

### **Does Your Web Site Contain Infringing Content?**

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Your business may reap great benefits from its web site. The site may be an invaluable source of information to clients and prospects. It may also serve as a vehicle to generate online sales. On the flip side, no business organization wants its web site to be a source of legal liability.

A critical two-fold inquiry in limiting liability is: (a) do you know the source of all of the content on your site? and (b) do you have proper authority from those sources to use the content?

While the technology of the Internet may easily allow text, graphics, photos and logos to be copied and pasted from one site to another, doing so will, in most instances, violate copyright law. More and more often, copyright holders are taking stringent measures to enforce their rights. Getty Images, Inc., the world's leading provider of visual content, has an established partnership with PicScout, a company that uses sophisticated crawling and image recognition technology to track down unauthorized use of Getty Images' copyrighted works online. Getty pursues statutory damages under the U.S. Copyright Act based on each separate occurrence of infringement, such as each use of a single image on multiple web pages.

Unintentional infringement is still actionable. If your web site contains infringing content, you may have liability despite the fact you were unaware of the copyright limitations. Even those businesses that rely on a web designer may not be protected against such a claim. As a rule of thumb, without permission from the source, copying content from another web site is not allowed. Additionally, the sources of content and proper authority to use the content are important matters to be addressed in writing with a service provider who is designing or refreshing your web site.

To learn more about Getty Images' copyright enforcement policies, [click here](#).

For more information about legislation or litigation involving technology, intellectual property protection of information technology assets or any other Information Technology law issue, contact your Miller Canfield attorney or Kathy Ossian , Leader of our Information Technology Team, or call her direct at 313.496.7644.