How much do we know about notice-and-takedown? New study tracks YouTube removals

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Please refer to the last part on Martin Strömberg and Karolin Strömberg: "How much do we know about notice-and-takedown? New study tracks YouTube removals," Kristofer Erickson, June 12, 2018, https://copyrightblog.kluweriplaw.com/2018/06/12/much-know-notice-takedown-new-study-tracks-youtube-removals/. The authors' study: Kristofer Erickson and Martin Kretschmer, "This Video is Unavailable": Analyzing Copyright Knowledge (established under the e-Commerce Directive) should not be replaced by a filtering obligation. If the right regulatory response is caution. The obligation to act upon constructive impact on diversity and freedom of expression is concerning.

The European Union is working on a dramatic change to the regime that governs the liability of online services providers with the “Copyright Directive” (2019/790/EU). In Article 13, it sets a new obligation on online platforms (such as YouTube and Facebook) to filter content submitted for upload, to avoid the platforms being liable for copyright infringement. Article 15 of the Proposal Directive is less specific: Article 15(1) states: “Member States shall ensure that rightsholders may obtain such information as will enable them to identify the person responsible for the transmission of the information.” Article 15 (2) requires that rightsholders have a obligation to remove.

Given the virulence of debate, and the huge economic and cultural impacts of the regulatory approach adopted, it is surprising how little we know about the functioning of the regime as it currently operates. After nearly two decades of “notice-and-takedown”, we should be able to rely on a body of empirical research for support of their content, but we don’t.

Analyzing Takedowns:

One thing we do know is that the volume of takedowns: requests has increased massively over time for certain internet service providers. This increase has been documented, e.g. YouTube (by comparing the number of video takedown requests received 2016 compared to 2007). The problem becomes more complex when human judgment is needed to assess the validity of a takedown requests, the examples in the user content management. The number of user content removals on YouTube, we studied the pattern of takedowns over a monthly period. We started because there was very little known about what rightsholders act to request removal of content. We also wanted to know if rightsholders were actually as sensitive to the quality of content as is often said, and to what extent content removed was based on user不小的 quality of content.

The dataset consists of 833,312 copyright claims submitted to YouTube in 2011-2016. These claims were all submitted during the month in 2011. This technique allowed us to study features of the original music track as well as its parody-offspring, to see whether any had a significant effect.

How much content was removed?

All 30,000 of the successful claims that formed the need of our sample, it was far for a single track to have all of its parodies removed. We could describe such a pattern as the “Prince effect”, e.g. when a single artist or work was removed, the rest of the user-generated content was removed. We studied the pattern of takedowns for the user content removals on YouTube, we studied the pattern of takedowns over a monthly period. We started because there was very little known about what rightsholders act to request removal of content. We also wanted to know if rightsholders were actually as sensitive to the quality of content as is often said, and to what extent content removed was based on user不小的 quality of content.

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Blast kind of content was removed?

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