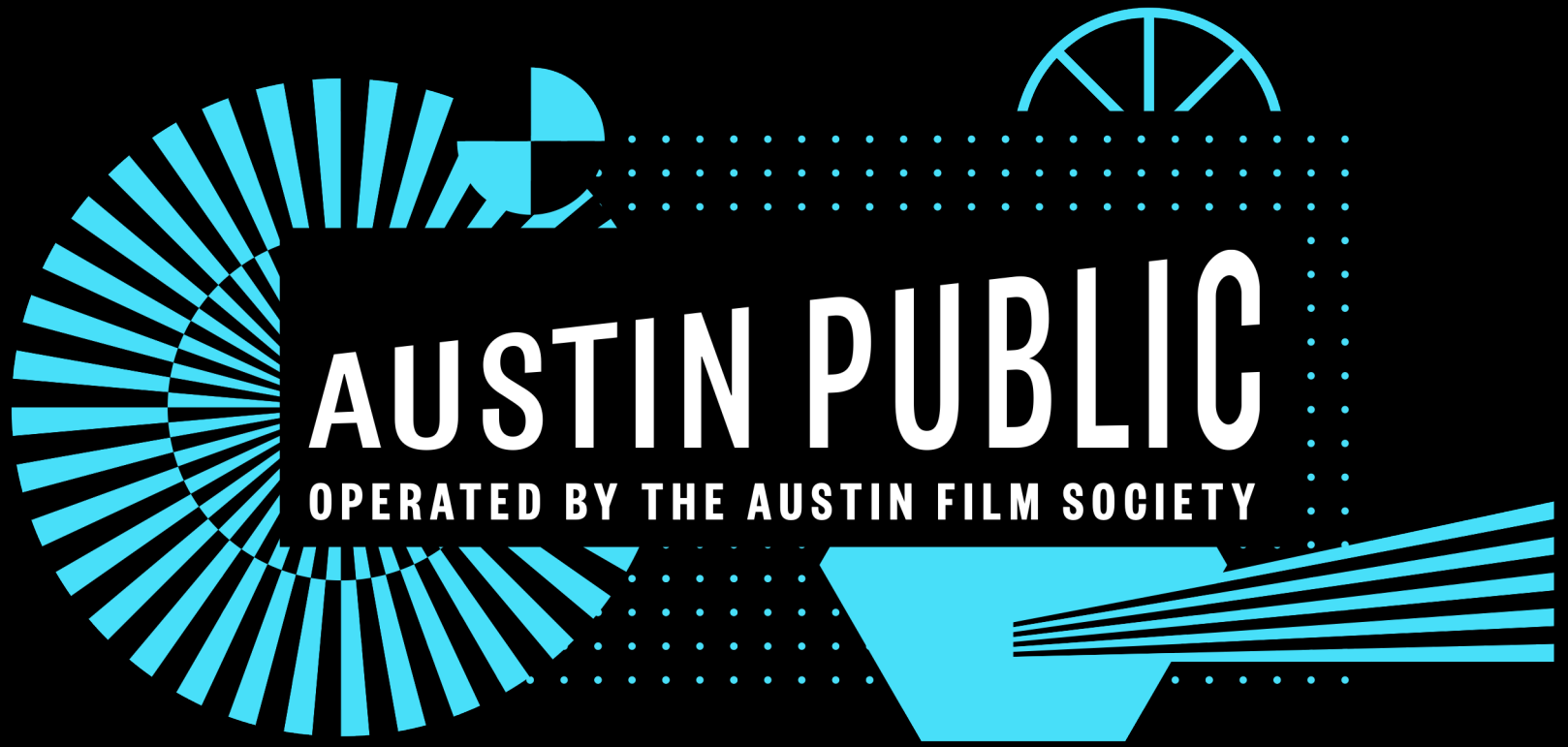


MEDIA POLICY CLASS

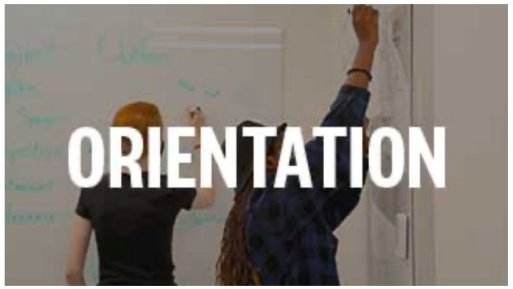
INTRODUCTION

- Producer Program Overview
- Personal Intros
- Overview of CRIMINAL topics
- BREAK – 5 minutes
- Overview of CIVIL topics
- BREAK – 5 minutes
- Overview FCC topics
- 10 question test / review AFS's Warranties Agreement
- Producer Program next steps & FAQ
- Optional - AFTER CLASS – tour of facility



ORIENTATION REFRESH

START UP PROCESS



STEP 1:

WATCH OUR ORIENTATION VIDEO & DOWNLOAD THE HANDOUT



STEP 2:

COMPLETE THE INTAKE FORM



STEP 3:

ATTEND A MEDIA POLICY CLASS

You are here!

AUSTIN FILM SOCIETY

ORIENTATION REFRESH











WHAT IS A PRODUCER?

A PERSON THAT:

- ✓ A member of the Producer Program
- ✓ 15 years of age or older
- ✓ Residing within the Austin metropolitan area
- ✓ Certified to use the video production resources at Austin Public, which is optional
- ✓ Sharing at least a portion of the content created with Austin Public's resources onto the Public Access channels and streaming services

WHY DOES THIS CLASS EXIST?

1. Producers are responsible for submitting content to Austin Public

- Producer owns all content created with Austin Public resources.

2. Since it is your content, you are legally responsible for it

- You must understand policies that uphold regulations and laws protecting personal and property rights.

CONTENT DISTRIBUTION

STREAMING PLATFORMS







CABLE TELEVISION

Channel 10, 11 & 16







INTERNET & DEVICES



AUSTINFILM.ORG/AUSTIN-PUBLIC/WATCH



APPLE IPHONE IOS APP



ANDROID PHONE APP

DOWNLOADABLE APP

Store Mac iPad iPhone Watch AirPods TV & Home Entertainment Accessories Support

App Store Preview

Open the Mac App Store to buy and download apps.

