Knowledge Center Video Screening Policies

United States copyright law limits public display of videos in Knowledge Center facilities to two scenarios -- Fair Use and Public Performance Rights.

Fair Use:

The "fair use" scenario entails use of videos for classroom instruction. Section 110(1) of the copyright code provides that videos may be shown for educational purposes assuming the following six conditions are met:

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

In this scenario no special rights are required (other than that it be a legal copy). The video can be a part of the Multimedia Center collection, an instructor's personal copy, or even a rental from a local video store.

Public Performance Rights:

The second scenario is associated with public display of videos for which performance rights have been procured. Many videos in the Multimedia Center have public performance rights which allow the public display of videos in Knowledge Center facilities as long as no admission is charged. Also, university faculty, staff, and organizations may publicly display videos for which they have purchased public performance rights.

A public performance is generally defined as “a non-theatrical performance of a program, without charge, outside the home to a gathering of people other than family members and/or acquaintances. These gatherings are normally found in locations such as schools, libraries, and religious and civic institutions. Public performance rights also include closed-circuit transmission within a single building or on a single, geographically unified campus.”

How can instructors obtain a license to show home-use DVDs/ VHS tapes for public performance?

The Knowledge Center will not allow public performances of videos in its facilities without written verification that public performance rights have been procured. Some suggestions for procuring rights follow.

Contact the copyright holder directly, or the distributor if the distributor has the authority from the copyright owner to grant licenses, to purchase public performance rights or to request permission for a particular public performance use.

In the case of feature films, contact the licensing service representing the studio or title. Services vary in the types of licensing offered and the scope of materials represented.
Some of these services are:

Criterion Pictures USA, Inc.
8238-40 Lehigh
Morton Grove, IL 60053-2615
1-800-890-9494 or 1-847-470-8164
Fax: 1-847-470-8194
Email: greatmovies@media2.criterionpic.com
http://www.criterionpicusa.com

Kino International Corp.
333 W. 39th Street, Ste. 503
New York, N.Y. 10018
1-800-562-3330 or 1-212-629-6880
Fax: 1-212-714-0871
Email: contact@kino.com or filmrentals@kino.com
http://www.kino.com

Milestone Film & Video
P.O. Box 128
Harrington Park, NJ 07640-0128
1-800-603-1104 or 1-201-767-3117
Fax: 1-201-767-3035
Email: info@milestonefilms.com
http://www.milestonefilms.com

Motion Picture Licensing Corporation (MPLC)
5455 Centinela Avenue
Los Angeles, CA 90066-6970
1-800-462-8855 or 1-310-822-8855
Fax 1-310-822-4440
Email: info@mple.com
http://www.mple.com

Movie Licensing USA
A division of Swank Motion Pictures, Inc.
201 South Jefferson Avenue
St. Louis, MO 63103-2579
Schools: 1-877-321-1300
Libraries: 1-888-267-2658
Other organizations: 1-800-876-5577
Fax: 1-314-287-1748 (schools), 1-877-876-9873 (libraries)
Email: mail@movlic.com or mail@swank.com
http://www.movlic.com
http://www.swank.com

New Yorker Films
16 West 61st Street
New York, NY 10023
1-877-247-6200 or 1-212-247-6110
Fax: 1-212-307-7855
Email: info@newyorkerfilms.com
http://www.newyorkerfilms.com
Some questions to ask when contacting a licensing service:

When licensing a program, it is necessary to understand how the licensing agency operates and what the specific conditions and limitations of the license agreement are. Some of the questions to ask might include:

- Which motion picture studios and distributors are represented by the licensing company?
- Which home video producers and distributors are represented by the licensing company?
- Are all of the titles from the studio, producer, or distributor represented by the licensing company?
- What titles, specifically, are excluded from representation?
- Is the particular title wanted for public performance available for licensing?
- Does the licensing company offer blanket or umbrella licenses, or does it offer licenses only for specific showings of specific titles, or does it offer both types of licensing?
- What exactly does the license allow?
- What does the license not allow?
- Does the blanket or umbrella license extend to uses outside of the building?
- Does the license restrict advertising of showings? What types of announcements and advertisements are allowed and not allowed?
- If a license is wanted for a specific public performance, may one’s own copy of the video be used, or must a copy supplied by the licensing company be used?
- Does the licensing company license film or video (be specific about format) or both?
- How are licenses priced?
- What is the price for the specific situation or need?