

The High Court of Uganda at Kmapala

842/2003

Uganda Performing Rights Society Limited v Fred Mukubira

Court	:	High Court
Case	:	Criminal
Date of Judgement	:	February 23, 2005
Plaintiff	:	Uganda Performing Rights Society Limited
Defendant	:	Fred Mukubira
Concept	:	Copyright Infringement
Statue	:	Section 13 of the Copyright Act

Panel of Justices

Geoffrey Kiryabwire

Case Background

The Plaintiff which is said to be an umbrella organisation, incorporated to promote and protect the copyrights and intellectual property of local artists and music publishers brought this case against Mr Fred Mukubira a music dealer for alleged infringement of copyright. The plaintiff brings this suit as an assignee of copyrights in various musical works from the authors of the said work. The plaintiff claims that by the said assignment they have the exclusive rights to control distribution of copies of the musical works, public performances for payment and broadcasting.

Procedural History

The High Court of Uganda gave a Judgement on the case.

Issue

- Whether the plaintiff lost any revenue by reason of the Defendants copyright infringement.
- Whether the Plaintiff is on assignee of copyrights in the various musical works.
- Whether the Defendant infringed the plaintiff's copyrights.

Rational

In a case of proven copyright infringement, the court awarded damages, a permanent injunction and issued a destruction order of the infringing goods.

Keywords

Reproduction, distribution, broadcasting, performer, infringement, damages