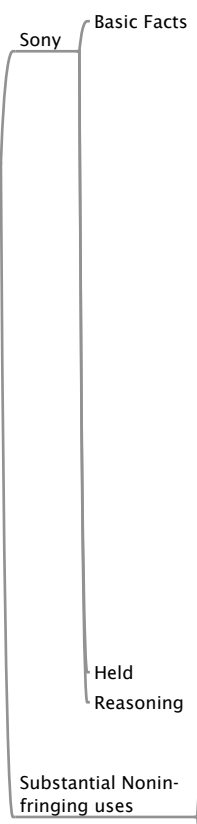


Class 18: Third-Party Liability And Sony

Liability for Creating Copying Devices



Sony sells VCRs.

Jack Valenti (MPAA) to the House Subcommittee: "The VCR is to the American film producer and the American public as the Boston strangler is to the woman home alone."

Sued by TV and movie producers because shows were being taped by purchasers of the VCRs.

Survey's of how users used VCRs

- 75%: Time-shifting
- 96%: Caught a show I would've missed.
- 70% of total programs only watched once.

Issue presented: When is the creator of a technology liable for the infringing acts of the purchasers/users of that technology?



Note 2: Three different formulations

YouTube?

Capable of?

- Does this mean you can predict future uses?
- Note 4: Dissent wants to measure "actual use"