Other Sources For Information on Copyright

The Library of Congress,
United States Copyright Office
www.copyright.gov
U.S. Copyright Office
101 Independence Ave. S.E.
Washington, D.C. 20559-6000
(202) 707-3000

The Motion Picture Association
of America (MPAA)
www.mpaa.org
Office of the Chairman and CEO
Washington, DC
1600 Eye St., NW
Washington, DC 20006
(202) 293-1966 (main)

FILM & VIDEO
COPYRIGHT
INFRINGEMENT

What Your College or University Needs to Know About the Public Performance of Movies.
What the Law Says

The Federal Copyright Act (Title 17, United States code, Public Law 94-553, 90 Stat. 2541) governs how copyrighted materials, such as movies, may be utilized publicly. Neither the rental nor the purchase or lending of a videocassette or DVD carries with it the rights to exhibit such a movie publicly outside the home, unless the site where the video is used is properly licensed for copyright compliant exhibition.

This legal copyright compliance requirement applies to colleges, universities, public schools, public libraries, daycare facilities, parks, recreation departments, summer camps, churches, private clubs, prisons, lodges, businesses, etc. regardless of whether admission is charged, whether the institution is commercial or non-profit, or whether a federal, state or local agency is involved.

The movie studios who own copyrights, and their agents, are the only parties who are authorized to license sites such as colleges and universities. No other group or person has the right to exhibit or license exhibitions of copyrighted movies.

Furthermore, copyrighted movies borrowed from other sources such as public libraries, colleges, personal collections, etc. cannot be used legally for showings in colleges or universities or in any other site which is not properly licensed.

The “Educational Exemption”

Under the “Educational Exemption,” copyrighted movies may be exhibited in a college without a license only if the movie exhibition is:

- An “integral part of a class session” and is of “material assistance to the teaching content.”
- Supervised by a teacher in a classroom.
- Attended only by students enrolled in a registered class of an accredited nonprofit educational institution.
- Lawfully made using a movie that has been legally produced and obtained through rental or purchase.

Unauthorized Public Exhibition of Movies

The concept of “public performance” is central to copyright and is the main issue of protection for these intellectual properties. Most of the persons participating in movie productions depend upon royalties for a major portion of their payment for work performed.

Royalties are the shares paid to movie producers, script writers, authors, computer programmers, playwrights, musicians, inventors, etc. out of the proceeds resulting from the sale, performance or use of their work. If these men and women lose ownership of their work and do not receive royalty revenue, much of which is collected through licensing fees, there would be little incentive for them to continue to invest their time, research and development costs to create future endeavors. If this happens, they must then look to the U.S. Copyright Law for assistance. Consequently, if their intellectual creations are being used by others who are not paying compensation (royalty) for the use, copyright law may need to be enforced.

Those Who Violate Copyright Law Can be Prosecuted — Consult Your legal Copyright Advisor or Attorney

The Motion Picture Association of America (MPAA) and its member companies are dedicated to stopping film and video piracy in all its forms, including unauthorized public performances, illegal downloading, etc. The motion picture companies can go to court to ensure their copyrights are not violated.

To avoid the possibility of embarrassing publicity and fines, consult your legal copyright compliance advisor or attorney if you are uncertain about your responsibilities under copyright law.