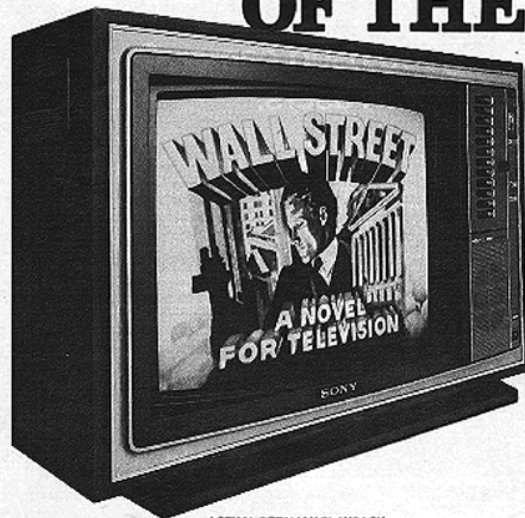


# Sony v. MGM

Sony's Betamax Deck:  
It automatically  
videotapes your favorite  
TV show, even when  
you're not home.



**THANKS  
TO OUR NOVEL IDEA,  
YOU'LL NEVER  
MISS A CHAPTER  
OF THEIRS.**



ACTUAL BETAMAX PLAYBACK.

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You've been following that seven-part TV novel for six weeks now.

Tonight, the climax! Alas, tonight also a business dinner.

Whew! Lucky thing you have a Sony Betamax videotape deck.

Because while you're out going about your business, Betamax is home going about its business of videotaping that TV show, so that you can play it back when you get home.

You just plug Betamax into your TV (any brand TV), stick in one of our two-hour cassettes and set the automatic timer. Betamax will automatically tape that show while you're out.

The cassettes, of course, are reusable — just rerecord over them.

And Betamax also, by the way, can videotape something off one channel while you're watching another channel.

Just in case chapter seven is on the same night as World Series game seven.

**BETAMAX  
"IT'S A SONY."**  
THE LEADER IN VIDEO RECORDING

**THANKS  
TO SONY'S BETAMAX,  
HE'S NOT MISSING  
THE LAST HALF-HOUR  
OF THE LATE SHOW.**



And the killer is... zzzzzz.  
We've all been through it. You just can't keep your eyes open anymore. No matter what.

Well, thanks to Sony's Betamax videotape deck, you won't have to struggle to stay awake. Because Betamax, which plugs into any TV, can automatically videotape the conclusion of that show so that you can play it back the next day.

The fact is, the SL-8200 Betamax can automatically videotape any show you like, up to two hours, while you're doing something else. Even while you're out of the house, by setting our optional automatic timer.

Betamax can also, believe it or not, actually videotape something off one channel while you're watching another channel.

And our videotape cassettes are reusable — you just rerecord right over them.

With Sony's Betamax, you'll never again miss anything you want to see. Rest assured.



**BETAMAX "IT'S A SONY."**  
THE LEADER IN VIDEO RECORDING

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# *Sony v. MGM*

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- Do direct infringers engage in fair use?
- What do they do with Betamax?
  - time-shift – 75.4%
  - catalog/archive
  - 57.9% not view more than once

# *Sony v. MGM*

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## 1. Purpose and Character of Use

- transformative +
- non-commercial +

## 2. Nature of Copyrighted Work

- more expressive -
- publicly available +

# *Sony v. MGM*

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3. Amount/Substantiality of Portion Used
  - all of it –
4. Effect of Use on Potential Market for and Value of Copyrighted Work
  - what markets?
  - speculative at best +