

It's PTA showtime

Movie copyrights and licensing



Many PTAs hold movie nights at their schools, not knowing that use of copyrighted materials outside of the privacy of a home setting has been a copyright law violation since 1970. Movie studios have had a royalty compliance procedure in place for many years. Most major studios have made copyright compliance less expensive and simpler by appointing a licensing agent to help with copyright enforcement.

The Motion Picture Association of America (MPAA) is dedicated to preventing film and video piracy in all its forms, including illegal downloading, and unauthorized public performances. The MPAA and its member companies can go to court to ensure copyrights are not violated, and fines can be imposed upon violators.

Unless the school itself has a license from an agency, the PTA cannot borrow movies from a public library, bring movies from home, or rent movies from a video store to show at school. Ownership of a movie and the right to use it publicly are two separate issues. The copyright holder retains exclusive public performance rights. Video stores cannot provide legal permission for showing movies outside the home. Also, public libraries cannot pass on copyright compliance to anyone. Only the licensing agency or the movie studios themselves can do so.

A school may show copyrighted movies under the “Educational Exemption” only if all criteria are met:

- A teacher or instructor is present.
- The showing takes place in a classroom setting with only the enrolled students attending.
- The movie is used as an essential part of the core, curriculum being taught.

- The movie being used is a legitimate copy, not taped from a legitimate copy or taped from television or other media sources.

A Public Performance Site License is sometimes referred to as a “blanket license” and it gives the school the right to show copyrighted movies legally. Once licensed, the school and the PTA can exhibit any movies copyrighted by the studios represented by the licensing agency, as long as the movies are secured from a legal source such as a personal collection, library or video rental store.

There are limitations to the Public Performance Site License. No admission fees can be charged, except to cover costs. The license is for K-12 schools only. Outdoor showings are not allowed.

The PTA can make additional funds beyond the cost of the license by charging for concessions, hosting a dinner with the movie and charging for the dinner, or holding a silent auction or bake sale during the evening. The cost of the license may be shared by many groups at the school site, including the before and after school care, the PTA, booster clubs, student council, or any community group that uses the building.

When advertising the movie by public media (PTA or other website, public radio or TV), the movie title and studio name should not be used. The PTA can say, “Join us at Sunshine Elementary for a Family Movie Night at 7:00 p.m.,” for example. The licensing agency may provide promotional material from its website, such as customized movie tickets, which can be handed out directly to students, staff and parents.

The mention of any business or service in *The Communicator*, or other PTA publications, does not imply an endorsement by the California State PTA. PTAs should research available licensing agencies and read agreement details carefully.

The major studios represented by *Movie Licensing USA* represents major studios including Paramount, Warner Brothers, Walt Disney Pictures, Metro Golden Mayer, Miramax, Dreamworks, NBC Universal, United Artists and more.

A **Public Performance Site License** can be obtained from *Movie Licensing USA* at www.movlic.com or by calling toll-free 1-877-321-1300. The license fee is based on the school size. For example, a school with 350 students would pay a yearly fee of about \$350.

A **One-Time Performance Site License** is a limited license to show only the agreed upon movie title and show date in the school. The fee for the One-Time License is \$75 and it is also available from *Movie Licensing USA* at the number and website listed above.

