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PRESS RELEASE

WRF Files Supreme Court Brief in *Grokster* Copyright Case on Behalf of Consumer Electronics Association, Computer & Communications Industry Association and Home Recording Rights Coalition

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Washington, DC-Wiley Rein & Fielding LLP has filed a brief in the United States Supreme Court in the *MGM v. Grokster* case on behalf of the Consumer Electronics Association, the Computer & Communications Industry Association and the Home Recording Rights Coalition. The case raises an important issue of whether and to what extent technology inventors and providers should be liable for copyright infringement committed by others using their technology. The major movie companies, record companies and music publishers have asked the Supreme Court to overturn or weaken the 21-year old *Betamax* doctrine, which allows technology to be provided without the risk of liability as long as it is "capable of substantial noninfringing use."

CEA, CCIA and the HRRC urge the Supreme Court not to weaken or overturn the *Betamax* doctrine, arguing that it has served as the Magna Carta of the Digital Age and has permitted innovators to create and investors to back a huge array of digital technologies that have enriched the lives of Americans, from TiVo, to the personal computer to the Internet. The brief also argues that the Copyright Act, properly construed, only permits the imposition of liability on one who infringes or authorizes the infringement of a copyright and does not permit the broad imposition of liability for providing useful technology. Finally, the brief responds to each of the broad theories of liability advocated by the content providers, and explains why

Practice Areas

Class Actions and Complex Multi-Jurisdiction Litigation
Copyright
Corporate
Enforcement of Arbitration Clauses
Environment & Product Regulation
Environmental Regulation, Litigation, and Counseling
Extended Producer Responsibility and Recycling
Federal Preemption
First Amendment/Commercial Speech
Judicial Review of Agency Action
Rights-of-Way Litigation and Counseling
Telecom, Media & Technology
TMT Appellate
Tower Siting and Wireless Facilities Access
Video Programming and Cable Franchising

adoption of any of the theories would chill investment in technology and innovation, to the detriment of all.