2011 September 27

File No. 71036

Jerusalem Court

**Judgment**

The thing between

N.

And

Newspaper

**A. Factual Background**

Plaintiff is an amateur photographer, which raises different images to the Web site and Wiki - sharing. Defendant is Company that produces and distributes a widely weekly in. One of the sheets, the defendant published a picture.

It took the prosecutor and upload to the Internet in wiki site - sharing. Plaintiff did not receive credit for Photography, that is not provided the name of the attorney who took the picture. The prosecutor turned to defendant A plaintively, and Z asked the defendant to compensate the plaintiff. The prosecutor asked for a sum of Significant compensation. A. The defendant refused to pay this amount, and agreed to pay at most 400₪ , regarding this. The cost of the paper book the same image, by photographer sent for this purpose. Also undertook Defendant to publish the picture again, while the mention of the prosecutor and the sharing agreement which The famous picture. Prosecutor refused these proposals on the grounds that the repeated violation of his rights. Accordingly, the plaintiff filed his claim in court.

**B. On the plaintiff claims and claim**

Plaintiff demands a total compensation of 40,000 ₪, including copyright infringement and for Moral standing to his credit. It is based on copyright law which states the authority to sentence stage Require that infringes the author, in an amount of from 100,000 ₪.

The prosecutor made it clear that the picture was posted Vicky sharing, when mentioned alongside sharing agreement which Permits the publication of the image and use it, under certain conditions. Photograph was subject to agreement Vicky's share sharing (CC-BY-SA-3.0). According to Hess Cm sharing to make use of photography, Required on the user, if want to publish the picture, note the photo creates the image side (the principle Reference - "by"). It also has to specify the name of the licensing agreement which allowed for image advertising. Thus it allows to make use of its product in accordance with that license itself (sharing the same principle - "Sa". ) Indicating the importance of sharing agreement is the agreement that I would remember a teacher, in our case readers The paper, which are also permitted to use in the published paper, in accordance with that agreement.

In this regard, the plaintiff sought to clarify agreement does not constitute a waiver of copyright, but Conditionality of rights specific requirements. According to plaintiff, defendant dismissing its obligation to keep copyright. Defendant has been previously published Photo made by the prosecutor, without mentioning his name. In that case, the parties reached agreement on the amount it Defendant paid. But since this is a second violation of his rights, he is not ready to settle the amount for as little.

In addition, the plaintiff points out, that while after that incident, the defendant is more particular about grade credits, But still does not release the check of sharing agreement, as required.

Moreover, he occasionally finds images without mentioning the name of the creator. The second hearing, the prosecutor also showed Example of using reporter from the Wikipedia text, without specifying the source of publication.

The prosecutor explained the reasons for this legislator fee entitles the creator of compensation without proof of damage: Using that infringes the copyright is very easy, although the damage is limited. Is, if will reduce Legislature the amount of the claim scope of the actual damage and will require the proof, we stripped the copyright should Will continue to take, and pay only a situation where they Iotbo. Charge compensation without proof of damages is deterrence Against users who damage.

In addition, if the scope of payment will be only the actual damage, it will not pay injured persons submit their claim.

The result will be included claims for refunds - and robbery in these lands will continue their acts of copyright without any Deterrence.

And third, while stealing physical assets also operates state criminal, violations Copyright authorities do not work at all criminal channels (except in software distribution, and this Considerations of attacking the State of Israel and the international level, if you consider a country that encourages violation These rights). Is the civilian casualty is the officer of the Company. This consideration establishes the claim That encourage lawsuits.

Therefore, to conclude his claim is the 40,000 ₪

**C. Defendant's response**

A defendant represented the two editors, accredited by the Defendant to represent it in this lawsuit.

Defendant contends, in general, systematic, is meticulous about fair use, avoids harm to the rights Copyright, and makes use of materials from the Internet, only in accordance with the licenses.

According to her, all embedded sheet 160 images, various resources of: Some pictures of photographers She recognized the pictures, some in which the images are invited to send a special photographer photography Particular picture, and some pictures originating on the Internet allowed for free use.

When the defendant makes use of images from the internet Keeping the copyright By understanding, namely by reference to the creator name. It can be seen carefully in every issue she takes. On To implement this approach, she tries hard. There are explicit provisions regarding the employees of the newspaper.

Relation to the prosecutor's claim that she does not mention the sharing agreement - Defendant argued that the matter could not Meaningful, and the legal advice of the newspaper did not see the importance. However, it is true Change the policy on the matter.