Austin Public 12+

ATX Community Media Center

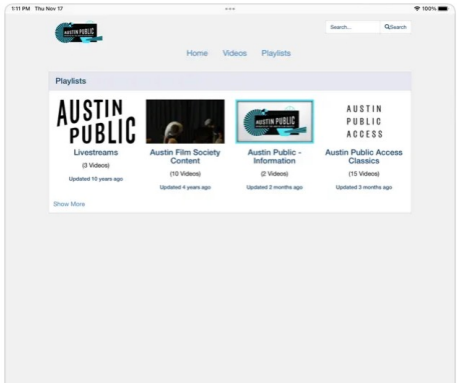
TelVue Corporation

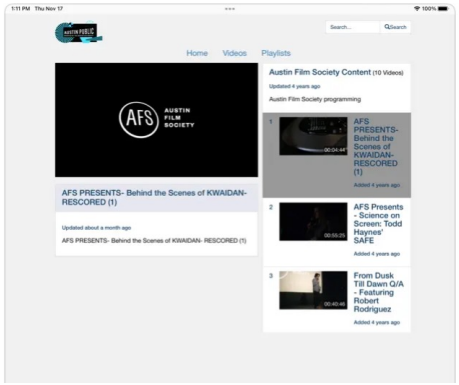
Designed for iPad

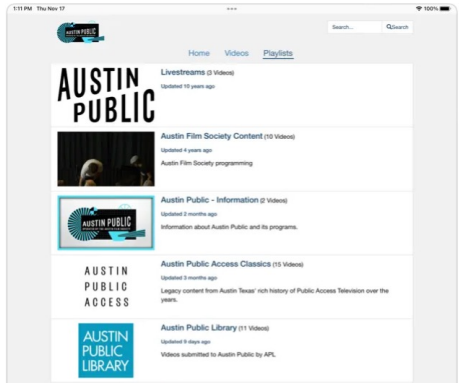
Free

View in Mac App Store ↗

Screenshots iPad iPhone Apple TV

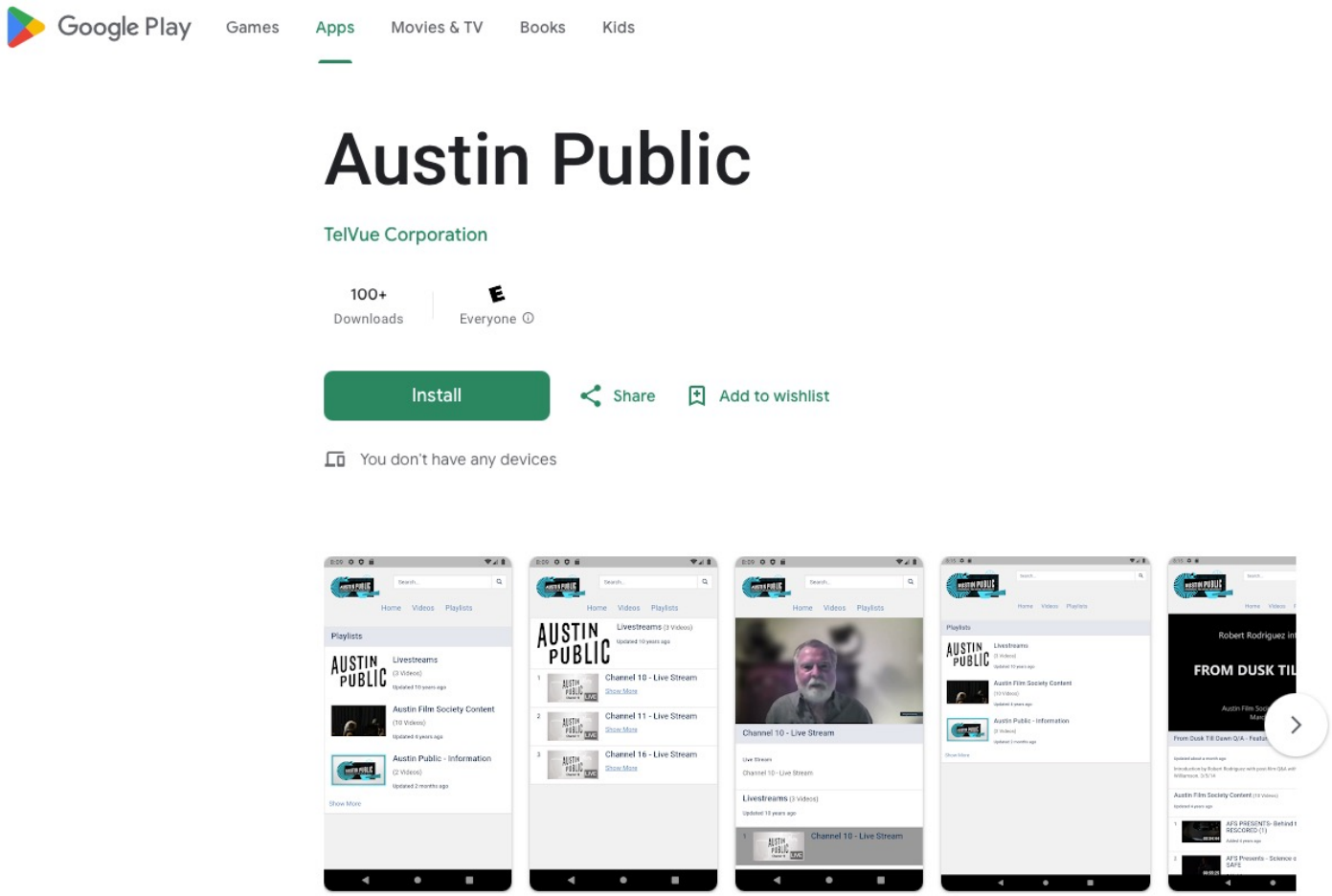






AUSTIN FILM SOCIETY

DOWNLOADABLE APP



DOWNLOADABLE APP



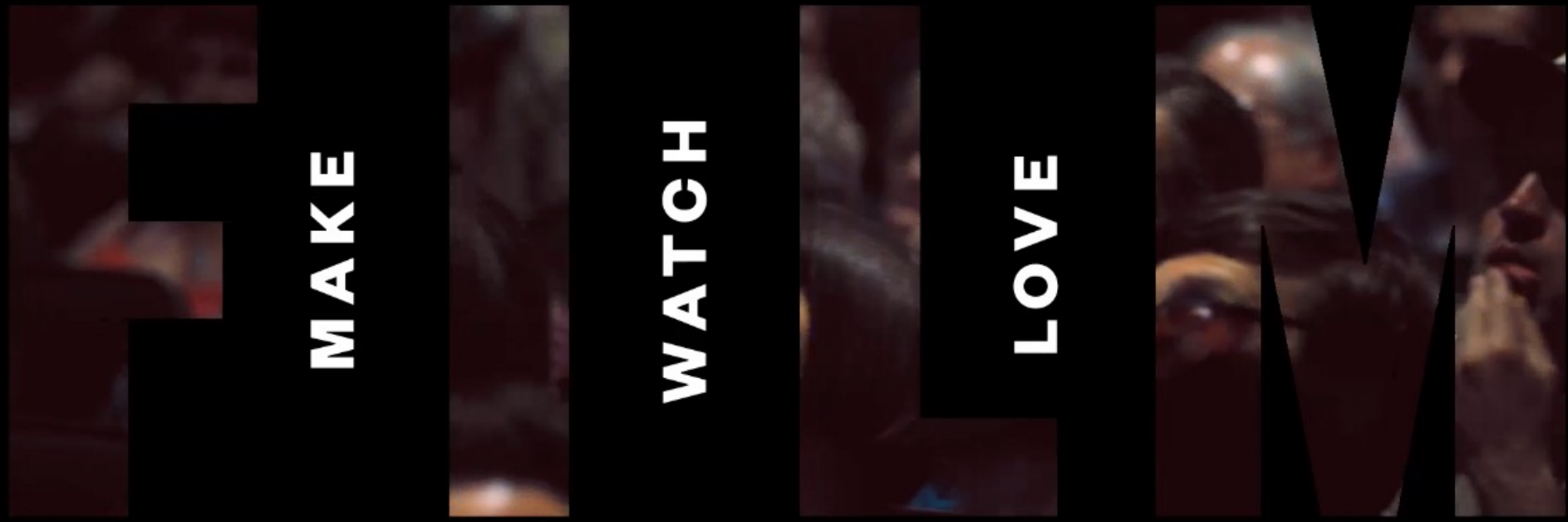
AUSTIN FILM SOCIETY

Screenings & Events ▾ | Join & Give ▾ | Tickets | Calendar | Search | **Donate**

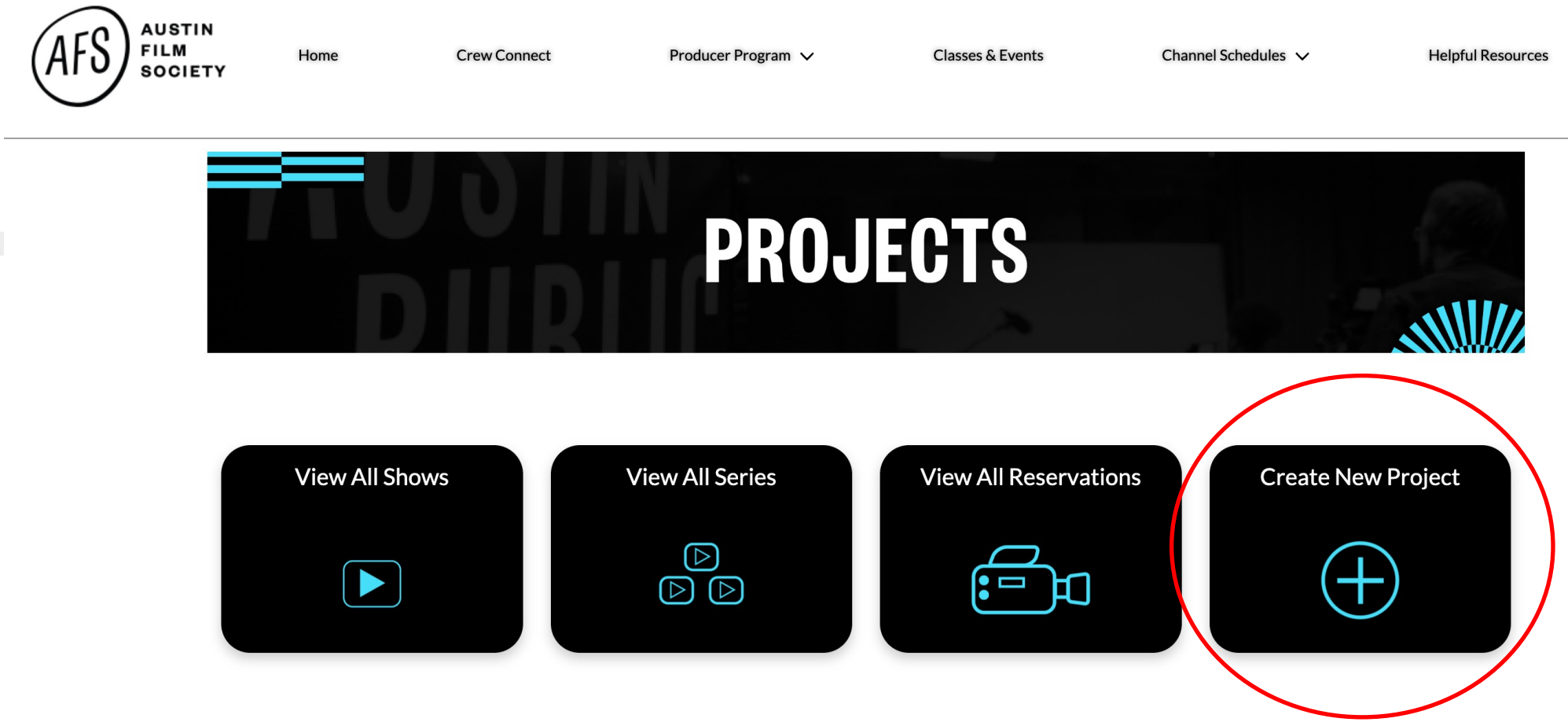
Community Programs ▲ | Rentals & Facilities ▾ | AFS Cinema | Austin Public | Austin Studios

Austin Public ▲
- Classes
- Tours
- Creative Careers

About Austin Public
Become A Producer
Producer Portal Login
Austin Public Resources
Training Videos
Watch



PRODUCER PORTAL

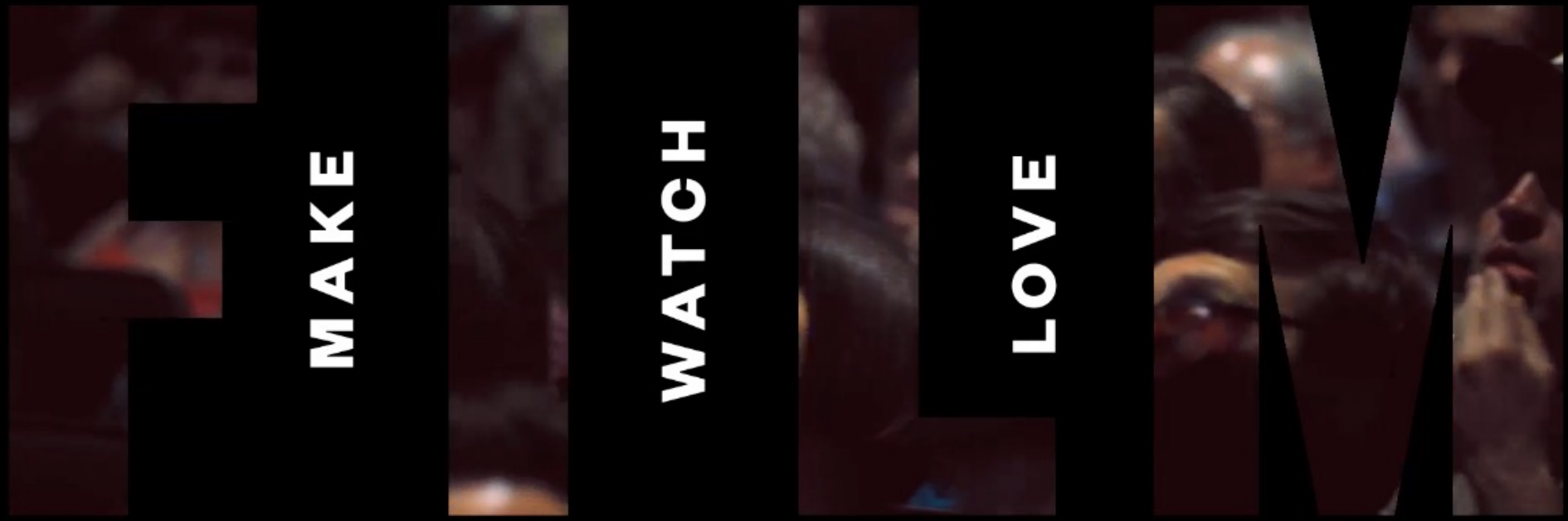


AUSTIN FILM SOCIETY

Screenings & Events ▾ | Join & Give ▾ | Tickets | Calendar | Search | **Donate**

Community Programs ▲ | Rentals & Facilities ▾ | AFS Cinema | Austin Public | Austin Studios

- Austin Public ▲
  - Classes
  - Tours
  - Creative Careers
  - About Austin Public
  - Become A Producer
  - Producer Portal Login
  - Austin Public Resources
  - Training Videos
  - Watch



LEGAL & ETHICS RESOURCES

AUSTIN FILM SOCIETY

Screenings & Events ▾ | Join & Give ▾ | Tickets | Calendar | Search | Donate

Community Programs ▾ | Rentals & Facilities ▾ | AFS Cinema | Austin Public | Austin Studios

