

NOTE: THE ROP IS GUARANTEED FOR 10 YRS AFTER DEATH, THEN WILL CONTINUE INDEFINITELY SO LONG AS IS EXPLOITED WITHOUT A TWO YEAR PERIOD OF NON-USE

-1104

TEXT

TENNESSEE CODE ANNOTATED
TITLE 47 COMMERCIAL INSTRUMENTS AND TRANSACTIONS
CHAPTER 25 TRADE PRACTICES
Part 11-- Protection of Personal Rights
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Current through End of 1998 Reg. Sess.

47-25-1104 Exclusivity and duration of right.

(a) The rights provided for in this part shall be deemed exclusive to the individual, subject to the assignment or licensing of such rights as provided in s 47-25-1103, during such individual's lifetime and to the executors, heirs, assigns, or devisees for a period of ten (10) years after the death of the individual.

(b)(1) Commercial exploitation of the property right by any executor, assignee, heir, or devisee if the individual is deceased shall maintain the right as the exclusive property of the executor, assignee, heir, or devisee until such right is terminated as provided in this subsection (b).

(2) The exclusive right to commercial exploitation of the property rights is terminated by proof of the non-use of the name, likeness, or image of any individual for commercial purposes by an executor, assignee, heir, or devisee to such use for a period of two (2) years subsequent to the initial ten (10) year period following the individual's death.

CREDIT

[Acts 1984, ch. 945, s 4.]

ANNOTATIONS

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Cited: State ex rel. Elvis Presley Int'l Mem. Found. v. Crowell, 733 S.W.2d 89 (Tenn. Ct. App. 1987).

T.C.A. s 47-25-1104

TN ST s 47-25-1104