

Movie Screenings & Performance Rights

Updated 2023

Student organizations planning to perform a play, musical, concert, show, or other public display have the responsibility of ensuring they have the proper rights to show the content in public. While the Department of Student Engagement is available to advise, it is up to the student organization to determine when obtaining the performing rights is necessary, and to do so as required by law.

When you buy, rent, or borrow a copy of a movie (or any other audiovisual work) made by someone else, you normally obtain only the copy, and not the underlying copyright rights to the movie. Without this, you do not have the right to show the movie to the public and require a separate "public performance" license from the copyright owner.

*Additional Information: Swank Motion Pictures is the major movie distributor and public performance licensing agent. Please email Chapman's Swank representative, Kiki Arechiga karechiga@swankmp.com, with studentorgs@chapman.edu copied on the email, to purchase movie/performance rights. **Please do not sign any agreement, such as the Exhibition Request Form, from Swank.***

How to determine if your event requires a license:

1. Is it a "public performance"?

The showing or production of a film/play/concert will be considered a "public performance" if either of the following is true:

- You will be showing the film/play/concert to people other than members of your family or a small group of your friends in your home or residence hall room.
- You will be showing the film/play/concert in a place that is open to people other than members of your family or a small group of your friends (for example, a classroom, an auditorium, or the Attallah Piazza), whether or not any such people attend.

2. Is there an applicable exception to the license requirement?

Even if your proposed showing will constitute a "public performance", you will not need to obtain a license if any of the following is true:

- A faculty member will be showing the film/play/concert in the course of "face-to-face teaching activities" that will take place in a classroom or similar place devoted to instruction and you have a legitimate copy of the movie.

- Your copy of the film/play/concert came with an express license authorizing the particular manner of showing.
- The content is in the "public domain".

Note, there is no general "educational", "nonprofit", or "free of charge" exception. Even a showing that is all three of those things will require a license if it constitutes a "public performance" and does not fall within one of the exceptions listed above. Thus, most showings outside of the class context will require licenses.