

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

# MANDATE

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 5<sup>th</sup> day of April, two thousand twelve.

Before: JOSÉ A. CABRANES,  
DEBRA AN. LIVINGSTON,  
*Circuit Judges.\**

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VIACOM INTERNATIONAL, INC.,  
COMEDY PARTNERS, COUNTRY MUSIC TELEVISION, INC.,  
PARAMOUNT PICTURES CORPORATION,  
BLACK ENTERTAINMENT TELEVISION, LLC,

Plaintiffs-Appellants,

v.

YOUTUBE, INC., YOUTUBE, LLC, GOOGLE, INC.,

Defendants-Appellees.

JUDGMENT

Docket No.: 10-3270

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THE FOOTBALL ASSOCIATION PREMIER LEAGUE LIMITED,  
on behalf of themselves and all others similarly situated, BOURNE CO.,  
CAL IV ENTERTAINMENT, LLC, CHERRY LANE MUSIC  
PUBLISHING COMPANY, INC., X-RAY DOG MUSIC, INC.,  
FÉDÉRATION FRANÇAISE DE TENNIS, MURBO MUSIC  
PUBLISHING, INC., STAGE THREE MUSIC (US), INC.,

Plaintiffs-Appellants,

Robert Tur, d/b/a Los Angeles News Service, The Scottish Premier  
League Limited, The Music Force Media Group LLC, The Music Force, LLC,  
Sin-Drome Records, Ltd., on behalf of themselves and all others similarly  
situated, National Music Publishers' Association, The Rodgers & Hammerstein  
Organization, Edward B. Marks Music Company, Freddy Bienstock Music  
Company, d/b/a Bienstock Publishing Company, Alley Music Corporation,

Plaintiffs,

v.

YOUTUBE, INC., YOUTUBE, LLC, GOOGLE, INC.,

Defendants-Appellees.

Docket No.: 10-3342

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The appeal in the above captioned cases from a judgment of the United States District

MANDATE ISSUED ON 04/27/2012

Court for the Southern District of New York was argued on the district court's record and the parties' briefs. Upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the district court's judgment is AFFIRMED in part, VACATED in part, and the case is REMANDED in accordance with the opinion of this court.

For The Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

  


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\* The Honorable Roger J. Miner, who was originally assigned to the panel, died prior to the resolution of this case. The remaining two members of the panel, who are in agreement, have determined the matter. See 28 U.S.C. § 46(d); 2d Cir. IOP E(b); *United States v. Desimone*, 140 F.3d 457, 458-59 (2d Cir. 1998).

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

  