According to defendant, the case in question is exceptional, and is due to a technical malfunction described by the editor. Procedure that is implemented in the system is where the creator needs to be mentioned with respect to the picture, written As part of the file. The name was not mentioned by mistake. In addition, generally it should switch The individual PDF file for printing before publication, so it should detect failures of omission there Creator, etc.. ' Issue in question was under great pressure. Discussion, the editor pointed out further incident on the same page: He contended that he wanted to replace the text on the page, and this was never done - this glitch has not been addressed because He did not get to see the resulting file before printing, and so did not see who was not named Photographer.

Legally, the defendant argues that what is left hand prosecutor is morally right, but not right Legal because he allowed free use of the work. The rule of things - Author name omitted in this case, due to a technical malfunction and was completely mistaken. Newspaper policy is to maintain copyright - both economic rights and moral rights, as In this case. Defendant is correct in the future to add the credit side marking sharing agreement.

**D. Interim Decision**

After hearing it the first hearing, the court suggested the parties try to reach an agreement which consisted Formulating and implementing an official policy of the defendant, as agreed by the claimant, compensation and reduced side The use of the image without giving credit. It has been proposed because a large part motivated by the plaintiff in his claim he Fix the copyright status open for public media, not just for personal compensation. (In this spirit, also suggested that, if the Tribunal has fined the defendant, but he is not entitled to it -Funds will be deposited to win one of the projects of cooperation while maintaining copyright.)

In practice, the parties could not agree, and therefore returned to the prosecutor and the court turned to the conflict will be resolved Defendant has updated the second hearing the Court that it distributed among the editors and detailed instructions Regarding the use of materials that have such copyright and other materials including 'cooperative. ' Material transferred between the editors, was submitted to the court and the prosecutor.

In addition, new issues of the prosecutor who since the first hearing, mentioned on the credit, Simon Sharing agreement.

The prosecutor asked the court to show the Defendant has not kept him on the copyright, and pointed to An article used in the text of Wikipedia without mention of the source text.

Defendant replied that the texts on this issue are written by reporters, who are required employment agreement Avoid any damage to their copyright. Moreover, the contract with the writers, The authors undertake to indemnify the defendant on all claims on copyright. Of course, that the professionalism, Defendant is not pleased that the texts used directly from the Internet - And she explains it to the writers. All of the above, it makes every effort to avoid harming Rights with respect to use in the text. Establish its case, the defendant submitted to the Court's examples Agreements with the various authors, show the words on the contractual requirements of the authors avoid Any copyright violation.

Defendant prepared to pay the plaintiff of a maximum of 400 ₪, which is the cost for sending a photographer to And the photo displayed.

**E. The copyright law.**

By way of introduction the defendant did not deny the principle of copyright and its commitment to meet the requirements The law on this matter. However, given that the Tribunal would like to make a charge of money on breaches the Plaintiff's copyright, he must reassert his authority to debit money law.

Copyright issue is a significant area of activity stops, especially since the development of printing. Pattern brought to the world through duplicate information, idea or expression (textual or visual), large quantities of Copies, so although the initial work you performed a particular person, but its distribution in the grip of all Prints. With the advancement in technology, particularly in the computer age and the Internet, possibility of harm Many copyright, varied and easily.

This ruling did not extend the copyright on the sources, but we will refer to the base of Torah Mention the moral right of the creator name, and to examine the question of whether the law, which states Authority to award of compensation without proof of damage, attacks on Jewish law that the court may require payments Pursuant to the copyright infringement.

In response to forthcoming legal responsa in land (Rabbi Chaim Bloch, Rabbi Daniel Katz, "Rabbi Ido

Rechnitz, "Shaw A Legal Land, introduction chapter that deals with copyright.) Summarized the basis for copyright Law reads:

Halakhic basis for maintaining current copyright dispute. Here are some options Raised by jurists source prohibition:

**Robbery**

Responsa asking and answering a (a,,) gauge shows that the creator with his creation:

…**Dbslo** no person may cut global print non-permission ...

Fees responsa of Moses (part of the sign from OH d) added to his illegal copying as theft:

…Tape but do (= tape) for one tape without permission is **prohibited robbery**.

**Enjoy - Payment for pleasure**

Noda Responsa (edition Second edition - "Khoo than sign a pitcher) stated that the owner used the arrangement pattern other available printed, must pay for enjoying:

Simon must therefore pay all enjoyed piecing it all under one shared by a number of what prints.

