

## Michael Elkin Quoted on YouTube Win in the *Daily Journal*

APRIL 19, 2013

Winston & Strawn partner [Michael Elkin](#) was quoted in the April 19, 2013 *Daily Journal* article, “YouTube Beats Viacom in Copyright Case Again,” which discussed YouTube’s successful defense against copyright infringement claims from Viacom.

The case examined whether YouTube was diligent enough in removing user-posted material that was copyrighted by Viacom. District Judge Louis L. Stanton ruled that YouTube is protected under the safe harbor provisions of the Digital Millenium Copyright Act, saying that the burden of identifying what must be taken down is on the copyright owner.

The DMCA’s safe harbor provisions protect sites that promote user posting and sharing, Mr. Elkin said. “Companies should not be held liable simply because 3rd parties post infringing material on its site,” Mr. Elkin said. “These safe harbor standards were there so that companies would be willing to invest in digital media ventures.”

Michael Elkin is the managing partner of Winston & Strawn’s New York office and chair of the copyright, entertainment & digital media practice.

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Michael Elkin