

## Copyright case: Monquer, Estonia

Kluwer Copyright Blog  
July 31, 2019

[Elise Vasamae \(Aavik & Partners Law Office\)](#)

Please refer to this post as: *Elise Vasamae, 'Copyright case: Monquer, Estonia', Kluwer Copyright Blog, July 31 2019, <http://copyrightblog.kluweriplaw.com/2019/07/31/copyright-case-monquer-estonia/>*

---

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](#).