

**CSC 203 (Section A) Midterm Paper**

***“YouTube IP Conflict Management Evaluation”***

**Presented to Instructor Victor Sawma**

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With today's ever-expanding tech world, there comes a price to be paid. Millions of platforms and systems are being developed and released, yet ethical "bugs" are on the rise with this expansion. Online software platforms, such as YouTube, have become one of the major hosts for ethical debates since its services reached almost every country in the world. Intellectual property is not to be ignored when dealing with such a platform, for it demands specific rules and regulations to provide users with basic rights and legitimacy, as well as an ethical environment for a better user experience of different people. Providing the necessary policies, such as copyright, patent, and trademark, is fortifying as per people's creative works, whether they were artists, musicians, dancers, influencers, or supporters. What are the conflicts stemming from intellectual property violation on YouTube? What is done to address these problems? What does the ethical point of view declare on IP conflicts?

From an ethical perspective, a lot can go wrong in the world of YouTube. To begin with, there exists a socio-cultural and a socio-political feud amongst people of different countries. Which is why many of the products and services being provided to diverse peoples must be inspected and evaluated before being allowed to enter the country's premises; even the Internet is a map that has borders for every country. To elaborate, some content to be posted may include a lot of propaganda and bias on highly sensitive topics. A lot of existing unpopular opinions may be posted online, viewed by many and considered as offensive by a certain group of people. The extreme opinions portrayed online can be taken as criticism of belief(s), political controversy, hostility, inappropriate content for youth, or a pose of threat to national security<sup>1</sup>.

In addition, creativity and inspiration are the two main drives behind the sharing of YouTube videos, for this platform encourages many artists and educators to share their ideas and knowledge to millions of viewers around the globe. Unfortunately, they become vulnerable to trespassers and frauds and have their legitimate content stolen and infringed despite the fact that they have invested a good amount of time and money to produce and share their created content. This means that some architects of creative ideas may be discouraged to share their works with the world.

Due to the previously mentioned conflicts, YouTube strives to protect and favor the diversity of end users' morals, desires and beliefs in order to provide a quality user experience.

In order to evade political, religious, and personal controversy, as well as to avoid the dawn of a civil war, YouTube has provided the policy of blocking unwanted content based on the concerning oppressed party. Several types of blocking may take place, such as entire site blocking for a specific country, limited-time site blocking- this may happen in periods of elections- or even long-term blocking, and specific video access limiting. YouTube has explicitly depicted the cases in which blocking occurs; that is, violation of copyright, pornography, drugs and/or crimes, and hostility. That is why a message stating "This video is no longer available because its content violated YouTube's Terms of Service" may be seen on specific videos<sup>ii</sup>.

Aiming to address the issue of video theft, YouTube created a policy which states that each user who posts a video must be provided with a Content ID of the video itself, which is simply a record of the video stored in the database of YouTube. That way, once any user decides to post any video, the database is thoroughly searched for any matches to the Content ID. If there occurs a match, the owner is to decide whether to raise a Content ID Claim<sup>iii</sup>. Otherwise, a new video is assigned a new Content ID and added to the database. However, for the owner's claim to be set, the following procedures are to occur; creating a match policy or a usage policy and setting the manual review in motion. If the conditions of the applied policy are met, the matched video can be either monetized, tracked, blocked or routed for review<sup>iv</sup>.

Additionally, copyright, by definition, is only applicable to creative works and/or a product of a stable system. For this reason and specifically giving credit and recognition to the rightful owner, YouTube provides the latter with a copyright protection policy. Copyright protection may be characterized by a set of conditions that the owner specifies which may also fall under the fair-use system. On the other hand, if content were approved (by the owner) of being used as an inspiration for future videos, it is legally fixed to be reusable through a Creative Commons "CC" license, which is to be provided for the owner stating an integrity check. Therefore, a video which has CC label on it may not be a subject of the Content ID policy<sup>v</sup>.

Based on the immoral activity that may occur on YouTube, one must evaluate the consequences.

According to the Kantian analysis, YouTube has a good will providing the necessary policies that restrict unwanted content as well as considering users as means for their own benefit, even if it means YouTube winning part of the revenues from monetized videos. In fact, different views, beliefs, and laws were respected and supported via the application of policies by allowing users to claim what is rightfully theirs, such through the Content ID policy and copyright.

Based on the Rule Utilitarian theory, the rule is derived as: any online platform should give credit to rightful owners of posted content as well as prohibit content which poses a threat to beliefs and laws. As a rule, it works for the benefit of everyone. However, laws may not be implemented if no claim was raised, some harm may occur towards the rightful owners. Also, some users may refrain from posting content due to the possibility of theft. Despite these facts, the wins are definitely worthwhile when it comes to revenues and educating people through videos and providing entertainment for the population.

As for the Social Contract Theory, different social contracts were respected; YouTube has made itself a custom-tailored platform to fit every country's laws and regulations, even if it means blocking its content, according to its Terms of Service. Terms of service are a social contract of their own, which means that this theory is definitely applicable and complied with by this contract.

Finally, as per Virtue Ethics, YouTube portrays a decent character towards its users. Respect is definite since Terms of Service have explicitly specified the needs and rights of people and how to defend and support them in case of any hostility or crime. In addition, people are being rewarded with the revenues, views, and fame they deserve.

## References:

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<sup>i</sup> [https://en.m.wikipedia.org/wiki/Censorship\\_of\\_YouTube](https://en.m.wikipedia.org/wiki/Censorship_of_YouTube)

<sup>ii</sup> [https://en.m.wikipedia.org/wiki/Censorship\\_of\\_YouTube](https://en.m.wikipedia.org/wiki/Censorship_of_YouTube)

<sup>iii</sup> How Content ID works - YouTube Help. (n.d.). Retrieved from <https://support.google.com/youtube/answer/2797370?hl=en>

<sup>iv</sup> Route claims for manual review – YouTube Help. (n.d.). Retrieved from <https://support.google.com/youtube/answer/106966>

<sup>v</sup> <https://support.google.com/youtube/answer/2797468>