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Popular Youtubers H3H3 Productions prepare to defend Fair Use in Lawsuit

<http://www.forbes.com/sites/fruzsinaeordogh/2016/05/26/popular-youtubers-h3h3-productions-prepare-to-defend-fair-use-in-lawsuit/#5b870ffe6d1c>

Fruzsina Eorgogh, May 26, 2016

Overview:

This article reports the recent large event between two Youtubers “Matt HossZone” and “H3H3 Productions” where Matt HossZone claimed that H3H3 had illegally used his content in a parody video they made about him. This has become an increasing problem on Youtube with situations such as Fox using parts of someone’s video then taking that same video down for copyright because it was used in their show. Matt HossZone has been awarded many rude names by the Internet for suing this large Youtube channel and has completely enraged the community by doing so. In the video, Ethan Klein of H3H3 Productions states that Matt HossZone clearly does not want to take this to court and is using it as a scare tactic. Either way, Ethan Klein would have to pay at least \$100,000 in court fees, which he could not pay. When Ethan posted a video explaining the situation, Youtube came together and raised \$130,000 to help him get through this.

Analysis

Major Ethical Issue:

This issue faced in this is Fair Use and the wrongful use of it. The problem is that Fair Use is a very gray topic and if the suit was taken to court, there is no clear

way to know that H3H3 Productions would have won, as a jury would have decided the verdict and may or may not have known enough about the situation.

Stakeholders:

The stakeholders affected by this lawsuit were Ethan and Hila of H3H3 Productions. If fans of the content creators had not come together and raised money for them, they would not have been able to create any more videos or content for the fans. It could also be argued that Matt HossZone was also a stakeholder since his reputation was ruined through this situation.

Decision Makers/Who is affected:

The decision makers in this case would have been the Jury. If the Jury were to choose that H3H3 Productions has actually infringed on "Fair Use", Ethan and Hila would have been forced to pay even more money to Matt HossZone and their channel would have most definitely been banned on Youtube. As people who use Youtube for their job, this would have completely destroyed their family.

Relevant Theory:

A relevant theory that was violated was the theory of Fair Use. In the original parody video H3H3 had made, they stayed in Youtube's guidelines of Fair Use. Since Matt HossZone was upset with the video, he decided to claim that they violated these terms.

Solutions:

I think the main problem in this situation was the misunderstanding of Fair Use. Recently, Fair Use on Youtube has been highly debated. A solution to take away from this is that Youtube needs to create a stricter guideline to Fair Use on their website.