



I want to have a movie night showing Star Wars on the BC Campus – do I need public performance rights?

I want to invite the public for a viewing of a film I found online in the public domain – do I need public performance rights?

Our club wants to have a fundraiser and show a movie – do I need public performance rights?

Only one of the questions above can be answered with a NO!! If a film/movie is in the public domain, you can use it anywhere on campus – without public performance rights.

Copyright law is strict. We often think that whenever we buy, rent or borrow a DVD or any other audiovisual work made by someone else – we can use it as we see fit. Unfortunately, copyright law controls our ability to use and display the work because we have only obtained a copy of the work and not the underlying copyright rights to the work itself. Legally, any showing of this work is regarded as a “performance”.

If the work is being shown in “private” – such as to your family or a small group of friends in your home – this is a “private” performance. This is permissible by copyright law and does not violate the rights of the copyright holder.

A performance that is “public” is if the work is being show to people other than family/friends or shown in a place that is open to more people is a public performance. This may infringe on the copyright owner’s rights unless you’ve purchased public performance rights (PPR) from the copyright owner or obtained their permission to show the film in this setting. That permission cannot be verbal. Public Performance Rights Permission must be in writing and signed by the copyright holder. Public Performance Rights must be submitted when you request a room/facility as part of your Facilities Reservation.

Any use, such as showing a film at a conference or campus-wide event will necessitate obtaining public performance rights from the distributor or the copyright holder.

**But I show this film as part of my class – why can't I show it to raise money for the department club??**

A movie shown by an instructor in his/her course of face-to-face teaching activities in a classroom or a similar location devoted to instruction is permissible. The showing must be to a designated class for instructional purposes (not for recreation, entertainment or cultural value) with the instructor present. A legal copy purchased or rented from a store or distributor may be used. A movie or program taped or recorded from television or copied without permission may **not** be used.

Fair Use of the material work is for instructional classroom use – not for entertainment. The clips used in a multimedia presentation may be 10% or three minutes, whichever is less, copyright and attribution provided.

If a movie is in the “public domain” this means that no person or organization has any proprietary interest such as a copyright or that any copyright to the movie has expired. Even older movies or works are protected by copyright. Online resources can help you make that determination.

**Basically:** Don't show it outside of the classroom unless you have written permission to do so! Copyright law does not permit a public performance of a film/movie/audiovisual work unless it's being used in face-to-face classroom instruction, in the public domain, or public performance rights have been obtained. There are no general “educational”, “nonprofit”, or “free of charge” exceptions. No admission fee may be charged nor publicized unless the public performance rights have been obtained.

If you have any questions about Public Performance Rights on the BC campus, please feel free to contact Media Services!