Subsequently wrote to Rabbi Zalman N. Goldberg (Techumin and, p 196) who enjoyed the work of a person without the permission required to pay him.

**Law and Regulation**

Rabbi Ovadia Yosef ("Shaw says express M A.," Khoo than I) believe that the prohibition is also based on state law, According to the rule "law of the land - the law";

Peace and blessings and great helplessness. About the question whether bricks inheritance law that their father wrote essays with the Torah, they can prohibit any person without permission print connections, because the trespass, or Dilma because thin "(Les vows to a) what I'm for nothing even you for nothing, no heirs the right to delay Print connections and prevent dissemination…

And any event the law of the custom to prohibit both law of the land, and according to the decree and the consent of the authors, And the rabbis who agree to connect.

Rabbi Avraham Cohen wrote that a ban on "Rehabilitation of the art", ie regulation set In the field (D Valley Court, pp. Tks - Tksg)

**Limiting the right of the buyer - residue or terms of sale**

Rabbi Zalman N. Goldberg offered to protect copyright by copying the right residue seller When property and he concluded his proposal (Techumin and, p 207):

If you said or wrote no caste incurred copy sold, we were in the retention of this right to himself, Copies of it is considered a robber, and legally liable to pay a robber, we value the cassette.

Actually stopped now accepts the decision not to infringe copyrights and that this prohibition I went to (although that share it). Quite apart from moral defect exists in making acts that damage Many people, whose income depends on strict adherence to "copyright" and that their labor will decrease the drain If this field is wide open. Our position is difficult to see copyright infringement theft really, Since this is not a theft of physical property. But it is also forbidden by law and according to the rule "the law Of the land - the law, "and there is an obligation to pay the fine work of the creator.

So much for the things of "Shaw A Legal Land.

Things to the most base prohibiting use of creative work without permission, or in violation Author's economic interests. Shall not expand the discussion on this topic.

**Moral right**

Another dimension of copyright in the world known today, does not focus on the aspect of ownership, but So-called "moral rights". The matter of moral right is the artist's name will be called on Work, and work will be imposed in addition to not make it wrong or transformation, which can injure the dignity or Reputation (Article 46 of the Copyright Act).

Given that this case is that most of the harm that the plaintiff's name was mentioned as having taken the Picture, we will address the sources of this right (see detail on this matter - Nahum Rakover, right

Formed in Jewish sources, the Library of Jewish Law, Jerusalem HATE Page 113-119; 17-64). Be clear, that it does matter, even bringing such sources are not legally binding because These sources of teachers than in a religious, moral importance in maintaining the moral right. This value-based infrastructure, affects the application of the law of the Torah law. Jeremiah has been critical of the false prophets, who combine their words were true prophets Without the things that indicate the source from calling them thieves (Jeremiah chapter to, Achgi): "to about the nn s estate to the N p in a raw sea from  **'The garden in m s d s a s b is from a A p O R: ".**

In Midrash Tanchuma ((Buber) Parshat Bamidbar sign) deja recalled other use without reference to the words of the source Say the 'theft':

Countries "Hezekiah and R. Jeremiah bar Abba name of R. breezed, Nunn does not mean anything any name says, it Scripture says "**Do not rob the poor is low** (" Proverbs V.,,) V.

And should a man when he hears something, tell him the name says, even went to third, change the rabbis said Dr. Nahum clerk I accepted Mr. Miiasha received [my father received from and Guth received] from the old to Moses at Sinai.

Saying something as said would be remembered as one of the ways to the intellectual Torah (and fathers), and:

And that says something named Omero Did you learn anything that says the name brings redemption to the world Written (Esther ") in and Esther told the king named Mordecai"

(We note further, the Wikimedia site hosted on the servers of the enterprise, so have to meet the terms of use. Apparently there is reason to consider whether the use of the terms of use deviation Wikimedia touching prohibition of theft: And ye came to ")

Conclusion of the above, there is a religious obligation to comply sharing agreement that requires the creator's name And collaboration agreement for several reasons: law, according to most authorities and accepted ruling, recognizes the rights Form for various reasons. There must mention the source of the client an idea or information, and without it there is the For 'stealing things. 'User Wikimedia sites, uses physical properties of the Wikimedia Foundation, And for this reason he is committed to sharing agreements.

**F. Payment of Copyright Infringement**

Volume charge for breach of copyright, according to the elements listed above, which is affected by the ban.

