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# Kluwer Copyright Blog

## Copyright case: Monquer, Estonia

Elise Vasamae (Palladium Attorneys at Law) · Wednesday, July 31st, 2019

In this Estonian case the court analysed whether a photo model can be regarded as the joint author of the (copyrightable) photograph in which she poses. The court stated clearly that merely posing for a picture did not automatically create any copyright for the photo model. In order to acquire copyright to a photograph, the person has to make an intellectual artistic contribution to the photograph, like for example choosing original postures, lighting, shooting angle and/or objects' settings. The court also pointed out that in the event the picture had not been published under the name of the alleged author(s), the presumption of authorship does not apply.

Case date: 13 February 2019

Case number: No. 2-17-19184

Court: Tallinn Circuit Court

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

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