Filmmaker Support ▾ | About ▾

WATCH AUSTIN PUBLIC

About Austin Public | Become A Producer | Austin Public Resources | Watch Austin Public | Series Application | Producer Portal Login | Training Videos

AUSTIN PUBLIC 10 AUSTIN PUBLIC 11 AUSTIN PUBLIC 16



AUSTIN PUBLIC 10 AUSTIN PUBLIC 11 AUSTIN PUBLIC 16

Tuesday 08/16/2022

Time	Program	Duration
12:00 AM	Cooking Good: ckgdrarebit002	00:58:44

AUSTIN FILM SOCIETY

WEBSITE

AUSTIN FILM SOCIETY

Screenings & Events ▲ | Join & Give ▼ | Rentals & Facilities ▼ | About ▼

Tickets | Calendar | Search | Donate

AFS Cinema | Austin Public | Austin Studios

- Screenings
- Classes & Events
- [illegible] Awards
- Texas Film Hall Of Fame
- Gift Cards
- Calendar

& EVENTS

Thu, Jun 26
6:30 PM - 9:30 PM

INTRO TO CAMERA RIG AND STABILIZERS

In-Person

Resource Certification

Fri, Jun 27
3:00 PM - 6:45 PM

PRODUCER PROGRAM: FOCUS FRIDAYS @ AUSTIN PUBLIC

In-Person

Sun, Jun 29
3:30 PM - 6:30 PM

INTERMEDIATE HANDS-ON LIGHTING WORKSHOP

In-Person

Continuing Education

Mon, Jun 30
6:00 PM - 9:30 PM

INTRO TO SONY FX CAMERA LINE: FUNCTIONS AND FUNDAMENTALS

In-Person

Resource Certification

Mon, Jun 23
6:30 PM - 9:30 PM

PRE-PRODUCTION PLANNING

In-Person

Continuing Education

Tue, Jun 24
2:30 PM - 3:30 PM

AUSTIN PUBLIC STUDIO CREW CERTIFICATION

In-Person

Tue, Jun 24
5:45 PM - 9:45 PM

POST-PRODUCTION PROFESSIONAL WORKFLOW

In-Person

Continuing Education

Tue, Jun 24 - Wed, Jun 25

INTRO TO PRO-TOOLS FOR FILM

In-Person

Continuing Education

AUSTIN FILM SOCIETY

LEGAL & ETHICS RESOURCES

Austin Film Commission

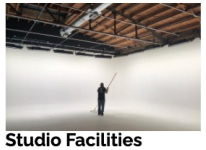
Austin Is A Leading Destination For Film, Television & Commercial Production.


Permits & Regulations


Locations


Incentives & Grants


Production Directory

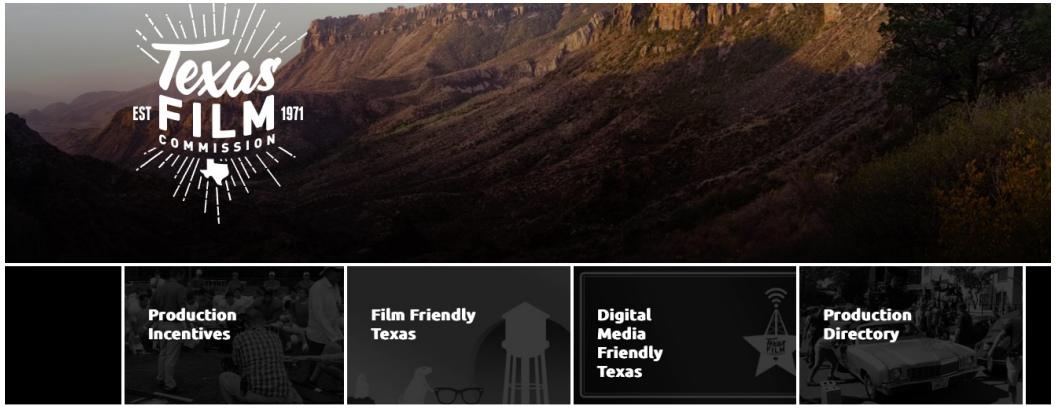

Studio Facilities


Film Tourism Guide



Made In Austin

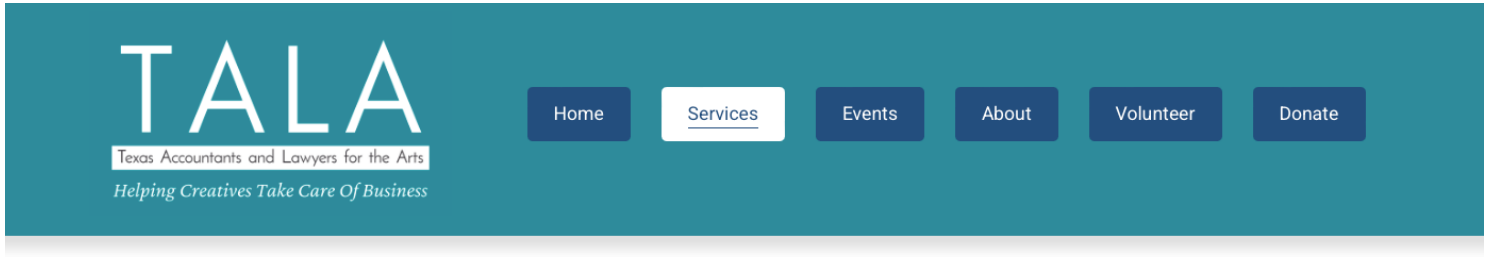

Festivals



AUSTIN FILM SOCIETY

LEGAL & ETHICS RESOURCES





Artist & Nonprofit Membership

Professional Assistance for Artists, Creatives, and Nonprofit Organizations

TALA provides Texas artists and arts organizations with legal and accounting assistance to enable them to maximize their potential, shape our cultural landscape, and contribute to the creative economy.

TALA offers free legal and accounting services to artists, craftspeople, and arts-centered nonprofit organizations from all creative disciplines, including visual arts, music, film and television, new media, writing and journalism, fashion design, theater, dance, and performing arts.

To qualify for membership in TALA's pro bono matching program, individual artists and nonprofit organizations must meet financial eligibility.

Individual artists must make less than 300% of Federal Poverty Guidelines. View Income qualifications.

Nonprofits must have an annual budget of less than $200,000.

INTRODUCTION



INTRODUCTIONS

- Your name?
- How long in the Austin area? (where did you come from?)
- Area of creative interest?
- What brought you to Austin Public?

AUSTIN PUBLIC - ONSITE STAFF

DOUG
Operations Director



CHARLES
Engineer &
Facility Manager



DARREANE
Program Associate



Equipment Specialists



JARED



EMRE



TAYLOR

AUSTIN FILM SOCIETY

INTRODUCTION

TOPICS TO COVER

1. Material contrary to the law
2. Immediate danger or damage
3. Obscene material
4. Defamation & Invasion of Privacy
5. Unlawful Copyright
6. Commercialism
7. Solicitation of funds



CRIMINAL



CIVIL



FCC

AUSTIN PUBLIC SPECIFIC

AUSTIN FILM SOCIETY

BEFORE WE JUMP IN...

1. AUSTIN PUBLIC IS NONCOMMERCIAL

WHAT IT MEANS

- The Producer Program, managed by a nonprofit (AFS) under a contract with the City of Austin, is **not** intended for conducting trade or commerce or promoting products and services

2. AUSTIN PUBLIC IS CONTENT NEUTRAL

WHAT IT MEANS

- We do not censor or restrict subject matter of different viewpoints
- We **do not** prescreen content before it airs

VIOLATING LAWS

Content submitted to Austin Public cannot contain…

“Any material which violates any local, state, or federal laws, rules, or regulations…”



VIOLATING LAWS

Avoid showing **illegal activity** unless you can claim "newsworthiness", or it constitutes the reason for your content.

Examples:

- Gambling (in Texas)
- Drug use, underage drinking
- Trespassing
- Theft
- Destruction of property

PLEASE NOTE: You may fake/dramatize breaking the law for narrative work.



VIOLATING LAWS

EXAMPLES ON HOW TO PROTECT YOURSELF:

- ✓ When in doubt, cut it out
- ✓ Do not encourage or facilitate crimes
- ✓ Blur faces if possible / protect identities
- ✓ Work with legal counsel to assess your risk



VIOLATING LAWS

AS SEEN ON TV & IN THE NEWS:



4WWL News Weather Sports 4WWL+

JEFFERSON

YouTuber arrested after posting exploration video of Esplanade Mall, officials say

The suspects call themselves urban explorers, or "urbex" creators, who film visits to abandoned sites.

Author: **WWL Staff**
Published: **7:37 AM CDT August 17, 2026**
Updated: **8:13 AM CDT August 17, 2026**

A YouTuber is facing criminal charges after Kenner police say he entered the abandoned Esplanade Mall in Kenner and posted video of the exploration online, NOLA.com reports.

Stephen Pamaran, 33, who goes by Steve Ronin on YouTube, turned himself in Thursday and was booked on a felony count of unauthorized entry of a business and a misdemeanor count of unlawful posting of criminal activity for notoriety or publicity.

VIOLATING LAWS

AS SEEN ON TV & IN THE NEWS:





QUESTIONS

IMMEDIATE DANGER OR DAMAGE

Content submitted to Austin Public cannot contain…

“Any material which has a reasonable probability of creating an immediate danger or damage to property, creating an injury to people, or creating public nuisance.”

IMMEDIATE DANGER OR DAMAGE

Avoid "weaponizing" the channels.

Examples:

- Content that incites vandalism or violence
- Call to action to negatively target people or companies
- Fake news show that may cause civil unrest
- Broadcasting false emergencies
- Tutorials for illegal activity



IMMEDIATE DANGER OR DAMAGE

EXAMPLES ON HOW TO PROTECT YOURSELF:

- ✓ Use disclaimers (parody or satire)
- ✓ Fake/dramatize scenes
- ✓ Consult an expert on your claims
- ✓ Avoid calls to action for harm
- ✓ Conduct thorough research



IMMEDIATE DANGER OR DAMAGE

AS SEEN ON TV & IN THE NEWS:

FREEDOM FORUM

The First Amendment: What You Need to Know | Today's Front Pages | Articles | Take Action | Our Work | About Us | Shop

Is It Illegal to Yell 'Fire' in a Crowded Theater?



BY FREEDOM FORUM

You can't yell "fire" in a crowded theater ... or can you?

