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Apple Co-Founder Steve Wozniak Sues YouTube Over Cryptocurrency Scheme

The lawsuit, filed by Cotchett, Pitre & McCarthy, compares YouTube's handling of cryptocurrency scams that have used images of Wozniak, Bill Gates and Elon Musk to Twitter's response to last week's hack leveraging the accounts of high-profile users.

By Alaina Lancaster | July 22, 2020



Image from complaint where Apple co-founder Steve Wozniak is suing YouTube and parent company Google for failing to shut down cryptocurrency schemes that bear his likeness on the platform.

Apple co-founder Steve Wozniak is suing YouTube and parent company Google for failing to shut down cryptocurrency schemes that bear his likeness on the platform.

Wozniak isn't the first entrepreneur to bring litigation against the website for fake giveaways that phish users out of millions of dollars in digital assets. Ripple Labs Inc. CEO Bradley Garlinghouse brought similar claims (<http://law.com/therecorder/2020/04/21/ripple-labs-sues-youtube-for-enabling-cryptocurrency-scam/>) against the social media giant earlier this year.

Cotchett, Pitre & McCarthy in Burlingame, California, filed the suit (<https://drive.google.com/file/d/14CxUfKHOMmYqmC6mVpXJPglka-zLoQuq/view?usp=sharing>) on behalf of Wozniak and 17 international victims of the video scams Tuesday in the San Mateo County Superior Court.

The complaint contrasts YouTube's handling of the fraud with Twitter's response last week to a hack and bitcoin scam that leveraged high-profile accounts to make off with \$120,000 in bitcoin payments.

"That same day, Twitter acted swiftly and decisively to shut down these accounts and to protect its users from the scam, issuing the above apology," wrote Cotchett Pitre's Joseph Cotchett; Brian Danitz; Julia Peng; Andrew F. Kirtley; and Noorjahan Rahman. "In stark contrast, for months now, Defendant [YouTube] has been unapologetically hosting, promoting, and directly profiting from similar scams."

YouTube did not immediately respond to a request for comment Wednesday morning.

A version of the scam uses videos and images of Wozniak to purport that the tech icon is hosting a live bitcoin giveaway, where users send over their bitcoin and get twice as much back. But the users give away their bitcoin and get nothing back, according to the lawsuit.

"With full knowledge of this scam, [YouTube] resisted taking the scam videos down, allowed them to multiply, and contributed to the scam by making them appear legitimate," the complaint states. "[YouTube and Google] took the further step of promoting and profiting from these scams by providing paid advertising that targeted users who were most likely to be harmed."

In April, Boies Schiller Flexner represented Ripple and Garlinghouse in a trademark infringement suit against YouTube for failing to shut down the scheme. The Cotchett Pitre attorneys claim the scams have also borne the images of Bill Gates, Elon Musk, Dell Technologies' Michael Dell, and personal finance educator Robert Kiyosaki.

Wozniak is suing YouTube for violation of right of publicity, misappropriation of name or likeness, fraud or misrepresentation, aiding and abetting fraud, unfair business practices and negligent failure to warn.

Although the filing underlines that Section 230 of the Communications Decency Act "continues to play a vital and important role in ensuring free and open expression and debate on the Internet with a minimum of government regulation," Cotchett Pitre's Danitz said in a phone interview Wednesday that Section 230 does not protect the kind of misconduct that is alleged in the complaint.