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Design LA.....

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by Jessica Darraby

*Searching for the "Real Thing"*

(Editor's note: We are pleased to welcome Jessica L. Darraby with her commentaries on the ever-changing world of art. Be sure to catch her program on art forgeries at Artexpo CAL on October 5.)

**F**raud! Fakes! Forgery! Are these fearful words triggered when you consider purchasing prints? They need not be. In California and several states, there are laws that regulate the sales of all multiples, whether printed material like woodblocks, etchings, lithographs, even pages from books, or sculptural works like bronzes or even collages. The laws, unfortunately, are quite

complicated and cannot here be fully addressed. But buyers need not be intimidated by legal complexity when purchasing prints. By understanding certain basic principles, you will be able to ask questions that may protect you from becoming the next victim.

The following is but a sampler of questions that begin a dialogue between you and a dealer. If you already have a trusting relationship with a gallery, the owner or director will no doubt be happy to educate you in detail on the printmaking processes in general and those of the gallery artists in particular. If you wish to buy from an unknown source, but are uncomfortable with the way your questions are being answered, ask for the director or owner. If you do not get satisfaction in that quarter, follow your instinct and know your rights. Not only is the customer always right, but when it comes to buying multiples in California, he or she is always legally entitled to the information. Failure to provide written certification may result in penalties and damages.

**"One of a Kind" or "Multiple"?**

Be skeptical of the term "original." The unsuspecting buyer may be told a print is original even though it has been reproduced by the thousandfold on a high-speed press. Why original? Because multiple copies were created by photographing an

"original" piece.

If the print is a multiple, is it handmade by the artist, photographically reproduced on a high-speed press or reproduced by other means? This key question may separate prints with pesky problems from those when are true-blue. Some artists use their own hand-presses in their studios, "pulling" each print. Although technically a multiple, the plate or screen is re-inked periodically and the amount of pressure at which the paper passes through the press may vary each time. As a result, each print in the edition may vary slightly. But you are getting a bona fide hand-pulled print. Questions about such prints of contemporary artists are easily directed to them or their representative gallery.

**C**ertain museum-quality publishers like Gemini G.E.L. in Los Angeles provide artists with sophisticated equipment and trained support teams so that each print is "hand-made." Utilizing an extensive system of quality controls throughout the procedures, those prints prepared this way are each approved by the artist and signed by him or her prior to sale. Buying from such a source serves as a virtual guarantee; and art originally created by such sources but sold through others may easily be checked by reference to the underlying documentation prepared when the print was first made.

**How Many in an Edition? How Many Authorized Editions?**

An edition is, in essence, a "run" of a print — the total number which is supposed to be set by the artist or publisher in advance and beyond which no more are to be printed. But the law allows print publishers to produce many editions of the same print; yours may be marked 10/500A, but there may be many other editions of 500 in other cities. In other words, there may be a 10/500B, 10/500C, 10/500D and so on. Instead of 500 multiples in this example, there would be 2,000! Further, for each edition, there may be — in fact almost always are — printer's proofs, artist's proofs and other proofs. Hand-created editions tend to be extremely small: repeating the printing process is timely and cumbersome. You are entitled by law to know the number of prints in each and every edition and each set of proofs and the total number of editions which have been authorized. Demand the information in writing.

**Has the Artist Signed the Print?**

Contemporary, hand-made prints usually — but not always — are hand-signed. On high-speed reproductions, you may see a signature, but remember that the artist may not have authorized the edition, or may have signed a "master" print but not yours. The dealer is obligated to tell you how the artist's name was affixed to the print.

*Jessica Darraby specializes in art law at Pepperdine Law School in Malibu, and at the University of Maine Law School, Portland. Based in Los Angeles, she is currently editing a book on architecture and law.*