Dining & Wine

Lawyers Enter Twitter Tempest

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DURING her run for vice president, Sarah Palin learned that often the best response to parody is to embrace it.

Danyelle Freeman, the restaurant critic for The New York Daily News, is taking the opposite approach. She is calling in the lawyers to reclaim her name.

In February, Adam Robb Rucinsky began poking fun at Ms. Freeman online using her byline and Restaurant Girl, which is the name of her Daily News column and her blog.

Mr. Rucinsky, a 30-year-old part-time art dealer who uses his middle name as his last name when he writes, sends silly blurbs on Twitter and writes inane blog postings that purport to reflect Ms. Freeman’s musings about New York City restaurants, like “Governor of Texas raving about Secession on TV all week. Must be great word of mouth for Bouley!” His fake Restaurant Girl also ventures into more cosmic concerns: “Does anyone know what happens to all the chocolate bunnies no one bought for Easter? Are they put to sleep?”

To try to put a stop to it all, Ms. Freeman had lawyers from a Beverly Hills firm send Mr. Rucinsky a stern letter ordering him to stop using the names Restaurant Girl and Danyelle Freeman by the end of this month.

His joke infringes on her rights to her trademark, Restaurant Girl, the lawyers wrote. He should stop using that name or Ms. Freeman’s name in parody form on the Internet, the letter said.

Mr. Rucinsky, who has been talking to his own lawyers and doesn’t plan to budge, said he started the Twitter parody and a subsequent blog as a creative writing exercise. He thought he had found a rich target in Ms. Freeman’s style, which melds the top-of-the-head immediacy of a blog with the breezy tone of a late-night phone call from a friend.
on her way home from a night of sangria and tacos.

“I just thought, what if Restaurant Girl wrote fortune cookies?” Mr. Rucinsky said. “What would they say?” His answer: cryptic bursts of food-focused Dada like, “Did you know Cabrito is pink for goat?” He describes his Restaurant Girl character as “a sweet but inept restaurant critic who loves food but has no idea how to express it.”

He also writes as Ms. Freeman on his blog thegourmetglossary.typepad.com, which riffs on a book of the same name she is writing for the Ecco imprint, and about her on his personal blog, thelifevicarious.com.

Ms. Freeman chose not to comment on her legal fight with fake Restaurant Girl for this article. With not much media or restaurant experience, Ms. Freeman began a blog called Restaurant Girl in 2006. In 2007, The Daily News picked her up as its restaurant reviewer. She is possibly the first restaurant critic for a major newspaper whose photograph runs next to her reviews.

“The point of this column is be accessible to both the reader and the restaurant,” she told the Web site eater.com.

One question is whether Mr. Rucinsky’s writing exercise, with a few more than 300 followers on Twitter and minimal blog traffic, is legitimate parody. Or does he mimic Ms. Freeman so closely that, despite recent disclaimers on his sites, a reasonable reader might not be able to tell the difference?

Here’s one example that a judge might study, should the matter get that far.

The real Restaurant Girl began her recent review of Le Cirque: “I wore jeans to Le Cirque. My friend wore jeans and sneakers, and they didn’t throw us out.”

The fake Restaurant Girl: “Channeled Gael Greene and went dressed in cognito and jeans at Le Cirque.”

Again, the real Restaurant Girl: “If you watch the faces coming into Chez Lucienne in Harlem, you see a look of surprise over and over again. It’s also a sense of déjà vu — the feeling that you’ve just stumbled into a place where you want to order a drink and look at the menu. French music, French accents — not the Inspector Clouseau type — bow ties, homemade terrines and honest bistro prices.”

The fake Restaurant Girl: “This week I dined em dashed at Chez Lucienne.”

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