

## **Copyright: Using Movies and Music in Training Comes with Legal Obligations... and Costs**

*By Brian McDermott, GrowthWorks Inc.*

Hollywood film clips, background music recordings from big-name stars, and handouts of articles from top-notch publications all add to the quality of a successful meeting or training session. But just in case you think all these elements come free because they're so readily available on videotape, CDs or the world wide web, here's the essence of copyright law as it pertains to meeting professionals:

*If someone else wrote it, filmed it, or recorded it, chances are extremely high you can't use it in your meeting without permission – and probably not without some fee.*

The good news, however, is that it has gotten simpler to acquire permission to use copyrighted materials. And the costs may be much less than you might first think.

### **Are You Using Copyrighted Materials Illegally?**

It's not exactly statistically sound research, but three out of three Minnesota Meeting Professional International Chapter members surveyed on this topic agree: There is some awareness about copyright law in the meeting profession, but perhaps not a strong widespread sense of urgency to comply or to seek out the licenses required for legal use.

**Juli Wagner**, manager of meetings and administration for the **Grain Elevator and Processing Society**, believes the awareness and "fear" of using videos without permission is probably stronger than it is for the casual use of recorded music. Her association pays the fees required for the use of recorded music at its events, which copyright law interprets as "public performance." She says she believes there are other organizations, however, that overlook that responsibility and aren't worried about it.

**Denise Woods**, director of marketing and development for **Make-A-Wish Foundation of Minnesota** and president of the MPI Minnesota, thinks many meeting pros may not be fully aware of the constraints of copyright law. "Some people may tend to think, 'We're in this little town in the Midwest, there are only a few people in our meetings... Who's going to know or care?'"

Who cares? ASCAP, BMI, SESAC, The Motion Picture Licensing Corp., The U.S. Copyright Office, and the Center for Copyright Clearance, and, if you're using comic strips to liven things up a bit, numerous publishing syndicates – all of which are set up to protect the rights of the creators to make a living from their original work.

How much do they care? Fines start at \$750 per infraction and can range upwards to \$100,000 if your unlawful use of copyrighted music is considered willful. And there also

can be criminal charges that carry additional fines and potential jail time. There are some exceptions and situations when copyrighted materials can be used without permission, but not many, and it doesn't seem any would apply in meetings or conventions handled by MPI members, at least not without the advice of legal counsel.

When it comes to abiding by copyright law, neither meeting size nor location provide any loopholes, according to **Laurie Hughes**, director of business affairs for **ASCAP**, one of three organizations that protects the rights of songwriters and publishers. "You need permission to use recorded music for any public performance, which would mean a meeting held in any public place for any group other than your family or social acquaintances."

### **Where to Go for Permission to Use Videos, Music and Articles**

**Michelle Petersen**, meetings & events planner for **Allianz Life**, agrees that many meeting professionals just may not have the awareness or the information about what copyright law requires and how to obtain permission to use copyrighted materials.

**Here's where to get many of your questions answered about licensing of copyrighted materials.**

#### **VIDEOS:**

##### **Motion Picture Licensing Corp.**

Offers an Umbrella License that allows unlimited use of all MPLC authorized motion picture titles within licensed facilities. The license, generally good for one year, is based on a minimum annual fee tied to the number of viewers. Fees start as low as \$95 and average out to a few cents per viewer.

**Contact:** (800) 462-8855; [www.mplc.com](http://www.mplc.com).

#### **MUSIC:**

*There are three major organizations that license the use of recorded music. Each represents different songwriters and publishers. ASCAP (up to 65 percent of the market) and BMI (4.5 million musical works) are the largest and license users directly. Each offers a list on their websites of the artists they represent. SESAC operates differently, licensing hotels, convention centers, restaurants and other locations. According to Bill Lee, vice president of SESAC's licensing operations, if a facility is licensed a meeting professional using that location is covered under that agreement for music in SESAC's repertory.*

##### **ASCAP**

Offers one-year blanket licenses that cover all performances of everything in their repertory. Fees are approximately 6.5 cents per attendee, with a minimum annual fee of \$550 requiring quarterly reports and payments.

**Contact:** (800) 505-4052; [licensing@ascap.com](mailto:licensing@ascap.com); <http://ascap.com>

**BMI**

Offers one-year blanket licenses for all its works. Minimum annual fee is \$110, adjusted annually based on a cost of 5 cents per attendee.

**Contact:** (877) 264-2139; [www.bmi.com](http://www.bmi.com)

**SESAC**

Offers licenses to hotels, convention centers, restaurants and other locations, which cover all events on the premises. Check with the location you are using for licensing status.

Contact Bill Lee if you are uncertain about the licensing status of a particular location.

**Contact:** (800) 826-9996; <http://www.sesac.com/>

**COMICS:**

*There are many publishing syndicates that license cartoons and comics. Each strips usually includes the name of its distributor. These are some of the major syndicates.*

**Creators Syndicate**

(310) 337-7003

<http://www.creators.com/>

**King Features Syndicate**

<http://www.kingfeatures.com/>

For licensing: <http://www.kingfeatures.com/license/licont.htm>

**United Media**

<http://www.unitedmedialicensing.com/>

**Universal Press Syndicate**

(816) 932-6600

<http://www.amuniversal.com/ups/index.asp>

**Tribune Media Services**

(800) 245-6536

<http://www.comicspage.com/licensing.html>

**PUBLISHED ARTICLES:**

*You can directly contact the publication in which an article is published to obtain reprint permission. Fees vary by publication and depend upon your intended use. Some publications will grant permission without a fee.*

Option two is to contact:

**Copyright Clearance Center**

Manages republishing rights related to 1.75 million works and 9,600 publishers of books and periodicals. Fees for reprints vary by publication.

**Contact:** (978) 750-8400; <http://copyright.com/>

**WEB SITES:**

*Individual websites offer their own terms for reprint permission. Some sites are promotional and will offer permission free. Others are for-profit publications and will charge. One caveat: The world wide web is a wild frontier where, it seems, copyrighted material is often reproduced without attribution. Beware. If, for example, you come across a “mystery” article that sounds good enough to have come right out of, say, Chicken Soup for the Soul. It might have.*

**ALL COPYRIGHT ISSUES:**

U.S. Copyright Office

Contains information ranging from the basics of copyright law to searchable copyright records.

**Contact:** (202) 707-3000

[www.lcweb.loc.gov/copyright](http://www.lcweb.loc.gov/copyright)

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