

## Taobao.com Sentenced For Pirated Internet Sales In China

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Beijing Dongcheng District People's Court has sentenced Chinese online auction website Taobao.com and a Chinese seller surnamed Yang to pay CNY2000 in compensation to China Friendship Publishing Company for the sale of a pirated book on Taobao.

In its petition, CFPC claimed that it was the exclusive owner of the copyright of the book "Daomu Biji IV", but it found in November 2008 that Yang was selling the book on Taobao.com for an unreasonably low price. CFPC said Yang was obviously infringing its copyright by doing so and Taobao.com also violated its right by not fulfilling the obligations in inspecting the books sold on its website and the qualifications of the book sellers. CFPC asked the two parties to stop the infringement immediately and pay CNY200,000 to cover its economic loss and other expenses.

However, Taobao.com refuted that it should not be responsible for the sale of the infringed goods as it merely served as a platform for buyers and sellers. The website's representative stated the company removed information about the book from its website immediately after receiving a letter of complaint from the CFPC and provided the latter the registration data of Yang.

The judge believed that though Taobao.com as a platform provider did not participate in the transaction, it shall still be obligated to inspect the goods sold on its websites as it benefits from the increase of online clicks brought by the book selling. Hence the court has made this sentence to have it take joint responsibility with Yang.

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