



Intermediaries' Vicarious Liability for Copyright Infringement

Programme Code: S120209S

Recent cases have reignited debate on vicarious liability for intermediaries providing essential services such as electronic payment processing services. Generally, vicarious liability is undesirable when an intermediary lacks the right and ability to control infringement. A monopolistic intermediary of an essential service, however, is able to exclude infringers from its service network, which may act as an effective deterrence. Thus, although a monopolistic intermediary is not able to control infringement directly, it can deter infringers by threat of exclusion.

This seminar sets forth different prongs for vicarious liability based on three types of relationships: that of employers to their employees, that of premises providers to their tenants, and that of monopolistic providers of essential services to their users. Taking Baidu, Tiffany v. eBay, and Perfect 10 v. Visa as examples, this seminar discusses the desirability of monopolistic intermediaries' vicarious liability for copyright infringement and explores the rationales for it, such as deterrence and corrective justice. This seminar also proposes a liability regime for monopolistic intermediaries to balance their risk with the need to prevent infringement.

Date	Thursday, 9 February 2012
Time	6:30 p.m. – 8:00 p.m.
Venue	Hong Kong Institute of CPAs, 27/F., Wu Chung House, 213 Queen's Road East, Wanchai, Hong Kong.
Format	Seminar including case studies
Language	English
Fee	HK\$190 for HKICPA member or student; and IA/ HKIAAT's member or student HK\$180 for online enrolment HK\$330 for non-member
Objectives	<ul style="list-style-type: none">• Introduce the secondary liability of monopolistic intermediaries such as Visa• Analyze the business risks relating to the investments and operations of the organization
Speaker	Dr. Steven Ke Wan , Assistant Professor, School of Law, The City University of Hong Kong
Participants	Accountants, lawyers, financial and insurance industries, Internet service providers, music, movie and game industries
Competency	General Business and Professional Knowledge
Rating	Intermediate Level (Please refer to the Institute's online CPD Learning Resource Centre)
CPD hours	1.5

