

**Wilen v. Alt. Media Net, Inc.,
No. 03CIV2524 (RMB) (JCF) (S.D.N.Y. Jan. 26, 2005)**

Year	2005
Court	United States District Court for the Southern District of New York
Key Facts	Defendant Alternative Media Net operated the website “tvchismes.com.” Plaintiff Patrick Wilen, a professional photographer, alleged that defendant had removed the copyright notices from seven of his registered images and used the images in the membership section of the tvchismes.com website. Due to defendant’s mismanagement of judicial procedure, plaintiff sought default judgment with respect to the copyright infringement claim.
Issue	Whether defendant’s unauthorized use of seven images on its website constituted fair use.
Holding	The court found that defendant’s use of the images did not constitute fair use. The court determined that the only change defendant made to the images was the concealment of plaintiff’s copyright management information. The court rejected defendant’s claim that its use of the images was for purposes of parody.
Tags	Second Circuit; Internet/Digitization; Parody/Satire; Photograph
Outcome	Fair use not found

Source: U.S. Copyright Office Fair Use Index. For more information, see <http://copyright.gov/fair-use/index.html>.