Ted Entm't, Inc. v. Saber
No. 25-cv-05564, 2026 WL 2140274 (C.D. Cal. June 29, 2026)

Year	2026
Court	United States District Court for the Central District of California
Key Facts	Plaintiff Ted Entertainment, Inc. ("TEI"), a social media production company owned by YouTuber Ethan Klein ("Klein"), is the registered copyright owner of a "tragi-comic documentary" titled "Content Nuke: Hasan Piker" ("The Nuke"), which contains original footage, montages, parodic skits, archived footage, and commentary from Klein criticizing "alt-left" Twitch streamer Hasan Piker. Defendant Alexandra Marwa Saber, an online streamer who releases content on social media platforms as "Denims," livestreamed a "reaction" video during which she watched and criticized The Nuke (the "Livestream") by regularly pausing to "offer spontaneous reactions, engage[] with her audience through a live chat, and provide[] real-time commentary interspersed with tangential discussions." Denims criticized The Nuke's production quality, editing, source-material, and commentary, equating it to "a high school video project" or "middle school project." TEI sued Denims for copyright infringement. Denims moved for judgment on the pleadings, asserting fair use.
Issue	Whether livestreaming an entire documentary to create a "reaction" video during which a viewer provides commentary and criticism constitutes fair use.
Holding	The first factor, the purpose and character of the use, favored fair use because Denims's "criticism and commentary within the live stream video [] demonstrate[s] 'telltale signs of transformative use[.]'" The court noted "[t]he difference in viewing experiences here is undisputed" because the Livestream's purpose was to "contest, criticize and mock" The Nuke and TEI conceded this in its Complaint. The court found some merit to TEI's argument that Denims's purpose "'was to hate-watch TEI's work without giving any benefit to TEI[,]'" but concluded that did not outweigh the Livestream's transformativeness. Regarding commerciality, although Denims was "eligible to receive subscriptions, donations and advertising revenue" during the Livestream, the court concluded the "transformation of the original work heavily outweigh[ed] the commercial nature of its use." The court found that the second factor, the nature of the copyrighted work, weighed against fair use because while The Nuke was published and documentary in nature, it was "a creative work with significant informational contents" including "original footage, highly edited montages, parodic skits and archival materials." Still, the court noted this factor alone is not particularly significant. The court found the third factor, the amount and substantiality of the portion used, did not weigh against fair use because while Denims showed nearly the entirety of The Nuke during the Livestream, this substantial copying was "reasonable to accomplish the transformative purpose of critical commentary." Finally, the fourth factor, the effect on the potential market for or value of the work, favored fair use because the Livestream was not a market substitute for The Nuke as "someone watching the former will have a 'very different experience' from watching the latter." The court noted that TEI's "own allegations suggest as much" by highlighting the different purposes of each video. As three of the four factors strongly favored fair use, the court concluded that the use was fair and granted Denims's motion.
Tags	Film/Audiovisual; Internet/Digitization; Parody/Satire; Review/Commentary
Outcome	Fair use found

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