

Kluwer Copyright Blog

Austrian TV-broadcaster Puls 4 wins against YouTube at first instance

Rainer Schultes (Geistwert) · Tuesday, August 28th, 2018

According to the Vienna Commercial Court, YouTube is not a mere host provider.



Host providers are privileged, and shall not be liable for information stored if the provider does not have actual knowledge of illegal activity or information, and the provider immediately removes or blocks information when it becomes aware of the illegal content.

According to the media, Puls 4 sued YouTube for copyright infringement. Although the decision has not been published, according to reports the Vienna Commercial Court found that YouTube is not a mere host provider, as it “leaves the role of a neutral mediator” for example through “interconnecting, sorting, linking, providing content tables with predefined categories, tracking the search behaviour of users and making tailor-made surfing suggestions.”

As a consequence, YouTube would be liable for e.g. copyright infringements by its content providers. The Vienna Commercial Court is the first of three potential instances, and it is not currently known whether YouTube has appealed against the decision.

To make sure you do not miss out on regular updates from the Kluwer Copyright Blog, please [subscribe here](#).

Kluwer IP Law

The **2022 Future Ready Lawyer survey** showed that 79% of lawyers think that the importance of legal technology will increase for next year. With Kluwer IP Law you can navigate the increasingly global practice of IP law with specialized, local and cross-border information and tools from every preferred location. Are you, as an IP professional, ready for the future?

Learn how **Kluwer IP Law** can support you.

79% of the lawyers think that the importance of legal technology will increase for next year.

Drive change with Kluwer IP Law.

The master resource for Intellectual Property rights and registration.



2022 SURVEY REPORT
The Wolters Kluwer Future Ready Lawyer
Leading change

This entry was posted on Tuesday, August 28th, 2018 at 12:50 pm and is filed under [Austria](#), [Case Law](#), [Enforcement](#), [Infringement](#), [Liability](#), [Limitations](#), [Remedies](#)

You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. You can leave a response, or [trackback](#) from your own site.