

In the
Supreme Court of the United States

—◆—
PERFECT 10, INC.,

Petitioner,

v.

GIGANEWS, INC., *et al.*,

Respondents.

—◆—

**On Petition For A Writ Of Certiorari
To The United States Court Of Appeals
For The Ninth Circuit**

—◆—

BRIEF IN OPPOSITION

—◆—

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QUESTIONS PRESENTED

The petition for certiorari prompts the following questions:

1. Did the court below correctly rule, consistently with other courts, that Petitioner provided no evidence that Respondent Giganews stood in any type of relationship of financial interest with persons alleged to infringe Petitioner's copyrights that justifies vicarious liability without any culpable actions by Giganews or knowledge by Giganews of the alleged infringements?
2. Did the court below correctly rule, consistently with other courts, that the ordinary provision of general-purpose Usenet access services does not itself constitute direct copyright infringement?

RULE 29.6 STATEMENT

Respondents Giganews, Inc., and Livewire Services, Inc. have no parent corporations, and no publicly held company owns 10% or more of their stock.

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