

FormanWatkins Secures Landmark Win: Court Denies Section 230 Immunity to Global Job Review Website in Defamation Case

Representing a private transportation company against a global job review website, the FormanWatkins team of Win Gault, Courtney Hunt, and Molly McNair secured a potentially precedential win in the U.S. District Court for the Northern District of Mississippi in a matter involving defamation via third-party internet reviews. The opinion is a rare instance in which a website was not granted immunity under Section 230 of the Communications Decency Act.

Section 230 is designed to protect websites from being treated as the publisher of third-party content. This immunity has been broadly interpreted and courts have differed on the extent of this protection, especially in the ever evolving and rapidly changing landscape of the internet.

The FormanWatkins team successfully argued that Section 230 did not apply because the defendant's website created and significantly contributed to the content in question. Therefore, the defendant's motion to dismiss the defamation claim was denied and FormanWatkins' client may prosecute its claims.