

Film Events at American University

Many departments and student organizations on the AU campus organize film events, i.e. public exhibitions of films, DVD's, video recordings. Creating events involving copyrighted material can involve program choices which put the university and/or the program planner at risk.

The University Center, in consultation with the Office of General Counsel and Bender Library, has produced these frequently asked questions to guide program planners and their advisors in the practice of creating film events. While the answers contained herein do not represent new policy, University Event Scheduling (UES) has instituted a more detailed review process for film requests. Please call x3939 if you have additional questions.

Frequently Asked Questions:

March 21, 2006

1. Do I need to be concerned with copyright law if I want to schedule a film event?

Yes. The U.S. Copyright Act (Title 17 of the United States Code) governs how copyrighted materials, such as films, may be used. Under copyright law, a copyright owner has the exclusive right to publicly display his/her work. Therefore, you must have the proper copyright authorization in order to publicly exhibit a film as an event.

2. Can I rent or purchase a film from Blockbuster, Hollywood Video, Netflix, et. al. and show it in campus meeting rooms, lounges, or classroom spaces?

No. Films, regardless of format, rented or purchased from stores or on-line services are intended for "home use only." This means that neither the rental nor the purchase of films carries with it the right to show the film outside the home, with the exception being for "face-to-face teaching" described in #4 below. Therefore, copyright permission needs to be obtained from the copyright owner prior to publicly exhibiting the film.

3. Can I show films from my recorded personal collection in campus meeting rooms, lounges, or classroom spaces?

No. See Answer to Question 2.

4. Can we show the entire film if it serves an educational/academic purpose?

Regardless of whether the film serves an educational/academic purpose, you generally need permission or a license to publicly viewing a film in its entirety.

Permission or a license may not be necessary if your professor shows a movie in the course of his/her “face-to-face teaching” activities, in a classroom or similar place devoted to instruction, provided that (i) the professor is present during the film; (ii) the film is used in the context of a discrete class session; and (iii) the copy of the film being shown is a lawful copy. [See 17 U.S.C. § 110\(1\)](#). This “face-to-teaching” exception encompasses instructional activities relating to a wide variety of subjects, but it does not include performances for recreation or entertainment purposes, even if there is cultural value or academic appeal.

5. Can I use short clips of films for events?

Under certain conditions, the use of short clips of a film may be permissible under the fair use provisions of the copyright law. Some of the considerations in applying fair use include the length of the excerpt; the purpose of the use (i.e. educational vs. commercial or for profit); the nature of the copyrighted work and the potential impact the use may have upon the potential market for or present value of the work. In general, the short clips of film used for the purposes of educational discussion should be brief and should not constitute more than a small portion of the film from which they are extracted. Any use of short clips of films must be vetted through University Event Scheduling by filing out a questionnaire.

6. Can we show films if we hold a discussion afterwards?

Not unless the event meets the fair use criteria outlined in Question 5 or is part of the “face to face teaching” exception outlined in Question 4.

7. What if the discussion is led by a faculty member?

Not unless the event meets the fair use criteria outlined in Question 5 or is part of the “face to face teaching” exception outlined in Question 4.

8. Can I show any film from the AU Library in a public showing?

Generally, the answer is no. The library’s feature film collections are not purchased for public viewing. However, the library does purchase public performance rights for some documentaries. Contact the Media Librarian @x3257 for questions about rights to any films in the collection.

9. How do I obtain a license to show films publicly?

A license to show films publicly may be obtained from a variety of sources. The copyright owner of a film is generally listed in the credits of the film.

- The film's website may contain the basic information needed for this purpose.
- Most film production companies authorize this through specific, affiliated distribution companies. Student Activities, Mary Graydon 271, x3390, can assist AU students, faculty, and staff in locating the companies with distribution rights.
- Special arrangements for licensing are sometimes made by film companies for film showings by religious organizations, within certain conditions.

10. How much does it cost to obtain a license to publicly view a film?

The cost for a license from distribution companies for public exhibiting varies depending on:

- the age and release history of the film.
- the film's popularity at the time or in the rental market.
- the requested format.

Typically, a recent release of a commercial film which is no longer showing in area theatres can cost anywhere from \$500 to over \$1,000 per day for the license. Older films generally cost substantially less, but their status as 'cult' favorites may keep the license price high.

11. Are there alternatives to obtaining a license?

A letter of permission from the copyright owner may be substituted for proof of a license.