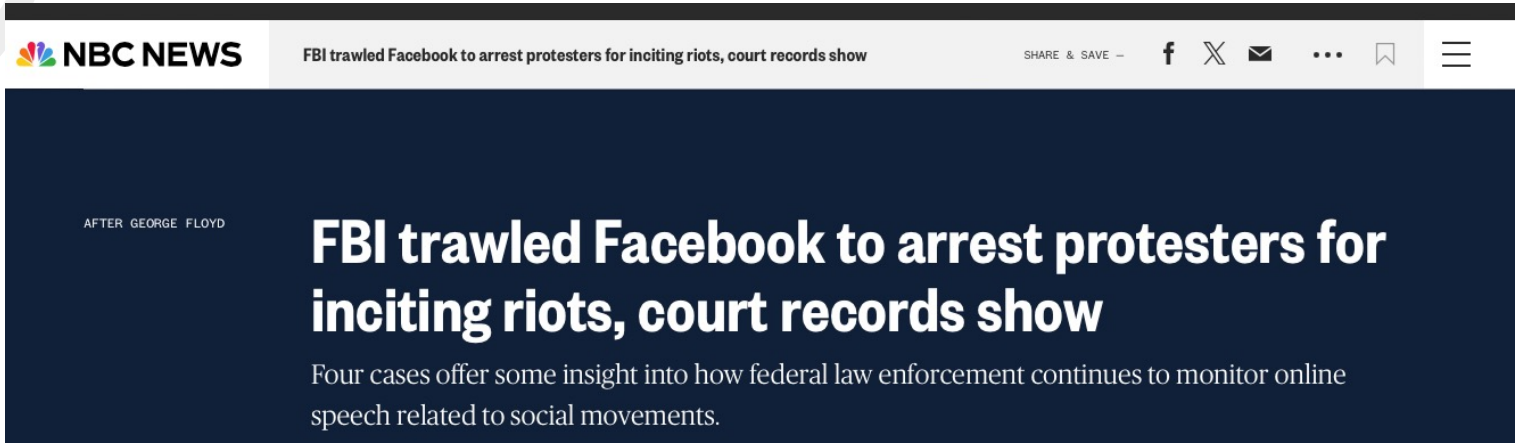
IMMEDIATE DANGER OR DAMAGE

AS SEEN ON TV & IN THE NEWS:



IMMEDIATE DANGER OR DAMAGE

AS SEEN ON TV & IN THE NEWS:



NBC NEWS

FBI trawled Facebook to arrest protesters for inciting riots, court records show

SHARE & SAVE

AFTER GEORGE FLOYD

FBI trawled Facebook to arrest protesters for inciting riots, court records show

Four cases offer some insight into how federal law enforcement continues to monitor online speech related to social movements.

SAVE

Create your free profile or log in to save this article

June 19, 2020, 10:12 AM CDT / Updated June 19, 2020, 3:26 PM CDT

By Cyrus Farivar and Olivia Solon

On May 27, just two days after George Floyd died at the hands of the Minneapolis Police Department, an activist from St. Louis decided to drive the 540 miles north to the Twin Cities to participate in the protests there.

"We promise to do our very best to be safe and not do anything to get arrested," Mike Avery wrote on Facebook.

Three days later, the FBI arrested Avery for encouraging rioting across a handful of Facebook posts, according to his lawyer, Marleen Suarez. FBI agents had been reading his and other protesters' social media posts looking for "potential flashpoints for violence," according to police records.



QUESTIONS

OBSCENITIES LAW

Content submitted to Austin Public cannot contain…

“Any material which is in violation of Subchapter B: Obscenity, of Chapter 43 of the Texas Penal Code”



OBSCENITIES LAW

"**Obscene**" under the Texas law means material or a performance that:

(A) the average person, applying contemporary community standards, would find that taken as a whole appeals to the prurient interest in sex;

Prurient: having or encouraging an excessive interest in sexual matters, often in a way that is considered shameful, morbid, or inappropriate.

In the legal context (such as a state's obscenity law), it refers to content that arouses an unhealthy, degrading, or lewd interest in sex, rather than normal or artistic depictions of sexuality.



OBSCENITIES LAW

(B) depict or describe sexual conduct in a "patently offensive" way:

(i) patently offensive representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse, sodomy, and sexual bestiality; or...

(i) patently offensive representations of descriptions of masturbation, excretory functions, sadism, masochism, lewd exhibition of the genitals, the male or female genitals in a state of sexual stimulation or arousal, covered male genitals in a discernibly turgid state or a device designed and marketed as useful primarily for stimulation of the human genital organs;



OBSCENITIES LAW

(C) taken as a whole, lacks serious literary, artistic, political, and scientific value.



OBSCENITIES LAW

Avoid showing obscene content!

Examples:

- See section (B)
- Pushing the boundaries of explicit sexual acts that a court would deem wholly without redeeming social value.



OBSCENITIES LAW

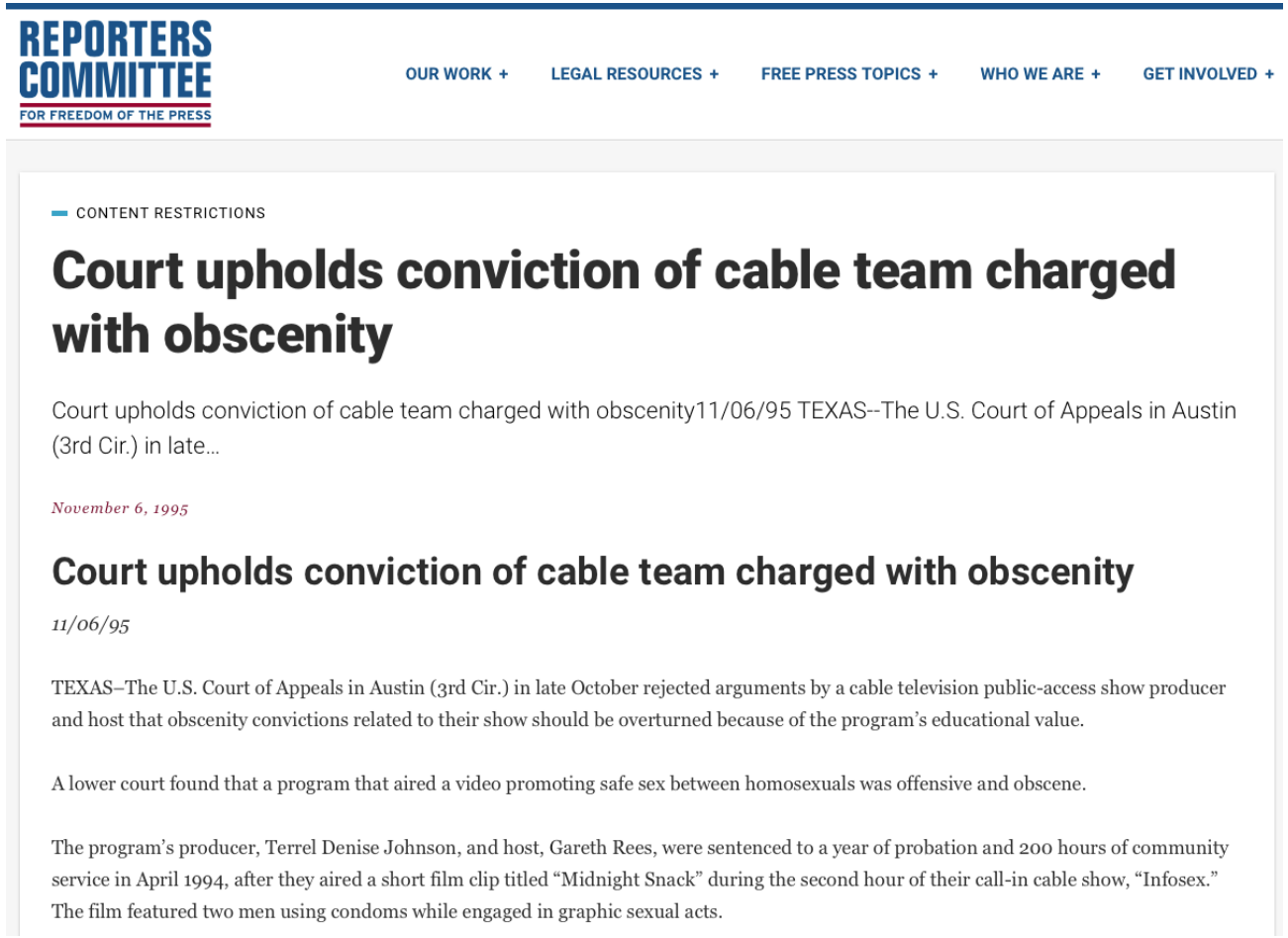
EXAMPLES ON HOW TO PROTECT YOURSELF:

- ✓ When in doubt, cut it out
- ✓ Blur body parts
- ✓ Consult a lawyer
- ✓ Know how to defend your choices



OBSCENITIES LAW

AS SEEN ON TV & IN THE NEWS:



REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS

OUR WORK + LEGAL RESOURCES + FREE PRESS TOPICS + WHO WE ARE + GET INVOLVED +

CONTENT RESTRICTIONS

Court upholds conviction of cable team charged with obscenity

Court upholds conviction of cable team charged with obscenity11/06/95 TEXAS--The U.S. Court of Appeals in Austin (3rd Cir.) in late...

November 6, 1995

Court upholds conviction of cable team charged with obscenity

11/06/95

TEXAS–The U.S. Court of Appeals in Austin (3rd Cir.) in late October rejected arguments by a cable television public-access show producer and host that obscenity convictions related to their show should be overturned because of the program's educational value.

A lower court found that a program that aired a video promoting safe sex between homosexuals was offensive and obscene.

The program's producer, Terrel Denise Johnson, and host, Gareth Rees, were sentenced to a year of probation and 200 hours of community service in April 1994, after they aired a short film clip titled "Midnight Snack" during the second hour of their call-in cable show, "Infosex." The film featured two men using condoms while engaged in graphic sexual acts.

OBSCENITIES LAW

FEDERAL COMMUNICATIONS COMMISSION OFFICE (FCC):

Obscene content does not have protection under the First Amendment.

For content to be ruled obscene, it must meet a three-pronged test:

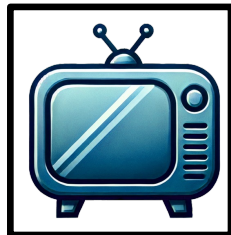
a. **Prurient Interest** – The average person, applying contemporary community standards, would find that the work appeals to a shameful or morbid interest in sex.

b. **Patently Offensive** – The work depicts or describes sexual conduct in an obviously offensive way, as defined by state law.

c. **Lacks Serious Value** – The work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

HOWEVER,

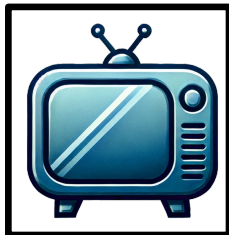
Indecent content is allowed at certain times and "portrays sexual or excretory organs or activities in a way that does not meet the three-prong test for obscenity."



