

SUMMARY OF RECENT COPYRIGHT CRIMINAL CASES IN RESIDENT MAGISTRATE COURTS

NAME	DATE & PLACE OF TRIAL	OFFENCE	ITEMS SEIZED	SENTENCE
<u>R v Marie Samms</u> Trial matter- Defendant pleaded not guilty to all 6 counts. Exclusive licencees testified that they had sole distribution rights in Jamaica and that the defendant was not their agent.	November 2003- July 2005 Half Way Tree RM Before her Honour Mrs. Bennett	Section 46 (1) (b) of the Copyright Act	100 + CDs seized at Shermar Records April 25, 2003	1 st Count- \$40,000.00/ 3 months 2 nd , 3 rd & 4 th Counts- admonished & discharged 5 th & 6 th Count- dismissed Order for forfeiture & destruction of infringing copies (Sentence- July 11, 2005)
<u>R v Douglas Williams</u> (entered guilty plea)	January 2005- May Pen RM Before his Honour Glen Brown	Section 46(1) and 46 (2) of the Copyright Act	CDs, DVDs, recording equipment	4 counts- \$10,000.00/ 2 months
<u>R v Jason Benjamin</u> (entered guilty plea)	January 2005- May Pen RM Before his Honour Glen Brown	Section 46 (1) and 46 (2) of the Copyright Act	CDs, Computer	6 counts- \$10,000.00/ 2 months Order for forfeiture of Computer
<u>R v Jason Stewart</u> (entered guilty plea)	January 2005- May Pen RM Before his Honour Glen Brown	Section 46 (1) and 46 (2) of the Copyright Act	CDs, CD Burner	6 counts- \$10,000.00/ 2 months
<u>R v Aston Harris</u> (entered guilty plea)	January 2005- May Pen RM Before his Honour Glen Brown	Section 46 (1) and 46 (2) of the Copyright Act	CDs, CD Burner	4 counts- \$10,000.0/ 2 months
<u>R v Kenneth Chung</u> (entered guilty plea)	March 2005 – HWT RM Before his Honour Martin Gayle	Section 46 (1) and 46 (2) of the Copyright Act	CDs, DVD Recorders and IBM Computers	2 counts-\$50,000.00/ 6 months

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<u>R v Maurice Gordon</u> (entered guilty plea)	May 2005 - HWT RM	Section 46 (1) (b) of the Copyright Act	DVD's	1 st Count- \$50,000.0/ 6 months 2 nd Count - admonished & discharged
<u>R v Everton McLaughlin</u> (entered guilty plea)	May 2005-Mandeville RM Before her Honour M. McDonald-Bishop	Section 46 (1) (b) of the Copyright Act	CD's	\$50,000.00/ 3 months
<u>R v Winston Gayle</u> (entered guilty plea)	May 2005-Spanish Town RM Before her Honour Lorna Gayle	Section 46 (1) (b) of the Copyright Act	CD's	6 counts : \$15,000.00 each/ 6 months
<u>R v Prikosh Lawrence</u> (entered guilty plea)	June 2005- Mandeville RM Before her Honour M. McDonald-Bishop	Section 46 (1) (b) of the Copyright Act	CD's	\$50,000.00/ 3 months