



## **PUBLIC PERFORMANCE RIGHTS**

### ***Frequently Asked Questions***

#### **What are Public Performance Rights?**

**Public Performance Rights** are the legal rights held by film distributors or producers over the showing of a film outside of one's home. The rights-holder can grant others the **temporary** right to show the film by selling them or granting them a **Public Performance License**.

#### **When do I need to obtain a Public Performance License?**

Anytime a film is shown outside a person's personal home, the screening is considered "public". It does not matter if admission is or is not charged or if the entity screening the film is a non-profit organization, school, or library.

#### **I bought a BlueRay or a DVD. Does it include Public Performance Rights?**

**No.** BlueRay and DVDs are for personal use only. In general, they do not grant Public Performance Rights.

#### **I bought a VHS tape or a DVD from a film distributor for my school or library. Does it include Public Performance Rights?**

Most tapes are sold **WITHOUT** Public Performance Rights, but some tapes or DVDs are sold with limited Public Performance Rights. They may enable you to play the tape or DVD for its lifetime in public screenings on FSU's campus. However, you may **NOT** copy the tape or DVD or lend it to other institutions or organizations or charge admission for the screenings you hold with that tape or DVD. These rules may vary, so check carefully with each film's distributor when purchasing a DVD or BlueRay of this kind to make sure you understand all applicable rules.

#### **What about the "Teaching Exemption"?**

The **Copyright Act** allows films to be screened in face-to-face teaching situations, defined by specific criteria. To be eligible for the teaching exemption, the screening is limited to students who are enrolled in a class in which the film is a part of systematic mediated instructional activities, the instructor is present, and the screening is an integral part of the classroom session. Playing films for a department, for honors students, or as a "film series" or lecture series does **NOT** qualify for the teaching exemption, but requires a Public Performance License.

#### **How can I obtain a Public Performance License for my screening?**

You must contact the film's distributor and negotiate the terms and fees for the film screening. There are many distributors, but you can check out the distributor links on <http://movies.fsu.edu> for some of the larger non-theatrical film distributors. Most distributor websites have an online catalogue where you can search for the film you want to show. You can also check out <http://www.imdb.com>, search for your film, and then select the "Company Credits" link on the left side of the page to determine which movie studio created the film. If you have any questions, please contact Kathy Barber at FSU's Student Life Cinema, 644-4504.