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Subject: Re: Recording A TV Show

Posted by [Wayne Parham](#) on Tue, 05 Feb 2019 15:58:03 GMT

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It is considered "fair use" to make a copy of a broadcast program as long as you are using to essentially "time shift" - to be able to view the program at a later time. And your purpose must be personal and not commercial. Commercial use doesn't necessarily require you to get direct financial gain. For example, if you show films at your workplace for your customers to enjoy while they do business with you, this is commercial use, even though you didn't charge them to see the show.

But as long as you are copying material just for personal use at a later time, that's fair use.

As to your other question, whether you'd be liable if you gave a friend a copy and they used it commercially. You would be liable for distribution of the one copy. You do not have the right to do that. But you wouldn't be liable for their commercial use, which may cause the copyright owner much greater damages.

Think about this though too: Anyone can sue anyone else for anything. Let's say your friend took the copy you gave them and somehow earned thousands of dollars with it. And then suppose the copyright owner sued them for big money damages. Could your friend blame you for part of the damages and sue you? Of course they could. Would they prevail? Probably not. And if you spent a lot of money defending yourself and were found faultless, you could sue them back for attorney's fees.

In this litigious society, it's best to avoid "friends" like that. Especially now that we've added "social media" to the list of ways we can enmesh ourselves in senseless controversy.

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