

The “Face-to-Face Teaching Exemption

Section 110 of the 1984 Copyright Act does provide a specific exemption to the licensing of what is clearly a public performance- “Face-to-Face teaching.”

To qualify for the exemption, the showing must occur in a face-to-face teaching situation at a non-profit educational institution and meet all of the following six criteria.

1. Performances and displays of audiovisual works must be made from legitimate copies, including pre-recorded videocassettes;
 - not copies from legitimate copies
 - not copies from broadcasts.
2. Performances and displays must be part of a systematic course of instruction and not for entertainment, recreation, or cultural value of any part of the audience;
 - Instructor should be able to show how the use of the motion picture contributes to the overall course study and syllabus.
 - Course does not have to be a credit course but must be one recognized by the university and for which people must register.
3. Performances and displays must be given by the instructors or pupils;
 - No broadcasting from an outside source.
4. Performances and displays must be given in classrooms and other places devoted to instruction;
 - Library screening rooms, residence hall lounges, rathskellers and cafeterias do not qualify.
5. Performances and displays must be a part of the teaching activities of non-profit educational institutions;
 - Businesses that conduct educational seminars and some technical schools do not qualify.
6. Attendance is limited to the instructors, pupils and guest lecturers.
 - Only people registered for the class may attend the screening. No fee specific to the showing may be charged.

