



Gabrielle C. Wilson

Associate

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Gabrielle C. Wilson focuses her practice on commercial disputes involving art, intellectual property, and insurance related issues. She also advises clients on a variety of matters relating to art and cultural property law.

Experienced in both state and federal courts, Gabrielle was a member of the team representing a famed photographer in a Southern District of New York copyright infringement litigation arising from the unlicensed creation and sale of multiple images based on a striking 1981 photo portrait of the musician Prince taken by our client in the 1980's. In addition, Gabrielle is a member of the Herrick team that has been representing the sole heir of renowned Dutch art collector Jacques Goudstikker in the recovery of hundreds of artworks that were seized by the Nazis during World War II. She also represents the Republic of Turkey in its efforts to recover its cultural patrimony.

Gabrielle graduated *cum laude* from the Benjamin N. Cardozo School of Law, where she served as Associate Notes Editor of the Cardozo Public Law, Policy & Ethics Journal. During law school, Gabrielle also served as a judicial intern for the Honorable Joseph A. Greenaway, Jr. of the United States Court of Appeals for the Third Circuit and the Honorable Michelle Weston of the New York State Supreme Court, Kings County.

She received her undergraduate degree from Princeton University.

Services

- Art
- Litigation
- Corporate Litigation
- Alternative Dispute Resolution
- Intellectual Property
- Intellectual Property Litigation
- Insurance & Reinsurance

Education

- Benjamin N. Cardozo School of Law (J.D., *cum laude*, 2014)
- Princeton University (A.B., 2009)

Accolades



- *Best Lawyers: Ones to Watch, Intellectual Property* (2021)



Memberships & Associations

- Copyright Society of the U.S.A., Member
- New York State Bar Association
 - Entertainment, Arts and Sports Law Section (EASL) - Art Law Committee

Publications

January 25, 2021

The Art Law Review

The Law Reviews

January 2017

Second Circuit Fair Use Survey: Assessing the Impact Of "Transformative Use" Theory, by case (1982-2016)

New York City Bar Association

August 24, 2016

New Jersey Supreme Court: Damages from Subcontractor's Faulty Work Triggers Insurer's Duty to Defend a General Contractor under Commercial General Liability Policy

February 16, 2016

Innocent Misrepresentation on Insurance Application Can Lead to Rescission Insurer Not Required to Conduct a "Scavenger Hunt"

February 1, 2016

Electronic Cigarettes: Where There's Smoke, There's Litigation
Product Liability Law & Strategy

Matters

Google Inc. – NJ Appellate Division Affirms Summary Judgment

Represented Google Inc. before the NJ Appellate Division, which affirmed summary judgment granted by the New Jersey Superior Court in favor of Google, dismissing claims by an online merchant for breach of contract and the covenant of good faith and fair dealing. The appellate court upheld the terms and enforceability of Google's online merchant "click-wrap" agreement, including its liability limitations, while rejecting plaintiff's claim that it was an unenforceable contract of adhesion. *D'Agostino v. Appliances by Phone, Inc., et al.*, 2016 N.J. Super. Unpub. LEXIS 504 (Mar. 8, 2016).

Manufacturer - Summary Judgment in Breach of Contract Action

Successfully represented a Queens, NY-based packaging manufacturer, obtaining summary judgment in a New York state court breach of contract action against a former customer who failed to pay for goods ordered and received.

Commercial Liability Insurer - Third Department Affirms Summary Judgment in Favor of Herrick Client in Environmental Coverage Litigation

The New York Appellate Division Third Department affirmed the Supreme Court's dismissal of all claims against a liability insurer in an environmental coverage litigation brought by the State of New York, arising from a petroleum discharge from an upstate New York gas station. Agreeing that coverage was excluded under our client's liability policies, the court granted our motion for summary judgment while denying summary judgment motions brought by two of the other liability insurers of the company that supplied petroleum to the station, which the State had claimed was the responsible discharger under the NY Navigation Law.

Marei von Saher - Restitution of Nazi-Looted Art

Representing Marei von Saher in her efforts to recover hundreds of Nazi-looted artworks from the collection of her father-in-law, the renowned Dutch art collector and dealer, Jacques Goudstikker.

News

December 15, 2020

Turkey Recovers Cybele Statue Ending US Lawsuit
Herrick, Feinstein LLP

October 20, 2020

Trustees Sue German Museum Collective Kunstmuseen Krefeld to Recover Piet Mondrian Paintings Lost During WWII
Herrick, Feinstein LLP

August 20, 2020

Twenty Herrick Attorneys Recognized by Best Lawyers® 2021
Best Lawyers®

October 21, 2019

The National Black Lawyers Top 40 Under 40
The National Black Lawyers