

As at Jan 2008 : SUMMARY OF COPRIGHT CRIMINAL CASES IN RESIDENT MAGISTRATE COURTS, Jamaica

NAME OF CASE	DATE & PLACE OF TRIAL	OFFENCE	ITEMS SEIZED	SENTENCE
R v Neil White	November 11, 2003-Half Way Tree RM Before his Honour Martin Gayle	Section 46 (1) (b) of the Copyright Act	CD's, DVDs and Cassettes	1 st count 430,000/6 months 2 nd count - \$20,000/6 months 18 months hard labour suspended for 2 years Confiscation of items seized Admonished and discharged in respect of other counts
R v Steve Minott	November 11, 2003 – Half Way Tree RM Before his Honour Martin Gayle	Section 46 (1) (b) of the Copyright Act	CDs and Cassettes	1 st count - \$30,000/6 months 2 nd count - \$20,000/6 months 18 months hard labour suspended for 2 years Confiscation of items seized Admonished and discharged in respect of other counts
R v Lloyd Taffe	November 11, 2003 Half Way Tree RM Before his Honour Martin Gayle	Section 46 (1) (b) of the Copyright Act	CDs and Cassettes	1 st count - \$30,000/6 months 2 nd count - \$20,000/6 months 18 months hard labour suspended for 2 years Confiscation of items seized Admonished and discharged in respect of other counts
R v Oral Williams	November 11, 2003 – Half Way Tree RM Before His Honour Martin Gayle	Section 46 (1) (b) of the Copyright Act	CDs and Cassettes	1 st count - \$30,000/6 months 2 nd count - \$20,000/6 months 18 months hard labour suspended for 2 years Confiscation of items seized Admonished and discharged in respect of other counts
R v Faithland Ennis	January 19, 2003-Half Way Tree RM Before her Honour Ms. Pusey	Section 46 (1) (b) of the Copyright Act	CDs	\$77,000/12 months in respect of all counts 18 months hard labour suspended for 2 years Confiscation of items seized

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R v James Bryan	January 30, 2004 – Morant Bay RM Before her Honour Carol Dacosta	Section 46 (1) (a) and 46 (1) (b) of the Copyright Act	CDs and Cassettes	1 st count - \$5,000 2 nd count - \$5,000 Settlement agreed between complainant and accused in the sum of \$30,000 endorsed by the Court. Confiscation of items seized.
R v Kipling Salmon	July 14, 2005 Half Way Tree RM Before his Honour Martin Gayle	Sections 46 (1) (a) and 46 (1) (b) of the Copyright Act	Invoices, Trade documents computer hardware & <u>software</u>	
R v Marie Samms Trial matter	January 4, 2003 Half Way Tree RM Before her Honour Mrs. Bennett	Sections 46 (1) (b) of the Copyright Act	100 + CDs Seized at Shermar Records April 25, 2003	1 st count - \$40,000/3 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)
R v Carl Gibson	Half Way Tree RM Before her Honour Mrs. Bennett	Section 46 (1) (b) of the Copyright Act	CDs	Dismissed 3-12-04
R v Methali	December 3, 2003 – Montego Bay RM	Section 46 (1) (b) of Copyright Act and Section 69 (1) (b) of the Trademark Act	T-shirts and Caps of Bob Marley and Bob Marley CDs	Adjourned sine die
R v Marzouca	December 3, 2003 – Montego Bay In September, 2005	Section 46 (1) (b) of the Copyright Act and Section 69 (1) (b) of the Trademark Act	T-shirts and Caps of Bob Marley and Bob Marley CDs	

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R v Belani	December 3, 2003 – Montego Bay RM pending in September, 2005	Section 46 (1) (b) of the Copyright Act and Section 69 (1) (b) of the Trademark Act	T-Shirts and Caps of Bob Marley and Bob Marley CDs	
R v Serkani	December 3, 2003 – Montego Bay RM	Section 46 (1) (b) of the Copyright Act and Section 69 (1) (b) of the Trademark Act	T-shirts and Caps of Bob Marley and Bob Marley CDs	Adjourned Sine Die
R v Vinroy Witter	April 1, 2004 – Ocho Rios RM Before her Honour Mrs. Andrea Collins	Section 46 (1) (b) of Copyright Act	CDs	Adjourned Sine Die
R v Craig Kelly	April 1, 2004 – Ocho Rios RM Before her Honour Mrs. Andrea Collins	Section 46 (1) (b) of Copyright Act	CDs	6 counts - \$30,000/3 months Confiscation of items seized
R v Khaleel Downer	Ocho Rios RM Before her Honour Mrs. Andrea Collins	Section 46 (1) (b) of the Copyright Act	CDs	Absconded bail. Bench warrant issued.
R v Merton McKenzie	Montego Bay RM Before her Honour Ms. Henry Trial ongoing: October 2006	Section 134 (1) of the Copyright Act	DVDs, CDs, labels recording equipment, computers, printers NCB money terminals	
R v Debra McKenzie	Montego Bay RM	Section 134 (1) of the Copyright Act	DVDs, CDs, labels, recording equipment	

