



Inspiration or Rip-Off? From “I Heart NY” Tees to Amex Smiley Face Ads

By Ken Carbone Sun Dec 20, 2009 at 4:01 PM

Years ago, I participated in a brainstorming session with Richard Saul Wurman, the entrepreneurial wiz and founder of the TED Conference. During our meeting he made a simple statement: “Ideas are free, it’s what you do with them that counts.” A chill ran up my spine. I said nothing for the rest of the meeting, for fear that any creative spark I offered would be fair game.

This memory begs the question: Who owns an idea? What’s the difference between being influenced by someone’s creativity or simply stealing it?



The ubiquitous “I (Heart) NY symbol designed by Milton Glaser must hold the world record for the greatest number of design ripoffs.





However, somewhere in the back of Glaser's virtuosic mind was Robert Indiana's LOVE sculpture a seed of inspiration?



Shepard Fairey's infamous Obama campaign poster, with its questionable appropriation of an AP photo, appears Warholesque to some. Fast Company writer Cliff Kuang recently exposed Absolut Vodka's "Anthem" commercials by TBWA\Chiat\Day as an obvious lift of Stefan Sagmeister's arresting typographic sculptures.

A current example of this inspiration vs. exploitation tug of war is the "Take Charge" ad campaign from American Express by Ogilvy & Mather. The commercial shows clever staging of common objects that express human like facial expressions.



Hmmm...where have I seen this before?

Photographer Francois Robert, along with his brother Jean, has been photographing doorknobs, handbags, bathroom sinks and tools in precisely the same way for decades. They have been published in books, widely exhibited and made into products. I covered his whimsical carpet tiles for FLOR here back in July.



He was not involved with the creation of the ads, received no acknowledgement and certainly no compensation. After some legal debate, as Robert told me, he was flatly informed that the “idea” of photographing everyday objects to reveal their “human” characteristics couldn’t be copyrighted. Case closed.

But isn’t that Bach’s Cello Suite No.1 in the background? Didn’t Ogilvy pay for the rights to use it? And what about the musician performing it? Maybe he did it for a few quarters tossed into his cello case. That’s more than Robert got for his “inspiration.”

The real tragedy is that TV audiences will think that American Express (& Ogilvy) are the “creative” ones, leaving Francois Robert, unfortunately, in the shadow.



New commercials for Amazon.com's Kindle have a ripe smell of creative theft as well. Its jaunty overhead view of stop-motion animation, although not a new technique, immediately brings to mind Oren Lavie's beautiful music video, Her Morning Elegance. Even the soundtrack used in the spot reflects the same sonic mood.



The ads for the ABC sci-fi TV series V feature a bisected face of a beautiful woman with menacing eyes. Rewind to the poster for the 1982 erotic thriller *Cat People* starring Nastassia Kinski and there you have it--the source, right down to the hairstyle.



The world is fast becoming one huge scrap heap of images and ideas that are picked over by a heaving mass of creative talent, pros and amateurs that is expanding exponentially. There are more “designers” now than there were five minutes ago. All innocently gather inspiration from countless sources that can sometimes cause the lines of original thought and plagiarism to get very blurry. This is especially dangerous when “swipe art” is used for visual demonstrations to unassuming corporate clients.

The speed at which cool ideas circle the globe is measured in seconds. Originality is increasingly difficult in this wired world of relentless image bombardment. Who know what triggers an idea--consciously or unconsciously.



Last year, I created the poster on the left as a birthday tribute to the great Swiss designer Fritz Gottschalk. The late Pierre Mendell designed the beautiful poster on the right in 1986.

Inspiration? Appropriation? Exploitation? You be the judge.

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Ken Carbone is among America's most respected graphic designers, whose work is renowned for its clarity and intelligence. He has built an international reputation creating outstanding programs for world-class clients, including Tiffany & Co., W.L. Gore, Herman Miller, PBS, Christie's, Nonesuch Records, the W Hotel Group, and The Taubman Company. His clients also include celebrated cultural institutions such as the Musée du Louvre, The Museum of Modern Art, The Pierpont Morgan Library, The Chicago Symphony Orchestra, and the High Museum of Art.

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