LEGAL KITTY™ CHEAT SHEET

Voice & Likeness: What Courts Said

Forty years of sound-alikes, look-alikes and AI clones, read for your contract.

KEY PRINCIPLES

1 **Your whole act is yours.**
The First Amendment didn't let a TV station air a performer's "entire act without his consent" (Zacchini). "Entire performance, all media" asks for exactly that.

2 **A sound-alike can be theft.**
"A voice is as distinctive and personal as a face" (Midler). Deliberate imitation of a famous voice to sell a product is a tort in California.

3 **Faithful copies lose; transformed art can win.**
California protects work "transformed into something more than a mere celebrity likeness or imitation" (Comedy III). A replica that just reproduces you is the weak spot.

4 **AI training law is unsettled.**
Two judges, two days apart, different reasoning on training with books (2025). No statute in the guide gives performers a training right. Contract for it.

KEY EXAMPLES

Real decisions, from the full guide

Zacchini v. Scripps-Howard
U.S. Supreme Court, 1977

A station aired Hugo Zacchini's full 15-second human-cannonball act on the news. He won the First Amendment fight.

FOR YOU **Price your full performance separately.**

Waits v. Frito-Lay
9th Cir. 1992

A Doritos ad imitated Tom Waits's voice. The verdict stood, with $2 million in punitive damages.

FOR YOU **Don't endorse? Say so in writing.**

Bartz & Kadrey
N.D. Cal. 2025

Training was fair use on those records, but "no entitlement to use pirated copies" (Bartz); Meta's win wasn't a blessing (Kadrey).

FOR YOU **A no-training clause settles it for your work.**

© 2026 Legal Kitty™. All rights reserved.

KEY CLAUSES

Red flag, green flag

Push back on the red. Ask for the green.

	RED FLAG · PUSH BACK	GREEN FLAG · ASK FOR
SCOPE	Your “entire performance” in “all media”	Named uses; full performance priced separately
IMITATION	Silent on sound-alikes and AI voices	No imitation, human or AI, without consent
IDENTITY	Licensed: “your likeness” only	Name, voice, likeness, any recognizable evocation
ENDORSEMENT	Silent on whether you endorse products	Your no-endorsement policy stated in writing
YOUR NAME	Your name usable in prompts and marketing	No use of your name in prompts
TRAINING	Training on your work allowed	No training without a separate paid license

Condensed from the REPLICA Part 4 “for your contract” lines. Teaching examples, not forms.

GO DEEPER

REPLICA Part 4, the 15-page case-law part of REPLICA.
Free at legalkitty.com/guides

Full part: DM **REPLICA4**
This sheet: DM **CASELAW**

Don’t sign it till you read it.

© 2026 Legal Kitty™. All rights reserved.

Legal Kitty™