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R v. Everton Millington	April 8, 2004 – May Pen RM Before his Honour Glen Brown	Section 46 (1) (b) of the Copyright Act	CDs	First 4 counts - \$20,000/30 days Admonished and discharged in respect of other counts Confiscation of item seized
R v Gary Bowen	April 8, 2004 – May Pen RM Before his Honour Glen Brown	Section 46 (1) (b) of the Copyright Act	CDs	3 counts – \$15,000/30 days in respect of all counts Confiscation of items seized.
R v Ian Harris	April 8, 2004 – May Pen RM Before his Honour Glen Brown	Section 46 (1) (b) of the Copyright Act	CDs	4 Counts - \$20,000/30 days in respect of all counts Confiscation of items seized.
R v Rackine Bogle	June 14, 2004 – Half Way Tree RM Before her Honour Judith Pusey	Section 46 (1) (b) of Copyright Act	CDs	8 counts - \$200,000/6 months in respect of all counts, Confiscation of items seized.
R v Donovan Tucker	July 19, 2004 – HalfWay Tree RM Before her Honour Ms. Blake Powell	Section 46 (1) (b) of Section 46 (2)	CDs, Computer, Monitor, Keyboard	Section 46 (2) - \$50,000/8months, 18 months imprisonment . Suspended for 2 years in respect of counts under Section 46 (1) (b). Computer to be confiscated, pirated CDs seized to be destroyed.
R v Leslie Harker	HalfWay Tree RM Before her Honour Ms. D. Barnett	Section 46 (1) (b) of the Copyright Act	Books	4 counts – NOT GUILTY of all 4 counts (October 31, 2005)
R v Chen Zhong-Ying	HalfWay Tree RM	Section 69 (1) (b) of the Trademark Act	Books	

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R v Richard Brown	HalfWay Tree RM 2004	Section 46 (1) of the Copyright Act	CDs	\$100,000/1 year (7 th Dec, 2004)
R v Lloyd Newland	Half Way Tree RM 2004	Section 46 (1) of the Copyright Act	CDs	
R v Jermaine Bernard	Half Way Tree RM 2004	Section 46 (1) of the Copyright Act	CDs	
R v Richard Small	Half Way Tree RM 2004	Section 46 (1) of the Copyright Act	CDs	\$100,000/1 year (7 th Dec. 2004)
R v Jerome Dalhouse	January 18 th , 2005 – HWTRM Before his Honour Martin Gayle	Section 46 (1) and 46 (2) of the Copyright Act	DVDs, Computer	
R v Douglas Williams	January 20 th , 2005 – May Pen RM Before his Honour Glen Brown	Section 46 (1) and 46 (2) of the Copyright Act	CDs, DVDs, recording	4 counts - \$10,000/2 months
R v Jason Benjamin	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
R v Jason Stewart	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

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R v Aston Harris	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 - \$10,000/2 months
R v Kenneth Chung	March 29 th , 2005 – HalfWay Tree RM	Section 46 (1) and 46 (2) of the Copyright Act	CDs, DVD Recorders and IBM Computers	2 counts - \$50,000.00/6 months
R v Maurice Gordon	Tuesday May 3, 2005 –HWTRM	Section 46 (1) (b) of the Copyright Act	DVDs	1 st Count - \$50,000.00/6 months 2 nd Count – admonished & discharged
R v Everton McLaughlin	Wednesday May 18, 2005 – Mandeville RM Before her Honour M. McDonald- Bishop	Section 46 (1) of the Copyright Act	CDs	\$50,000.00/3 months (entered guilty plea)
R v Winston Gayle	Thursday May 19, 2005 – Spanish Town RM Before her Honour Lorna Gayle	Section 46 (1) of the Copyright Act	CDs	Counts 1-6: \$15,000 ea/6 months (entered guilty plea)
R v Prikosh Lawrence	Wednesday June 1, 2005 – Mandeville RM Before her honour M. McDonald- Bishop	Section 46 (1) of the Copyright Act	CDs	\$50,000.00/3 months (entered guilty plea)
R v Prikosh Lawrence	Wednesday September 21, 2005 – Mandeville RM Before her Honour M. McDonald – Bishop	Section 46 (1) of the Copyright Act	CDs	
Rv Jeffery Hartley	July 6 2006 – St. Ann RM	Section 46 (1) of the Copyright Act	CDs	