INDECENT CONTENT

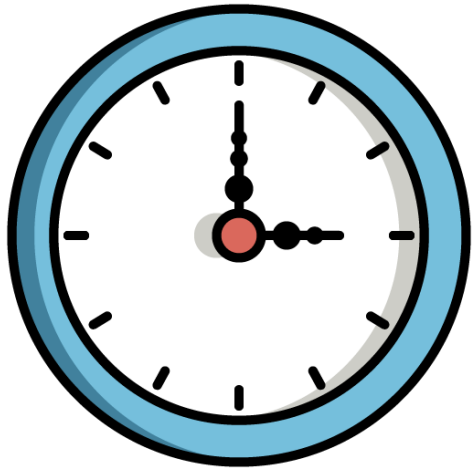
We restrict cablecasting time for indecent content to avoid exposure to children:

- Profanity, adult situations and/or sexually suggestive – **airs anytime (with warning label)**
- Extreme gore, sexually explicit and/or nudity – **airs after midnight** (until 5am)





QUESTIONS



5-MINUTE BREAK

DEFAMATION LAW

Content submitted to Austin Public cannot contain…

“Any material that is defamatory or unlawfully disparaging”



DEFAMATION LAW

Defamation is defined a something that....

1. **Was printed or written** (Libel) **or spoken or verbal** (slander)
2. **Was a false statement of fact about a person or entity**
3. **Caused harm or damage to that person or entity**
4. **Was done out of:**
   - **NEGLIGENCE - careless, sloppy or lack of research = bad**
   - **MALICE - conscious and intentional wrongdoing = worse**



DEFAMATION LAW

OTHER NOTES:

- Public figures and officials typically must prove "malice"
- Satire is protected under the First Amendment if a reasonable person recognizes it as satire, not fact
    - Satire uses exaggeration, irony, humor, and allegory for political and social commentary



DEFAMATION LAW

Avoid false, malicious, or reckless statements, baseless accusations, unverified claims, or misrepresenting the truth.

Examples:

- A documentary wrongly identifies a business owner as being involved in organized crime, using misleading editing. As a result, the business loses clients.
- On a reality TV show, a contestant falsely states that another contestant is a sex offender. The allegation is broadcast nationally and damages the person's reputation.
- A podcast host publicly shames a filmmaker, falsely claiming they plagiarized their last script. The accusation spreads in the film community and harms future opportunities.



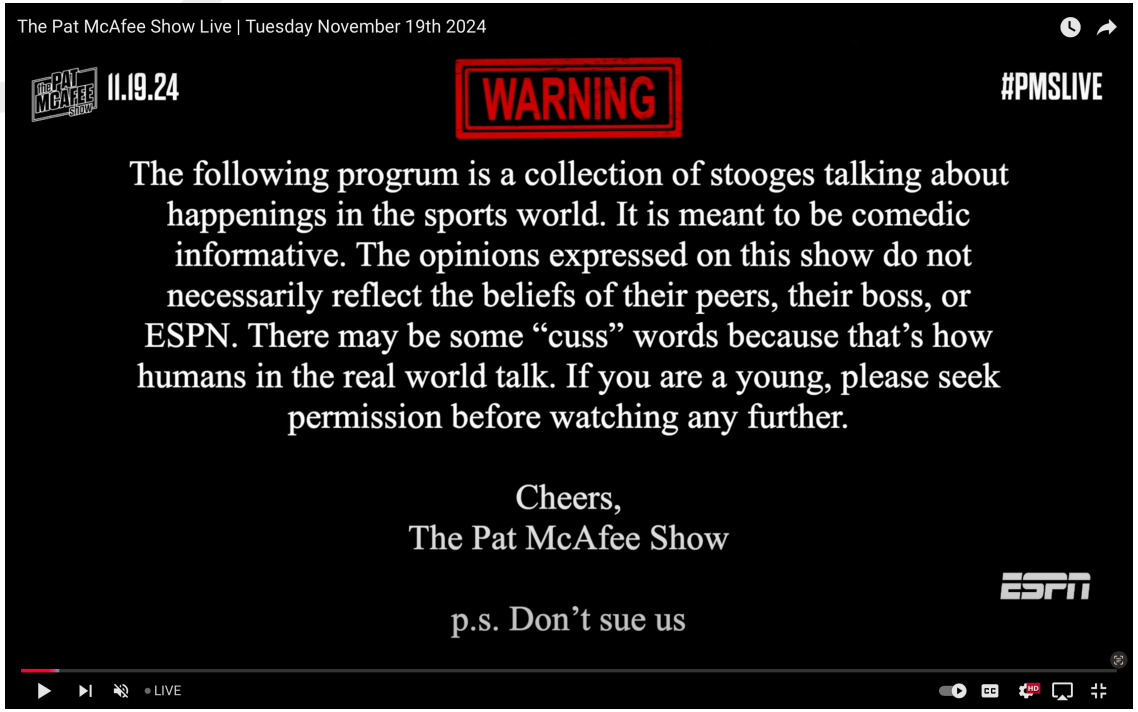
DEFAMATION LAW

EXAMPLES ON HOW TO PROTECT YOURSELF:

- ✓ When in doubt, cut it out
- ✓ Stick to the truth
- ✓ Clearly differentiate between opinion and fact
- ✓ Document your research and cite sources
- ✓ Place liability language in your talent releases
- ✓ Use disclaimers (for educational or entertainment purposes, Satire, etc.)



AS SEEN ON TV & IN THE NEWS:



The Pat McAfee Show Live





AS SEEN ON TV & IN THE NEWS:

Netflix Wins Defamation Suit Over 'Making a Murderer'

The judge concluded that the suit didn't raise statements that could "even potentially be defamatory."

BY WINSTON CHO MARCH 15, 2023 3:08PM



Netflix's 'Making a Murderer' NETFLIX

Listen to this article

Netflix won't have to face a defamation suit brought by a retired police officer who said the docuseries *Making a Murderer* defamed him by accusing him of planting evidence.

In a ruling granting summary judgment in favor of Netflix on Friday, Judge Brett Ludwig found that the First Amendment "does not guarantee a public figure" like plaintiff Andrew Colborn the "role of protagonist in popular discourse" and "protects the media's ability to cast him in a much less flattering light."

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WEEKLY NEWSLETTER

Unique expertise on how the law impacts Hollywood pros, projects and processes

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AS SEEN ON TV & IN THE NEWS:





QUESTIONS

PRIVACY LAWS

Content submitted to Austin Public cannot contain…

“Any material that constitutes invasion or violation of any person’s right of privacy”

TOPIC 4



PRIVACY LAWS

LOW PROFILE & PERSONAL USE

NO EXPECTATION OF PRIVACY



OPEN TO PUBLIC

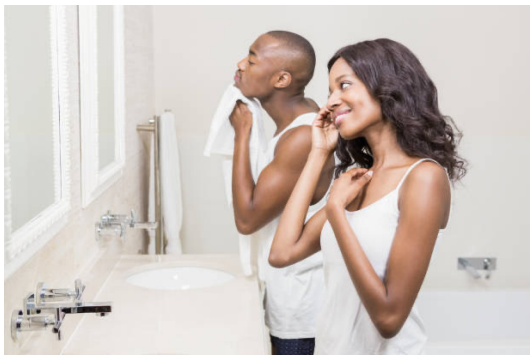


OPEN TO PUBLIC

EXPECTATION OF PRIVACY



PRIVATE EVENT



PRIVATE / INTIMATE ACTIVITY

TOPIC 4



PRIVACY LAWS

LOW PROFILE & PERSONAL USE

NO LOCATION PERMISSION NEEDED



PUBLIC PROPERTY

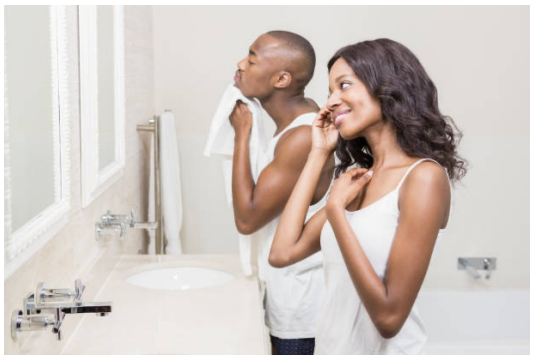
LOCATION PERMISSION NEEDED



PRIVATE PROPERTY



PRIVATE PROPERTY



PRIVATE HOME

TOPIC 4



QUESTIONS TO ASK YOURSELF

1. **PEOPLE:** Where am I?... Is it personal or commercial use?... do I need permission?... What rights do I need from them?

2. **PLACES:** Where am I?... Do I need permission from the location?... Do I need a permit from the city?



PRIVACY LAWS

YOU NEED PERMISSION TO:

1. **Use a person's name or likeness for business or economic purposes:**
   - Without permission you cannot benefit commercially from someone else's identity

2. **Put out in public something that places a person in a false light:**
   - Without permission you must use your content within the context in which it was created

3. **Publicly disclose embarrassing and/or private facts:**
   - Without permission you cannot share Info that is not ordinarily publicly available and/or someone would consider private

4. **Intrude on a person's solitude:**
   - Without permission you cannot record in an area where reasonable people would expect to be private or engaged in intimate activity

TOPIC 4



TYPES OF PERMISSION:



IN PUBLIC / BACKGROUND / PASSING THROUGH

- **Implied consent**
- **Posted signage**
  - "By entering the area, you consent to being filmed"
  - Include contact information and intended use of the footage



CASUAL INTERACTIONS

- **Verbal consent**
  - Ask for permission on camera so there's a record of consent
  - Have them spell out their name
  - Include intended use of the footage



FEATURED INDIVIDUALS

- **Written release or agreement**
  - Title & purpose, grant of rights, usage & timeframe, liability & waiver
  - Signee contact info and signature, production contact info
  - Compensation?, confidentiality?, copyright permission?



PRIVACY LAWS







TOPIC 4



OTHER NOTES:

- You can record anything visible to the naked eye from a public space when there's no reasonable expectation of privacy
- Make sure to get legal guardian permission when recording minors
- Make sure to get location permission from the correct person
- Our rights to privacy are for our entire body (not just our face)
- Newsworthiness is a defense





PRIVACY LAWS

Avoid filming people without permission (when needed) and exposing sensitive personal information.

Examples:

- Using a video of a person drinking a soda in a documentary about alcoholism
- Placing a hidden camera in your vacation rental
- A documentary about tax evasion reveals a private citizen's home address and financial records without consent
- Recording another gym's public activities for b-roll to commercially promote your new gym



PRIVACY LAWS

EXAMPLES ON HOW TO PROTECT YOURSELF:

- ✓ When in doubt, cut it out
- ✓ Get permission, when needed
- ✓ Know public vs. private spaces
- ✓ Blur or censor sensitive information
- ✓ Understand state and federal laws for drones, surveillance, recording conversations, etc.



PRIVACY LAWS

AS SEEN ON TV & IN THE NEWS:



TOPIC 4



AS SEEN ON TV & IN THE NEWS:







QUESTIONS

COPYRIGHT LAWS

Content submitted to Austin Public cannot contain…

“Any unlawful use of copyrighted material or any other proprietary property.”

