



Stanford eCorner

Google's Legal Issues

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Video URL: <http://ecorner.stanford.edu/videos/1089/Googles-Legal-Issues>

Google has been caught in the middle of free speech vs. censorship issues. The Digital Millennium Copyright Act states that if a company removes information from the internet when requested, they cannot be held liable. If the company is then counter-notified, they can put the information back up and remain legally neutral. Google has followed this policy, says co-founder Larry Page, but it has nevertheless sparked controversy.



Transcript

The legal challenges? Yes, we're being sued. That's a legal challenge. Is that what you were referring to or something else? Could you elaborate a bit about that? We're not guilty. Right? Yes. Yes. Right. OK. Good. The jury has ruled. Actually, I was going to say that one of the interesting things that's come up recently is there's been a debate about Scientology.

I'm much more concerned about us being sued, Larry. Well, and it's the interesting legal issue, which is not the... It's about freedom of information, basically. Yes, well, I'm interested in the freedom of operation here. OK? You'll be fine. Hang on, hang on. I'll answer my question-- All right. --and you can answer your question. We're obviously having fun here. There are actually two significant areas of legal issue.

The first is that we brought out a dynamic pricing product which we invented on our own, and we've been sued for patent infringement by Overture. We have hired lots of attorneys who all believe that their suit is completely without merit, and I do as well, and therefore it is. And we'll fight it to the death, all these good things. And it takes years. There is this very interesting thing called the DMCA, the Digital Millennium Copyright Act. It was passed in 1998, I believe? I think so. And it was passed under a lot of pressure from the recording industry and it has an awful lot of very strange components. One of the most relevant for Google is that there is a safe harbor that goes as follows: if you're an internet provider and there's information on your site that someone believes is a violation of copyright, if they complain and you remove that information, you yourself cannot be sued by the alleged copyright owner. There is furthermore a mechanism whereby if you are then counter-notified--I'm summarizing now--in the counter-notification you can then put the information back on and let the court decide. And again you maintain your legal neutrality.

I'm doing a bad job of summarizing, but you get the idea. So in our particular case--do you want to take it from there? Yeah. So the Scientologists who are very interested in these kinds of things got very excited about an anti-Scientology site and they requested it be removed. And we removed it. And there are various issues about how we removed it and why we removed, but, basically people are unhappy that this information was removed, which is kind of reasonable. And we were able to come to a really interesting solution which was to actually link to the removal request. If there are search results where something has been removed, now we link to the request that generated the removal of those results. And it turns out that actually there's law schools have agreed to have the site called ChillingEffects.org. Yeah. And it's actually Stanford and Berkeley and a number of other groups actually run this website to try to get this information out.

So if you come across a DMCA-related link removal, you can go look at the complaint. And one of the most interesting things about the complaint is guess what's in the complaint? Possibly the URLs that we removed. We didn't tell you that, did we? No.