

# Kluwer Copyright Blog

## Copyright case: Christ Center of Divine Philosophy Inc. v. Elam, USA

Brian Craig (Wolters Kluwer Legal & Regulatory US) · Tuesday, November 10th, 2020

Appellate court declines to reopen infringement judgment for a case that was not open on direct review.

In a copyright infringement case brought by Christ Center of Divine Philosophy, Inc. for infringement of religious books and sound recordings, the U.S. Court of Appeals in Denver has refused to reopen a judgment awarding \$80,000 for willful infringement and a permanent injunction based on a later U.S. Supreme Court decision concerning copyright registration. Following the U.S. Supreme Court's decision in *Fourth Estate Public Benefit Corp. v. Wall-Street.com, LLC*, 139 S. Ct. 881 (2019) holding that an issued copyright registration is a precondition to filing a claim, the Tenth Circuit affirmed the district court's denial of a motion for relief from judgment where the defendant did not take any steps to keep the case open on direct review (*Christ Center of Divine Philosophy, Inc. v. Elam*, October 15, 2020, Moritz, N.).

Case date: 15 October 2020

Case number: 19-6186

Court: United States Court of Appeals, Tenth Circuit

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

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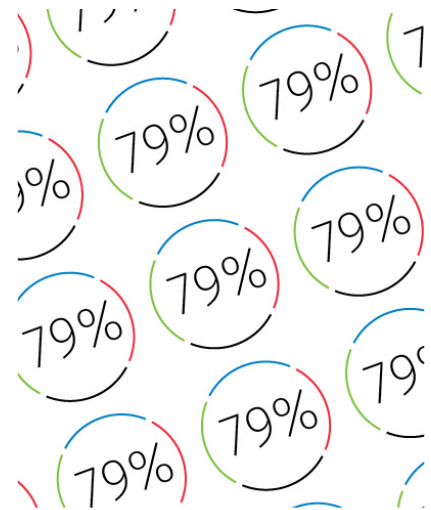
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