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R v Mark Wright	Friday September 15, 2006 – HWTRM	Section 46 (1) of the Copyright Act	35,000 CDs, DVD Seized during police raid at premises of Red Hills Road.	Case pending
R v Noel Saunders aka 'Brown Man'	Tuesday August 29, 2006 – HWT RM Before his honour Martin Gayle	Section 46 (1) (b) of the Copyright Act	On August 15 th , 2006 during a raid in the Constant Spring Plaza Police seized dozens of pirated DVDs displayed for sale by the accused	1 st count - \$20,000.00/6 months 2 nd - \$30,000.00/6 months Counts 3 to 10 – admonished and discharged (entered guilty plea)
R v Carl Petegrave	November 22, 2005 HWT RM	Section 46(1) Copyright Act	Music CDs	\$50,000or 3 months hard labour
R v Natalie Anglin	August 15, 2006	Section 46 (1) Copyright Act	DVD movies	Case pending
R v Cleve Bennett	August 15, 2006	Section 46 (1) Copyright Act	DVD movies	Case pending
R v Damion Bennett	August 15, 2006	Section 46 (1) Copyright Act	DVD movies	Case pending
R v Garfield Stewart	October 3, 2006	Section 46 (1) Copyright Act	DVD movies	Case pending

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R v Lavern Wilson	August 15, 2006	Section 46 (1) Copyright Act	DVD movies	Case Pending
R v Rudolph Sinclair	July 27, 2006	Section 69 (1) Trademarks Act	Kodak Film and one used camera	Adjourned sine die, complainant not attending Court
Marlon Barnes	February 07, 2007 HWTRM	Section 46 (1) Copyright Act	DVD Discs	Case pending
Richard Small	February 07, 2007 HWTRM	Section 46 (1) Copyright Act	DVD Discs	Case pending
Donovan Thomas	February 12, 2007 HWT R.M.	Section 46 (1) Copyright Act	DVD Discs	Case pending
Cyan Ferguson	May 11, 2007 Linstead R.M. CT.	Section 46 (1)(2) Copyright Act	DVD Discs, X-Boxes	Sentenced to 240 hours of community service. Hard drives of the X-Boxes was ordered analyzed and infringing data erased
Kirk Terrelong	June 8, 2007 Half-Way-tree R.M.	Section 46 (1)(2) Copyright Act	DVD Discs	Fined \$120,000 or 12 months Hard Labour
Karlington Bennett	June 8, 2007 Half-Way-tree R.M.	Section 46 (1)(2) Copyright Act	DVDiscs	Case pending
Devon Lee	June 8, 2007 Half-Way-Tree R.M.	Section 46 (1) Copyright Act	DVD Discs	Fined \$70,000 or 12 months Hard Labour

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Anthony Brown	June 8, 2007 Half-Way-tree R.M.	Section 46 (1) Copyright Act	DVD Discs	Case pending
Patrick Wickham	June 8, 2007 Half-Way-tree R.M.	Section 46 (1) Copyright Act	DVD Discs	Fined 120,000 or 12 months Hard Labour
Simone Snipes	June 8, 2007 Half-Way-tree R.M.	Section 46 (1) Copyright Act	Pirate music CD'S	Case pending
Omar Graham	October 31,2007 Spanish Town R.M.	Section 46 (1) Copyright Act	DVD Discs	Case pending
Rohan Daley	October 31,2007 Spanish Town R.M.	Section 46 (1)(2) Copyright Act	DVD Discs, Computer	Case pending
Norman Marsh	December21,2007 Half-Way-Tree R.M.	Section 46 (1)(2) Copyright Act	DVD Discs, Computer	Case pending
Carvel Myrie	January 16,2008 Christiana R.M.C.T.	Section 46 (1)(2) Copyright Act	DVD Discs, Computer	Case pending

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