

Ninth Circuit Extends Safe Harbor Protection Under DMCA to Veoh

MARCH 15, 2013

Michael Elkin's successful representation of Veoh Networks, Inc. – a video-sharing site – was featured in various media outlets, including *Bloomberg*, *Law360*, *Variety*, *The Hollywood Reporter*, and *Managing Intellectual Property*.

In December 2011, the Ninth Circuit rejected Universal Music Group's challenges on why Veoh's site did not qualify for safe harbor from copyright claims, ruling that Veoh's video-sharing site was protected from copyright liability. The appeals court reheard the case after the Second Circuit used a different interpretation of the DMCA's safe harbor provision in a decision involving YouTube.

The appellate circuit reaffirmed its ruling with further clarification on March 14, 2013. Finding that the Digital Millennium Copyright Act (DMCA) protects Veoh from copyright claims brought UMG, the ruling holds that the site did not know of the infringement and could not control it.

Mr. Elkin said that the ruling makes clear that the Ninth and Second circuits are in accord on how the DMCA safe harbor should be interpreted.

"We're thrilled that Veoh has been vindicated once again and we're encouraged that there is now a uniform set of principles in highly respected circuits that clarifies the law for online service providers," he said.

1 Min Read

Related Locations

New York

Related Topics

Copyright

DMCA

Veoh

Related Capabilities

Intellectual Property

Litigation/Trials

Copyright-Infringement Litigation

Media & Entertainment

Related Professionals



Michael Elkin



Jennifer Golinveaux