

Media & Entertainment - USA

Viacom appeals Google/YouTube ruling

Contributed by [Reed Smith LLP](#)

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In June 2010 a federal court ruled in favour of YouTube and Google in the billion-dollar suit brought by Viacom on a summary judgment motion (for further details please see "[Court awards YouTube summary judgment in Viacom copyright infringement case](#)"). The court decided that YouTube is protected against claims of copyright infringement by the safe harbour provisions of the Digital Millennium Copyright Act.

Immediately after the ruling was announced, Michael Fricklas, Viacom's executive vice president, general counsel and secretary, noted:

"This case has always been about whether intentional theft of copyrighted works is permitted under existing law and we always knew that the critical underlying issue would need to be addressed by courts at the appellate levels. Today's decision accelerates our opportunity to do so."

Consistent with that announcement, Viacom has now filed its notice to appeal in the US Court of Appeals for the Southern District of New York. Many legal scholars feel that in this case, the district court opinion will be very persuasive - although one never knows until the appellate court has rendered its decision.

For further information on this topic please contact [Joseph I Rosenbaum](#) at Reed Smith LLP by telephone (+1 212 521 5400), fax (+1 212 521 5450) or email (jrosenbaum@reedsmith.com).

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