**Theft** - whether this is because the robbery - the extent the charge is based upon how many he had lost the baby from the robbed. Because The image was allowed to publish free of charge (but subject to certain conditions were not fulfilled,) seems to be no A positive to - because the DA does not subtract money by virtue of the Defendant operation.

**Pleasure** - from the foundation of enjoying, the defendant will pay the sum equal to its cost to obtain this image Otherwise. Because this is the Ark could photograph him without limitations, the defendant's claim probable Her delight is certainly not higher than what it costs to send a particular image of this photo shoot about 400 - ₪.

**Law of the land** - by law, the court's authority to require the offending copyrighted under consideration Opinion, even without proof of damages, a sum of up to 100,000 ₪. Here we will discuss the validity of this law and the possibility Exercise this authority halachic Torah law.

**G. Copyright Law and the halakhic validity.**

In discussing this conflict, not only in determining principle, meaning that according to copyright law, But should discuss whether there is validity to particular provisions of law will treat below.

Israel's copyright law provides two aspects of copyright: a first aspect is the right Economic, and second aspect is the moral right (which we described above). Economic right is an offense (Ie you can sell it after), whereas the moral right is personal and not transferable. Let us note, Slhok copyright criminal aspect, when the use for commercial purposes or profit violating the rights of Form, is a criminal offense, punishable by up to five years in prison (see Chapter IX of the Law).

By law, civil sanctions for copyright infringement varied: first, infringement Form is considered wrong, and gives a right of action under the Civil Wrongs Ordinance (Article 52 of the Law). Second, the prosecutor Is also entitled to seek an injunction to stop the violation of his rights. In addition to, section 56 of the Law that The court is entitled to order the infringer compensation without proof of damages, an amount of up to 100,000 ₪ w(We note that For 2007, the law stipulates a minimum of 10,000 ₪, and the other limited the amount of compensation 20,000 ₪Nlla proof of damage).

The question is whether the law should be teaching this, an attacker walked, or in other words, whether from the perspective Religious teaching of the law gives the court authority to order the infringer compensation without proof of damage.

As is known, the scope of application of the law of law of the land, subject to debate among jurists, and there is no justification to review The topic sentence again. This is discussed at the annual judges involving many judges. On Decisions of the conference, signed among others by Rabbi Yaakov Ariel, Rabbi Dov Lior and fathers of the Court of network Lovely Land Tribunals Gazit. Gist formula as follows, and was also published in Volume 'to the journal Sector effort (p 144 :)

**Law of the land - the law**

**0.1 The rule law of the land - the law, applies the laws of the State of Israel according to the limitations of this rule.**

[According FAQ and servants prosper, power in,; "Shaw A. The opinion mrp, a brace;" Shaw Eliezer D. A tuft, Power; Rabbi Mordechai Eliyahu, Techumin, p 242; Rabbi Dov Lior (p. 247); Rabbi Moshe Halberstam, In: Nahum Menashe Walfish, from creator rights, pp. Kca; "Shaw A complete offering of A,, Paz And more]

**2 any Act came before us were Allo also facilities Yes "- I have validated the rule Law of the land - the law.**

[From "Shaw A part of the Chatam Sofer," from overseas, meter mark. Hatam Sofer mentioned the words "by the constant Many ("House of Isaac Shaw A strong Mishpat c,;" Shaw A complete offering of A,;, Paz saw in Author Rights (Rabbi Nahum Menashe and Walfish), p Mab and I went to see this on the basis of the words below are also based Halberstam where p Kcb; Rabbi Yitzhak Nissim, Rabbi Yosef Shalom Elyashiv and Rabbi Bezalel Z'olti ("Fed R. and, 382;) ORL Rabbi Goldberg, Israel Law - Torts, p 378" A tribe of Levi Shaw Part J. Sign Rtza, etc.)

**0.3 can be set such law tests are:**

**(A) when there is a religious basis, such as billing laws of heaven or ex gratia, or regulation Early parallel.**

[According to Hachoshen Rent;. C, ORL Rabbi Goldberg, Israel Law - Torts, p 378; "A. Shaw Tell honesty in, bank, etc.]

**(B) or when there is some suggestion to fix this regulation (such as keeping distance between vehicles).**

So much for the judges conference summary.

