

Blogger v Goliath

Battle lines drawn for Internet Defamation Showdown

The scene is set for a showdown of epic proportions in the latest internet defamation case to hit Australia's shores. On 14 December Bruce Everiss and Evony LLC will fight it out in the NSW Supreme Court to decide whether an Australian court has jurisdiction to hear a U.S company's defamation claim against a UK blogger.

Marque acts for Bruce Everiss in the jurisdiction argument. Evony's claim relates to publications on Bruce's internet blog about the massive multiplayer online game "Evony".

If the NSW Supreme Court accepts jurisdiction for Evony's claim the door for 'defamation tourism' will be well and truly opened and Australia may become a holiday hotspot.

Businesses that provide online content, especially those that host user generated content like Facebook or Twitter could face being sued in circumstances where they never would have thought that they could have exposure in Australia. Similarly online bloggers could find themselves on the receiving end of a 'slap writ' from a foreigner who has little or no connection with Australia.

Further background to the case appears in our earlier update

<http://www.marquelawyers.com.au/soapbox>.

An interview with Damian Sturzaker, published on the *Law Report* on ABC Radio National on 10 November is available online <http://www.abc.net.au/rn/lawreport/stories/2009/2737300.htm>.

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