

---

# Kluwer Copyright Blog

## Copyright case: Fahmy v. Jay Z, USA

Thomas Long (Wolters Kluwer Legal & Regulatory US) · Wednesday, June 27th, 2018

Rapper Jay-Z has won another round in his defense against claims that he infringed the copyright in a 1957 arrangement of an Egyptian composer's song, "Khosara, Khosara" when he used a sample from the arrangement in the background music to his hit single "Big Pimpin'." The U.S. Court of Appeals in San Francisco affirmed a district court's judgment as a matter of law in favor of Jay-Z and other defendants because the plaintiff—the composer's heir—lacked standing to bring the copyright claims. Pursuant to Egyptian law, when the heir transferred "all" of his economic rights in the song to the owner of an Egyptian music company in 2002, the transfer included the right to create derivative works adapted from "Khosara." Any moral rights retained by operation of Egyptian law were not enforceable in U.S. federal court, and even if they were, the heir failed to comply with a compensation requirement of Egyptian law, which did not provide for his requested money damages and only provided for injunctive relief from an Egyptian court. The fact that the heir retained the right to receive royalties did not give him standing to sue for copyright infringement, the court said (*Fahmy v. Jay Z*, May 31, 2018, Bea, C.).

Case date: 31 May 2018

Case number: No. 16-55213

Court: United States Court of Appeals, Ninth Circuit

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

---

*To make sure you do not miss out on regular updates from the Kluwer Copyright Blog, please subscribe [here](#).*

## Want to improve your IP strategy?

- Manual of Industrial Property
- IP Analytics
- Visser – Annotated European Patent Convention

230+ jurisdictions

36,000+ cases

100+ books

600+ IP law professionals as authors



This entry was posted on Wednesday, June 27th, 2018 at 4:39 am and is filed under [Case Law, USA](#)

You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. You can leave a response, or [trackback](#) from your own site.