

experimental things with the model—plus the fact that I was highly unlikely to ever part with it. I am relieved that my name did not appear in the ad under the photo, as I did not have to suffer letters or phone calls as to what amount it would take to rip the marvelous little horse from my arms, as he's simply not for sale for any sane amount. So ownership/permission (just a written assurance from the advertiser should be adequate) should be on record with the publication but need not appear in the ad itself.

In closing, the old adage states that (physical) possession is nine-tenths of the law. Legal ownership through documented sale gives the new owner wide control over the piece and all rights to its public life. There are newer laws within the arts that give the artist some control over how a piece is exhibited and restored—these may or may not be applicable to assemblage artwork that generally sells for well under \$500 and spends much of its time on the shelf in the bedroom. The solution for the customizer is to either campaign a horse very briefly before selling it (preferably in halter-only classes to maintain pristine condition) or to sell it quickly and content oneself with good portfolio pictures.

From Erin McCabe, Chico, CA: I have always believed the idea behind our hobby was to create models, tack, even pedigrees, as close to the real horse world as we could get. In the real horse world, at all the shows I've ever entered, if a horse isn't owned by you, you must have the owner's signature on the form. The only exception, I believe, is if you are leasing a horse, paying for its use, or using it with the owner's permission (usually written).

Therefore, if we're truly trying to be as true-to-life as we can, it makes sense that written permission should be received before a model can be shown by an artist. You don't see breeders, no matter how much they love a horse they've bred and sold, showing it without permission from the owner.

Obviously, not everyone will agree with my viewpoint, but to me, the choice is obvious. No permission—no show.

From Linda Watson-McCormick, Renton, WA: I feel I am both artist and customer in the model horse hobby. And as wearer of both hats, I feel I can relate well to both sides. I pretty much agree with your opinion that artists should have the permission of the models owners to advertise that model. Your way of explaining the possible predicaments of overexposure really made me think. Since our hobby is made up of so many different people with so many different opinions, I can live with the courtesy of asking others if I may use their model in my advertising.

On the other hand, as a customer of X's work, I really don't mind seeing my models in ads. I feel that my model by X is superior and I like to have everyone see what a wonderful choice I made and to "tremble at the thought of showing against me"—well, something like that! And since this model by X is so superior, it will always show well and will not have a stale-date. That may not be true, but that is my opinion.

And that is the heart of the matter—I think that no matter what opinion modelists may have, if they will just remember to treat others with the same consideration they would like to be treated with. Yes, I think I will only advertise my personal horses, horses for sale and those horses whose owners have given me permission to advertise. Now, that is not to say that I will not continue to keep a portfolio of work that I have done. When someone asks to see reference photos I will continue to use those to show to prospective customers.

I really feel that once a model has been sold, all of its showing rights go with it unless otherwise stated (preferably in writing). I think the customizer's show idea is violating that premise. The customizer should not have the right to show with the intent of competing, any sold/delivered model. As a customer I really do not mind the artist advertising the model I now own, but I would really be HOT if the artist showed my model. In fact, I would be most interested in knowing who those members of the customizer's club are...I would seriously consider boycotting their art if they intend to continue this.

Basically, that's my input...treat others the way you want to be treated.

From Melody Snow, "The Unicorn Woman," Keene, TX: A customizer club sounds like fun, *however*, it obviously is causing other hobbyists to feel victimized. Therefore, it should be regulated to avoid these problems. How? I'm not sure. I see a big problem with demanding permission from the owner. Asking for that permission is easy from the

first owner, but what about when the horse is sold? Does the first owner's permissions stand? What if no one tells you the horse has been sold and you don't have any idea who has the horse?

A better solution would be to state on the price list what rights the artist reserves. Here's a sample: *"All models are sold with the following rights reserved: Use of the model in advertising, limited show rights to only include customizer shows or classes..."*

The Rights Reserved section could also be included on ads so that all customers, both first-hand and second-hand, would know. I propose an equitable solution that will settle the controversy, that only those horses produced after the artist puts the Rights Reserved clause into effect or those that specifically have permission be allowed to show in Customizer shows and classes.

Please note that on my sample Rights Reserved, I included advertising rights. I included it only because there seemed to be a little confusion on the matter. Personally, when I buy RR horses I expect the artist to keep a photo to use for her files, for advertising, and for sample photos to perspective customers. I think it is an artist's right to use photos in this manner.

Now on to a limited show life...Isn't part of the problem with the limited show life with the judges themselves? If a horse is really good, should it matter that he has attended the last 20 shows you've held? I know it is difficult to be objective here. I get bored too, but maybe this aspect of the problem should be referred back to the judges.

The close cousins are a harder problem. While I know that there are some remakers that "mass produce" look-alikes, I still can't help wondering if it's possible to completely avoid close cousins. Have you looked at horse or dog magazines? Ever notice how similar some of them look? Are we being reasonable demanding that all RRs be so original that no one would accuse them of being a copy of something else?

How does this relate to tack and obstacle makers? When I take a photo on my horse of a costume I later sell, do I have to throw the photo out of my showstring? Or is tack that unique?

From Diane Cohn, South Hampton Jumps, Sunnyvale, CA: I understand Carla's attachment to her work. I have recently begun creating one-of-a-kind jumps, rather than mass produced pieces. Although they are certainly not as difficult to create as fine repaints are, I still feel proud when they are finished, because they are very realistic and quite unusual. It's tempting to take photos of them with my best horses and send them to shows. But if I decide to sell the jump, ethically, I cannot. How can I honestly tell the buyer that this jump is truly unique if my photo and her photo turn up in the same show? I must choose. Either keep the jump and show it, or sell it and don't show it. You can't have your cake and eat it too.

As a potential purchaser of repaints, I am looking for something unique. I have no qualms with a remaker keeping photos of her work for her portfolio. But I would be very upset if I found out that a horse I had just paid \$200 for was making public appearances without my permission. When I buy the horse, I want it and all rights to it. That's what selling is all about. You either own it, or you don't own it. If the remaker wants to show it, then she must get the owners permission, just as I must get the owners permission to show a jump that I've sold. This is what happens in the real world. It's called licensing.

The idea of showing just within a select group of remakers is interesting, but it would only be fair if *none* of those remakers involved judged regular photo shows during the same year (because overexposure on a horse does shorten his show life) and only if the artists have the owners' permission. Most owners buy on the assumption that they own the horse and all show rights. If the artists have other ideas in mind, then they must construct a written agreement outlining the terms and conditions of the sale, and both buyer and seller must agree and sign. In all transactions, you must be honest, up front, and ethical. I would never deal with an artist who was otherwise.

From Rhapsody Rhodes, Stokesdale, NC: I am writing commenting on your last columns, about remakers showing the horses they created and sold. I don't think they should be allowed to do that, even in a customizer's club. Does a painter keep pictures of the portraits he's painted and show them? Or a sculptor of his statues? They may keep

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