## Kluwer Copyright Blog

## Copyright case: Bell v. Wilmott Storage Services LLC, USA

John W. Scanlan (Wolters Kluwer Legal & Regulatory US) · Thursday, October 28th, 2021

De minimis analysis involves the substantiality of the copying, not the use to which the infringing work is put; by definition, wholesale copying of a protected work cannot be de minimis copying.

A company that owned a website on which it unknowingly displayed a photographer's photo without authorization could not assert a de minimis defense to copyright infringement, the U.S. Court of Appeals for the Ninth Circuit held in reversing a district court's grant of summary judgment to the company and remanding the matter to consider the company's remaining defenses and the issue of whether the photographer held a valid copyright in the photo. De minimis use is not a copyright infringement defense but involves weighing the degree to which a protected work has been copied (Bell v. Wilmott Storage Services, LLC, September 9, 2021, Wardlaw, K.).

Case date: 09 September 2021 Case number: No. 19-55882

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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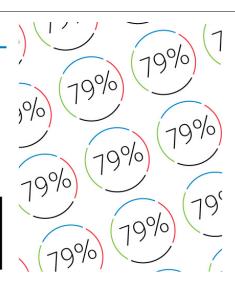
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