

## High Court of the Gambia

HC/415/057/AO

### Patience Sonko Godwin v Lawrence Jah and 2 others

<b>Court</b>	:	High Court
<b>Case</b>	:	Criminal
<b>Date of Judgement</b>	:	June 9,2016
<b>Plaintiff</b>	:	Patience Sonko Godwin
<b>Defendant</b>	:	Lawrence Jah and 2 others
<b>Concept</b>	:	Copyright Infringement
<b>Statue</b>	:	Section 17(1), Copyright Act, Chapter 95:02

#### Panel of Justices

Hon Justice Kumba Sillah-Camara

#### Case Background

Patience Sonko Godwin is the injured person, is the copyright owner of pamphlets/books which were being printed, published, circulated, distributed and sold by the defendants. On 2 March 2016 the applicant commenced an application by motion of notice. The plaintiff alleged that the act of the defendant constituted copyright infringement on the injured person's author work

#### Procedural History

The High Court of the Gambia passed a judgement ruling of the case

#### Issue

Is the production of books in dispute deemed to be a reproduction of the copies of books without consent of the injured person, and therefore is considered as copyright infringement?

#### Rational

A perpetual interdict was granted in a copyright infringement case. Full damages were not proved; a nominal award of damages was granted instead.

**Keywords** Author, literary and artistic works, infringement, perpetual injunction, remuneration, economic rights, damages