

What's in a Name: Former Drug Trafficker Ricky Ross Sues Rapper Rick Ross

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Former cocaine kingpins have plenty to worry about: getting out of prison, finding gainful employment, dodging vengeful rivals from their previous lives. Apparently, brand protection is another.

Infamous drug trafficker Ricky "Freeway Rick" Ross is suing rapper William "Rick Ross" Roberts, Universal's Def Jam music label, and former Def Jam President Shawn "Jay-Z" Carter for alleged violations including trademark infringement, misappropriation, unfair competition, fraud and unjust enrichment, among others. The lawsuit demands \$50 million in damages.



Ben Hider/Getty Images

'Acted in Bad Faith'

"My client established the name for over 25 years, and William Roberts has and had no right to use the name, but he did, with the assistance of Def Jam, Universal and Jay-Z," says Melvin Sharpe, Jr., one of Ross's attorneys. "Since my client was in jail, they took unfair advantage and they all acted in bad faith and willfully violated my client's rights."

According to Sharpe, the U.S. Patent and Trademark Office refused Roberts's request to register "Rick Ross" as his rap moniker. When then-President Jay-Z signed Roberts to Def Jam, the label didn't clear the use of the name. Roberts' first two albums, *Port of Miami* (2006) and *Trilla* (2008), went on to sell over 500,000 copies apiece, and the rapper raked in \$6 million last year, [according to Forbes](#).

In addition to hefty financial considerations, Ricky Ross's lawsuit demands that Roberts's next album -- *Teflon Don*, scheduled for a July 20 release -- be put on hold until the case is

decided.

Representatives for Roberts, Jay-Z and Def Jam/Universal Music declined to comment on the matter.

Building a Brand

Street credibility is a valuable asset, and Ricky Ross may be the first former drug trafficker to attempt to use the U.S. court system to assign it a price tag. Whether or not a name can be defended by the same set of laws broken to build it remains to be seen, especially in the case of such a prolific criminal.

Ross was the premier distributor of crack cocaine in Los Angeles and beyond during the 1980s, thanks largely to his connection with [CIA-linked supplier Oscar Bandon](#). Ross claims he often moved \$2 million to \$3 million of crack per day. "Our biggest problem had got to be counting the money," Ross told the *San Jose Mercury News* in 1996. "We got to the point where it was like, man, we don't want to count no more money."

Ross landed in jail after Bandon allegedly set him up, and was initially sentenced to life without parole in 1996. The Federal Court of Appeals later reduced Ross's sentence to 20 years. He was released for good behavior in 2009.

Corrective Measures

While the real Ricky Ross was finishing up his sentence, rotund rapper Roberts was busy denying reports that he'd spent two years in the slammer -- as a corrections officer. After *The Smoking Gun* dug up [proof](#), Roberts admitted that he had indeed spent two years as a prison guard. The episode sparked jeers from fellow rappers including Curtis "50 Cent" Jackson and U.K. artist Kareem "Lowkey" Dennis, who referred to Roberts as "the fat cop in fake glasses."

The authors of Ross's lawsuit are now contributing a few swipes of their own. "This case is a classic case of Roberts's art imitating Rick Ross's life," says Sharpe. "The defendants commercially benefited from it to the tune of millions of dollars, when the trademark office officially said they can't use the name."

Attorneys outside of the case remain skeptical, noting the "Son of Sam" laws established in New York to prevent serial killer David Berkowitz from landing a lucrative tell-all book deal in the late 1970s. Though the original law was eventually overturned on first amendment rights, similar statutes have been enacted in other states.

Copycat Lawsuits Ahead?

"Setting aside the trademark ramifications of [Ricky Ross's] lawsuit, which could go either way, the equities of this case do not, in my opinion, tilt in [his] favor," says Bernard Resnick, a veteran entertainment lawyer. "Whether or not the judge agrees that singer Rick Ross and his record company have infringed the convicted drug kingpin's alleged trademark, I expect the judge to be hesitant to order millions of dollars be paid because it would embolden all kinds of inmates with ample time on their hands to bring copycat lawsuits."

Kevon Glickman, an attorney who once worked with Roberts, agrees that Ross's lawsuit will be a tough sell. "A critical element in determining whether one name infringes on another name is whether the public would be confused as to the source of the competing goods or services," says Glickman. "I don't think that the public is, or would be, confused as to which Ross is the rapper and which one is the rehabilitated convicted felon."

If Ricky Ross does win his case, it could also spur more lawsuits against artists who've taken the names of underworld celebrities. First in line might be rapper Leslie "Freeway" Pridgen, whose moniker was also inspired by Ross.

The aforementioned 50 Cent, who cribbed his nickname from Bronx-born stick-up artist Kelvin "50 Cent" Martin, needn't worry: The original 50 Cent met a grisly demise in a New York stairwell nearly 15 years ago.

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