

Event Services

221 Squires Student Center (0138)
540.231.5005
eventservices@vt.edu



STUDENT AFFAIRS
STUDENT ENGAGEMENT
AND CAMPUS LIFE
VIRGINIA TECH.

Copyright Information & Movies/Film Guidelines

Copyright

Copyright protects "original works of authorship" that are fixed in a tangible form of expression. The fixation need not be directly perceptible so long as it may be communicated with the aid of a machine or device. Copyrightable works include the following categories:

- literary works
- musical works, including any accompanying words
- dramatic works, including any accompanying music
- pantomimes and choreographic works
- pictorial, graphic, and sculptural works
- motion pictures and other audiovisual works
- sound recordings
- architectural works

(These categories should be viewed broadly. For example, computer programs and most "compilations" may be registered as "literary works"; maps and architectural plans may be registered as "pictorial, graphic, and sculptural works.")

Movies for Public Performance

- Any organization planning to show video movies as entertainment, whether to its members or to the "general public," should make sure that the appropriate royalty fees are being paid. Outright purchase or the rental of a pre-recorded work does not grant the tape owner the right to a public performance of that work. Permission must be obtained - and usually a royalty fee paid - to the holder of the copyright.
- The current U.S. Copyright Act classifies viewing of movies (videotapes, DVDs, 16 mm) into two categories (in addition to classroom use):
- Private home showings for members of a family and a limited number of guests
- Public performances at which anyone may attend or at which the audience is not a family. Public performances have been defined to include "semi-public" places such as clubs, lodges, factories, summer camps, fraternities, residence hall lounges, and schools. The above categorization holds whether or not admission is charged.
- Most other uses of video media material outside the home by groups of unrelated people are defined as "public performances." For example, if a work was shown in a Virginia Tech venue, outside of a regularly scheduled class time, and/or advertised to the campus or larger civic community as a whole, a "public-performance license" for the showing must be obtained. It is the sole right of the copyright owner of a work to authorize a public performance.
- For each of the categories above there is a different copyright royalty fee structure and contract which the renting agency signs. The rental or purchase of movies from stores (Ex. Redbox, Netflix, etc.) "For Home Use Only" are not permitted for public performance, unless a Public Performance Video Tape License (PPTVL) has been secured.
- Audio-Visual works such as films and videotapes are protected under the Copyright Revision Act of 1976. Although all rights of reproduction, adaptation, distribution, public performance and display are covered, the doctrine of "fair use" does apply to these works. Since ownership of a physical object is different from ownership of the copyright of the work itself, libraries, which purchase a range of educational and entertainment videotapes for in-house use and for lending should follow certain guidelines in order to comply with the copyright law.

Movies for In-Classroom Use

In-classroom performance of copyrighted videotape is permissible under the following conditions:

- The performance is by instructors (including guest lecturers) or by pupils.
- The class is part of the regular curriculum.
- The performance is in connection with face-to-face teaching activities.
- The entire audience is involved in the teaching activity.
- The entire audience is in the same room or same general area.
- The teaching activities are conducted by a non-profit educational institution.
- The performance takes place in a classroom or similar place devoted to instruction, such as a school library, gym, auditorium or workshop.
- The videotape is lawfully made; the person responsible had no reason to believe that the videotape was unlawfully made.

Imported Copyrightable Material

Organizations wishing to present copyrightable material imported from foreign countries must provide documentation in one of the following manners:

- The work is registered as copyrighted in the United States of America and a PPVTL has been obtained for its exhibition.
- The work does not have copyright registration in the United States of America, but is registered or published in a member country of the Berne Union for the Protection of Literary and Artistic Property (Berne Convention), the Universal Copyright Convention (all works that fall under the UCC are denoted with the "©" symbol next to the date originally published), and/or all other applicable copyright treaties,

and is therefore protected by the United States Copyright Laws, the sponsoring organization shall obtain and present documentation to the Event Services that appropriate presentation rights have been obtained at least 3 business days prior to the event.

- The work is not eligible for protection under any copyright laws, agreements, or treaties recognized by the United States of America, and is therefore able to be displayed, performed, or exhibited without obtaining any permissions or permits.
- Works protected under copyright laws, agreements or treaties of the United States of America shall NOT be performed, or exhibited if obtained from a country, locality, state, or territory that does not recognize international copyright laws as applicable to that specific work.

Public Performance of Music

Under the U.S. Copyright Law, permission from the copyright owner to perform copyrighted music publicly is REQUIRED.

- Student Engagement and Campus Life maintains an ASCAP license on behalf of Virginia Tech to provide programming assistance and copyright adherence to organizations associated with the university. All organizations MUST have original works, not copies, of the music they wish to play or perform. ASCAP's licensees encompass all who want to perform copyrighted music publicly. ASCAP licenses the right to perform songs and musical works created and owned by songwriters, composers, lyricists and music publishers who are ASCAP members and members of foreign performing rights organizations who are represented by ASCAP in the United States.

University Movie & Films Policies

- All officially registered student organizations or University departments shall have the opportunity to present films of any nature at Virginia Tech. This policy is subject to any applicable federal and state laws (for example: federal copyright laws and state obscenity laws). Films shall NOT be subject to review by any board or administrative body. The sponsor is responsible for any legal ramifications resulting from disobedience of federal and state laws.
- All advertising for the film must clearly indicate the sponsoring organization and the rating of the film. The sponsoring organization will be responsible for verifying identification at the door, if applicable. A Virginia Tech ID or a state driver's license will be sufficient for admission.
- If the film is R-rated, signage should be placed at the entrance doors.
- Sponsors wishing to show films for public viewing to the University and community (both free and with admission charged) must obtain a Public Performance Video Tape License (PPTVL) through the film company.

Student Engagement and Campus Life Movie & Films Policies

- Event sponsors wishing to use Student Engagement and Campus Life and/or its equipment to show any portion of a film or video will be required to show a PPTVL or proof of permission from the copyright owner to show the work publicly.
- Proof of copyright/approval is required to be in the Event Services at least 72 hours (6 days) prior to the event. Failure to show a PPTVL or proof of permission will result in the cancellation of the reservation. Any attempt to deceive the Event Services to avoid obtaining a PPTVL will result in immediate event cancellation and may jeopardize the sponsoring organization's ability to reserve space.
- Organizations wishing to sponsor films may reserve space in Squires Student Center, Johnston Student Center, or the Graduate Life Center in which the standard setup is theatre style. In most cases, to use Student Engagement and Campus Life equipment requires trained Production Services staff to be employed for technical setup to show the film.
- Requirements to hire Student Engagement and Campus Life staff to provide program support in no way relieves the sponsoring organization from its responsibility for damages to University property, nor does it eliminate or lessen the sponsor's responsibility to ensure a properly behaved audience.

Film companies who currently work with Virginia Tech and are familiar with copyright policies are:

- SWANK, <http://www.swank.com>
- CRITERION, <https://www.criterion.com>