

HVERFORD COLLEGE

Professors may show a video in a classroom if it is for teaching purposes and not recreation or entertainment. In other cases, it is illegal to show a movie or video - even if you do not charge admission - in any public space. Public spaces include auditoriums, meeting rooms, dorm lounges, etc.

In order to legally show a tape or DVD, you must rent from a vendor that offers public performance rights. This can be expensive and cost hundreds of dollars. Audio Visual Services most often rents from [Swank Motion Pictures](#), Inc., 1-800-876-5577.

The Teaching Exception

Section 101 of the copyright law says that performances that take place in the face-to-face teaching activities of a nonprofit educational institution are not an infringement if:

- The performance must be performed by the instructor or pupil(s) (not by a performance artist);
- The instructor and pupil(s) must be in the same place (transmissions by television, etc., do not qualify here although they may qualify under 110(2) below);
- The activity must be a teaching activity and not recreation or entertainment;
- The activity must be put on by a nonprofit educational institution;
- The activity must take place in a classroom or other area used as a classroom for systematic instructional activity; and
- In the case of performance of a videotape or movie, the copy of the work performed must have been lawfully made. For example, one cannot show an archival copy of a videotape since it would not have been made in accordance with the provisions of the copyright law.

Copying Video Recordings

In order to copy any videotaped program which you are not the producer or author of, you must have received explicit written consent from the copyright holder for that program. This means we cannot make a copy of a rented or purchased video/DVD or a program you have taped from television. There are no exceptions.

We can duplicate personal tapes recorded by you, classroom tapes recorded with College AV equipment, programs for which you have express written permission from the copyright holder to duplicate, and tapes that fall under the guidelines of Section 108 of the copyright code that allows ""solely for the purpose of replacement of a copy or phonorecord that is damaged, deteriorating, lost or stolen, if the library or archives has, after a reasonable effort, determined that an unused replacement cannot be obtained at a fair price." This right of reproduction does not permit the making of backups.