



Each month we will be putting a legal problem to consultant Ali Al Jabal to answer.



A full service law firm for Bahrain and the Sultanate of Oman. founded in 1995 by **Mr Ali Al Jabal**

This month - COPYRIGHT OF AN ARTIST

AJ Question: I have gained much success over the years as a photographer in Bahrain and one of my most lucrative pieces was a picture I took of two children holding a litter of kittens. However, a renowned Bahraini artist (whom I cannot name for legal reasons) saw the image and used it to create a set of sculptures based on the image.

The artist has now sold several of these sculptures making a significant profit. I strongly believe that he has stolen my idea and image. Could I sue the artist for copyright infringement?


AJ Answer: Article 2 of the Bahraini Protection of Author's Rights and

Attendant Rights Law 2006, states that "the law provides protection to literary, artistic and scientific works upon its creation, without the need for any procedural formality regardless of the value of such works or the purpose of creating them". Protection of said works also extends to photographic works.

In addition, Article 6 (A) & (F) provide that "An author shall have the exclusive financial rights with regards to reproduction and presentation of the original as well as copies of his work to the public in any manner."

Therefore, you have two legal remedies. Firstly, you may seek a court order for precautionary measures, such as cessation of the infringement and

prohibiting their export as per Article 63 of the foregoing legislation. You can further claim compensation for the damages sustained including profits procured by the infringer.

Secondly, you may file a criminal complaint according to the rights held under the above-mentioned legislation. 

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