



## Supreme Court of New Zealand

8 April 2009

### **MEDIA RELEASE – FOR IMMEDIATE PUBLICATION**

**Tiny Intelligence Ltd v Resport Ltd  
(SC 55/2008) [2009] NZSC 35**

### **PRESS SUMMARY**

**This summary is provided to assist in the understanding of the Court's judgment. It does not comprise part of the reasons for that judgment. The full judgment with reasons is the only authoritative document. The full text of the judgment and reasons can be found at [www.courtsofnz.govt.nz](http://www.courtsofnz.govt.nz).**

The Supreme Court has unanimously dismissed an appeal by Tiny Intelligence Ltd against a High Court ruling, upheld by the Court of Appeal, that additional damages for flagrant breach of copyright, under s 121(2) of the Copyright Act 1994, cannot be awarded when the successful plaintiff has elected to receive an account of the defendant's profits, rather than damages, under s 120(2) of the Act.

Contact person: Gordon Thatcher, Supreme Court Registrar (04) 914 3545