



CFA provides information about our industry's vulnerable business issues. The current issue's importance sends a clear "Protect Yourself" message and is part of CFA's continuing effort to assist our members.



June 2018 "PROTECT YOURSELF"

...now that influencers are earning commission!

Influencers are Stealing Imagery

Los Angeles-based Nita Batra filed suit in a California federal court this week, alleging that PopSugar *"decided to capitalize on the influencers' social media following by copying and posting thousands of influencers' Instagram images, as well as their Instagram profile photos and bio line information on its own website without authorization."*

Hundreds of 'influencers' may be able to join a new lawsuit filed against PopSugar.

PopSugar, the fashion and celebrity news website, made headlines this spring for allegedly stealing the images of one of the new 'influencers', and posting them on its website in furtherance of a "massive infringement" scheme.

According to her multi-million dollar complaint, Batra, who boasts a following of 215,000 on Instagram, alleges that, in mid-April, PopSugar swiped thousands of influencers' Instagram imagery to create shoppable pages and individual influencer "subpages" on its own website.

Batra claims that PopSugar also *"removed the products' affiliate links."* Batra has a partnership with content platform/shopping discovery app 'rewardStyle/LIKEtoKNOW.it.' *This app enables influencers to earn commissions if their followers purchase any of the linked products.*

In place of the rewardStyle/LIKEtoKNOW.it affiliate links, PopSugar allegedly *inserted its own affiliate links*, pointing to ShopStyle, a competing shopping platform that PopSugar previously owned, and was using at the time of the acts alleged. As a result, PopSugar actively *"diverted commissions from the sales of products featured in the influencers' images to itself ... in order to monetize the content for its own benefit."*

"When caught, PopSugar's co-founder and CEO, Brian Sugar, attempted to minimize PopSugar's culpability," Batra's complaint states, "tweeting on April 17, 2018, that the misappropriated pages were 'intended for internal use only, but were mistakenly left open, albeit hidden from search engine indexing and social media.'"

[See link for entire article and case study](#)

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