



Madrid, September 23<sup>rd</sup> 2010

## **THE ARGUMENT OF JUSTICE GIVES TELECINCO THE GREEN LIGHT TO HOLD A CLAIM AGAINST YOUTUBE AT THE PROVISIONAL HEARING IN MADRID**

- **The court has agreed with the chain on the imperative need to defend their intellectual property rights**
- **The judge recognized that "it is physically impossible to carry out a check of all the videos that are available to users, as there are currently over 500 million videos"**

The reasoning of the Judgement of Commercial Court No. 7 of Madrid is a crucial green light to the appeal and submitted by Telecinco before the Provincial Court of Madrid in the legal proceedings against Youtube to defend their intellectual property rights. The judge thus avoided making a decision that would have put the national and even international business of YouTube and its owner Google in jeopardy.

In its ruling, which is not a solid decision, and has left room for an appeal to be brought before the Provincial Audience of Madrid, the judge recognized that "it is physically impossible to carry out a control of all of the videos which are made available to users, because there are currently over 500 million videos. " Regarding this, he added that "certainly, we must agree that it is a convenient and simple procedure for the plaintiff, particularly because it bears the thankless task of tracking and controlling the content being hosted on the website of the defendant".

The ruling also notes that YouTube requires the intervention of the holder of the rights for the videos to be withdrawn: "The verification of content is currently done through a program called Video ID, which requires the cooperation of the rights holder to facilitate Youtube the so-called reference files (related files) for each video which it owns and you wish to withdraw."

In addition, it says that "those holders of rights who are understood to be harmed by the issuance of any recording can request removal of illegal content through the identification of the full URL of the page reproduction of the same, together with an explanation and notification."

Finally, the statement notes that " there is probably a lot of rhetoric, epic recitation by the repeated invocation of the defendant (Youtube) to the sacred principle of freedom of expression and the alleged role that states play in that context."

Telecinco welcomes the contents of the court decision and reaffirmed its decision to fend off attacks on their intellectual property rights with all the resources at their fingertips.

**TELECINCO PRESS OFFICE**