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**Tara Costa, a star of NBC's *The Biggest Loser*,
sues owners of ILoveKickboxing.com**

MIAMI (May 15, 2013) — Tara Costa, who gained worldwide fame on NBC's hit series *The Biggest Loser*, has filed a lawsuit against the owners of ILoveKickBoxing.com for using her name and image without permission to promote their company.

The suit against New York-based FC Online Marketing Inc., filed May 14, cites the "extensive, unauthorized publication of Ms. Costa's name and likeness with the explicit purpose of benefiting off of Ms. Costa's notoriety in the advertising of FC Online's services without compensating Ms. Costa."

Costa is seeking royalties, damages and unpaid compensation in the amount of \$637,500 plus interest.

"This is nothing short of an egregious disregard by a company that wishes to take advantage of a celebrity's publicity rights for commercial gain," said Costa's attorney, Darren Heitner, a partner at Wolfe Law Miami who filed the suit in Miami in part because Florida law governs a contract that Costa maintains FC Online has breached.

Costa became a global celebrity after her television appearances on the seventh season of *The Biggest Loser* in 2009. During the show, in which contestants compete to win a cash prize by losing the highest percentage of weight relative to their initial weight, Costa lost 155 pounds and won a record-setting number of physical "challenges," including pulling a car.

Costa and FC Online entered into an endorsement agreement in 2011 that ended in February 2012. But FC Online has continued to use Costa's name and image for advertising and promotional purposes prominently throughout ILoveKickBoxing.com without Costa's consent, the lawsuit said.

"This is without question misleading people," said Costa, who also said in the suit that she has not been paid for the promotional appearances guaranteed by FC Online as part of the 2011 agreement. "I feel badly for those who follow my career and believe that I am endorsing a service that I have absolutely nothing to do with."

ILoveKickBoxing.com offers kickboxing classes on its online sub-pages that include locations throughout the United States, Canada and the United Kingdom. "Ms. Costa did not become aware of FC Online's improper, nonconsensual and illegal use of Ms. Costa's Publicity Rights until many months after the termination of the contractual relationship," according to the lawsuit.

Attorney Heitner said FC Online was asked to stop using Costa's image and name in April, but was still doing so when the lawsuit was filed May 14th.

"It is telling that the company continues to prominently display Ms. Costa's name and image across its website and many sub-pages a month after being informed of its unauthorized, nonconsensual usage of Ms. Costa's publicity rights," he said.

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*Attorneys at **Wolfe Law Miami** (www.wolfelawmiami) are leaders in business, sports, and entertainment law. Attorney **Darren Heitner** is a partner at the firm. He is licensed to practice on the state and federal level. He focuses on sports, entertainment, intellectual property and commercial litigation and transactional law. In addition, Heitner has a wealth of experience in the world of sports business as Founder/CEO of Dynasty Dealings LLC, professor of sports agency management at Indiana University-Bloomington, co-founder of Collegiate Sports Advisors (CSA), contributor at Forbes Magazine, and founder/chief/editor of Sports Agent Blog, a leading industry publication.*