



# Update

Media, Entertainment & Communications

1 September 2010

## Telstra Appeals Copyright Case

Telstra has continued its legal battle to protect the value of its directories business, Sensis, appealing the Federal Court's ruling from earlier this year that found neither the Yellow Pages nor the White Pages was protected by copyright.

The initial case was brought by Telstra against Phone Directories Company (PDC), which it claimed had breached Telstra's copyright by using its directories to put together phone books under the PDC brand name.

The Federal Court initially decided that no copyright existed in Telstra's directories because there were no identifiable authors and insufficient originality. Telstra argued in its appeal that it was not necessary to identify all of the authors to prove copyright existed, and that there was sufficient work of a literary nature that went into making the directories to establish originality.

It is likely to be several months before the full bench of the Federal Court hands down a decision.

### Key Contacts

#### Melbourne

**Dan Pearce**, Partner  
T: +61 (0)3 9321 9840  
E: dan.pearce@holdingredlich.com.au

**Marilyn Awad**, Senior Associate  
T: +61 (0)3 9321 9850  
E: marilyn.awad@holdingredlich.com.au

#### Sydney

**Ian Robertson**, Partner  
T: +61 (0)2 8083 0401  
E: ian.robertson@holdingredlich.com.au

**Sonia Borella**, Partner  
T: +61 (0)2 8083 0412  
E: sonia.borella@holdingredlich.com.au

#### Brisbane

**Paul Venus**, Partner  
T: +61 (0)7 3135 0613  
E: paul.venus@holdingredlich.com.au