

# Showing Movies and Films on Campus

This policy is intended for individuals or organizations wishing to show ANY film or movie publically (outside the home/residence hall room and to more than just family and friends).

The Federal Copyright Act (Title 17 of the United States Code) governs how copyrighted material may be used. A public performance license must be issued when showing a film/movie on campus. You will need to be able to provide proof that you have obtained the "rights" or rather, permission to show the material. Other venues where this policy applies include taverns, restaurants, private clubs, prisons, lodges, factories, summer camps, public libraries, daycare facilities, parks and recreation departments, and churches.

## **When do we need permission to show a movie/film?**

- **Any time you show a movie/film in ANY public university space**
  - This includes any classroom, residence hall or fraternity/sorority lounges or other common areas at the University. These spaces are considered "public" and showing a movie/film in these areas is equivalent to showing them in a theater.
- **If you use publicity to invite your audience to the showing**
  - This includes, but is not limited to mass emails, letters, flyers, and web postings, even if you do not use the name of the film.
  - Because movie rentals are intended for private use, renting them doesn't provide you with the permission you need to have a public showing in which an audience is invited.
- **If you charge admission for the showing or an event in conjunction with the showing.**
  - An example is charging for a lecture that will accompany the film – this is true even if you show the film at an off campus venue.
- **Even if it is for educational purposes, you'll still need permission**
  - There is a possibility that the distributor has special permission for films shown for educational purposes. In the event that you will need to protect yourself and/or your event under the law, you will need to obtain **WRITTEN** confirmation of the permission to use the film/movie, prior to the screening.
  - Please obtain, on Willamette University letterhead, a letter from your professor/department or faculty advisor stating that the film usage is for educational purposes only and that a discussion about the film will follow. You should obtain this before contacting the distributor.

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## **When do we NOT need permission to show a movie/film?**

- You do not necessarily need permission if you are showing brief parts of a film/movie.
  - There are no set rules for what constitutes “brief” in this context. In general, the rule is that snippets are acceptable
    - when the event is free
    - when the snippet does not reveal key plot items to the film
    - when the length of the showing is not substantial
    - when it doesn’t affect the likelihood of a participant seeing the entire film.
- There is a chance that your department may already have permission to show the film/movie.
  - If you are showing the film/movie in conjunction with an academic department (especially film studies) they may have permission already. If permission has been granted, they should be able to show you written proof.

## **How do I get permission?**

Most mainstream films (for non-commercial use) come from one of two main distributors. If you have trouble locating the distributor for a particular film, ask someone in the Office of Student Activities for assistance.

- Call SWANK Motion Pictures, Inc. at 1-800-876-5577. They have a list of the films they distribute on their web page [www.swank.com](http://www.swank.com) and they add new films daily.
  - Please note that the Willamette Events Board maintains a contract with Swank and can assist you in obtaining the rights, ordering the film or perhaps a co-sponsorship for a film/movie event.
- Call Criterion, the other main distributor. They can be found at [www.criterionpic.com](http://www.criterionpic.com) or by phone at 1-800-890-9494
- You can conduct your own web search to figure out the distributor. The Internet Movie Database is a great starting point. It can be found at [www.imdb.com](http://www.imdb.com)
- As a last resort, if you can’t figure out who is the distributor for a particular film, you can contact the Reference Library of the Motion Picture Academy at 310-247-3020.

## **What information will a film distributor ask me to provide?**

- Your name
- Name of the organization with whom you are working and your university
- How you intend to use the film/movie
  - Will you advertise all over campus or just to a small group?
  - Will you charge admission?
  - In what kind of venue will you show the film?
- How will your organization pay for the rights to show the film if there is a charge?
- What is the contact information for your organization?
- Whether or not you need them to send you a copy of the film.

## **How much does it cost to obtain the rights to show a film/movie?**

- The fee, if applicable, will be determined based on the parameters of your event and the accessibility and the age of the film. Have all of the information about your event determined BEFORE calling the distributor.

## **What “proof” would the university need to see to verify that I have obtained the rights?**

- After you speak with the distributor, you will receive a written record of your permission to show the film (a confirmation). If you are being charged, an invoice will follow the confirmation – after you show the film. This will either be sent via mail or email and needs to have your permission date, the contact information of your representative from the distribution company, and the format you requested the film in (DVD/reel/VHS). The company needs to provide you with a letter or email (on letterhead and with contact info) verifying that you have legally obtained the rights to show the film if they are unable to provide you with a confirmation.

## **The FBI warning on videos:**

You might not have actually read the FBI warning at the beginning of a video. It states, “Federal law provides severe civil and criminal penalties for unauthorized reproduction, distribution or exhibition of copyrighted motion pictures.” This text appears on films/movies released for home use and is based on copyright law. In essence, the FBI warning is saying that you can’t show the video outside of your home. Nearly all of the movies you borrow from the library, rent or buy are intended for home use and cannot be shown in a public setting.

## **Penalties for Copyright Infringement:**

“Willful infringement for commercial or financial gain is a federal crime and punishable as a misdemeanor, carrying a maximum sentence of up to one year in jail and/or a \$100,000 fine. Even inadvertent infringers are subject to substantial civil damages ranging from \$500 to \$20,000 for each illegal showing.

*\* Copyright infringement is a serious offense under the law and is the equivalent of stealing from a film distributor. While it is important to abide by the law, it is also important that your organization represent itself well by doing the right thing – getting permission to show the film. The university depends on you and your organization to behave in a manner consistent with university policies, state, local and federal law. Should you or your organization be caught breaking copyright law, the university would not provide any kind of protection from your group’s liability under the law.*

*\* Please note: even though this sounds complicated, it is not difficult to obtain the rights to show a film/movie on campus. It will take less time and money to do it properly than defending yourself/your organization in court if you are caught. Intellectual copyright infringement is being prosecuted more and more on college campuses and is not worth the risk.*

This is one of many handouts available to you. Feel free to meet with any Student Activities staff member for more details about this topic or any others related to leadership or your student organization. The Office of Student Activities is located in the University Center, on the 2<sup>nd</sup> floor, or by telephone at (503) 370-6463. We also have open advising hours every Wednesday from 3 p.m. to 6 p.m. Visit our website at [www.willamette.edu/dept/osa](http://www.willamette.edu/dept/osa) or email us at [wustudentinvolvement@gmail.com](mailto:wustudentinvolvement@gmail.com). This document was adapted from the Dobbs University Center policy at Emory University and Student Life at the University of Washington-Tacoma.

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