

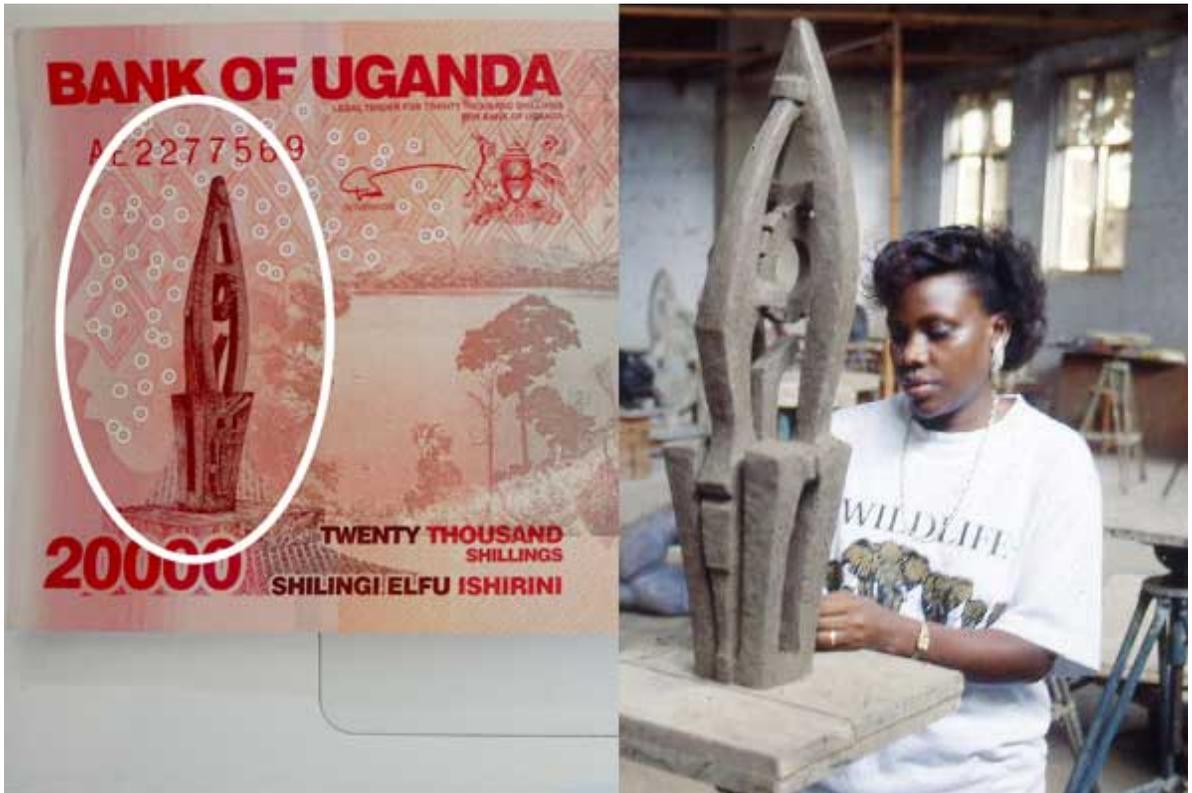
DAILY MONITOR

TRUTH EVERY DAY

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Controversy hits Shs20,000 note



THEN: Ms Katende moulds the contested sculpture in 1999. Above, the sculpture (circled) on the Shs20,000 note. COURTESY PHOTO

By John Njoroge (email the author)

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Do you have a Shs20,000 note? Do you see an imprint of sculpture on the front left-hand-side? It turns out that the image was allegedly used without permission and the sculptress now wants to be compensated or to have the currency notes recalled less than a year after they were issued.

Sylvia Nabiteeko Katende, a senior lecturer at the Margaret Trowel School of Industrial and Fine Art at Makerere University, is suing the Bank of Uganda (BoU) for over Shs1 billion for what she calls fraudulent use of her intellectual property on the new Shs 20,000 banknotes released in May.

Never consulted, paid

In court papers seen by this newspaper, Ms Katende from the Department of Sculpture and Drawing, says she was never consulted, contracted or paid by the Central Bank to use an inprint of a sculpture she created in 2000.

Ms Katende says she created the sculpture, named the Socio Economic Growth of Kampala City, to commemorate the city's centenary celebrations. The inprint of the sculpture was then used on the banknotes and Ms Katende says under the Copyright and Neighbouring Rights Act No. 21 of 2000, she should have been consulted and paid for her work before the designers used it on the banknotes.

Her lawyers, who filed the suit on December 15 at the High Court in Kampala, want among other things, the court to halt the circulation of the currency note, until this dispute is resolved.

BoU's assistant spokesperson Joy Kahwa confirmed knowledge of the suit.

"We will deal with it accordingly," she said. She, however, added that the images used on all the new notes were public images collected by contracted artists.

"The images were not hidden. Anyone can see and take photos of them," she said. Ms Katende disagrees, saying the original sculpture can be found in Makerere University while a prototype stands in the Centenary Park, overlooking the Jinja Road Traffic light intersection in Kampala City.

Among those involved in the design of the new banknotes are artist Raymond Nsereko, Uganda Peoples Defence Forces MP Gen. Elly Tumwine, who is also patron of the Uganda Artists Association, Mr Patrick Sserunjogi, Mr Emmanuel Mutungi, Mr Joseph Ssematimba and Dr George Kyeyune (Dean, Faculty of Industrial and Fine Art). It is said the group was paid over Shs2 billion for the design of the new currency notes.

Collectively, these artists sourced the images to be used in the banknotes. There was a review and selection process after which selected images were submitted to M/s De La Rue, the United Kingdom company also involved in the design. De La Rue then translated the images provided by the artists into banknote designs.

given, prompting her lawsuit.

Investigations needed

Ms Katende's lawyers are now seeking general damages and compensation, legal fees and interest for the fraudulent use of her intellectual property.

They are also asking the court to order an independent investigation into the circumstances under which the images of the sculpture was procured.

They want to know who made the judgment call to use images of the sculpture without the prior knowledge and express instructions of its creator.

Court will decide whether the notes should be withdrawn, the case dismissed or whether Ms Katende smiles all the way to the bank.