

Insights: Publications

Revenge of the Retaliatory Takedown: Let's Plays, Fair Use, and an Unstable DMCA

37 Quinnipiac L. Rev. 757

November 9, 2019

"Let's Plays" are an internet sensation whereby content creators record themselves while playing video game and providing entertaining commentary. These recordings are subsequently posted to the internet via video sharing platforms such as YouTube, cumulating millions of views and generating thousands of dollars in advertising revenue shared among content creators and YouTube alike. While the DMCA (the Digital Millennium Copyright Act) and its corresponding takedown procedure is in place to control the use and distribution of copyrighted work on the internet (including the video games that these content creators utilize in Let's Plays), how does the Act clash with the new generation of creativity on the internet?