Copyright Compliance and Public Performances

The Federal Copyright Act specifies that copyrighted materials like movies can be used in your schools if properly licensed. It's important to know that neither the rental nor purchase of a movie carries the right to exhibit it outside of someone's home. However, Movie Licensing USA can properly license movies for copyright compliant showings in your school.

What exactly is a public performance?

A public performance is an exhibition of a movie that is shown outside of someone's home.

Why should I obey copyright law?

Violating copyright law through unauthorized use of a movie:

- Prevents those who worked hard on a film from receiving their just compensation.
- Essentially steals motivation to create from authors, computer programmers, playwrights, musicians, inventors, movie producers and more.

A public performance license ensures money will be paid to the entire cast and crew who worked on a film from start to finish. If these men and women do not receive this hard-earned revenue through sources like licensing fees, they may no longer invest their time, research and development costs to create new movies.

Who does copyright law apply to?

This law applies to all U.S. schools, regardless of:

- Whether admission is charged.
- Whether the institution is commercial or nonprofit.

- Whether a federal, state or local agency is involved.
- What year the movie was produced.

This means public schools, colleges, universities, public libraries, day care facilities, parks, recreation departments, summer camps, churches, private clubs, prisons, lodges, businesses and more all must properly license movies to show them publicly.

Do I need a license to show a movie for educational purposes? This activity is covered under the “Face-to-Face Teaching Exemption,” right?

It depends. Under the "Face-to-Face Teaching Exemption," copyrighted movies may be shown in a K-12 school setting without copyright permission only if all criteria are met:

- A teacher or instructor is present, engaged in face-to-face teaching activities.
- The institution must be an accredited, nonprofit educational institution.
- The showing takes place in a classroom setting with only enrolled students in attendance.
- The movie is used as an essential part of the core, required curriculum being taught. (The instructor should be able to show how the use of the motion picture contributes to the overall required course study and syllabus.)
- The movie being used is a legitimate copy, not recorded from a legitimate copy or recorded from TV.

This means the "Face-to-Face Teaching Exemption" does not apply outside the nonprofit, in-person, classroom teaching environment. It doesn't apply to movies shown online – even if they’re part of course-related activities and websites. It also doesn't apply to interactions that are not in-person - even simultaneous distance learning interactions. It doesn't apply at for-profit educational institutions.

For specific requirements, please reference The Copyright Act of 1976, Public Law No. 94-553, 90 stat 2541: Title 17; Section 110(i), or consult your copyright attorney.

Who can provide me with the proper licensing?

Only Movie Licensing USA can provide the necessary licensing to show films at your school on behalf of the studios we represent.

Do we need a license even if we don't charge admission?

A license is required for all public performances regardless of whether admission is charged.

What if someone owns the movie?

The rental, purchase, lending or download of a movie does not provide the right to exhibit it publicly outside the home unless the screening is properly licensed.

If I borrow movies from a public library can I use them legally for entertainment in a school?

The school itself must be licensed to legally show these movies. A public library cannot pass on copyright compliance to anyone, and only Movie Licensing USA or the studio that produced the movie can grant copyright compliance.

Who's responsible if a film is shown without a license?

The administration of the school where the movie is shown bears the ultimate responsibility and consequences of copyright infringement.

If I purchased a Single Event Public Performance License to show a movie, can I show that movie whenever I want?

Unfortunately, no. These licenses cover showing a specific title during a designated time frame.

A small group is having an informal gathering in our facility. Do we still need a license?

A license needs to be obtained regardless of the number of people attending the screening if the movie is being shown outside the home.

Where can I find more information on copyright laws?

For more information on copyright laws, feel free to read these sources:

- Copyright Law of the United States of America

  Limitations on exclusive rights: Exemption of certain performances and displays.
- Motion Picture Association (MPA)