

# Showing Films at UW-Whitewater

## Overview

UW-Whitewater student organizations are required to follow a number of rules regarding movie showings on campus and wherever the showing is related to organization activity.

### *Copyright Regulations*

The federal Copyright Act makes it unlawful to show a film in public without the explicit permission of the film's copyright owner. Renting or purchasing a cassette at a local video store or elsewhere gives the customer the right to view the film but not to show it in public. The Copyright Act defines "public" in this context as "any place where a substantial number of persons outside of a normal circle of a family and its social acquaintances is gathered."

Several major production and distribution companies-Columbia, MGM, Paramount, Orion, and others-have given notice that arrangements to show their films publicly on university campuses can be made by calling Swank Motion Pictures of St. Louis 800-876-5577 (Swank Motion Pictures, Inc.). All students who wish to show films under circumstances that are likely to be considered "public" are urged to call this organization to arrange for appropriate permission.

## Public Performance Rights

Commercial films and videotapes/DVDs have copyrights that restrict the manner in which they can be shown. Two specific restrictions raise issues for students wishing to show films on campus. The first is more commonly an issue with videotapes/DVDs but also applies to films. This is the issue of "home" versus "public" viewings. If you rent a film or a videotape/DVD, you always have permission to show it in your home. The Wisconsin System Legal (the University's lawyer) feels that UW-Whitewater residence hall rooms meet the requirement as homes. However, no other UW-Whitewater buildings qualify.

The second issue is the charging of an admission (or viewing) fee. This **always** requires an explicit public performance right. Thus if you wish to show a film or video tape/DVD outside your res hall room and/or charge money, you **must** have an acceptable public performance right. There are several ways to obtain these

rights:

- Renting the film from a distributor. (The cost of this solution varies with the popularity of the movie.) Career & Leadership Development keeps information on file for your use.
- Owning a copy of the movie that comes with public performance rights.
- Getting written public performance rights from the copyright holder. (A letter from the company, filmmaker, producer, or director of the film.)

University staff and/or equipment cannot be used to show the film unless you have obtained the appropriate performance rights. The University Center will require that you bring a copy of your rental agreement or other paper documentation to the event in order for the event to be shown.

When movies are shown as part of a course, different rules apply.

## **Guidelines for Showing Movies**

- Any student group or organization borrowing commercial films must follow all copyright regulations as outlined below.
- If admission is charged, any surplus revenue shall be used to further the educational goals of the sponsoring organization, as outlined in its constitution.
- The showing of commercial films by student organizations is done under the following regulations: (a) advertising must be restricted to the UW-Whitewater campus community; (b) the recognized student organization, or other appropriate committee will be responsible for the screening of films and for financial arrangements.
- Organizations showing films must conform to all applicable city and state fire regulations.
- If interested in purchasing rights to a movie through Swank Motion Pictures, staff in Career & Leadership Development can help recognized student organizations or campus departments to do so at a discounted rate.

Source: Career & Leadership Development

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