In our case, the law determines payment for copyright infringement, is designed to establish the legal and ethical principle of Jewish law And halachic authorities recognize it, as described in the previous chapter. Therefore, it appears he's even written a hedging Ends of the breastplate, which is the morality and integrity, has a law of the land. In addition, there is no doubt that if she lay on the Sages of Israel full responsibility for the regulations in society Israeli facilities were permitted violation of copyright, as indeed was done through the ages In different ways.

We note that the need for social Doreen has new features. Centuries past, the main goal was Protect people who invested their money and a fear invested is lost. Copyright protection Today is also designed another significant social purpose. Copyright protection, especially on the right Moral of the people who put their work for 'free (subject to minimum requirements As mentioned above,) is a social need in this regard is encouraging people to make their works available to the Public and thus enriched the knowledge of mankind at large, quality and varied works.

In addition, since the law came to anchor the principle of religious value (caution stealing things) should be seen as Also the regulations of the audience (according to Rabbi Avraham Shapira, religious view on state laws and regulations today Techumin C, 238; and see also the nutrition of a rebel, Techumin P,) 0.85 and tongue there:

There seems to be to discuss the status of state laws on public regulations. Public, its representatives, has authority Regulations to amend the order of community life (see Supplement AI Fi"a, "and in H, at T a,. And the Shulchan Aruch "Khoo from Si in effect said that the city fathers under the provisions of the great court,) regulations on matters such Taxes, labor, transportation and other conditions that contradict the laws of the Torah.

It should be noted in this regard, the underlying copyright legislation in laid "a stand before the legislature Inter alia the principles of Jewish law, which brings Professor Rakover original copyright book Jewish law, Page 238. In Techumin Tuesday, Rabbi Shapira proposed to examine the question of whether Installation does not violate Torah law, whether religious MKs. Similarly, that where Installation promotes religious value Cbndon Didan is certainly valid.

**Imposition of a fine - is this possible?**

Apparently it can be argued that the law, which authorizes the court to require compensation without proof of damage, like Penalty charges, and fines not discuss laws but recovered through the courts adjacent to the Land of Israel ("Shaw Article by A. Mishpat). Accordingly, it can be argued that logical law of the land will prevail on the law of the Torah, or law Torak fines can not be fined, so it can not be fined under law of the land.

This matter has been ruled Rama "(a" Khoo from A, Section E):

And all this [ie, not charging fines at this time] written specifically fines, but fines come Sages fine themselves to their enactment Gobineau everywhere, as will be explained in Article (Mordechai S. P. Sender).

Hsm by writing "

And wrote Mordekhai Chapter sender Medellin Gobineau Duff fines from this time, "than have Ldonn by Toby City, and see Article

And this mean, to authorize the authority of the best city to charge fines, to sign the said Shulchan Aruch Mishpat In:

No court, not even close to coming, Y. "If you see people hacked offenses (and it need time) (column) were Danin between death from money, from any penalty laws, and even a yen of total evidence .....

[CAM], and custom everywhere Eran D"cb Toby largest city, preparing and penalties, and we abandoned Worthless as practice;

Found that, the principle that laws dealing with fines, penalties are specifically stated theory of punishment from the law or Although difficult. However, did not refrain from the public the possibility to issue necessary regulations required by the needs of time, And if necessary, impose fines on people who monitor public policy.

**When penalized?**

Hsm"a clarified that there are two different modes that can be fine ("overseas than in S.," K. b):

Duff Medellin but all the people hacked one of them, only one can punish him, and fines that the Law as they see fit, But when people hacked and fence can fix all of the people and punish the one that will pass on Installed, **although not seen the same man who broke his actions**, but to hedge the people

Ie, can be fined only known to the outbreak of this offense (a convicted felon,) or fine One-time offender, because the field is wide from socially. In the second case is a fine justification -To hedge the people.

Sabra gives, that the principle can be fined under the provisions of the audience, goes against the laws that have Validity by virtue of 'law of the land. 'Especially when the point application of the "law of the land, is because the content Law compatible with the way of the Torah and the social need - because the people hacked about, as we explained The above.

Second, as noted above named Rabbi Avraham Shapira, state laws have also validated by public regulations. We note that, the structure of the law by which the court, or in our case to the Court the authority to determine the Extent of the fine, she deserves it because the fact is implementing the basic principle according to which court Authority to fine a discretionary fines. And now the court but not enough to "close" does not This authority, and now comes the law - and provide installation return again to the Court the authority, in light of the need Social prevention of copyright infringement.

