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SURFING THE WAVES OF POPULAR CULTURE
BY MICHAEL GILTZ & FRIENDS

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Barney Bullies Drop Lawsuit

This is a huge victory: a guy posted a clear parody of the purple dinosaur Barney that didn't harm a soul. But the people behind the multimillion dollar creation tried to push the guy into taking down his website, despite the fact that it was a clear example of fair use. [Big money expected to triumph but the guy fought back with the help of the Electronic Frontier Foundation and the suit was just dropped.](#) Just a short time ago, Americablog was sent a threatening letter for posting a clip from CNN in which Bill Maher mentioned that everyone in DC knew Ken Mehlman was gay. CNN cut the clip from its reairing of the Larry King talk show, edited the transcript and tried to force everyone online to stop airing the clip, even though it was clearly news and a 10 second clip of the actual soundbite is unquestionably a case of fair use. This is going to come up again and again and again over the next few years. The only way this story could be better was if it went to trial and a precedent was set. I hope the guy countersues for harrassment and damages -- the Barney people assumed they could just threaten to sue and force him to do end a practice they knew was perfectly legal. They should be punished for using lawsuits to circumvent the law.

POSTED BY MICHAEL IN NEW YORK AT 11:48 AM



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