual Arts Fellowship for 1990.


Maggie Bickford, a professor at Brown University, has been awarded an NEH Fellowship for her project on the role of painters in late 18th-century China.

Phillip Smith Barczak has received a travel grant from the John Anson Young Educational Foundation for 12 days of drawing and photography in a jungle in Costa Rica.

Gloria Delli-Biphi, professor and head of the Department of Art at the University of Minnesota, received a 1990 Film in the City/McKnight Foundation Photography Fellowship.

Carmen Bombach-Cornell, assistant professor of art history at Fort Worth University, NY, has received an American-Scandinavian Foundation Travel Award to the Metropolitan Museum of Art.

Giovanna M. Dayle, a teacher at San Antonio College and St. Mary's University, was awarded a grant through San Antonio College to present a paper and chair a panel at the 23rd annual Southwest Council of Latin American Studies Conference in Monterey, N.J., Mexico.

Sheila Edmunds has been awarded a travel grant through the American Council of Learned Societies (ACLS) for her project "The Art of Life and the Art of Death: Visual Arts Regional Fellowships in painting.

Gerlach G. Gilbert, professor of art history at Yale University, received honorary degrees of humane letters from Adelphi University, Garden City, N.Y.

Ben Goldman, instructor of painting and sculpture at Mississippi University for Women, has been named a Michigan Council for the Arts Award for 1990.

John Paul Lambertson, a doctoral candidate at the University of Illinois, has been awarded the William Ross Fohey Fellowship in Art History from the Pennsylvania Foundation and a Graduate Childe Fellowship from the Institute francise de Washington.

Aileen H. Leag, professor at Sweet Briar College, Va., received the 1990-91 Distinctive Women Award.

Rebekah Lempert, a doctoral candidate in art history at Columbia University, has been named a fellow of the Elizabeth American Educational Foundation.

Patricia Maraini, assistant professor of art history at Brooklyn College and the Graduate Center, CUNY, received a 1990 University Women's Summer Study Award at the Center for Advanced Study in the Visual Arts Fellowship.

She also received a grant from the NEH Tools of Research Program.

Diane D. Moses has been awarded the Sweetwater Faculty Fellowship for her project on images of women in mourning in 16th-century England.

Lett Schweinhardt and Vitali Smirnov have received the Columbia Art Council, Art in Public Buildings Award. The two artists will participate in an art planning meeting with Columbia Architecture for 8 sites in Los Angeles.

Janet Charlotte Smith was awarded the Andrew W. Mellon Foundation Faculty Fellowship at New York University.

David Taubman, a professor of fine arts at Syracuse University, has received an Institution's William Wasserman Award for Fellowship in Graduate Teaching.

Eleanor T. Yoffe, professor of Student's Methodist University, has been awarded a fellowship through the American Council of Learned Societies for her project "The Corresponding Member of the Hispanic Society of America: Her Scholarship." She has also been elected a corresponding member of the International/hisp/Sc.

The American Council of Learned Societies has awarded grants and fellowships for postdoctoral research to the following CAA members: Janet Abrahamson-Wilson; Harvard University; Samuel C. Albert, Salem, Mass.; and John M. Swenson, National Gallery of Art, Stockholm, Sweden.

The Center for Advanced Study in the Visual Arts, at the National Gallery of Art in Washington, D.C., has announced the following visiting fellows: Samuel H. Kassab, Professor; University of Pennsylvania; Paul Mellon Senior Fellow: Judith Leidner, Leiden University; Visiting Fellow: Institute of Fine Arts; Emile H. Kassab; Professor; University of Pennsylvania; John M. Swenson, National Gallery of Art; John M. Swenson, National Gallery of Art; and John M. Swenson, National Gallery of Art.

The American Academy of Arts and Sciences has announced the following visiting fellows: David Bruce Brownlee, Brooklyn College and the Graduate Center, New York University; and Richard C. Kassab, Professor; Stanford University.

The National Commission on Fine Arts, in consultation with the Smithsonian Institution, has announced the following visiting fellows: David Bruce Brownlee, Brooklyn College and the Graduate Center, New York University; and Richard C. Kassab, Professor; Stanford University.

The University of Texas, Austin, has announced the following visiting fellows: John H. Kassab, Professor; University of Pennsylvania; Susan Kassab, Professor; University of Pennsylvania; and John M. Swenson, National Gallery of Art.

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At the American Historical Association's annual meeting in San Francisco, the following symposium will be held: "Contemporary History Symposium: The History of Popular Culture in America"; to be held on October 25, 1990, at the University of California, Berkeley. The symposium will explore the relationship between popular culture and national identity. For information: Barbara Berms, Webb University Art Museum, 415/392-1938.


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The Art Libraries Society of North America announces a new award given annually to a student for the most outstanding paper on art or visual resources library work. Entrants must be in an accredited graduate library program, a post-MLIS graduate program, a graduate art history director, or in a comparable program. The year's challenge is to prepare a 20-minute oral presentation on a topic of their choice. The winning entry will receive a $2,000 prize and a certificate. For more information, contact: Art Libraries Society, 14 CAA, PO Box 6561, Atlanta, GA 30308.

Nexus Gallery is accepting applications for artists to participate in the Nexus Gallery, Weekend Window Window, a juried exhibition. The gallery will host 30 artists in all media. The exhibition will be held from Friday, November 11, to Sunday, November 13. For more information, contact: Nexus Gallery, 14 CAA, PO Box 6561, Atlanta, GA 30308.
Correction

As an addendum to the list of sponsoring and sustaining members that appeared in the last newsletter, CAA gratefully acknowledges the contributions of the following members:

**Sponsoring**
- Ronald R. Atkins
- S. Gilliam
- Frank K. Horie
- Virginia Caprio

**Sustaining**
- Roger MandIe
- Jean M. Massengale
- Cathy Montenegro
- Barbara D. Nosanow
- Alfred R. Schmidt
- Linda Seidel
- John Wilton-Ely
- Joyce Zemans

Classified Ads

**Art Calendar.** The monthly marketing and career management journal for visual artists. Articles: marketing; art law; federal updates; other issues affecting artists; the psychology of creativity; interviews with arts professionals, i.e., curators, gallery directors. Listings: thorough coverage of upcoming exhibitions, grants, public-art competitions, residencies, many other opportunities. $29/year, PO Box 1040, Great Falls, VA 22066; 703/420.6610.


Information Wanted

Anyone with knowledge of any paintings by the 19th-century American painter who signed his work "E. Teagle" or "E. T." is asked to contact: Ann C. Madonia, Muscarelle Museum of Art, College of William and Mary, Williamsburg, VA 23185.