SLIDES 22: DIRECT AND SECONDARY LIABILITY
Class Outline

1. Direct Liability
2. Secondary Liability
Cartoon Network v. CSC Holdings

1. Content Broadcaster
   - Cablevision
     - Broadband Media Router
       - 1.2 sec storage
       - 0.1 sec storage
     - Arroyo
       - Personal Storage
       - Personal Storage
       - Personal Storage
   - Viewer
Secondary Liability

1. Contributory Liability

2. Vicarious Liability
Vicarious Liability

1. Requisite control
   1. Legal right to stop or limit the conduct +
   2. Practical ability to do so

2. Derives direct financial benefit from the infringement
Contributory Liability

1. Knowledge

2. Material contribution/inducement/causation

3. Availability of simple measures for prevention

4. Failure to take those simple steps
“[o]ne infringes contributorily by intentionally inducing or encouraging direct infringement, and infringes vicariously by profiting from direct infringement while declining to exercise a right to stop or limit it.”

- Sup Ct in *Grokster*