



License Needed to Play Movies in Your Practice

By TDIC Risk Management Staff

If you are showing "The Lego Movie," "Frozen," "The Sound of Music" or any other movie in your practice, copyright is a consideration.

The Dentists Insurance Company reminds dentists that motion pictures and other programs available for rental or purchase are protected by the U.S. Copyright Act and are intended for personal, private or home use only. Movie presentations outside of the home, such as within a dental office, require a public performance license. TDIC reports increased calls and questions from dentists in several states about this license or about a letter the practice received regarding this topic.

The Motion Picture Licensing Corporation (MPLC) handles public performance licensing of more than 250,000 facilities across the nation, including thousands of dental offices. Sal Laudicina, president of the licensing division at MPLC, said some dentists still do not realize they need a license to show movies in their offices. However, this perception is changing through agreements with dental organizations and increased education.

MPLC offers a "blanket" or "umbrella" license that makes it simple to comply with federal copyright law regarding the public performance of audiovisual works, Laudicina said. "We represent Disney, Warner Brothers and more than 400 other motion picture producers, and the license applies to DVD or any other legal digital format whether streamed or downloaded." The annual license fee is \$330 per location, and MPLC offers a discount for offices with multiple locations.

The California Dental Association's Legal Reference Guide states that dentists need to obtain a public performance license to show movies anywhere in the dental practice, including waiting and exam rooms. The legal guide also includes information about copyright violation penalties: "It is important to comply with the copyright law because infringement carries significant penalties. For example, if an infringement is considered 'willful,' you could be subject to statutory damages as high as \$150,000 for each infringed work. Moreover, even if the infringement is considered inadvertent, you could be subject to statutory damages ranging from \$750 to \$30,000 for each infringed work. You may also be subject to other costs, including reasonable attorneys' fees to the prevailing party."

Compared to potential noncompliance fees, the public performance license is notably less expensive.

MPLC has about 10,000 independent field representatives nationwide who send information to the corporation about businesses showing movies without a license, according to Laudicina.

If a violation is discovered, MPLC contacts the business via phone or letter and explains what needs to be done to stop copyright infringement. "We just say, 'Here's what you need to do,' and we send an application for the license," Laudicina said. "People want to do the right thing, and we make it easy for them to comply."

Laudicina added that some dentists mistakenly think a letter about a public performance license is a scam. "Don't ignore a letter about a public performance license," he said. "If a letter is ignored, the violation becomes more egregious and that's not a good thing. Take the time to check it out."

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