

MOVIES IN THE PUBLIC LIBRARY

What you need to know about
legally showing movies in your
public library
in the state of Nebraska.



Image retrieved from
<https://www.field-club.com/platform-tennis/platform-tennis-information/hollywood-movie-reels-clipart-free-clip-art-images-2-2/>



Tammi Thiem

Three Rivers Library
System

Is my public library licensed?

All Nebraska public libraries are covered by a Public Performance Site License, sometimes referred to as a "blanket license," between the Nebraska Library Commission and Swank Movie Licensing USA, Inc. for public viewing of motion pictures **shown inside the library building**. With this license, motion pictures may be shown as part of various library services and programming at the library.

Note: The Nebraska Library Commission has recently renewed the license for another year. All public libraries are currently covered **through September 30, 2024**.

Even if you lose, misplace, or have not yet received your certificate, your library IS covered. It is NOT required to display the certificate but doing so IS a great reminder of the valuable services that libraries offer.

For more information about the license, contact Susan Knisely, Online Services Librarian, 402-471-3849, 800-307-2665, fax: 402-471-2083



Questions about license requirements

Q. If the library owns the videocassettes and DVDs, do we need a license to show them?

Yes, it is necessary for the library to have a license, regardless of who owns the video or DVD. Whether it is part of the library collection, someone's personal collection, or rented from a video business, if the film is covered by the Annual Site License it is legal to show in the library.

Q. We do not charge admission. Do we need a license?

Yes, the Federal Copyright Act states that regardless of whether an admission fee is charged, a license is required. In fact, this license only applies to showings where no admission fee is charged. You are allowed to provide people the opportunity to give free-will donations, and you may sell food such as popcorn and soda at the event, if you choose.

Q. We would like to show videos to our library cardholders as well as other members of the public? Do we need a license?

Yes, libraries are required to have a public performance license to show videos to library cardholders at the library as well as to other members of the public.

How do I promote the movie?

Announcements of video showings in library newsletters, bookmarks, bulletin boards, etc. and on the library's web page where the recipients are likely to be library cardholders and staff are allowable.

In these cases, it is permitted to list the title of the motion picture.

However, use of public media (TV, radio, newspapers, posters outside of the library, or with social media) to advertise specific titles or studios is prohibited. More information on this is available on Swank's FAQ page.

[\(Click on "How can I use my license to promote a movie event?" in the "After Purchase section."\)](#)



In-depth look at promoting your movie

Clarification on promotion via social media: "The title, studio, and artwork should **not** be used on any social media that is not set to private such as Facebook, Twitter, or Instagram. If the Facebook page is public, then **we would suggest alluding to the title and including a link back to the library website** for more details." (per email 12/18/2017)

For example: The Anytown Public Library will be showing a movie that features a FLYING ELEPHANT! For more details, please visit the website at AnytownPublicLibraryUSA.com

Movie Licensing USA makes it easy to create publicity with customizable posters, bookmarks and movie tickets that are already properly copyrighted. This feature can be found at <http://library.movlic.com/publicity>. (Login with your customer number, located on your license certificate, is required.) You can also find vendor paperwork and new programming ideas on [Swank's Customer Hub](#).

Let's continue to explore the Swank website

“Movie Licensing USA makes it easy to create publicity with customizable posters, bookmarks and movie tickets that are already properly copyrighted. This feature can be found on our website at:

library.movlic.com/publicity

Your customer number is located on your license certificate. Copyrighted movie images are also available using the movie search feature on our website. Artwork found on the MLUSA website can be used to advertise your event as long as it is not altered and includes the studio's copyright, for example: ©Walt Disney Pictures.”



Vendor paperwork and new programming ideas?!

[Swank's Customer Hub](#)



Can I show a movie outside with this license?

(The usual answer is NO.) Outdoor showings are not covered by the public performance site license; please contact Swank's outdoor showings department for outdoor licensing information at 800-876-5577.

Note: The COVID-19-related outdoor exception, which Swank Movie Licensing USA offered to libraries covered by our site license, has been extended through **2023**. For the latest guidelines, ideas, and to request approval for an outdoor event exception, see [Outdoor Movie Events](#). Any title appearing in the movie search can be requested for the exception as long as it is NOT labeled "Single Event License Required." (The search tool is in the upper right hand corner of the website.)



Let's take another look at
Swank's website.

[Outdoor Events for Public Libraries](#)



Another Question...

Q. Does a Movie Public Performance Site License cover **all** videocassettes and DVDs?

No, some videos, such as educational and special interest titles, are purchased with public performance rights. Certain videos of motion pictures in the public domain do not require a license. Some motion picture DVDs or videocassettes are not covered by the license.

To learn if a particular title is covered by the license, go to:

[https://www.swank.com/public-libraries/.](https://www.swank.com/public-libraries/)

Select the search tool in the upper right-hand corner of the screen and then type in the name of the movie you're hoping to show. If the film shows up, that means the movie is available through Movie Licensing USA. If the title has the label "Single Event License Required," then you must obtain a separate license in order to stay copyright compliant. If it does not have this label, it is covered by your annual license. If you have questions about a particular title, you can also call 888-267-2658 to speak to a company licensing manager.

And Another Question...

Q. If the movie I wish to show is not covered by the Movie Public Performance Site license what can I do?

You may contact Swank Motion Pictures, (800) 876-5577, or another such company, and ask for the cost to show the film one time only. They will let you know the amount, and you can decide if your library has the funds to pay for a one-time license for that specific title.

Note: Swank has a positive reputation for answering questions and providing clarity if you need information from them by phone or email.



Question about Netflix and other streaming services...

Input from Susan Knisely on this topic:

“In the last several years I have had several libraries ask if they can use a Netflix account to publicly stream a movie that is covered by the public performance license. My contacts at Swank have pointed out that the Swank license can’t supersede or override the Netflix (or other streaming service) terms that the account holder agreed to. And I know a couple years ago the Netflix terms of service included a clause prohibiting use of the service for public performance. Swank’s advice in response to this question was that the library/account holder would have to contact Netflix to try to negotiate permission, which I imagine would be tricky and probably not successful.”





Questions??

Comments??

Thoughts??



Thank you!!!

Knisely, S. (n.d.). *Movie Public Performance Site License*. Movie Public Performance Site License and FAQ. Retrieved October 29, 2021, from <http://nlc.nebraska.gov/discounts/motionpicture.aspx>.

Movie and TV show licensing from Swank Motion Pictures. Movie and TV Show Licensing from Swank Motion Pictures. (n.d.). Retrieved October 29, 2021, from <https://www.swank.com/>.

Thiem, T. Avatars. Facebook, 29 October 2021



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