

Musk suspends “overzealous” rightsholders for “weaponizing” DMCA on Twitter

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Yesterday, Twitter CEO Elon Musk declared that Twitter will now be temporarily suspending any accounts found to be “engaging in repeated, egregious weaponization” of the Digital Millennium Copyright Act (DMCA). Musk’s tweet came at the same time that an intense copyright dispute was unfolding that resulted in the suspension of a rightsholder’s Twitter account. The suspension came after a professional photographer and Twitter user, @NightLights_AM, submitted a takedown notice to a hobbyist Twitter user, @Rainmaker1973, who posted one of the photographer’s videos without permission.

It’s difficult to track down the full story here because the suspended account’s tweets are unavailable, and some of the hobbyist account’s tweets have been deleted. And it’s unclear if Musk was aware of this particular dispute or the subsequent account suspension of the rightsholder. But TorrentFreak documented the DMCA Twitter saga in great detail, gathering archived and cached tweets to piece together what happened.

According to TorrentFreak, @NightLights_AM is run by Norway-based nature and astrophotographer Adrien Mauduit, whose Twitter feed was full of colorful videos and photos that he

took as an “Aurora chasing specialist.” In early March, Mauduit uploaded a video of a geomagnetic storm that was then embedded in a tweet sent by @Rainmaker1973, which is run by an Italy-based Twitter user named Massimo.

Massimo, who is an engineer who uses Twitter to “build the big picture of #science via selected & curated pics, videos & links,” credited Mauduit’s account and linked to the original tweet. But that didn’t stop Mauduit, according to Massimo, from sending a takedown notice.

Seemingly hoping to resolve the dispute, Massimo contacted Mauduit, who then asked for money, according to Massimo. Ars could not immediately reach Mauduit for comment, but so far he has not confirmed or denied any of the allegations Massimo has made about their exchanges. TorrentFreak noted that Mauduit may have intended to ask for licensing fees, but Massimo’s story is that Mauduit is one of many content creators who have “blackmailed” him for sharing content for educational purposes over the years.

“I was hit by DMCA tens of times since 2014 and I was suspended once for 3 weeks,” Massimo tweeted. I paid more than \$1,500 to keep this account open, I’ve paid all those have blackmailed me. I’ve been blocked in error several times, and I’m struggling going on like this.”

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But with Musk’s new declaration to suspend excessive DMCA use, he appears to be more sympathetic to Twitter users like Massimo than to Twitter creators like Mauduit. Twitter did not respond to Ars’ request to clarify, but TorrentFreak speculated that Musk may have been directly behind Mauduit’s account suspension.

Although Twitter is required to respond to copyright complaints, Musk has long been a critic of what he considers DMCA weaponization and, even more generally, is opposed to

upholding online norms where creators seek credit for original content. In 2021, when Musk was criticized for cropping out creators' names and stealing the memes that he shared, Musk claimed "no one should be credited with anything ever," The New York Times reported. And in May 2022, he tweeted that "overzealous DMCA is a plague on humanity" and "current copyright law in general goes absurdly far beyond protecting the original creator." So, it's not necessarily surprising that he would shift Twitter policy to prevent such overzealousness on his own platform.

Musk is not completely against creators with valid complaints, of course, tweeting that "reasonable media takedown requests are, of course, appropriate and will always be supported." Where the line will be drawn between reasonable and unreasonable has yet to be seen, though. **[Update:** Twitter trust and safety chief Ella Irwin told Ars, "Twitter handles DMCA complaints from rightsholders on a regular basis and we review each complaint to ensure they are valid and if so, we take down the reported content. For all complaints, DMCA and otherwise, we look for evidence of bad faith reporting such as someone claiming to be a rights owner when they actually do not own the rights to the content in question or someone threatening to get a user suspended unless they pay them money immediately, which often turns out to be a fraud scam. If we see evidence of bad faith reporting, we will suspend the reporter."]

An hour after tweeting about Twitter's new efforts to prevent DMCA weaponization, Musk seemed to realize that his tweet did not reassure content creators that the Twitter CEO hopes will be part of his overall Twitter monetization strategy. He later tweeted that supporting content creators is still a "major priority," saying that he understands that "people need to make a living and prosper from their work."

No one's sure how much money Mauduit was making by uploading his original content to Twitter, but it seems clear that as

long as his account is suspended, the photographer will be missing opportunities to promote his work and prosper from it.

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