

In the Supreme Court of the United States

STEPHANIE LENZ, PETITIONER

v.

UNIVERSAL MUSIC CORP., ET AL.

*ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT*

BRIEF FOR THE UNITED STATES AS AMICUS CURIAE

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QUESTION PRESENTED

Section 512(c) of Title 17 creates a safe harbor from copyright-infringement liability for website operators and other online service providers that store or host material at the direction of users. To be eligible for the safe harbor, a service provider that receives a “notification of claimed infringement” from a copyright owner must remove material that allegedly infringes a copyright. 17 U.S.C. 512(c)(1)(C). A separate provision allows a user to recover damages from a copyright owner that “knowingly materially misrepresents” in such a notification that material “is infringing.” 17 U.S.C. 512(f). The question presented is as follows:

Whether a copyright owner may be held liable under Section 512(f) for sending a notification of claimed infringement based on a sincere but unreasonable belief that the challenged material is infringing.

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