

Movie Licensing Fees & Hosting Movie Nights Downtown

Your downtown revitalization organization wants to hold a movie night. They are a fun community activity for your downtown district but make sure you know what you need to do to hold a successful event, INCLUDING going through the correct channels to obtain your movie and paying the movie licensing fee.

Why can't I just buy a copy of the movie and show it? We really don't want to pay an expensive fee.

That would be a violation of the United States Copyright Act, Title 17 of the United States Code. This states that "movies may be shown without a separate license in the home to "a normal circle of family and its social acquaintances" because such showings are not considered public. However, only the copyright holder has the right to "perform" a movie outside the sphere of family and friends. A "public performance" is a showing of a motion picture or other program outside of the home. License fees compensate the copyright owners and the men and women who work on the film's production. These royalties are the way publishers, authors and composers are paid for their work.

Doesn't owning the movie give me the right to do whatever I want with it?

This legal requirement is the same whether the movie or program has been purchased, rented, or borrowed; buying the movie does not grant one the right to perform it in public.

Does it matter if we aren't charging admission?

No-and it doesn't matter if you are a nonprofit organization. For-profit organizations, nonprofit agencies and municipal governments must secure a public performance license, regardless of whether an admission fee is charged.

How is anyone going to know if the movie has been legally obtained?

Do you really want to take that chance? Don't think that your community is so small that your movie night event will probably escape notice. That may have been true at one time; however, in this digital world, there are agencies dedicated to copyright enforcement such as the IPR Center, National Intellectual Property Rights Commission. They have and will go after organizations that violate the law. Cities, Chambers of Commerce, BID's and downtown revitalization organizations have all been caught. It has gotten progressively harder to ignore the law and just hope not to get caught.

What do we need to do?

It is really a very simple process. Two companies, Swank and Criterion handle nearly all of the movie titles available. You basically "rent" the film you wish to show and this includes the licensing fee. You can do it entirely online. They provide you with all the information about the licensing rules and regulations as well as technical requirements for showing the movie.

For more information

This is a general overview of the most common questions surrounding movie licensing requirements. It should not be construed as legal advice. To learn more, or to contact the movie licensing companies directly, visit their websites:

Swank Motion Pictures, Inc.,
www.swank.com

Criterion Pictures,
www.criterionpictureusa.com