



Media Release

SPH REFUTES YAHOO!'s DEFENCE AND COUNTERCLAIM

Singapore, 28 December 2011 – Singapore Press Holdings Limited (“**SPH**”) has today filed its Reply and Defence to Counterclaim in the suit instituted against Yahoo! Southeast Asia Pte Ltd (“**Yahoo!**”) in the High Court of Singapore.

SPH is determined to pursue this suit vigorously and to protect its copyrighted works. It cannot allow a third party to plagiarise its works without regard to the effort and resources that go into producing its content.

In the Reply and Defence to Counterclaim, SPH has asserted that Yahoo! had over an extended period of time consistently and deliberately committed plagiarism by substantially reproducing the words and expressions used in SPH’s articles without permission. The substantial reproductions “*extended beyond the reproduction of mere facts and information*” but instead involved the reproduction of, amongst other things, “*identical paragraphs, sentences, phrases and/or words*” of SPH’s articles and the paraphrasing of sentences, phrases and/or words in SPH’s articles by merely replacing them with synonyms. At the same time, Yahoo! claimed original authorship of the Infringing Articles without any acknowledgement of the substantial reproduction from SPH’s articles. Comparisons of the SPH articles and the Yahoo! articles showing the extent of Yahoo!’s substantial reproductions were also annexed to the Reply and Defence to Counterclaim.

SPH further asserted that Yahoo!’s actions were tantamount to an improper misappropriation of and “free-riding” on the skill, labour and effort of SPH’s authors and of SPH’s significant investments in assembling an independent news gathering and journalistic team, and that these acts of infringement were committed by Yahoo! to direct and maximise traffic to its website in order to drive up its page views and advertising revenue. This was not done for the public interest, as claimed by Yahoo!, but instead in furtherance of its own vested financial interest. SPH also referred to the fact that Yahoo! had in 2010 sought to obtain a licence from SPH for the reproduction of its articles. When negotiations broke down, Yahoo! nonetheless went ahead to substantially reproduce SPH’s articles, which SPH says shows deliberate and flagrant infringement of SPH’s copyright for Yahoo!’s own commercial gains.

In response to Yahoo!’s assertions that the 23 articles cited by SPH represented only a very small proportion of the number of articles published by SPH newspapers, SPH reiterated its position as set out in its Statement of Claim, that the 23 articles identified in the Statement of Claim did not represent the full extent of Yahoo!’s infringing acts. SPH reserved the right to produce more evidence at the appropriate juncture.

In relation to Yahoo!’s claim that SPH had allegedly infringed its copyright in certain postings made on the STOMP website, SPH pointed out in its filing that the alleged infringements arose out of reports of postings by third parties to STOMP, and SPH had no knowledge that these

posts were not original postings of these persons. STOMP is a citizen journalism site which accepts postings by third parties. SPH also pointed out that Yahoo! had produced contracts of assignment showing it had allegedly only acquired the copyright to the source articles on 12 December 2011, just one day prior to the filing of Yahoo!'s Defence and Counterclaim, and that it was an abuse of process for Yahoo! to enter into the said contracts of assignment "*for the collateral purpose of contriving a counterclaim against [SPH]*". SPH also asserted in its filing that Yahoo! therefore had not acquired copyright to the source articles at the time when the articles were received by SPH for posting on STOMP.

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About Singapore Press Holdings Ltd

Main board-listed **Singapore Press Holdings Ltd** (SPH) is Southeast Asia's leading media organisation, engaging minds and enriching lives across multiple languages and platforms. It publishes 18 newspaper titles in four languages and over 100 magazine titles in Singapore and the region. Every day, 3 million individuals or 77 percent of people above 15 years old, read one of SPH's news publications. SPH's internet editions of its major newspapers enjoy over 265 million page views with 18 million unique visitors each month. Other new media initiatives include AsiaOne, omy.sg, ST701, Stomp and The Straits Times RazorTV. SPH has also ventured into book publishing, broadcasting, out-of-home advertising and properties. For more information, please visit www.sph.com.sg.