**In summary** - the court authority to require the defendants even without proof of payment of the plaintiff harm, and it On the basis of copyright law which authorizes the court to require the violator installment, until the total ₪ 100,000 at its discretion.

**H. Determining the amount due**

Court was given authority to determine the amount of compensation. However, the law gives the guiding criteria Determining the amount due. The language of section 56 of the Law:

56th. (A) infringed copyright or moral right, the court may, according to Application of the plaintiff, award to the claimant, from any infringement, damages without proof of damages in the amount Not more than NIS 100,000.

(B) In awarding damages under subsection (a), the court may Consider, among other considerations:

(1) extent of the infringement;

(2) amount of time the infringement took place;

(3) severity of the violation;

(4) the actual damage caused to the plaintiff, according to court;

(5) The benefit derived by defendant from the infringement, according to court;

(6) characteristics of the defendant's activity;

(7) nature of the relationship between the defendant and the plaintiff;

(8) faith of the defendant.

These guiding principles, fair and appropriate and go light.

Matter for us, we do not accept the prosecution presenting the defendant a repeat offender. On the contrary, we were impressed by the defendant careful violation of copyright. It is true that she was not aware enough to mention the use agreements. Other bodies also, do not mention the use of agreements, and it is not considered a serious violation of the copyright. However, When he was asked to refer to the usage agreement began to do so - as you can see back issues published since the first debate.

Defendant submitted to the court and the prosecutor before the court the document instructions reporters and editors. This is a detailed document, indicating the manner in materials from various sources, including sources from the Internet. Plaintiff explained that the document is emailed to reporters, as well as physical copies were hung alongside editors positions (this claim has not been proven, but is a 'Milta Dabida Laglwei, and not denied). Also the issue of maintaining copyright texts written and properly treated, as shown Defendant and described above. Although the claimant was able to vote on the use of ceremony from Wikipedia, is not With our policy of Defendant. This is due to improper work of reporters - in complete contravention of the provisions Defendant (This does not mean that you will be liable in this matter, but not to conduct on This contempt for the copyright issue). As noted, defendant presented this matter to its contracts with Various correspondents, including seeing that this issue is highlighted.

Plaintiff is a professional photographer, and he made the picture for free use, so that there is no economic harm Plaintiff, but damage to the moral right to demand to mention his name and mark the sharing agreement.

A profit derived by the defendant from the infringement, not money. Because the violation was not actually use, but By failing to specify the name of the plaintiff and the sharing agreement - these acts no cost. We accept Defendant claims the prosecutor in the profit gained from the use of the image is at most ₪ 400.

All of the above indicates, the deterrent consideration the particular defendant is a heavy weight. According to Plaintiff - the plaintiff makes any changes arise from the prosecution, and therefore reduce the amount Fulfill its responsibilities. Even if the first argument is correct - that the process affected the defendant undergoes a claim letter This - the prosecutor's conclusion is the result of a claim. On the contrary, in the eyes of the Court - achieves the purpose of prosecution Law, even without a large monetary fine, and quite the threat to impose the fine. That the plaintiff received and the entire company Some of the expected proceeds from the lawsuit.

Despite these considerations saved them all to reduce the payment the Tribunal can not suffice Amount of pleasure from the proceeds - 400 ₪, a sum that the defendant offered the plaintiff attempts to compromise made Between them.

First, must be determined non-negligible amount, such sum as ruling makes the breach seem worthwhile. Also If there is no need to deter the defendant present, have a duty to deter such acts society - For people hacked this offense.

Another consideration is that to create a situation where the plaintiff, who violated his rights out wasteful from the procedure. Some of the Positive social interest payment without proof of damage is to create interest in potential claimants Stand for their rights and promote the care of the whole society in maintaining copyright. About it Didan, the prosecutor who lives in northern Israel, came to court twice, and spent preparing warrants prosecution And discussion at the considerable number of hours.

In light of the above considerations, the court determines the defendant pay the plaintiff the sum of 3,000 ₪, compensation for Violation of the rights of the plaintiff in the published New Year's issue, and will also include the expenses of Prosecutor. In addition, Defendant shall pay the claimant the court fee of $ 500 ₪.

**. T decision**

**0.1 Defendant shall pay plaintiff the sum of 3,500 ₪ until September, nine in power ", October 26  0.2011**

**0.2 The judgment was given on August Tsha"a Force, September 27, 2011.**

Rabbi Daniel Katz Rabbi Daniel Mann D"ab Rabbi Sinai Levy