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Yorkshire record label wins copyright battle against indie giant

Celtic Music successfully sue The Domino Recording Company for copyright infringement of the 'Bright Phoebus' album.

A Yorkshire record label has won its copyright battle against a major London indie company over the re-release of a classic folk album.

Celtic Music, an independent folk label based in Harrogate, North Yorkshire, took The Domino Recording Company Ltd to court over the rights to 'Bright Phoebus'.

The record was originally released in 1972 by Leader Sound on its Trailer Records label, and Celtic has owned the copyright since purchasing the rights to the Leader record labels in 1990. It authorised the re-release of 'Bright Phoebus' on CD in 2000, and this recording has been available ever since.

Celtic has now successfully sued the indie label for copyright infringement, also obtaining injunctions against the company.

Domino gave wide publicity to its August 2017 re-issue of 'Bright Phoebus – Songs by Lal & Mike Waterson' – and proceeded despite Celtic repeatedly asserting its copyright prior to the infringing release.

The indie label, which boasts artists including The Arctic Monkeys and Franz Ferdinand on its roster, were found by the Intellectual Property and Enterprise Court (IPEC) to have infringed copyrights belonging to Celtic on a number of counts.

Domino was found to have no prospect of a defence, and the matter was summarily decided in Celtic's favour by Deputy Judge David Stone QC on October 23. Celtic Music's partners appeared in court as litigants in person, facing Domino's intellectual property specialist legal representatives.

Speaking after the judgement, Calum Bulmer, of Celtic, said: "It was an obvious decision in light of the facts.

"I was surprised at the assumption by the directors of Domino that they could ignore Celtic's rights and flout the law. It is especially surprising given that Harry Martin of Domino is on the board of AIM (Association of Independent Music), whose own mission statement is to support the UK's independent music companies.

"Clearly, questions should be asked about motives. I mean, Lawrence Bell of Domino even ordered a copy of our 'Bright Phoebus' CD release from us in 2014."

Since the death of its joint founding partner Dave Bulmer in August 2013, Celtic Music has been retrenching and reviewing the development of its large and varied back catalogue of recordings, and is currently planning a programme of re-releases to cast new light on valuable folk music performances from the 1970s, 1980s and 1990s.

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Notes to the editor

1. Celtic Music has owned the rights in the Bright Phoebus album since 1990 when it purchased the rights to the Leader record labels. Over the last 20+ years there has been much public controversy over the Leader labels although little fact has actually been stated, and many inaccuracies and fabrications have been built upon and disseminated by the media and public; its ownership was public knowledge.
2. Celtic Music authorised the release of Bright Phoebus on CD in the year 2000 and it has been available in that format ever since.
3. In early May 2007 BBC Radio 4 broadcast a program titled "Lost Albums: Bright Phoebus" presented by music journalist Peter Paphides, during which Dave Bulmer was interviewed and explained that the album was not lost, and was available for public purchase. The program broadcast was repeated on a number of occasions.