

Press Information 2015/06 HHole (for Mannheim 2006-∞) & PHaradise

After one year of discussions, hundreds of pages of documents and misleading articles from local newspaper, the District Court of Mannheim ruled a first unbalanced decision in order to allow the city to continue with the works related to the new 68 million Euro building of the Kunsthalle (Mannheim public Museum).

According to the Court, the interests of the building owner to a changed use of the building was rated higher than the copyright of the artist.

The claim of the artist, also disputed by the Kunsthalle, in relation to the work of designing [HHole \(for Mannheim 2006 - ∞\)](#) has been upheld and the Kunsthalle has been sentenced to pay €70.000. The Court pointed out to the fact that the artist deserve this minimum claim because it is unable to see the actual value of the artwork to determine it, due to lack of valuation bases. At the same time, the Court has confirmed that HHole is an art work subject to a copyright protection.

[HHole \(for Mannheim 2006 - ∞\)](#) has been conceived as a permanent artwork and was installed in the central building of the Kunsthalle; the status of permanent work and the artist ownership were agreed by contract which the Kunsthalle did not respect.

The lawsuit will proceed to a second instance.

The court has not yet ruled about the two other objects of the dispute which will be negotiated separately: the site-specific light installation [PHaradise](#) in the dome and roof of the Billing-bau (the old part of the museum) and the disappearance of some artworks loaned by the artist to the museum.

[PHaradise:](#)

In a separate process, the representatives of the museum will have to explain their position, as they argue in Court that the light installation has been eliminated from the roof of Billing-bau and technically could not be re-built, but in fact the dome lighting is still present as it was photographically and video documented by SWR TV the evening of 23/04/2015 and in subsequent dates from different witnesses.

Again [PHaradise](#) light installation has been conceived as Permanent and has been loaned to the museum by the artist as documented by the existing contract.

Artworks Loans:

The museum has to explain where have been stored 17 artworks of the artist NatHalie Braun Barends which she loaned to the Kunsthalle for the Exhibition 100 Jahre in 2007. At first, the museum, through its lawyers, denied having received this painting at all, then admitted they were exhibited in the main salon of the museum together with other important artworks, but suggest that the art works had been delivered to Art Basel during the artist's exhibition "[Revealing Paintings](#)" in June 2007; no proof has been presented at the moment and officials from Kunsthalle questioned by the judge, answered that they do not know where the artworks could be, but admitted they were exhibited at the museum. Furthermore photos of that time and witnesses give evidence that the artworks had been in the Kunsthalle during the Art Basel artist exhibition.

Background

NatHalie Braun Barends is multidisciplinary artist working with light: paintings, design of location-based multimedia light installations, social oriented performances. Her work, which follows her philosophical concept of life cycle visualized by her HMap, has been widely shown in world museums, cultural institutions, collections and exhibitions.

In 2006 the artist was invited by the Kunsthalle Mannheim to exhibit, work there as "Artist in Residence" and realize her permanent art work [HHole \(for Mannheim 2006 - ∞\)](#). During this time she also created the light installation [PHaradise](#); at the time, for the city under the Culture Mayor Dr. Kurtz, [HHole \(for Mannheim 2006 - ∞\)](#) was hailed as a „Highlight“.

Like other museums, the Kunsthalle Mannheim has committed the task of promoting, showing to the public and preserve art. Nevertheless now the artist is fighting for the conservation of her works (at that time committed by the museum) and for their right to survive.

Before taking action, she made multiple and long attempts with the Kunsthalle to dialog and preserve the art works. The Kunsthalle has, however, put off the artist, trying to weaken her and simultaneously operating the demolition of the works, denigrating the position of the applicant with insinuations, allegations out of the blue and false accusations.

Just for these reasons, plus the property rights, the artist was forced to take legal action.

It is an interesting action, where the city judge had to solve a question between an artist, woman, and the city museum. The process will be a precedent for the German legislation and probably for the European legislation too.

More info:

www.Hn2b.net

www.HHole.net

www.pHaradise.net