



youtube may be an enormous town square, but it's still not subject to the first amendment

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In *Prager University v. Google LLC, et al.*, Case No. 18-15712 (9th Cir. Feb. 26, 2020), the Court of Appeals for the Ninth Circuit dismissed a First Amendment lawsuit against YouTube late last week, holding that the video hosting giant is a private forum that is free to foster particular viewpoints – and need not be content-neutral. The victory is a significant message to other online content hosts, aggregators and service providers that they need not feel threatened by censorship claims for selecting and curating content on their systems.

The lawsuit began in 2017, when conservative media company PragerU sued YouTube for imposing restrictions on some of PragerU's short animated educational videos. YouTube tagged several dozen videos for age-restrictions and disabled third party advertisements on others. PragerU claimed the restrictions constituted censorship because they muted conservative political viewpoints.

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