Florida Bar Business Law Section
Computer Law and Technology Committee
Hot Topics
January 9, 2020 Meeting
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1) Github reinstates youtube-dl after RIAA's used Digital Millennium Copyright Act to get it removed.

- The Recording Industry Association of America (RIAA) used the Digital Millennium Copyright Act's notice-and-takedown procedure to pressure Github into removing youtube-dl (a tool for downloading videos from YouTube).

- The Electronic Frontier Foundation, journalist organizations, and other activist asserted to Github that the source code included in youtube-dl doesn't infringe on anyone's copywrite.

- The RIAA's argument was that because youtube-dl could be used to infringe on copyrighted music, GitHub should remove it.

- Github has since reinstated youtube-dl.

2) Corelliam beats Apple in copyright lawsuit.

- *Apple Inc. v. Corellium, Case No. 19-81160-CIV-SMITH, Case No. 19-81160-CIV-SMITH (S.D. Fla. Dec. 29, 2020)*

- In the Southern District of Florida, Judge Rodney Smith dismissed Apple's copyright infringement claim finding that Corellium's use constituted fair use.

- Correlium allows customers to run "virtual" iPhones on desktop computers to allow developers to better test and research security vulnerabilities.

3) Laura Loomer Loses Relating to Twitter Ban

- *Illoominate Media, Inc. v. Cair Fla., Inc., Case No. 19-14741, 2020 U.S. App. LEXIS 40611, 2020 WL 7703141 (11th Cir. Dec. 29, 2020)*

- Twitter banned Laura Loomer from its platform in 2018.

- She claims that Twitter and the CAIR Florida Foundation conspired to get her banned from the platform. Specifcally she claimed that CAIR committed tortious interference with her contract with Twitter by asking for her to be banned.

- After deciding that Twitter's Terms of Service allow it to ban Loomer at any time, the court found that even if CAIR had instructed Twitter to ban Loomer that would not

give amount to a tortious interference with a business relationship because Loomer did not have legal or contractual rights with Twitter for her account.

4) SEC v. Ripple

- *SEC v. Ripple Labs, Inc, et al., Case 1:20-cv-10832 [ECF No. 4, Dec. 22, 2020]*

- Complaint claims that from 2013 to present, Ripple Labs sold 14.6 billion units of a digital asset called "XRP." Which amounted to over 1.38 billion USD.

- The SEC claims that Ripple engaged in an illegal security offering.

- The central question of this case will be whether XRP is a security or a currency. In this Forbes article, the author states that Ripple has been compliant with rules around digital currencies.