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# Kluwer Copyright Blog

## Copyright case: Florentino Case, Spain

Inés de Casas (Elzaburu) · Friday, April 28th, 2023

This case concerns a conflict between the fundamental right to one's own likeness and the exceptions to unlawful interference with the right to one's own likeness. The Supreme Court gives prevalence to the right to one's own image. The dispute centres on the use of the image as part of a tribute to the artist under the umbrella of the public profile accorded to him, when it is, according to the Court, in fact a use with a commercial and profit-making purpose, and there is no relevant cultural interest that might serve to justify the unlawful interference with the right to the artist's image.

Case date: 16 June 2022

Case number: ECLI:ES:TS:2022:2340

Court: Supreme Court of Spain, First Civil Law Chamber

A full summary of this case has been published on [Kluwer IP Law](#).

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