

When Reasonable People Agree to Agree

July 17, 2008

The blogosphere pumped up the volume on the news that YouTube was being forced, under court order, to fork over its "logging database," in the course of Viacom's billion-dollar copyright lawsuit against the Google-owned video site. Remember that this logging database records every *Leave It To Beaver* rerun (as well as ALL other videos) you've watched on YouTube. The database doesn't identify you by name, but it does contain your IP address and your "OutlawBikerSpike" user name. Since that initial hue-and-cry, the suits at Viacom and Google hunkered down and reached an agreement--called a [stipulation](#) [1]--in which Viacom agrees to accept YouTube user data in an anonymized format. That doesn't stop Viacom from knowing how many times *Leave it to Beaver* reruns have been watched, but it does keep the company from knowing it was you doing all that late-night nostalgic viewing. This is the hoped-for scenario proffered by my colleague David Sohn in his [earlier blog post](#) [2] on this subject:

It seems likely, however, that Viacom doesn't actually need to link specific videos to specific users. Viacom's goal, presumably - and more on that in a moment - is to try to show that providing access to infringing video is a crucial and perhaps dominant aspect of YouTube's business. For that purpose, aggregate and/or anonymous data (i.e., not linked or linkable to actual login IDs or IP addresses) should be perfectly sufficient. Viacom shouldn't actually need specific login IDs or IP addresses at all. Significantly, Google says it is asking Viacom to let it anonymize the data before turning it over. Hopefully Viacom will agree that anonymous data is sufficient.

Viacom also took steps to ensure a potential PR fiasco never reached critical mass. The company [sent a letter](#) [3] to the Electronic Frontier Foundation and promised to inform EFF if the conditions of the stipulation changed in ways that would effect how the logging data was handled.

- [Viacom](#)
- [YouTube](#)
- [Leave it to Beaver](#)
- [lawsuit](#)
- [copyright](#)
- [EFF](#)
- [Google](#)
- [CDT](#)

Copyright © 2008 by Center for Democracy & Technology. CDT can be freely copied and used as long as you make no substantive changes and clearly give us credit. [Details](#).

Source URL: <https://cdt.org/blogs/brock-meeks/when-reasonable-people-agree-agree>

Links:

[1] http://64.233.179.110/blog_resources/google_youtube_viacom.pdf

[2] <http://blog.cdt.org/2008/07/03/court-orders-google-to-turn-over-youtube-user-data/>

[3] <http://www.eff.org/deeplinks/2008/07/viacom-letter-eff-re-google-youtube-data-privacy>