User-Generated Content Services and Copyright

IRIS 2008-5:1/32

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There is a lot to learn about the Internet, especially for those generations who still grew up without broadband connections and Wi-Fi technology. Let's take the example of DailyMotion, a video hosting service website. Whether deliberately or accidentally, its name does not only point to its ever changing pools of content and users but it also symbolises a technology that develops at great speed and sets its users into motion. It invites active participation from those who used to be passive customers. To be blunt, services such as DailyMotion depend on consumers' contribution – that is, on user-generated content (UGC) that circulates globally via a French-based service carrying an English name in order to reach the widest possible audience.

New models for two-way distribution of content over the Internet, confront us with new shades of familiar copyright questions such as: what are the legal restrictions for putting content online? Where does piracy start? Who is the pirate? This IRIS plus looks at the EU and US American copyright framework concerning UGC and how it has translated into case law. Suspecting that neither the pending revision of the relevant EU e-commerce Directive nor further court decisions might settle the matter entirely, the article also explores other options for improving the relationship between UGC providers and copyright owners. Enjoy reading and meeting DailyMotion and other living examples for continous legal education!

IRIS plus 2008-5: User-Generated Content Services and Copyright - by Francisco Javier Cabrera Blázquez

http://www.obs.coe.int/oea_publ/iris/iris_plus/iplus5_2008.pdf.en

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