GateHouse sues Globe's parent over websites

By Todd Wallack
Globe Staff / December 23, 2008

GateHouse Media Inc., the owner of 125 local newspapers across Massachusetts, sued The Boston Globe's parent company yesterday for linking to GateHouse articles on the Globe's new local websites.

In a lawsuit filed in US District Court in Massachusetts, GateHouse argued that The New York Times Co. violated copyright law by copying "verbatim" headlines and the first sentences from articles in the Newton Tab, Daily News Tribune of Waltham, and other GateHouse papers on the Globe's own websites, along with links to the full articles.

The suit raises critical legal issues about what type of linking is permitted on the Internet. Many blogs and media sites routinely post links to stories by other media. Indeed, GateHouse has published links to Globe stories in the past.

And Google Inc., the Internet powerhouse, scours thousands of news sites around the world for headlines and posts links to the stories.

In a statement, Times Co. spokeswoman Catherine Mathis said that the company is simply doing what many other news sites already do - aggregating headlines and snippets of relevant stories published elsewhere on the Web - and that it believed GateHouse's lawsuit was without merit.

"Far from being illegal or improper, this practice of linking to sites is common and is familiar to anyone who has searched the Web," Mathis said. "It is fair and benefits both Web users and the originating site."

GateHouse representatives could not immediately be reached for comment.

In the lawsuit, GateHouse said the new Globe sites compete directly with its own "Wicked Local" websites. In November, the Globe's online arm, Boston.com, launched the first in a series of experimental "hyper-local" sites in Newton, which feature a variety of local news and information - including a calendar of local events, a user-created encyclopedia of information, and real estate listings - focused on a particular community. It has since launched similar sites in Needham and Waltham, and it plans to eventually serve all of Greater Boston.

The centerpiece of the new local sites is a round-up of articles from the Globe,
GateHouse, blogs, and other online sources. On any given day, GateHouse said in the suit, Boston.com’s Newton site features snippets of between 10 and 30 GateHouse items. And it complained that Boston.com made the situation worse by attributing the articles to the Newton Tab and other GateHouse sources - giving readers the “false impression” that GateHouse endorsed the practice.

GateHouse, based in Fairport, N.Y., said it sent letters to the Globe on Nov. 26 and Dec. 2 demanding the company stop posting GateHouse content, but did not receive a response. According to the Globe’s records, however, the company responded Nov. 26.

In addition, GateHouse said that it tried to block computers coming from Boston.com’s Internet addresses from "scraping" its website for articles, but that Times Co. circumvented the security measures and continued to post GateHouse content. In addition to copyright infringement, GateHouse also accused Times Co. of unfair competition, false advertising, trademark dilution, unfair business practices, and other misconduct.

The chain said it seeks a court order blocking Times Co. from using GateHouse’s articles or trademarks. It also hopes to receive compensation, punitive damages, and legal fees.

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The folks at Gatehouse (aka The Newton Tab) are self-important boobs. The content on "WickedLocal" largely consists of press releases from City Hall and content contributed by readers. Even if a court rules in favor of an intellectual property claim by Gatehouse, the damages should be zero based on the value of the content.

Report Abuse by tdinsmore December 24, 9:36 PM

Dumb of 'em; they will get many more visitors through the Globe's - et al's - links back to their stories than they would on their own.

Particularly since lawsuits such as this suggest that any content that they may publish will be biased towards "the profit motive" rather than the dissemination of the truth, which automatically eliminates them from consideration as an information source by educated netizens.

Report Abuse by ibstev2u December 24, 3:40 PM

From a web site site optimizing and promotion standpoint Gatehouse ought to be paying the globe. the inbound links to Wicked local from a source like boston.com are worth their weight in gold.

Sort of laughable.

Report Abuse by dune17856 December 23, 2:46 PM

"a thorough investigation is in order."

An investigation? Of what, hooliehead? The Globe will likely stipulate to the practice -- which does not violate copyright law or entitle GateHouse to relief. As such, this case will be dismissed on a summary motion for failure to state a claim upon which relief can be granted.

Report Abuse by heltahskeltah December 23, 2:37 PM

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