



MOVIES & COPYRIGHT LAW

Federal Copyright Law:

- ▶ 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 right 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 parks and recreation departments, colleges, universities, public schools, day care facilities, 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 parks and recreation departments, businesses, museums, etc. 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 showing in colleges or universities or in any other site which is not properly licensed.

Face to Face Teaching Exemption:

Under the “education 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.
- ▶ Presented using a lawfully made movie that has been legally produced and obtained through rental or purchase.

Those who violate copyright law are subject to consequences:

- ▶ Willful infringement
 - Maximum sentence of up to one year in jail
 - And/or a \$100,000 fine
- ▶ Inadvertent infringers
 - Civil damages, ranging from \$500 to \$20,000 for each illegal showing

To purchase the license for showing a movie on RIT’s campus, contact Tyler Krueger with Swank Motion Pictures (tkrueger@swankmp.com / 1-800-876-5577).

**Any student event involving the showing of a movie must be registered with Event Registration through the Center for Campus Life:
<http://campuslife.rit.edu/evr>.**

Proof of license purchase will be required before events are confirmed.

For more information visit rit.edu/campuslife



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Frequently Asked Questions

What is considered public space on our campus?

Anything outside of your personal dorm room or apartment is considered public space (ie: Classrooms, auditoriums, meeting/conference rooms, libraries, museums, recreational facilities, common areas of apartments/dormitories/and other residential communities, outdoor space, cafeterias, etc.)

If I'm not charging admission to watch the movie, do I still need to purchase the licensing rights?

Yes. A license is required for all public performances regardless of whether admission is charged.

If I buy a movie at Target, rent it from the library, or already own the film, does that count as "purchasing the rights"?

No. Stores and libraries sell and rent movies for "home use only" and cannot provide legal permission for use outside the home. You can only obtain licensing directly from a licensor, not from a third party.

What if I want to show an old movie from the '30s or '40s? Do I still need a license?

Yes. Copyright pertains to all movies regardless of the year it was produced, unless it falls in the "public domain" and is free for viewing. To see a list of movies in this category, visit: <http://www.openflix.com/>

What if I'm only showing the film to a small group of friends or classmates? Do I still need a license?

If the movie is being shown outside your home, a license needs to be obtained regardless of the number of people attending the screening.

My organization is showing the film for educational purposes. Do I still need a license?

You will need to purchase the license unless your movie is being shown as part of a class and is relevant to the teaching content, the movie is supervised by the course instructor, and the movie is attended ONLY by students enrolled in a REGISTERED class at RIT. Showing a movie outside of a classroom and holding an education discussion following the film is not part of the face-to-face teaching exemption.

What am I paying for when I purchase the rights to a movie?

The license fees compensate the copyright owners and the men and women who work on the film's production. These royalties are the way publishers, authors, composers, musicians, inventors, computer programmers and movie producers are paid for their work.

Do documentaries and independent films fall under the same rules?

These types of movies are usually explored on a case by case basis. Sometimes permission can be obtained from the film maker to show the film without purchasing the rights.

For more information visit rit.edu/campuslife