



Information Rights

bbc.co.uk/foi

bbc.co.uk/privacy

James McWilliam

Via email: request-505072-fbf963be@whatdotheyknow.com

28 August 2018

Dear Mr McWilliam

Freedom of Information Act 2000 – RFI20181504

Thank you for your requests under the Freedom of Information Act ('the Act') dated 01/08/18, seeking:

Details of your procedure for reporting copyright infringements. Please include full details of how reports are made, how reports are processed and how reports are accessed. If this information is already in the public domain please provide a link to the location of the information.

How many times this procedure has been used within the last year. Please provide this data by calendar month.

The statistics about the courses of action taken for each report.

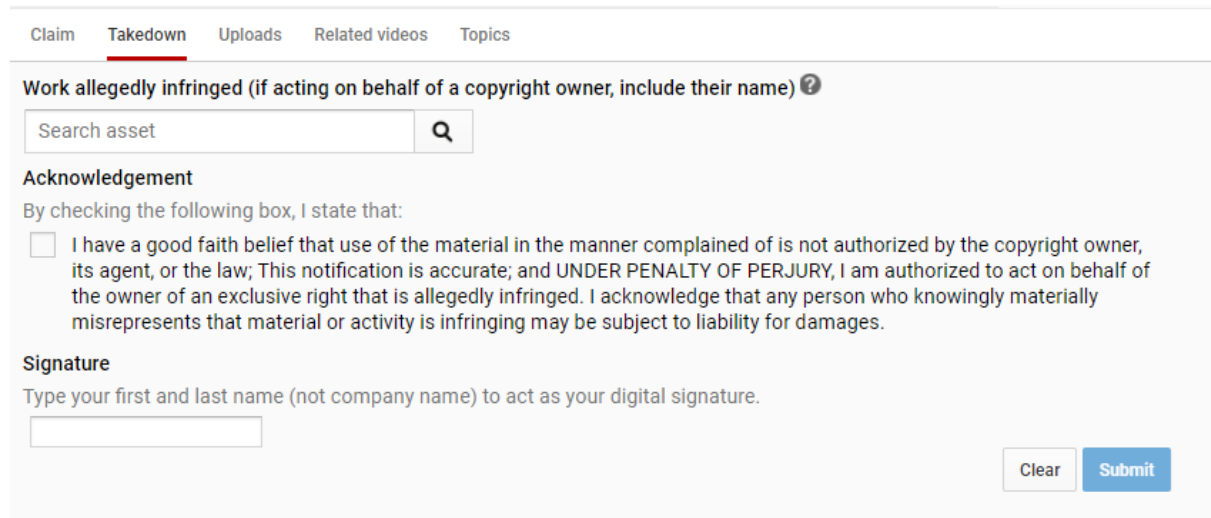
The BBC does not hold a central record of infringing content that has been taken down from websites such as YouTube, Facebook, Instagram or Twitter, or details of individual accounts against which notices are filed. In order to identify number of requests made by calendar month and the details of the course of action taken for each report, the BBC would need to review each individual infringement notice and the URLs within each notice, during the period of your request. It is not possible to retrospectively determine the accounts that have been terminated by the respective platforms; the BBC does not hold this information.

Under Section 12 of the Freedom of Information Act 2000, we are not obliged to comply with a request for information if compliance would exceed "the appropriate limit" - set under regulation 3(3) of Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 ('the Regulations') as being £450 (equivalent to two and a half days' work at an hourly rate of £25).

To provide further advice and assistance in accordance with the BBC's obligations under the FOI Act, the BBC has searched the records available to us and can confirm that the total number of requests issued by the BBC's Intellectual Property Legal team from July 2017 to July 2018 on the basis of intellectual property infringements (including copyright) across all of the major social media platforms (YouTube, Facebook, Twitter, Instagram) was approximately 630. A single infringement notice can include URLs to multiple individual videos, which may not necessarily be connected to a single account.

The forms used to submit infringement notices are specific to each platform and are publicly available on their websites; however, for your convenience here are links to the forms on:

- [Facebook \[https://www.facebook.com/help/contact/trademarkform\]](https://www.facebook.com/help/contact/trademarkform);
- [Twitter \[https://help.twitter.com/forms/trademark\]](https://help.twitter.com/forms/trademark);
- [Instagram \[https://help.instagram.com/222826637847963\]](https://help.instagram.com/222826637847963); and
- Below is an example of YouTube's current form.



The screenshot shows the 'Takedown' tab of YouTube's copyright infringement form. At the top, there are tabs for 'Claim', 'Takedown' (which is selected), 'Uploads', 'Related videos', and 'Topics'. Below the tabs is a heading 'Work allegedly infringed (if acting on behalf of a copyright owner, include their name) ?'. Under this heading is a search bar with the placeholder text 'Search asset' and a magnifying glass icon. Below the search bar is a section titled 'Acknowledgement' with the text 'By checking the following box, I state that:'. There is a checkbox followed by the text: 'I have a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law; This notification is accurate; and UNDER PENALTY OF PERJURY, I am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed. I acknowledge that any person who knowingly materially misrepresents that material or activity is infringing may be subject to liability for damages.' Below this is a section titled 'Signature' with the text 'Type your first and last name (not company name) to act as your digital signature.' and an empty text input field. At the bottom right of the form are two buttons: 'Clear' and 'Submit'.

The BBC acts irrespective of political views and has taken action against the use of BBC material by individuals or organisations from across the political spectrum.

Appeal Rights

If you are not satisfied that we have complied with the Act in responding to your request, you have the right to an internal review by a BBC senior manager or legal adviser. Please contact us at the address above, explaining what you would like us to review and including your reference number. If you are not satisfied with the internal review, you can appeal to the Information Commissioner. The contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, Tel: 0303 123 1113 or see <http://www.ico.org.uk/>.

Yours faithfully,

Information Rights
BBC Legal