

[AU Office of Student Life March 16, 2006. Updated by Chris

Fourth, and least likely, is if the screening would be considered fair use under the criteria defined under the “Fair Use” exemption contained in the Copyright Act of 1976

To determine whether fair use applies to a specific circumstance, the user (American University, through University Event Scheduling or through AU Counsel’s Office) must analyze the intended use against four factors:

- a. **Purpose** and character of the use, including whether such use is commercial or non-commercial in nature – commercial purposes will weigh against fair use;
- b. **Nature** of the work, whether it is creative or informational – the more creative the work, the less likely this factor will weigh in favor of fair use;
- c. **Amount** and substantiality of the portion used in relation to the work as a whole – the more significant amount of the work, the less likely this factor will weigh in favor of fair use; and
- d. **Effect** of the use on the potential market for or value of the work.

U.S. Copyright Law Office summary of fair use: <http://www.copyright.gov/fls/fl102.html>

For event planners, it should be noted that fair use is not to be confused with the work added to the public domain. The work added to the public domain is not protected by copyright law. The work added to the public domain is not protected by copyright law. The work added to the public domain is not protected by copyright law.

The cost for a license from distribution companies for public viewing varies depending on:

- The age and release history of the film.
- The film's popularity at the time or in the rental market.
- The requested format.

Typically, a recent release of a commercial film which is no longer showing in area theatres can cost anywhere from \$500 to over \$1,000 per day for the license. Older films generally cost substantially less, but their status as 'cult' favorites may keep the license price high.

10. Are there alternatives to renting?

A letter of permission from the copyright owner may be substituted for proof of a license.