

FORREST R. POLK LIBRARY

University of Wisconsin Oshkosh

GUIDELINES FOR USE OF AUDIOVISUAL AND SOUND RECORDING MATERIALS ** (Reviewed by UW System Legal Counsel)

Use of Audiovisual and Sound Recording Materials in Polk Library

Audiovisual and sound recording materials housed in the collections of Polk Library are subject to the Revised Copyright Act of 1976, Title 17 of the U.S. Code, Sections 101-810. These materials carry permission for home and educational classroom use only. For any use, other than the aforementioned, public performance rights permission must be obtained from the copyright holder.

Restrictions and Fair Use in Educational Settings

Commercial films and videotapes have copyrights that restrict the manner in which they can be shown. **Section 110(1) of the U.S. copyright law permits the performance or display of any copyrighted work in face-to-face teaching activities without having to obtain a public performance license.** The showing must occur in a face-to-face teaching situation at a non-profit educational institution. Some guidelines are:

1. Performances and displays of audiovisual works must be made from legitimate sources.
2. Performances and displays cannot be for entertainment or recreational purposes.
3. The instructors or pupils must give performances and displays from the same location in which it is being screened. (Copyright law has specific requirements for performing or displaying copyrighted works in connection with distance education courses.)
4. Performances and displays must be given in classrooms and other places devoted to instruction.
5. Performances and displays must be a part of the teaching activities at a non-profit teaching institution.
6. Attendance is normally limited to the instructors, students, and guest lecturers. No fee specific to the screening may be charged.

**These guidelines are not legal advice or official University of Wisconsin Oshkosh policy. The guidelines are intended as general guidelines; determining whether a particular use of a copyrighted work constitutes a fair use, such that permission from the copyright owner is not required, is complex and highly dependent on the individual circumstances. Legal advice on specific situations should be referred to University of Wisconsin System Legal Counsel.

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