

Copyright Claim of List of 20 Questions Takes Down 1.45 Million Blogs

Scott Shackford Oct. 15, 2012 12:22 pm

In 2007 a teacher posted on a blog a list of questions that measure a person's feelings of hopelessness. The list was included as part of an upcoming lesson plan.

The list happened to have a name, Beck's Hopelessness Scale, copyrighted by testing and assessment company [Pearson](#). The company charges \$120 for the list. Pearson must have just now discovered the violation and sent in a Digital Millennium Copyright Act takedown order to the blogs' hosting company.

The blog turned out to be part of [Edublogs](#), a massive online hosting service that does exactly what the name suggests: help manage blogs for members of educational institutions. They manage more than 1.4 million blogs.

Last week the hosting company [shut them all down](#). *All* of them. Over a copyrighted list that is less than 300 words. According to James Farmer, the founder of Edublogs, they had actually recognized the copyright violation and had blocked access to the offending blog, but it wasn't enough:

So we looked at it, figured that whether or not we liked it Pearson were probably correct about it, and as it hadn't been used in the last 5 years 'splogged' the site so that the content was no longer available and informed ServerBeach.

Clearly though that wasn't good enough for Serverbeach who detected that we still had the file in our Varnish cache (nevermind that it was now inaccessible to anyone) and decided to shut us down without a word of warning.

Actually they did get a warning that a server shut down was coming 12 hours before it happened. Really, the case is as much a customer service issue as it is a copyright issue.

Reason has written loads on the ins and outs of the DMCA and the stupid, awful things that have happened as a result [here](#).

Hat tips to Cato's [Julian Sanchez](#) and [Techdirt](#).

