



A comparison of both displays - Yamamoto's is on the right

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Japanese artist loses court case over copy of goldfish-filled phone booth

A Japanese artist has [lost in court](#) a case he brought against a merchants' association for copying his design of a phone booth filled with water and goldfish.

The artist, Nobuki Yamamoto, filed a suit with the Nara District Court last September, alleging that the merchants' association in the prefecture had created a display of a phone booth that was similar to a work of his.

The display, on a shopping street in Yamatokoriyama, a city known for its goldfish farms, had a phone receiver floating in a phone booth filled with water and goldfish.

Yamamoto argued that the display by the merchants' association in Nara employed the same air bubble-generating system using the phone receiver. In terms of precedence, Yamamoto created his artwork around 20 years ago, while the phone booth display by the merchants' association was set up in Yamatokoriyama in 2014.

The merchants' association removed its display in April 2018, before Yamamoto filed the lawsuit.

The artist was seeking JPY 3.3 million in damages.

But the case was thrown out by the presiding judge Hiroo Shimaoka, who said the only common characteristic between the artist's work and the display by the merchants' association is that they had phone receivers floating in the water. Other than that, they are different in terms of the colour of their roofs and other factors.

Yamamoto has said he will appeal against the decision.

"I wanted the artwork to be recognized as my original," he told [The Japan Times](#).

This is an example to Creators of how copyright protects the [expression of ideas](#), but not ideas themselves. Although both displays are similar, the execution or expression of the ideas are slightly different – we see that the number of goldfish differ, the colour of the roofs is different, and the colour of the telephones is different too.

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