

Lincoln County Library System
Copyright Laws for Videocassettes and Videodiscs

WARNING!

“For Home Use Only” Means Just That!

By law, as well as by intent, the pre-recorded videocassettes and videodiscs available in stores throughout the United States are for **home use only**.

Sales of pre-recorded videocassettes and videodiscs **do not** confer any public performance rights upon the purchaser.

The U.S. Copyright Act grants the copyright owner the **exclusive** right, among others, “to perform the copyrighted work publicly.” (United States Code, Title 17, Sections 101 and 106). Even the performances in “semipublic” places such as clubs and lodges, factories, summer camps, and schools are ‘public performances’ subject to copyright control.” (Senate Report No. 94-473, page 60; House Report No. 94-1476, page 64.)

Accordingly, without a separate license from the copyright owner, **it is a violation of Federal law** to exhibit pre-recorded videocassettes and videodiscs beyond the scope of the family and its social acquaintances-**regardless** of whether or not admission is charged. Ownership of a pre-recorded videocassette or videodisc **does not** constitute ownership of a copyright. (United States Code, Title 17, Section 202).

Companies, organizations and individuals who wish to publicly exhibit copyrighted motion pictures and audiovisual works **must** secure licenses to do so. This requirement applies **equally** to profit-making organizations and nonprofit institutions such as hospitals, prisons and the like. Purchases of pre-recorded videocassettes and videodiscs **do not** change their legal obligations.

The copyright owner’s right to publically perform his work or to license others to do so, is exclusive.

Any willful infringement of this right “for purposes of commercial advantage or private financial gain” is a Federal crime. The first offense is punishable by up to one year in jail or a \$25,000 fine, or both. In addition, even innocent or inadvertent infringers are subject to substantial civil penalties.