

Contact



Stolen Moments

ARE PRIVATE MOMENTS FAIR GAME? In the wake of the now infamous Scientology video clip, and the subsequent griping from the Church of Scientology, you might think so.

The Church is known to use copyright-infringement and invasion-of-privacy lawsuits to suppress negative press

about the organization. Most lawsuits never see a courtroom, though. A financial behemoth like The Church can intimidate with the threat of extensive legal costs. Though they may not want to risk the public spectacle of opening their affairs to examination in a court.

The Church claims that the Cruise video was stolen and meant only for

viewing at insane in-house events. It had its legal team issue a Cease and Desist letter to Gawker — as usual, a main offender. Gawker claims that the video is newsworthy, and that as a public news resource, it is within its legal rights in posting the video.

At press time, no lawsuit was filed, and Gawker maintains that it will not remove the video from its site. Unless Xenu, himself, asks personally and very nicely. Or makes crazy eyes until they are all very scared. **M** Naomi Reiter

One Night in Paris' Legal Briefs

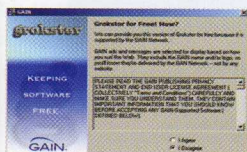
The spectrum of media outlets that are on the receiving end of copyright infringement and invasion-of-privacy lawsuits is as colorful as the gamut of individuals and groups going after them. There are those media professionals that continue to fight to provide the public with newsworthy information that is being suppressed. Then there are those, inspired by D-list celebrities, that have spawned a generation of sex-tape legislation. Here are a few of the highlights:



Pamela Anderson and Tommy Lee v. Internet Entertainment Group (IEG)

In one of the, er, bigger and more salacious cases, Anderson and Lee brought a copyright infringement suit against IEG in 1998 for distributing their stolen sex tape on the Internet.

Anderson and Lee were awarded \$740,000 each when the defendant failed to appear in district court.



MGM v. Grokster

The granddaddy of all copyright infringement video-related lawsuits, the Supreme Court ruled in 2005 that Grokster, a site used to share movie and music files, would be held secondarily liable for copyright infringement if the company actively encouraged its users to steal videos. StreamCast was also named in the complaint.

After the Supreme Court's decision, Grokster settled with more than 20 companies for \$50 million and shut down its Web site.



Fred Durst v. Gawker Media LLC et al

In 2005 Fred Durst sued Gawker and several other parties for copyright infringement over a sex video he made with a girlfriend. The tape was allegedly stolen from the hard drive of Durst's computer by a hacker.

By the time his lawyers sent a Cease and Desist order, the site had already removed the stolen video, complying with the Digital Millennium Copyright Act (DMCA), which states that a site is not liable for copyright infringement if it promptly removes that material once notified.



Scott Stapp v. World Wide Red Light District

Creed (a Christian rock group, it should be noted) lead singer Scott Stapp brought an invasion-of-privacy suit against Internet-porn site World Wide Red Light District for stealing a sex video involving Stapp, Kid Rock and four women.

The parties settled in March 2007 when World Wide Red Light District returned the video to Stapp's attorney, promised never to show it again, admitted Stapp is the sole owner and agreed to pay Stapp an undisclosed figure.



Viacom International, Inc. v. YouTube, Inc.

Viacom is suing YouTube, a division of Google, seeking more than \$1 billion for copyright infringement, alleging posting of unauthorized videos. Viacom's main complaint, aside from the alleged unlicensed sharing of its videos, is that YouTube has shifted the burden of monitoring its content to copyright owners, who must notify YouTube before it will comply with the DMCA and remove unlicensed videos.

The case is currently pending.