
Kluwer Copyright Blog

Copyright case: Johnson v. New Destiny Christian Center Church, Inc., USA

Brian Craig (Wolters Kluwer Legal & Regulatory US) · Wednesday, May 29th, 2019

The operator of a YouTube channel criticizing the pastor of a church was not entitled to punitive damages in a malicious prosecution case when the church relied on counsel in initiating a copyright infringement suit.

In a malicious prosecution of copyright infringement claims brought by the operator of a YouTube channel that featured videos containing clips from sermons by the senior pastor of “megachurch” New Destiny Christian Center, the U.S. Court of Appeals in Atlanta has held that the federal district court in Orlando properly denied punitive damages. The appeals court ruled the district court did not err in finding the evidence insufficient to support an award of punitive damages, concluding that the church had a good-faith basis for relying on counsel in initiating the copyright infringement action and that the church’s primary purpose in the underlying action was to prevent infringement (Johnson v. New Destiny Christian Center Church, Inc., May 20, 2019, per curiam).

Case date: 20 May 2019

Case number: 18-13940.

Court: United States Court of Appeals, Eleventh Circuit

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

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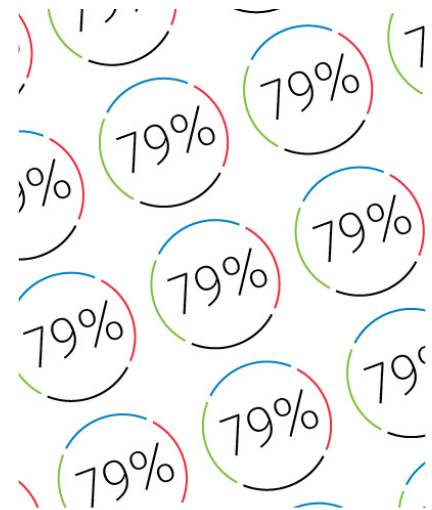
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