

Facebook loses battle against German lookalike

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Facebook had alleged that StudiVZ, which has many more subscribers in Germany than the US giant's German language site, had copied its design and illegally got hold of the codes needed to re-create its graphics and features.

But a court in Cologne, western Germany, disagreed.

"Although there are overlaps and similarities between the two sites that

are impossible to overlook, no dishonest copying could be established by the judge," the court said in a statement.

StudiVZ had little to gain from trying to look like [Facebook](#) when it launched in 2005 because until September 2006 Facebook was only available in English and was popular only in North America, the court said.

A German-language version of Facebook was not launched until March 2008, it said, by which time StudiVZ had over 10 million subscribers, StudiVZ spokesman Dirk Hensen told AFP.

The court also said that Facebook had provided insufficient proof to support its allegation that StudiVZ had illicitly taken information from it, and that in any case its programming data were freely available on the Internet.

Tuesday's judgement is not legally binding and Facebook can appeal.

The US site filed in July 2008 a separate lawsuit in California, claiming that a "great part, if not all, of StudiVZ's success is due to copying and misuse of Facebook's intellectual property."

Berlin-based StudiVZ now has 14.3 million users on three different sites: studiVZ for university students, schuelerVZ for schoolchildren and meinVZ for graduates.

Facebook reportedly wanted to acquire StudiVZ but balked at the high selling price set by its owners, German media group Holtzbrinck, which bought the company from its founders in January 2007.

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