

## Showing Movies/Films on the UWL Campus

There are two options available for showing a motion picture on our campus.

Option One: Obtain a Public Performance license for the film to be exhibited. There are two companies that issue this license and it must be in the organization/department possession PRIOR to the exhibition date. One is Swank Motion Pictures and other is Criterion Pictures, Inc. Between these two companies, they control 94% of the licensing of motion pictures for colleges and universities. **University Centers compliance has contacts for both companies and will be happy to work with any organization or department. Contact Drea Higgins at 608-785-8906 or [dhiggins@uwlax.edu](mailto:dhiggins@uwlax.edu)**

Option Two: Educational Exemption. To obtain this exemption, there are six points to be met, and **showing must meet *all six* to be exempt.**

1. Must be legitimate (original) copy.
2. Must be part of the systematic course of instruction and not for cultural, entertainment or recreational value of anyone present.
3. Must be done by the instructor or pupil.
4. Must be in a place devoted to instruction.
5. Must be part of the teaching activities of non-profit institution.
6. Attendance must be limited to instructors, pupils and guest lectures.

Anyone wishing to exhibit a motion picture must produce factual information as to where the license was obtained. Be aware that colleges and universities are the most frequent violators and are closely monitored.

## ABOUT COPYRIGHTS

**It's Easy To Do It Right. Here's How.**

### **What is a Public Performance?**

Suppose you invite a few friends over to watch a movie or a TV show that's no longer available on TV. You buy or rent a DVD or Blue-ray disc from the corner store or a digital video file from an online store and show the film or TV episode in your home that night. Have you violated copyright law by illegally "publicly performing" the movie or show? Of course not.

But suppose you took the same movie or TV episode and showed it to patrons at a club or bar that you happen to manage. In that case, you have infringed the copyright in the video work. Simply put, movies or TV shows obtained through a brick-and-mortar or online store are licensed for your private use; they are not licensed for exhibition to the public.

### **Why is the Creative Community Concerned About Such Performances?**

The concept of "public performance" is central to copyright. If filmmakers, authors, playwrights, musicians and game designers do not retain ownership of their works, then there is little incentive for them to continue creating high-quality works in the future and there is little incentive for others to finance the creation of those works.

## **The Law**

[The Federal Copyright Act](#) (Title 17 of the U.S. Code) governs how copyrighted materials, such as movies, may be used. Neither the rental nor the purchase of a copy of a copyrighted work carries with it the right to publicly exhibit the work. No additional license is required to privately view a movie or other copyrighted work with a few friends and family or in certain narrowly defined face-to-face teaching activities. However, bars, restaurants, private clubs, prisons, lodges, factories, summer camps, public libraries, daycare facilities, parks and recreation departments, churches and non-classroom use at schools and universities are all examples of situations where a public performance license must be obtained. This legal requirement applies regardless of whether an admission fee is charged, whether the institution or organization is commercial or non-profit, or whether a federal or state agency is involved.

## **Legal Sanctions**

"Willful" infringement of these rules concerning public performances for commercial or financial gain is a federal crime carrying a maximum sentence of up to five years in jail and/or a \$250,000 fine. Even inadvertent infringement is subject to substantial civil damages.

## **It's Easy to Obtain a Public Performance License**

Obtaining a public performance license is easy and usually requires no more than a phone call. Fees are determined by such factors as the number of times a particular movie is going to be shown, how large the audience will be and so forth. While fees vary, they are generally inexpensive for smaller audiences. Most licensing fees are based on a particular performance or set of performances for specified films. The major firms that handle these licenses include:

### **Criterion Pictures**

[www.criterionpicusa.com](http://www.criterionpicusa.com)

(800) 890-9494

### **Motion Picture Licensing Corporation**

[www.mplc.com](http://www.mplc.com)

(800) 462-8855

### **Swank Motion Pictures, Inc.**

[www.swank.com](http://www.swank.com)

(800) 876-5577