



Viacom, the parent company of such media properties as Comedy Central, Paramount, and CBS, has filed a lawsuit in the Southern District of New York against YouTube, the video-sharing site, and Google, its new corporate parent, alleging that YouTube and Google "harnessed technology to willfully infringe copyrights on a huge scale" in "brazen disregard of intellectual property laws." The suit alleges that YouTube and Google profit from user-uploaded copies of Viacom's copyrighted content, such as clips from programs like "The Daily Show with Jon Stewart," and are failing to take adequate steps to prevent its users from infringing Viacom's rights. The lawsuit seeks \$1 billion in damages.

According to Pattishall McAuliffe partner Joe Welch, "this lawsuit presents a significant challenge to the provisions of the Digital Millennium Copyright Act (DMCA) that put the burden on the copyright owner to give service providers notice of infringing content, rather than requiring the service provider to affirmatively monitor and prevent user uploads of infringing content."