TOPIC 5



COPYRIGHT LAWS

COPYRIGHT PROTECTS

- Original work fixed in a tangible media
  - Photos, videos, articles, illustrations, cartoons, music, lyrics, software, websites, compilations of works
  - You create it, you own it

TOPIC 5



COPYRIGHT LAWS

COPYRIGHT DOES NOT PROTECT

- Ideas
- Facts, unoriginal compilations of facts
- Titles of books, songs, movies, etc.
- U.S. Government works

  Examples: NASA images, CDC guides and posters, press releases, speeches, congressional reports, etc.
- Public domain works

TOPIC 5



LEGAL USES OF COPYRIGHT

- **Permission**
  - From the copyright holder
  - Get it in writing (see emailed template)

- **License**
  - Purchased for a fee from the copyright holder/entity or website
    - Royalty Free, Limited Use, Extended Use, etc.
    - License Agreements with copyright owner



OTHER NOTES

- Noncommercial use doesn't exempt you from copyright laws
- You own your work without registration but must register it to sue for infringement
- AI-generated content is only copyrightable if it includes significant human input
- Intellectual property agreements are essential for independent projects



COPYRIGHT LAWS

Avoid using copyrighted material without written permission or a license (if not claiming fair use)



COPYRIGHT LAW

EXAMPLES ON HOW TO PROTECT YOURSELF:

- ✓ Get written permission or license
- ✓ Register your work
- ✓ Read through the Terms of Use for purchased assets
- ✓ Credit the original creator
- ✓ Require Intellectual property agreements on your projects



COPYRIGHT LAWS

AS SEEN ON TV & IN THE NEWS:



Vanilla Ice vs. Queen and David Bowie (1990)

"Ice Ice Baby," by Vanilla Ice (1989) vs. "Under Pressure," by Queen, David Bowie (1981)

The Case: To anyone with functional eardrums, it's clear that Vanilla Ice's pop-rap crossover hit sampled the bass line to the 1981 Queen/Bowie collaboration "Under Pressure." But Ice famously insisted that the two melodies are distinct because he added a beat between notes. Ice later claimed that this rationale was merely a joke. Representatives for Queen and Bowie weren't laughing and threatened a copyright infringement suit.

The Verdict: The case was settled out of court, costing Ice an undisclosed sum and earning him a not-insignificant amount of public scorn. Bowie and members of Queen all received songwriting credits on the track.



COPYRIGHT LAWS

AS SEEN ON TV & IN THE NEWS:

Netflix Settles Copyright Lawsuit Over 'Unofficial Bridgerton Musical'

By Gene Maddaus



Courtesy of Igor Kasyanyuk

TOPIC 5



AS SEEN ON TV & IN THE NEWS:

The New York Times

Tattoo Artist Settles Tyson Dispute With 'Hangover 2'

BY NOAM COHEN JUNE 21, 2011 2:18 PM





COPYRIGHT LAWS

AS SEEN ON TV & IN THE NEWS:





TOPIC 4





QUESTIONS

FAIR USE

The doctrine that brief excerpts of copyright material may, under certain circumstances, be used **without the need for permission from or payment (license) to the copyright holder.**

- Criticism
- Comment
- News reporting
- Teaching
- Scholarship
- Research

NOTE: In the United States, parody is protected by the First Amendment as a form of expression under Fair Use.



FAIR USE

There are **four factors** that must be considered in deciding whether a use constitutes a fair use. A copyright infringement case, like Defamation and Privacy cases, would be seen by a Judge.

1. The **purpose** and **character** of your use, including whether such use is of a commercial nature or is for non-profit educational purposes.

2. The **nature** of the copyrighted work; is it more factual or fictional?

3. The **amount** and **substantiality** of the portion used in relation to the copyrighted work as a whole (there is no legal limit on the amount).

4. The **effect** of the use upon the potential market for or value of the copyrighted work.



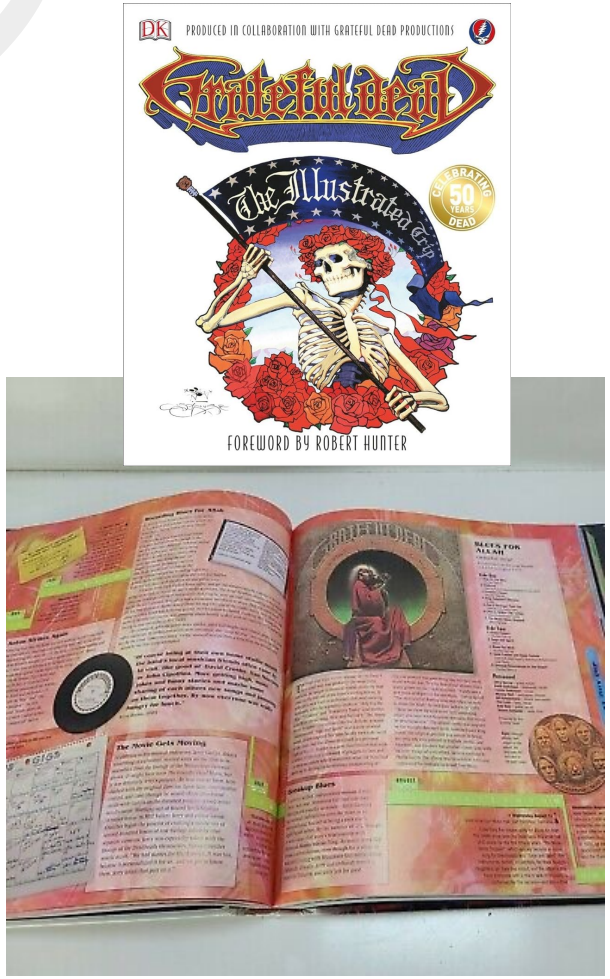
COPYRIGHT LAW

EXAMPLES THAT *COULD* BE PERMISSIBLE:

- ✓ A comedy skit mimicking a famous movie scene to poke fun at its clichés
- ✓ A YouTube movie critic includes clips from a film to analyze its plot, or acting
- ✓ A documentary on 9/11 includes clips from news broadcasts to provide historical context
- ✓ A filmmaker uses a few seconds of a famous speech in a project about civil rights history
- ✓ Using famous cartoon clips to demonstrate different types of animation



AS SEEN ON TV & IN THE NEWS:



Bill Graham Archives v. Dorling Kindersley Ltd.

Citation. Bill Graham Archives v. Dorling Kindersley Ltd., 448 F.3d 605, 78 U.S.P.Q.2D (BNA) 1764, Copy. L. Rep. (CCH) P29,179, 34 Media L. Rep. 1782 (2d Cir. N.Y. May 9, 2006)

Law Students: Don't know your *Studybuddy Pro* login? Register here

Brief Fact Summary.

Bill Graham Archives, LLC (Plaintiff) owned the copyright in images on Grateful Dead event posters and tickets, and contended that Dorling Kindersley Ltd. (Defendant) infringed its copyright by publishing seven of the images in reduced size in a book on the history of the Grateful Dead.

Synopsis of Rule of Law.

Under the copyright law, a book publisher's appropriation of copyrighted poster and ticket images in a biographical book in reduced-size format is a protected â€œfair use,â€ where the balance of the statutory fair use factors favors the publisher.

TOPIC 5



AS SEEN ON TV & IN THE NEWS:

2. The Associated Press vs. Fairey

—



Photograph: Mannie Garcia – 2006 (via The New York Times); Poster: Shephard Fairey – 2008 (via Wikipedia)

Case

Famous street artist Shephard Fairey created the Hope poster during President Obama's first run for presidential election in 2008. The design rapidly became a symbol for Obama's campaign, technically independent of the campaign but with its approval.

In January 2009, the photograph on which Fairey allegedly based the design was revealed by the Associated Press as one shot by AP freelancer Mannie Garcia — with the AP demanding compensation for its use in Fairey's work. Fairey responded with the defense of fair use, claiming his work didn't reduce the value of the original photograph.

Outcome

The artist and the AP press came to a private settlement in January 2011, part of which included a split in the profits for the work.





QUESTIONS

PUBLIC DOMAIN

Consists of all the creative work to which no exclusive intellectual property rights apply. Those rights may have expired, been forfeited, expressly waived, or may be inapplicable.

- For works made for hire and anonymous works, the duration of copyright is...
  - 95 years from first publication or...
  - 120 years from creation, whichever is shorter

- **For non-corporate work (published or unpublished) the duration of copyright is...**
  - Author's life plus 70 years

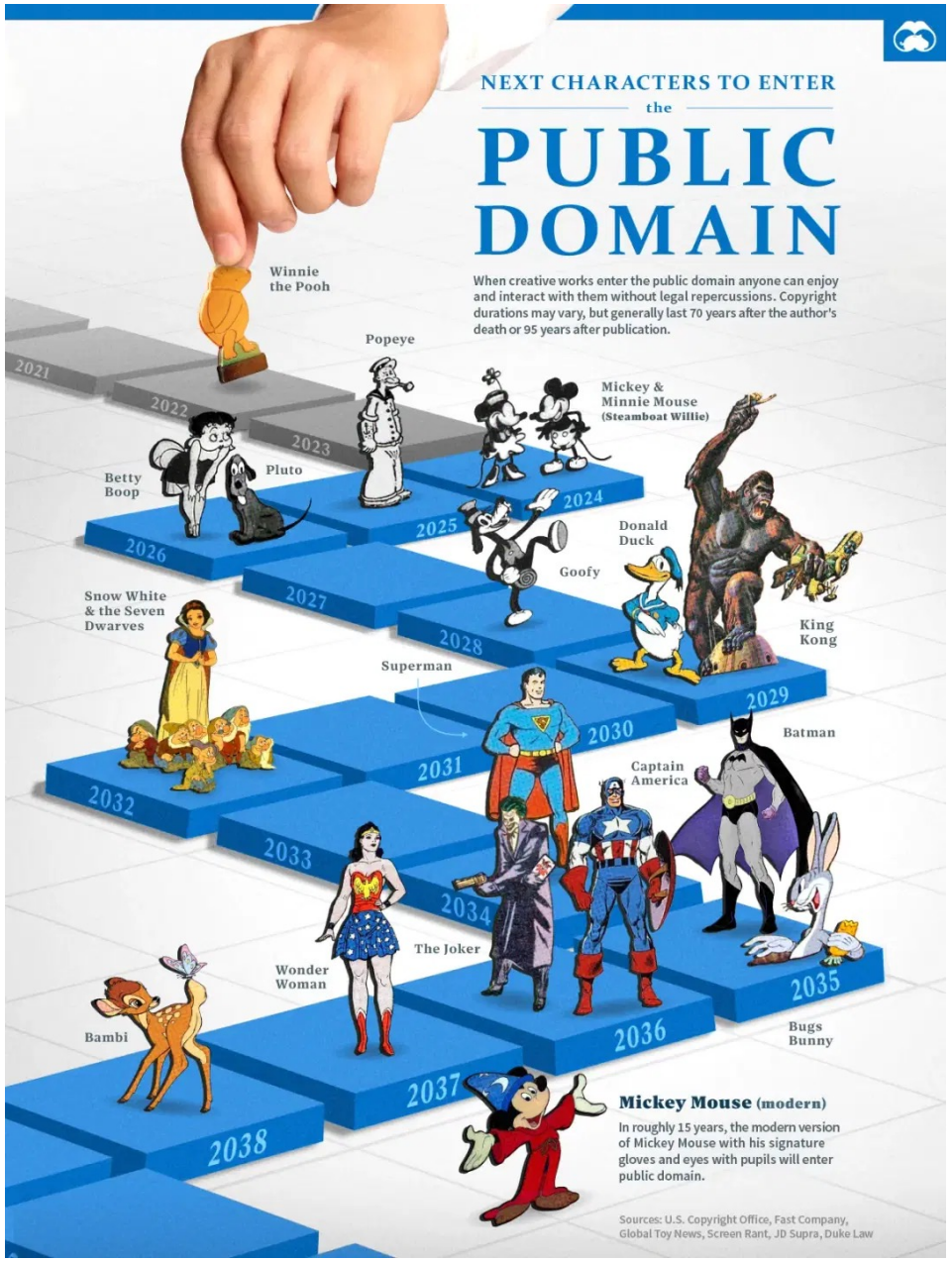
- Other creative work may be public domain if copyright was not renewed

