

Litigation

- **DVD Copy Control Association, Inc. v.** Kaleidescape, Inc.
- RealNetworks, Inc. v. DVD Copy Control Association, Inc.
- UMG Recordings, Inc. v. Veoh Networks, Inc.
 - Blackwell Publishing, Inc. v. Excel Research Group, LLC



DVD Copy Control Association, Inc. v. Kaleidescape, Inc. (Cal.App.6th) Facts:

- Kaleidescape system: permits users to copy DVDs to a server for future disc-less playback
 Breach of contract suit filed against Kaleidescape, alleging it did not comply with the CSS General Specifications.
 Trial court entered judgment for Kaleidescape
- Holding:
 - **Trial court reversed: General Specs part of the CSS License Agreement**

RealNetworks, Inc. v. DVD Copy Control Association, Inc. (N.D. Cal.) **Facts: RealDVD software allows copying of DVDs to** computer hard-drives; resulting copy is encrypted MPAA, Real file simultaneous lawsuits Sept. 30, 2008 **Holding: Violation of DMCA Breach of CSS License Agreement** Ninth Circuit Appeal Planned **DowLohnes**

UMG Recordings, Inc. v. Veoh Networks, Inc. (N.D. Cal.)

- Facts: Facts
 - Veoh is a video hosting website akin to YouTube
 - UMG sued Veoh in 2007 over the presence of infringing vides on the site.
 - Holding:
 - Veoh is protected from liability by DMCA Safe Harbor provision.

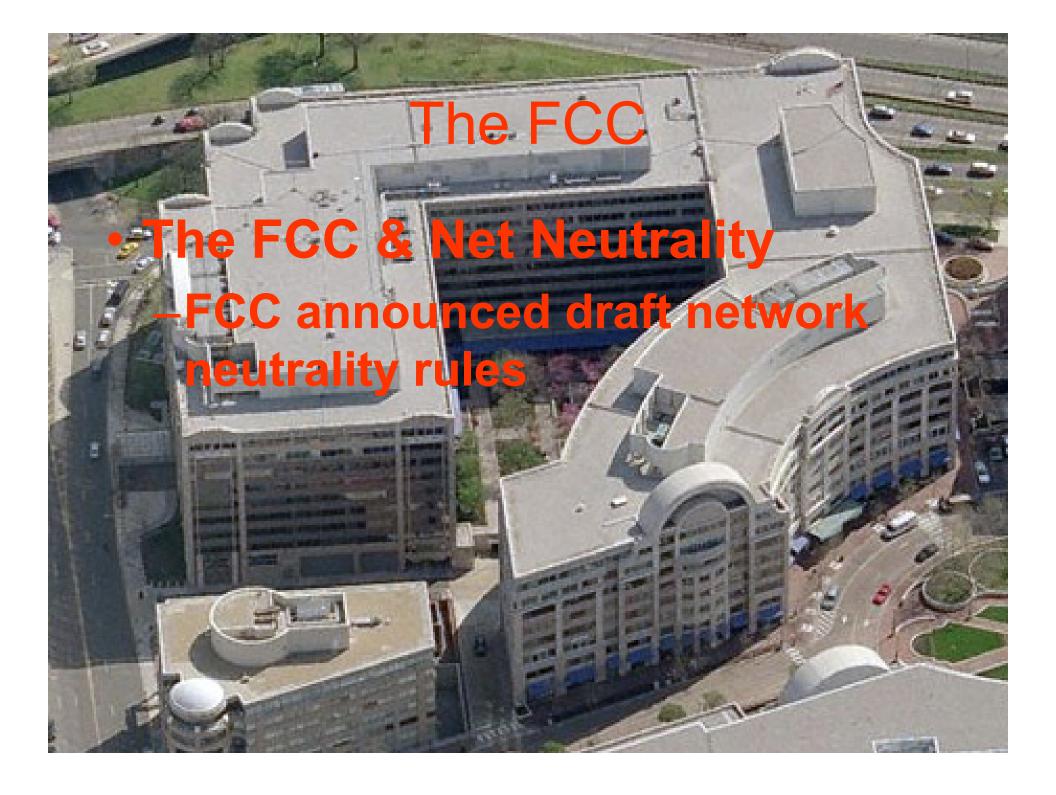


Blackwell Publishing, Inc. v. Excel Research Group, LLC (E.D. Mich.)

University of Michigan copy shop guilty of direct copyright infringement although students physically made copies of the coursepacks in question.

Is it in conflict with Cablevision decision?





The White House Intellectual Property Enforcement Coordinator ******** Victoria Espinel nominated as IP

Legislative Developments

Higher Education Opportunity Act: DoE proposed P2P Rulemaking Informed P2P User Act (HR 1319) Bill was marked up and passed by the House Committee on Energy and Commerce on September 30, 2009.

Mohnes



