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KUAR Features

Arkansas newspapers get serious about copyright enforcement

Ron Breeding (2010-09-29)

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(UALR PUBLIC RADIO) - Arkansas's two largest newspaper chains are getting more aggressive in the fight to protect their copyrighted material on the internet.



FM 89's Ron Breeding reports the story. Click above to listen to his full report.

A LAS VEGAS-BASED COMPANY CALLED RIGHTHAVEN L-L-C IS REPRESENTING STEPHENS MEDIA, OWNERS OF SEVERAL ARKANSAS DAILY AND WEEKLY PAPERS, AND WEHCO MEDIA, OWNERS OF THE DEMOCRAT-GAZETTE AMONG OTHER PUBLICATIONS RIGHTHAVEN HAS FILED SCORES OF LAWSUITS THIS YEAR AGAINST WEBSITES THAT POST SOME OR ALL OF STEPHENS MEDIA STORIES. SO FAR ALL THE SUITS HAVE INVOLVED THE COMPANY'S LAS VEGAS REVIEW-JOURNAL, NOT ITS ARKANSAS PAPERS. STEPHENS MEDIA GENERAL COUNSEL MARK HINUEBER (HIGH-NA-BURR) SAYS THE COMPANY IS TRYING TO PROTECT IS MATERIAL WITHOUT

INFRINGING THE RIGHT OF FAIR USE

"We love links I respect the culture of the internet. If you want to link to our stories, fine. We don't have a problem with that. We ask that you use the headline, the first paragraph, then link to us."

NEWSPAPERS HAVE LONG USED THE THREAT OF LEGAL ACTION TO PROTECT COPYRIGHTS, BUT RIGHTHAVEN OPERATES A BIT DIFFERENTLY IT TYPICALLY FILES A SUIT FOR 150-THOUSAND DOLLARS WITHOUT FIRST SENDING A CEASE AND DESIST LETTER.

"The criticism of Righthaven is, Well shouldn't they politely ask first? And my answer is that there are thousands of infringements of copy every day, and if you did that there is a cost associated with that. And as a result, Righthaven's made the decision that based on their agreement with us, they're not going to send these notices."

ONE OF RIGHTHAVEN'S SUITS WAS FILED AGAINST
DEMOCRATICUNDERGROUND.COM

ONE OF THE SITE'S MESSAGE BOARD USERS POSTED FOUR PARAGRAPHS OF A 34 PARAGRAPH REVIEW-JOURNAL STORY THIS WEEK, THE ELECTRONIC FRONTIER FOUNDATION, A SORT OF ACLU OF THE DIGITAL WORLD, AGREED TO REPRESENT THE WEBSITE, FILING A RESPONSE TO RIGHTHAVEN'S SUIT. E-F-F SPOKESWOMAN EVA GALPERIN SAYS THE SUIT SEEKS TO UNCONSTITUTIONALLY LIMIT FREE SPEECH.

"The entire point of fair use is that you can use copyrighted material in a way that does not infringe on copyrights."

E-F-F'S RESPONSE ALSO ALLEGES AN IMPROPER FINANCIAL RELATIONSHIP BETWEEN RIGHTHAVEN AND STEPHENS MEDIA, AND THAT RIGHTHAVEN UNFAIRLY INCITED STEPHENS TO TAKE LEGAL ACTION. HINUEBER SAYS HE CANNOT COMMENT ON PENDING LITIGATION.

FOR FM 89 NEWS IM RB

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