- you can make a public domain proclamation publicly for your own content

TOPIC 5



COPYRIGHT LAWS

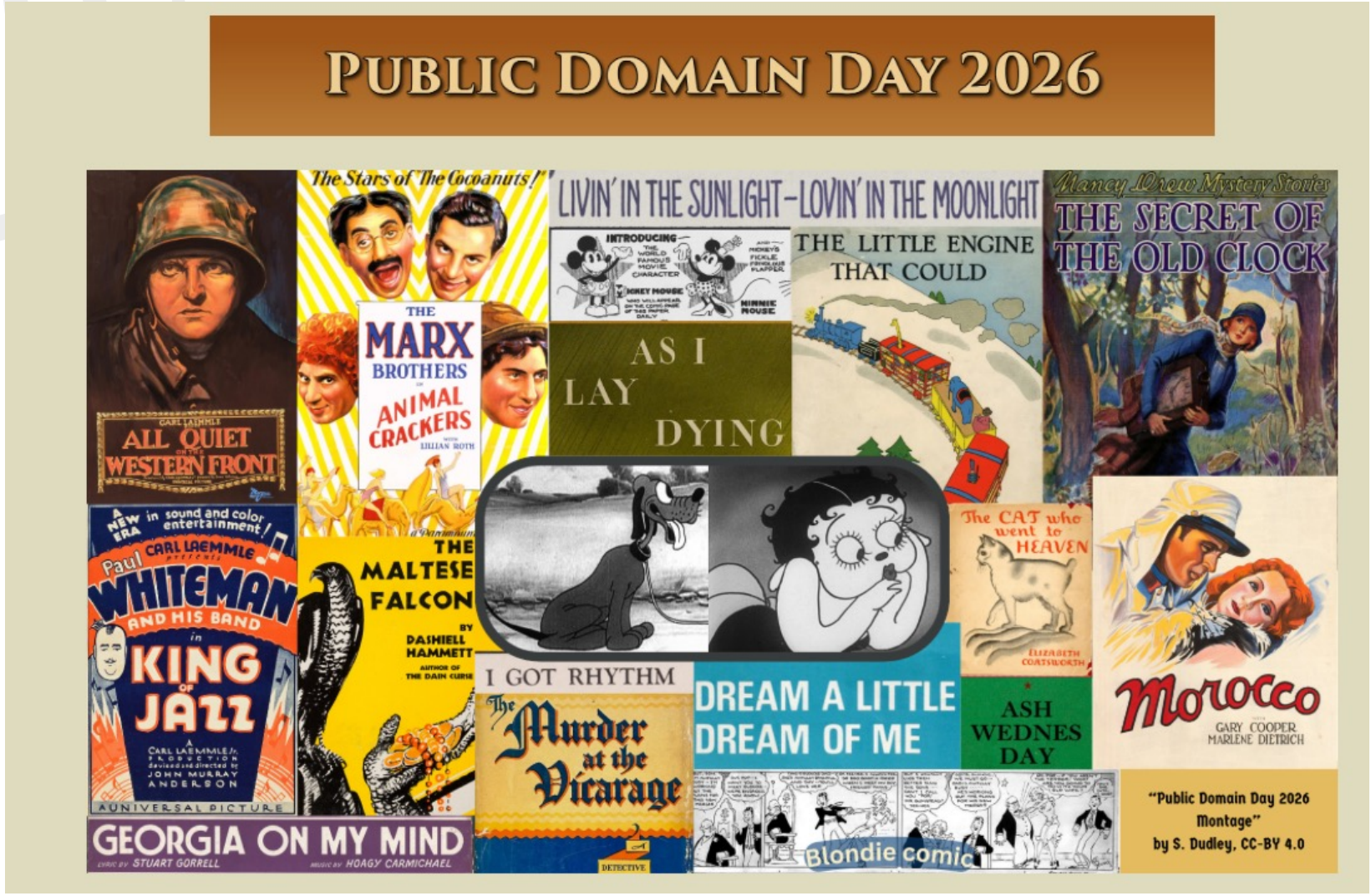


@visualcapitalist

TOPIC 5



COPYRIGHT LAWS



Duke Law School
Center for the Study of Public Domain

TOPIC 5

COPYRIGHT LAWS

2023

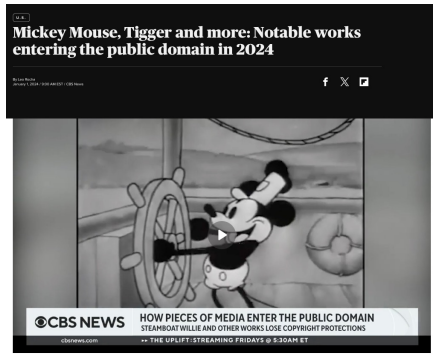
Winnie-The-Pooh will be just one of many new works entering the Public Domain starting January 1st, 2022





Winnie the Poo

2024





Steamboat Willie

2025



First look at "raunchy and gory" Popeye horror movie

NOVEMBER 18, 2024 BY GARY COLLINSON



Popeye

2026



MOVIES

Betty Boop Horror Movie in the Works with Devanny Pinn as 'Boop'

Published 2 months ago on November 11, 2025
By Alex DiVincenzo



Betty Boop

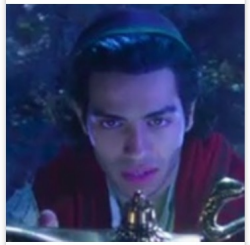
TOPIC 5



COPYRIGHT LAWS

OTHER EXAMPLES OF PUBLIC DOMAIN


Davy Crockett


Aladdin


Sleeping Beauty


Romeo


Ebenezer Scrooge


Robin Hood

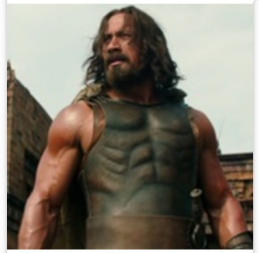

Pinocchio

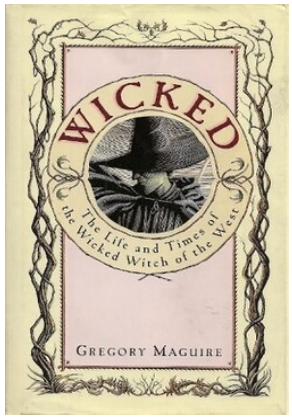

Captain Hook


Sweeney Todd

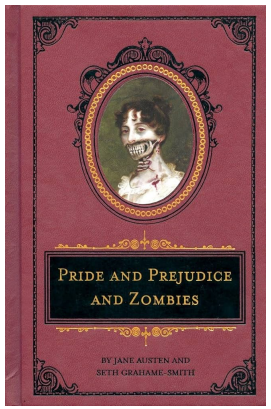

Dracula


Headless Horseman


Hercules





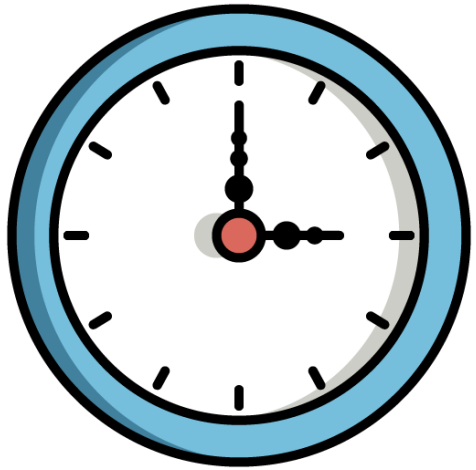


TOPIC 5





QUESTIONS



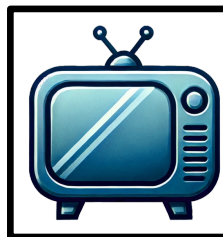
5-MINUTE BREAK

NONCOMMERCIAL POLICIES

Content submitted to Austin Public cannot contain…

"Any solicitation or appeal for funds."

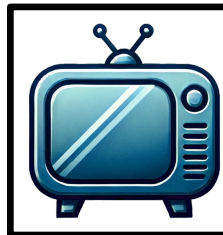
Exception for 501(c)3 Non-profit Corporations



NONCOMMERCIAL POLICIES

Content submitted to Austin Public cannot contain…

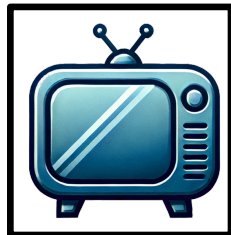
“Any advertising or material that promotes any commercial product or service.”



NONCOMMERCIAL POLICIES

SHOWING PRODUCTS AND BRANDS IS OK

- They should only be included or referenced in a manner that is reasonably related to their necessary use within the content.
- Producers must avoid promotional product placement in Austin Public-submitted content.
- Be careful not to tarnish a brand or you open yourself up to a lawsuit

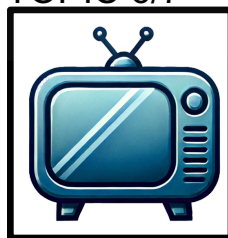


NONCOMMERCIAL POLICIES

Avoid soliciting funds, showing advertisements and overly promoting products or services.

Examples:

- A call to action like: “Come buy our product today for $9.99!”
- A self-help coach runs a show that mainly markets their paid seminars
- A cooking show affiliated with HEB where the host sells HEB T-Shirts to raise money for the show.
- A fitness instructor produces a workout program that spends a large portion of the show selling their private training services



NONCOMMERCIAL POLICIES

EXAMPLES ON HOW TO PROTECT YOURSELF:

- ✓ When in doubt, cut it out
- ✓ Avoid direct promotion of businesses, products, or services
- ✓ Avoid intentional product placement
- ✓ Educate us, don't sell us



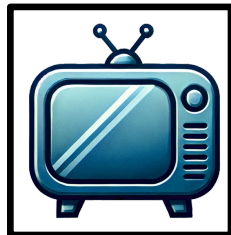


QUESTIONS

NONCOMMERCIAL POLICIES

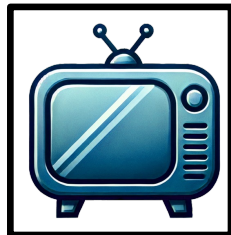
CAN I HAVE SPONSORS?

