
Did Aereo Open the Door to Compulsory Licenses?

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In this article published by *Law360*, [Andrea Weiss Jeffries](#) and [Elaine Zhong](#) discuss why the issue of Internet retransmission services may continue to be the subject of federal court litigation after the Ninth Circuit decides *AereoKiller*, absent clear direction by Congress or the Supreme Court.

After the US Supreme Court's ruling in *ABC v. Aereo Inc.*, 134 S.Ct. 2498 (2014), that Aereo's Internet retransmission service was “substantially similar” to cable, and therefore violated the Transmit Clause of the Copyright Act, another similar internet retransmission service has succeeded in using the analogy to cable to obtain a ruling that it is eligible for a compulsory license for cable systems adopted as part of the 1976 Copyright Act amendments under 17 U.S.C. § 111.

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