

Kluwer Copyright Blog

USA: Fontbrune v. Wofsy, United States Court of Appeals, Ninth Circuit, No. 14-15790, 26 September 2016

Mark Engstrom (Wolters Kluwer Legal & Regulatory US) · Tuesday, October 4th, 2016

A federal district court improperly dismissed an enforcement action that a copyright holder had brought against an art editor under California's Uniform Foreign Court Monetary Judgment Recognition Act, the U.S. Court of Appeals in San Francisco has ruled. The copyright holder sought recognition of a French judgment of infringement under the Uniform Recognition Act. Because the astreinte that was awarded under French law was not, in this case, a "fine or other penalty" under the Recognition Act, but rather was a judgment that merely "granted a sum of money," the French judgment fell within scope of the Act. The judgment of the district court was therefore reversed, and the case was remanded for further proceedings (*Fontbrune v. Wofsy*, September 26, 2016, McKeown, M.).

A [full summary](#) of this case has been published on [Kluwer IP Law](#).

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