



no safe harbor: online music streaming mixtape platform is liable for copyright infringement that occurred before registering a dmca agent

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In *Atlantic Recording Corp., et al. v. Spinrilla, LLC, et al.*, 1:17-cv-00431-AT (N.D. Ga. Nov. 30, 2020), a federal district court ruled that an online streaming provider cannot invoke the safe harbor provisions of the Digital Millennium Copyright Act ("DMCA") to avoid liability for infringing uploads occurring before the provider met the requisite criteria for such protection.

Spinrilla.com ("Spinrilla") proclaims that it is "the 800-lb gorilla of free hip-hop mixtapes" and allows DJs with so-called "artist accounts" to upload their own mp3 "mixtapes" for others to stream and download over the internet. Since its inception in 2013, Spinrilla has become hugely popular, with millions of registered users visiting the website and associated mobile app...

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