

# *VidAngel* in the 9th Circuit and the Future of Filtering

by Tom Burke of  
Gerard Fox Law, P.C.



Gerard Fox Law

**What is VidAngel?**

**What does it do?**

# Content filtering and streaming

**\$20 to “buy” a DVD**

**\$19 when you return it**

Small company out of Provo, Utah

Since moved to Silicon Valley



**Mini-IPO raised \$10 million**

**Set aside \$2.6 million for legal fees**

Why do they need that legal budget?

Lucasfilm  
20th Century Fox  
Disney  
Warner Bros.

# *Disney Enterprises, Inc. v. VidAngel, Inc.*

C.D. Cal, Case No. 2:16-cv-04109  
Judge André Birotte Jr.

# Copyright Act and DMCA

**Preliminary injunction granted**

VidAngel appeals to 9th Circuit



**9th Cir. affirms the injunction**

# First sale doctrine?

17 U.S.C. § 109(a)

# Family Movie Act?

17 U.S.C. § 110(11)

# Fair use?

17 U.S.C. § 107

Where does VidAngel go from here?

Is it possible to run  
a non-infringing filtering service?

# Thank you!

Tom Burke

