

11:

STREAMING MEDIA: LEGAL ISSUES OF CAPTURING & RECORDING

by Francis Chao

fchao2@yahoo.com

TuCSon
COMPUTER
SOCIETY

#1 WINNERS
WINdows usERS



An International
Association of Technology
& Computer User Groups

**Web location for this
presentation:**

<http://aztcs.org>

Click on “**Meeting
Notes**”

SUMMARY

The legal issues of the capturing and recording of streaming video are complex. The bottom line is that you can do it for personal "time shifting" but involving others with the use of your recorded videos and music falls get into many legal gray areas in both criminal and civil law.

TOPICS

- It is Probably Legal to Save Media for Future Personal Viewing or Listening (= "timeshifting")
- Legal Issues of Downloading from "YouTube"
- "Youtube Premium"

IT IS PROBABLY LEGAL TO SAVE STREAMING MEDIA FOR PERSONAL FUTURE VIEWING OR LISTENING

- According to <https://www.pcworld.com/article/2034644/the-vcrs-legacy-shines-brightly-at-youtube-and-aereo.html> :

<Start of quote:>

In 1984, Sony, the creator of the Betamax VCR, argued in the U.S. Supreme Court with Universal Studios and Disney over whether the VCR could be used to infringe copyright and whether Sony was responsible for that infringement. The court ruled that Sony could not be held accountable for what someone does with a VCR since you

could use the technology for both infringing and non-infringing users. The court also made it clear that time shifting, which allows you record a TV show for private use and later watching, did not constitute copyright infringement.

<End of quote>

LEGAL ISSUES OF "MEDIA CAPTURE" AND "SCREEN RECORDING" IN GENERAL

- See <https://www.consumerreports.org/consumerist/you-can-record-movies-off-netflix-or-music-off-spotify-but-youre-not-allowed-to/>

LEGAL ISSUES OF "MEDIA CAPTURE" AND "SCREEN RECORDING" IN GENERAL

- See the last paragraph of <https://www.lifewire.com/best-ways-to-save-audio-streams-from-the-internet-2438454>

LEGAL ISSUES OF "MEDIA CAPTURE" AND "SCREEN RECORDING" FROM "YOUTUBE"

- See

<https://www.pcworld.com/article/3206687/data-center-cloud/how-to-download-youtube-videos.html>

and

<https://www.youtube.com/static?template=terms>

LEGAL ISSUES OF "MEDIA CAPTURE" AND "SCREEN RECORDING" FROM "YOUTUBE" (continued)

- You are considered innocent until proven guilty:
Almost impossible to prove in a court of law that someone has captured or recorded streaming media if they do not sell or transfer it to someone else.

LEGAL ISSUES OF "MEDIA CAPTURE" AND "SCREEN RECORDING" FROM "YOUTUBE" (continued)

- You are considered innocent until proven guilty:
Almost impossible to prove in a court of law that someone has captured or recorded streaming media if they do not sell transfer it to someone else.

"YOUTUBE PREMIUM"

- "YouTube Premium" used to be called "YouTube Red"
- For media content that does not belong to you or the organization that you work for or belong to, "YouTube Premium" is the only way to capture or record from YouTube without violating YouTube's "Terms of Use"

"YOUTUBE PREMIUM" (continued)

- See

<https://www.youtube.com/premium>

YouTube Premium

YouTube and YouTube Music ad-free.
Plus access to all YouTube Originals.

TRY IT FREE

1-month free trial · \$11.99/month

Or save money with a [family membership](#)

[Restrictions apply. Learn more here.](#)

Offer restrictions

Restrictions apply to certain features and vary by device, geographical location of the user, and others.

[Learn more](#)

Only first-time YouTube Red, Music Premium, YouTube Premium and Google Play Music subscribers are eligible for free trials, introductory offers or promotional pricing.

Monthly subscription - one month trial. You'll be automatically charged the price listed unless you cancel during your trial, and then every month starting on the first billing date until you cancel your subscription. Cancel anytime. No refunds or credits for partial billing periods. [Refund policy](#)

Family subscription: Invite up to 5 additional family members to join your Google family group and share your Music Premium and YouTube Premium subscription. All family members must be age 13 or older, have a Google Account, and reside in the same household as the family manager. [Learn more](#)

Playback: You must have an Internet connection to stream videos or to take them offline.

[Supported devices](#)

By completing your purchase, you verify that you are at least 18 years old and agree to these [terms](#).