Viacom-YouTube secrets to be exposed in lawsuit – Yahoo! News

Viacom-YouTube secrets to be exposed in lawsuit

By MICHAEL LIEDTKE, AP Technology Writer – 19 mins ago

SAN FRANCISCO – A legal tussle pitting media conglomerate Viacom Inc. against online video leader YouTube is about to get dirtier as a federal judge prepares to release documents that will expose their secrets and other confidential information.

The information expected to be unsealed Thursday will include some of the evidence that Viacom and Google-owned YouTube have collected to prove their respective points, but have kept under wraps so far during their 3-year-old dispute over copyright law.

The sensitive material is emerging now because Viacom and YouTube are citing some of the documents as they try to persuade U.S. District Judge Louis Stanton in New York to decide the case without a trial. Stanton isn't likely to decide on a so-called summary judgment for several more months.

Each side will likely be pointing to things that the other might find embarrassing.

The evidence is expected to provide insights into the early strategies of YouTube co-founders Chad Hurley and Steve Chen and how they responded to copyright complaints that quickly accumulated a few months after the Web site’s 2005 debut. The documents also could reveal whether other media suitors tried to buy YouTube before Google acquired the site for $1.76 billion in 2006.

Viacom, the owner of Paramount Pictures and cable TV channels that include Comedy Central, sued YouTube in 2007 seeking more than $1 billion in damages.

Viacom contends YouTube’s employees realized copyright-protected video was being illegally posted on the Web site, but routinely looked the other way because they knew the professionally produced material would help attract a bigger audience and encourage return visits.

YouTube lawyers have contended there was no way to know whether copyright-protected video was coming from pirates or from movie and TV studios looking to use the Web site as a promotional tool. If a studio issued a notice of a copyright violation, YouTube says it promptly removed the specified clip as required under the Digital Millennium Copyright Act.

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The 1998 federal law generally protects service providers such as YouTube from copyright claims as long as they promptly remove infringing material when notified about a violation. The outcome could hinge on whether Viacom can prove YouTube knew about the copyright abuses without formal notice from Viacom.

Although other content producers also initially complained about copyright abuse at YouTube, many media companies have since struck revenue-sharing deals with the Web site.

YouTube won over much of the professional media by developing technology that automatically detects video and audio claimed by its copyright owners.

(This version CORRECTS to read that Google bought YouTube in 2006)

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Baltbear 13 hours ago | Report Abuse

if google "does no evil" then having all its internal docs available to the public should be no problem.

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Francisco 11 hours ago | Report Abuse

Actually. You Tube should be sued for having a TON of Illegally uploaded videos... 100's of movies and songs... No rights...

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C.G. 10 hours ago | Report Abuse

more petty lawsuits.... who cares.... it should all be allowed on the internet

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Raskell 8 hours ago | Report Abuse

viacom shoots itself in the foot

Reply

Michael 7 hours ago | Report Abuse

I see no problem how Google is handling this... Regardless if the original creators knowingly infringed on copyrights Google has gone through great strides to either corporate with copyright owners through shared revenue and has developed state of the art software to combat this situation.

Why would Google want to be on the hook for $1,000,000,000 for said allegations under its previous owners? When Google has spent quite a bit of money to clean up the industry...

Viacom patiently sat back and "collected evidence" till such time a "Fat Cat" bought the company.
If memory serves me, YouTube under original ownership was not even generating enough to cover operational expenses...

And no I am not a shareholder (Wish I was :) I just like to gather all the information before I come to a conclusion. :)

Reply

E 6 hours ago | Report Abuse

A lot of artists should be grateful that YouTube looked the other way. YouTube has given new life to many stalled careers.

Reply

L 6 hours ago | Report Abuse

YouTube is helpful to artists. Companies like Viacom need to relax. They are nothing without the public support.

Reply

Rye 6 hours ago | Report Abuse

Viacom = Failcom

Reply

Me 3 hours ago | Report Abuse

It all boils down to one thing: Money.

Revenue is generated when these shows are aired from ads placed by the show's sponsors. That's how a company makes money and stays in business. What's happening is that when these shows are rebroadcast outside of the channel's or company's control, they don't get any revenue because they have no provision for getting paid by sponsors for rebroadcasts of their shows. (It would be hard to negotiate that, anyhow since it's hit or miss what gets rebroadcasted and how often).

YouTube and other such sites get ad revenue from people who browse their sites the same way broadcasters do. And they don't share.

It boils down to how to share revenue. Broadcasters want a per view rate - which is extortionate to say the least. Internet media providers don't want to pay anything because policing what is seen and how often is impossible (these shows aren't tagged in any way so as to track them automatically).

If they got away from the 'per view' paradigm or even per show, they'd probable settle on an overall revenue sharing scheme that is equitable if they based it on a scale derived from overall viewership of a particular channel during the previous month, quarter or year. Neither side should be allowed to have with them each demand from the other and a reasonable compromise should be achieved. Otherwise, the battle will continue or YouTube will be shut down - in which case we all lose.

Even Viacom (since getting SOME revenue from online viewership is better than getting nothing and having viewers post their shows on other media viewing sites - which is exactly what will happen).

Reply
Actually, the vast majority of what I watch on youtube is NOT professionally produced. I get to see cool things done by real people, not spray tanned, hair coiffed barbie and ken dolls that are produced by TV and record companies. Viacom is crying because it isn’t making the money that youtube is making. BOO HOOO WAAAAHHHHHH!