

## Are there any rules or regulations for showing movies on campus?

There are certain regulations that have to be followed to show movies on the Tech Campus.

1. Class Viewing - If all of the following are true, then the movie does not have to be in the public domain and/or viewing rights do not have to be purchased:
  - a. the movie is shown during class (or at another time scheduled by the professor which is listed on the syllabus);
  - b. the viewing is restricted to only registered students in that class;
  - c. the movie serves educational purposes;
  - d. there is no charge for admission; and
  - e. the viewing is not advertised in any venue, such as the TechAnnounce.
2. Viewings not related to a class:
  - a. Movies that are shown outside of a class must be in the "public domain" for viewing.
    - i. In order to show these movies they must be restricted to only a certain group and not open to the public.
    - ii. The movie must also serve an educational purpose.
  - b. If the film is open campus wide there has to be some sort of viewing rights purchased if you are showing a movie that is not in the public domain.
  - c. If you want to be able to show these movies to all of campus try to reserve a room in the Student Union Building as they have purchased the rights to several movies and that is how they are able to show them.

### Shows in the Public Domain

- **The Three Stooges** have at least four shorts in the Public Domain: *Disorder in the Court*, *Malice in the Palace*, *The Brideless Groom*, and *Sing a Song of Six Pants*.
  - Some Laurel & Hardy, Popeye, Bugs Bunny, Our Gang, The Bowery Boys / East Side Kids, and many Buster Keaton shorts too.
  - **ALL** works (movies, songs, books, plays, etc.) created before 1925 are in the Public Domain. Many, but not all, works created prior to 1965 are also in the Public Domain.
  - For options of movies in the Public Domain: [www.openflix.com](http://www.openflix.com)
3. The following is an excerpt from the United States Copyright Office website ([www.copyright.gov](http://www.copyright.gov))

### Can a school show a movie without obtaining permission from the copyright owner?

If the movie is for entertainment purposes, you need to get a clearance or license for its performance.

It is not necessary to obtain permission if you show the movie in the course of "face-to-face teaching activities" in a nonprofit educational institution, in a classroom or similar place devoted to instruction, if the copy of the movie being performed is a lawful copy. [17 U.S.C. § 110\(1\)](#). This exemption 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 intellectual appeal.

Questions regarding this provision of the copyright law should be made to the legal counsel of the school or school system.

#### 4. Additional information regarding copyrights:

What is a “copyright”?

- Copyright law secures for the creator of a creative effort the exclusive right to control who can make copies, or make works derived from the original work.

What cannot be copyrighted?

- Works put out by the US Government – Including things like Hubble photos, films, reports, judicial and congressional works.
- Works in the “Public Domain” – Which includes ALL works created before 1925 (many, but not all, works created prior to 1965 are also in the “public domain”).

Common Misconceptions:

- “If I don’t charge admission, it’s not a copyright violation.” – **FALSE**
- “If it’s posted on the Internet it’s in the public domain.” – **FALSE**
  - Copyrighted files, music, movies, books, and other works do not lose their copyright just because someone has placed them on the internet. Even if the artist places the work on the internet, the copyright is still in force.
- “Schools always fall under the ‘Fair Use Exemption.’” – **FALSE**
  - The “fair use” exemption to (U.S.) copyright law was created to allow things such as commentary, parody, news reporting, research and **education about copyrighted works** without the permission of the author.
  - “Fair use” only insures that copyright law does not block a teacher’s freedom to comment and express his/her own arguments and ideas – not the right to publicly display other people’s works.
  - “Fair use” is usually a **short excerpt** and almost always attributed.
  - It should not harm the commercial value of the work, in a sense of people no longer needing to buy the CD or rent the movie.
- “Copyright infringement isn’t a crime.” – **FALSE**
  - While copyright law is mostly civil law pursued by the private owners, there are now **felony criminal statutes** which apply when pirated works are worth over \$2,500.
  - Under Congress’s new law, a commercial copyright violation involving more than **10 copies** and valued over **\$2,500** is a **federal offense felony**.
  - This applies to songs downloaded from P2P networks like Napster and Kaazaa, as well as movies and other works downloaded or copied.
  - The Justice Department, the FBI and the Customs Departments are “fully committed to this law!”
- “I own the movie, CD, DVD, program, etc., so I can use it.” – **FALSE**
  - To own a copy of a work (even when you paid for the copy) is not to own the work itself!
  - Even though you may have bought a DVD or CD, you cannot play it at public events.
  - This also applies to movies and DVD’s which you rent at Blockbuster or other rental outlets.
  - A copy does not equal a license.