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REUTERS

Legacy of 'Love' artist Robert Indiana is subject of new lawsuit

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NEW YORK (Reuters) - The legacy and works of American pop artist Robert Indiana, best known for his iconic “Love” image, are the focus of a lawsuit filed on Friday in Manhattan federal court.



A young couple has their photo taken in front of Robert Indiana's iconic LOVE sculpture in Philadelphia, February 12, 2015. REUTERS/Charles Mostoller

Morgan Art Foundation, which said it has been Indiana's agent for more than two decades, accused American Image Art and others of exploiting the now "bedridden and infirm" artist, by forging some of his famous works and selling them for millions of dollars to unsuspecting collectors.

Indiana, who turns 90 in September, is best known for his image of the letters L, O, V and E arranged in a square, with the O tilted diagonally to the right.

He created it in 1965 for a Christmas card by the Museum of Modern Art in Manhattan. The image appeared on a U.S. postage stamp in 1973.

Morgan Art Foundation said Indiana has become isolated since giving Jamie Thomas, whom he had allegedly employed to run errands and do work around his Maine home, power of attorney two years ago, enabling American Image Art and its founder Michael McKenzie to profit at the artist's expense.

"We filed this action to protect Robert Indiana and his legacy," Luke Nikas, a partner at Quinn Emanuel Urquhart & Sullivan representing the plaintiff, said in a phone interview.

The complaint seeks a variety of damages for trademark infringement, breach of contract and other claims for what Nikas called a "rogue and brazenly unlawful" forgery scheme.

McKenzie, who had yet to see the 53-page complaint, in a separate phone interview rejected Morgan's contentions.

“I feel badly for Robert Indiana. This is one of the most important living artists, on the order of (Andy) Warhol and (Roy) Lichtenstein,” he said. “I’m sure the countersuit will be interesting.”

McKenzie also said Indiana’s health is better than the plaintiff described.

“Bob is quite sharp,” he said. “There are times when he’s off, which is expected, but there are times he is as sharp as he’s ever been. His ability to understand what’s what and why, and make good decisions - he’s clear about what he wants and doesn’t want.”

Thomas’ lawyer did not immediately respond to requests for comment.

Indiana is also a defendant, after having provided the alleged power of attorney enabling the creation and sale by other defendants of infringing works.

Morgan said it had been reluctant to sue, and believes Indiana would not have voluntarily allowed Thomas to conduct the alleged activities on his behalf.

Indiana could not immediately be reached for comment.

The case is Morgan Art Foundation Ltd v McKenzie et al, U.S. District Court, Southern District of New York, No. 18-04438.