
Kluwer Copyright Blog

Copyright case: Greg Young Publishing Inc. v. Zazzle Inc., USA

Robert B. Barnett (Wolters Kluwer Legal & Regulatory US) · Thursday, December 19th, 2019

Relying on obviously insufficient oversight mechanisms for discovering copyright infringement can constitute willful infringement.

A California district court erred when it reduced a \$460,800 jury verdict by \$109,700 for lack of proof of willful infringement in a copyright infringement suit by Greg Young Publishing, Inc., against online marketplace Zazzle because recklessness can constitute willful infringement, the Ninth Circuit has ruled. A reasonable juror could have concluded that recklessness existed in Zazzle's continued reliance on an ineffectiveness oversight system, despite repeated notice of the system's ineffectiveness. The trial court did not err, however, when it entered but later vacated a permanent injunction against Zazzle or when it denied Young's motion for attorney fees (*Greg Young Publishing, Inc. v. Zazzle, Inc.*, November 20, 2019, per curiam).

Case date: 20 November 2019

Case number: No. 18-55522

Court: United States Court of Appeals, Ninth Circuit

A full summary of this case has been published on [Kluwer IP Law](#).

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