

There are various laws associated with intellectual property whereas one of them is the law of copyright. These laws grant the creator authority over their work and grant owners control over who can do what with it. One Portuguese man found this out the hard way when, in 2003, he released a song online without obtaining permission from the owner. He felt that putting his music on YouTube would be an easy way to get people to hear his music and save him some money on CDs while at the same time experiencing more new listeners that he may not have otherwise had access to. However, once word got out that this man hadn't sought permission for his song, he was ordered to take it down by a court in Portugal. The song was taken down at the man's request, but nothing was said about the song's use on YouTube. The court ruled that he was guilty of "illegal use of copyrighted material" and ordered him to pay the copyright owner around \$12,000 in damages. A couple of years later, this same man released yet another song that got into the public eye without obtaining permission for this time as well. This time he decided to freely post it on YouTube without intellectual property laws applying because...well...because it wasn't his fault. For the second time, news of the man's unauthorized use of the song made its way to a court in Portugal where he was ordered to pay copyright holders roughly \$50,000. The problem was that everything was once again taken down at his request. The first time this happened, there were no complaints about the video being taken down. The second time was different though as it had been reported by media companies that posted copyrighted material on YouTube. Specifically one station that had reported on the dispute which then prompted other individuals to report this man for similar content. This led to the same man being ordered yet again by a Portuguese court to remove his music from YouTube which he did once again at his own request because...well...because it wasn't his fault. However, this time was different because the individual who posted the material had to take down all of his music while YouTube itself had to stop displaying any other content that was related to this man. This really didn't seem fair considering he hadn't been given a chance to argue his case or even present evidence that he owned the rights for the content. In fact, YouTube complied with this court order and, therefore, also deleted all of his videos from their site. The proceeding lawsuit states that Google's decision to remove all of the man's videos from their site "was a flagrant breach of fundamental European laws on freedom of expression and information". They went on to say that there was no legal basis for Google to have done this because under the Portuguese court's ruling, both the man and YouTube were guilty of infringing on copyrights even though there was no proof that one of them had done so. Google did not offer a justification for having taken down all of his videos from their site, but did point out that they have a process in place for handling legal requests from people whose content has been posted without permission or who have learned that their work has been used incorrectly. The man's attorney said he plans to appeal the earlier decision to a higher court which is common in Portugal.

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