

“Ask the Legal Professional”



INFRINGEMENT LIABILITY

Q My work (book, painting, photograph, etc.) is being distributed online without my authorization. What can I do?

A You can send a “cease and desist” letter to the person posting your work online. Often this is the least expensive way of resolving the issue, but sometimes a letter can be ignored, or you may have trouble locating the infringer.

You can also provide notice to the website operator that the website contains infringing material. The notice must comply with several formalities prescribed by statute. By law, an online service provider, e.g., YouTube®, must remove your work upon receiving the notice.

Lastly, you can file a lawsuit in federal court. This requires an issued copyright registration. If you do not have a registration, you usually cannot institute a lawsuit.

Before you pursue any of these options, you should consult an Intellectual Property attorney.

Anthony W. Brooks
The Webb Law Firm
One Gateway Center
420 Ft. Duquesne Blvd., Suite 1200
Pittsburgh, PA 15222
412 471 8815 • ABrooks@webblaw.com
www.webblaw.com