

## Public Performance Rights for Films

Public Performance Rights are needed for protection against copyright infringement for non-educational, public viewings of films.

According to the U.S. Copyright Office:

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.

The Public Performance Rights are normally valid for only ONE viewing of the film; they do not provide perpetual viewing rights.

Factors evident in determining whether performance rights are necessary include: capacity, whether performance is open to the public or not, advertising, admission charges, college campus location. For assistance in determining whether you need Public Performance Rights, see:

[http://library.williams.edu/guides/videos\\_copyright.php](http://library.williams.edu/guides/videos_copyright.php)

Distributors providing performance rights are:

Criterion Pictures, USA - <http://www.criterionpic.com> (1-800-890-9494)

Kino International - <http://www.kino.com> (1-800-562-3330)

The Motion Picture Licensing Corporation - <http://www.mplc.com>

Movie Licensing USA - <http://www.movlic.com>

New Yorker Films - <http://www.newyorkerfilms.com> (1-800-247-6200)

Swank Pictures <http://www.swank.com> (1-800-876-5577)

Film event sponsors must pay for all costs associated with their films shown in the Cline Library Assembly Hall prior to the date of showing the film. Sponsors must also assume all the responsibility for acquiring these rights and the film(s).

In general, public performance rights are not obtained when physical media items are purchased by Cline Library.

Many educational film titles produced by vendors such as PBS, Films for the Humanities, and Bullfrog Films do include public performance rights when purchased direct.

If faculty or others wish to show a Cline Library film in a public performance instance as defined above, then additional rights should be obtained by that event sponsor.

For further information about Public Performances at Cline Library, contact Ms. Julie Swann, Coordinator of Content Access and Delivery at [Julie.Swann@nau.edu](mailto:Julie.Swann@nau.edu) or 928-523-4939.