Court Decision for YouTube Is Big Win for Internet

by David Sohn [1]
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We've just gotten word that YouTube has prevailed [2]in the blockbuster litigation brought by Viacom. This promises to be a big development for the future of the Internet. We've previously explained [3] what's at stake; Viacom's lawsuit was nothing less than a radical attempt to roll back the crucial "safe harbor" provision of the Digital Millennium Copyright Act (DMCA). That safe harbor is what has enabled the explosive growth of innovative online services and platforms that empower Internet users to create and communicate in new ways. Indeed, CDT President Leslie Harris cited this case as one of five things that will shape the Internet's future [4].

Of course, now that the effort to water down the safe harbor via litigation appears to have failed (at least pending appeal), it's entirely possible that Viacom and its allies will launch an effort in Congress. Those who care about the future of the Internet must be prepared to defend the DMCA safe harbor there as well. There is a good story to tell; the safe harbor was intended to foster the development of new services, and it has succeeded in spectacular fashion. This is a law worth defending, in whatever forum it faces challenge.

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- YouTube
- Viacom
- copyright

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