**MPLC Umbrella License**® **Frequently Asked Questions**

**Q: We are a private practice. Do we still need a public performance license?**

**A:** Yes. Title 17 of the U.S. Copyright Act § 101 defines public to mean “a place open to the public or at any place where a substantial number of persons outside of a normal circle of a family and its social acquaintances is gathered…” Additionally, according to Senate Report No. 94-473, p. 60, “performances in ‘semipublic’ places such as clubs, lodges, factories, summer camps and schools are ‘public performances’ subject to copyright control.”

**Q: We are a non-profit practice. Do we still need a public performance license?**

**A:** Yes. The U.S. Copyright Act applies equally to non-profit organizations and for-profit businesses, regardless of whether an admission or other fee is charged.

**Q: We own the Video. Do we still need a license to view or show it in our practice?**

**A:** Yes. The location requires a license regardless of who owns the Video (“Video” is defined herein to mean motion pictures and other audiovisual programs intended for personal, private use only). While you may own the actual Video, you are not granted the right to perform it in your practice.

**Q: We have a Netflix account. Do we need a license?**

**A:** Yes. Netflix is limited to the customer’s personal and non-commercial use only. The Umbrella License allows the public performance of Video from all legal formats whether rented or purchased via stream or download.

**Q: We received a legal letter from the MPLC. Why?**

**A:** The MPLC has over 10,000 field representatives who investigate copyright violations. If you received a legal letter, a report was filed that there are unlicensed exhibitions at your office.

**Q: We have a DVD player in our reception area, but do not provide any movies. However, patients sometimes bring in their own. Do we still need a license?**

**A:** Yes. If you allow patients to bring in their own Video to watch, your practice can be held as a contributory infringer simply by providing the means to watch a movie on your equipment.

**Q: We only provide the iPads or other devices for patients to select programs via Netflix, etc. Do we still need a license?**

**A:** Yes. You are providing the hardware and the content to enable the performance. However, if your patients use their own device and content, then a license is not required.

**Q: We purchased the Cinema ProMed system. Do we still need a license?**

**A:** Yes. Since you are providing the hardware and the Video, a license is required.

**Q: We have cable TV. Do we still need a license?**

**A:** It depends. There is no need for an MPLC license for basic cable channels. However, a license is required for any non-advertiser supported, premium, or pay per view channels and programs.

**Q: Can we show Public Domain or educational titles that include the performance rights?**

**A:** Yes. However, Public Domain titles are very old and difficult to obtain and virtually all educational titles are only for sale to non-profit educational institutions, such as schools.

**Q: Does the license cover our entire office?**

**A:** Yes. The Umbrella License allows unlimited exhibitions in any room in your office. However, large clinics with several shared reception areas may be licensed as separate locations.

**Q: Does the MPLC provide a discount for licensing multiple offices?**

**A:** Yes. The MPLC provides an economies of scale discount to AAPD members licensing two or more office locations.

**Q: Do we have to obtain a license?**

**A:** No. Only if you wish to show Video. AAPD encourages and promotes the legal use of copyrighted works. Fines for non-compliance start at $750 for each inadvertent violation, and up to $150,000 for each egregious violation.