

Attorneys**Partner**

- Jeffrey C. Johnson

Partner Jeffrey Johnson Interviewed About Twitter Copyright Issues

Pryor Cashman Partner Jeffrey Johnson was interviewed by *Information Week* for its September 11, 2009 article entitled “Twitter Confirms User Ownership Of Tweets – Users of Twitter can rest assured that they own their tweets, even if not every tweet can be owned.”

At issue was whether a person’s “tweets” were original enough to be copyrightable. As Johnson told *Information Week*: “The essence of copyright law is originality. The smaller the piece, the less likely it is to be truly original. One of the standards they look at is whether you can express the idea in a different way. If it’s impossible to express the idea in a different way, the likelihood that it’s copyrightable content is much lower.

Johnson pointed to *Feist v. Rural*, a case from the early nineties in which the plaintiff, Rural Telephone Service Co., argued unsuccessfully that its telephone listings should be protected under copyright. Johnson, however, says that tweets approach the point of being copyrightable. “I think there’s no doubt that when you’re talking about 140 characters, you’re going into a range where they are probably a lot of things that are copyrightable.”

When asked about Twitter’s written Terms of Service on the copyright issue, he suggested that a more accurate way to word the terms might be, “You own whatever copyright you have, if any.”

To read the article from *Information Week*, please [click here](#).