- YES! Donations and partnerships with a sponsor are perfectly fine
- Adhere to the non-commercialism policies previously discussed
- Avoid intentional product placement



CAN I RAISE MONEY FOR MY CONTENT?

- YES! Those who contribute financially to support the production of your show are called Program Underwriters
  - All underwriters need to be acknowledged
  - Underwriter credits (“Pods”) are used to identify underwriters
  - A credit “pod” is shown at beginning and end of program



NONCOMMERCIAL POLICIES

UNDERWRITING HANDOUT SENT IN EMAIL

UNDERWRITING GUIDELINES
Everything you need to know about Program Underwriting:

All entities contributing to a program/series on public television must be acknowledged. Those who **contribute financially**, by providing funds for the production, are called **program underwriters**. The FCC requires that they be identified in relation to the programs funded.

The purpose of underwriter credits is to identify the entities that have provided funding for the production. Identification is limited to name, location, business purpose. Established corporate slogans may be used to identify the funder.

Program/Underwriter Announcements:

- Maximum Credit Pod = 60 seconds
- Maximum individual credit = 15 seconds

Underwriters must be identified at the beginning and the conclusion of a program.
The underwriting announcements (a/k/a "the pod") may not be more than 60 seconds in length, made up of individual credits, for each funder, up to 15 seconds long. No single underwriter may receive more than a 15-second credit.

Underwriting pods may include:

DO'S

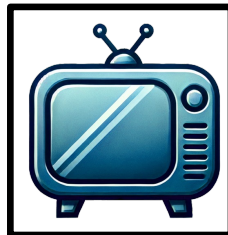
- Your company's name
- Location and contact information, including Web site address
- Up to three or four product lines or services
- Company mascots,
- Identifiable symbols and animated logos
- A recognized spokesperson's voice and instrumental music as background
- Your company's slogan or tagline, as long as it meets FCC guidelines
- Products in or out of their packaging, or consumers or employees instead of products

FCC Guidelines

DON'TS

According to FCC regulation, underwriting pods may **not** include:

- Calls to action ("Come in today and take a test drive")
- Superlative description or qualitative claim about the company, its products, or its services ("The best service in the industry" or "The most intelligent car ever built")
- Direct comparison with other companies, their products or services
- Price or value information ("7.7% interest rate available now" and "affordable," "discount," or "free")
- Inducements to buy, sell, rent, or lease "Six months free service when you buy" or "lifetime guarantee")
- Endorsements ("recommended by 4 out of 5 doctors")
- Demonstrations of consumer satisfaction



NONCOMMERCIAL POLICIES

AS SEEN ON TV & IN THE NEWS:







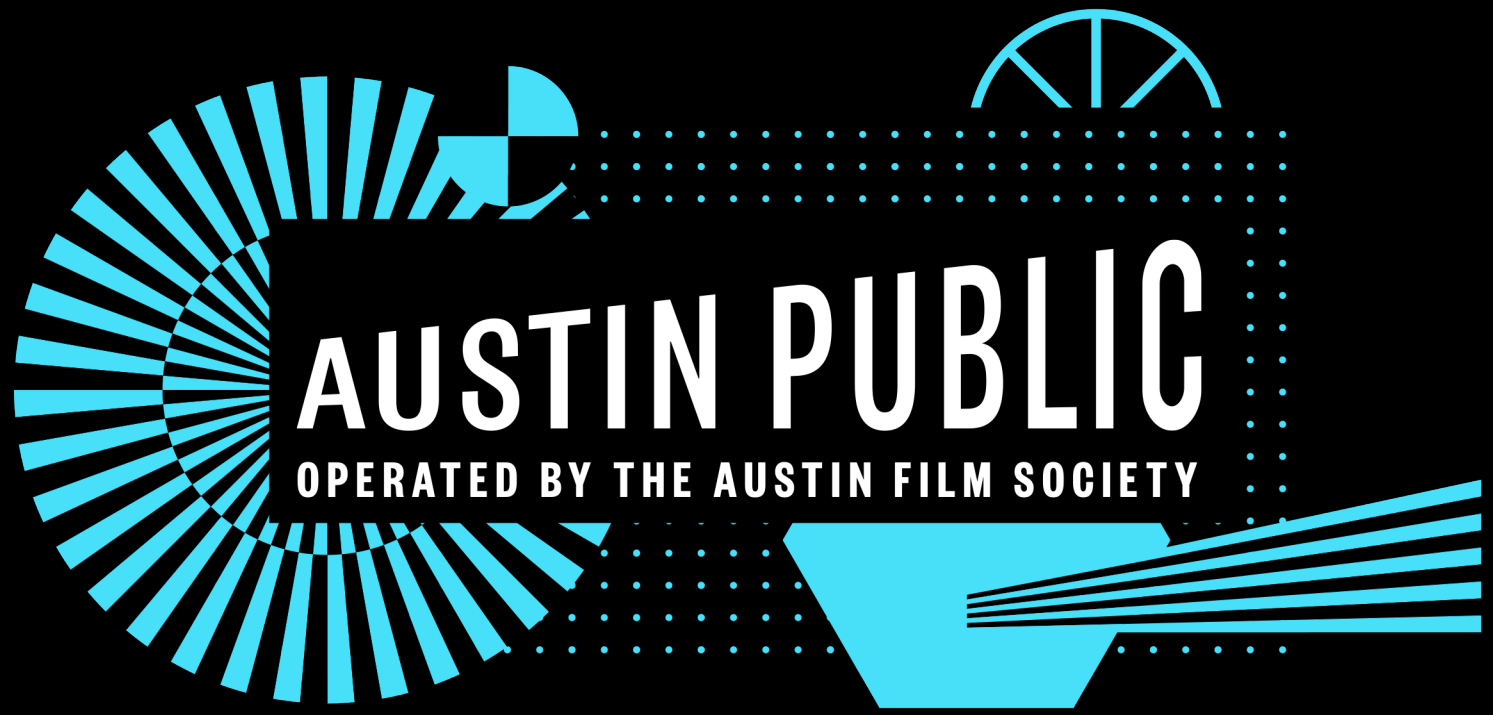
QUESTIONS

TOPICS COVERED

1. Material contrary to the law
2. Immediate danger or damage
3. Obscene material
4. Defamation & Invasion of Privacy
5. Unlawful Copyright
6. Solicitation of funds
7. Commercialism

REVIEW CONTRACT

TAKE TEST



SUBMITTING CONTENT

AFS Producer Program

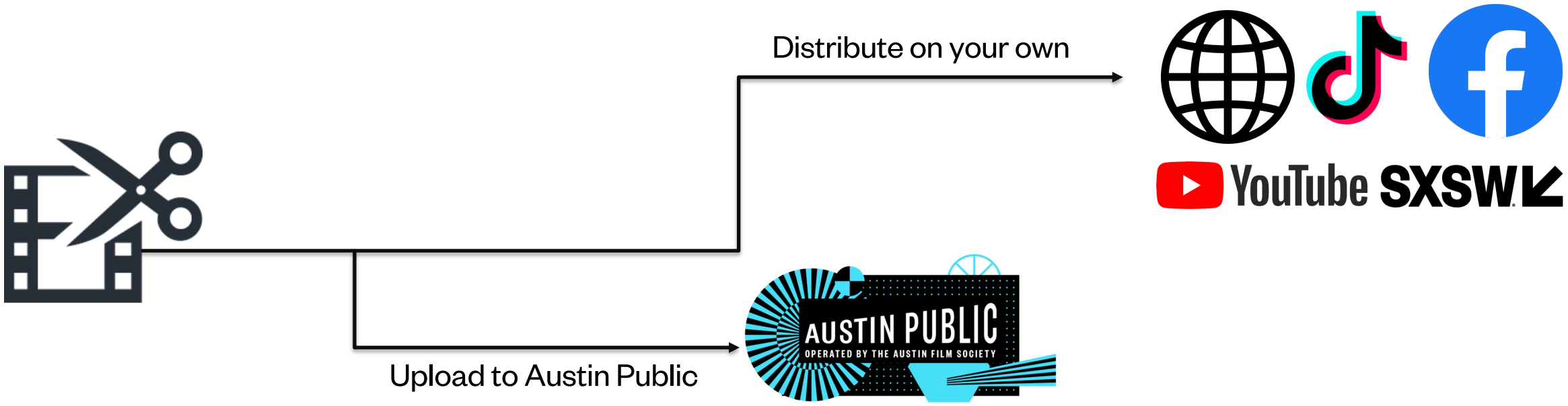
AFS AUSTIN FILM SOCIETY

SUBMITTING CONTENT

AUSTIN FILM SOCIETY

Producer Content Policy :

Producers are responsible for submitting content (in its entirety or a portion) created with Austin Public resources to air on Austin Public's distribution platform before distributed through other platforms. **Producer owns all content created with Austin Public resources.**





SUBMITTING CONTENT

Independent Shows (No extra Cost)

- Any length
- Will air at programming department's discretion or a Producer can request an airdate.

Series (minimal fee for a Series)

- A show that airs on the same day, time and channel for 4 months.
- Total run time of 28:30, 58:30, 1:28:30 or 1:58:30
- Price ranges from $10-$25 for the 4-month Series

- The three Series Seasons:
    - Summer Season June 1 to September 30
    - Fall & Winter Season October 1 to January 31
    - Spring Season February 1 to May 30

AUSTIN PUBLIC

AFS AUSTIN FILM SOCIETY



SUBMITTING CONTENT

File Requirements

- At least a 10-frame fade in and out from black
- 10-seconds, static tag at the end of your show with a name and form of contact
- We air content in 1920x1080 HD @ 29.97 fps

Naming Your File

- For a series of content, use the same naming convention
- Doug's Music Show Episode #1 = DMS001.mov
    - OR you could put detail in the middle = DMSthebandname001.mov

Play Count

- Guaranteed a minimum of 3 airings (will air more than that)
- If not rated "Adult" then it will be posted to VOD based on category given
- Content rotated out every 3+ months
- You can tell us to delete files after 3 airings



SUBMITTING CONTENT

NEW SHOW REQUEST FORM

Show Name: *
Show Name: Episode Name

Series Title:

Show Description: *

Show Type: *
Please select...

Production Area: *
○ Local ○ Out of Area

First time on airing Austin Public? * ○ First Time ○ Aired Before

Digital File or Live Show Duration: *
HH:MM:SS

Digital File Name (for Pre-recorded shows):
FILEepisode001.mov

Show Category (choose the best representation):
Please select...

Video on Demand: Can this file be uploaded to Austin Public's Video On Demand platform prior to the air dates listed below? *

○ Yes

○ No

Request #1 - Air Date / Time/ Channel

Air Date Request *

Air Time Request:
HH:MM AM/PM

Channel Preference:
Please select...

Channel 10 is typically politics, current events, news shows, etc. Channel 11 is typically inspirational content. Channel 16 is typically entertainment, music, sports, film, etc.

SUBMITTING CONTENT

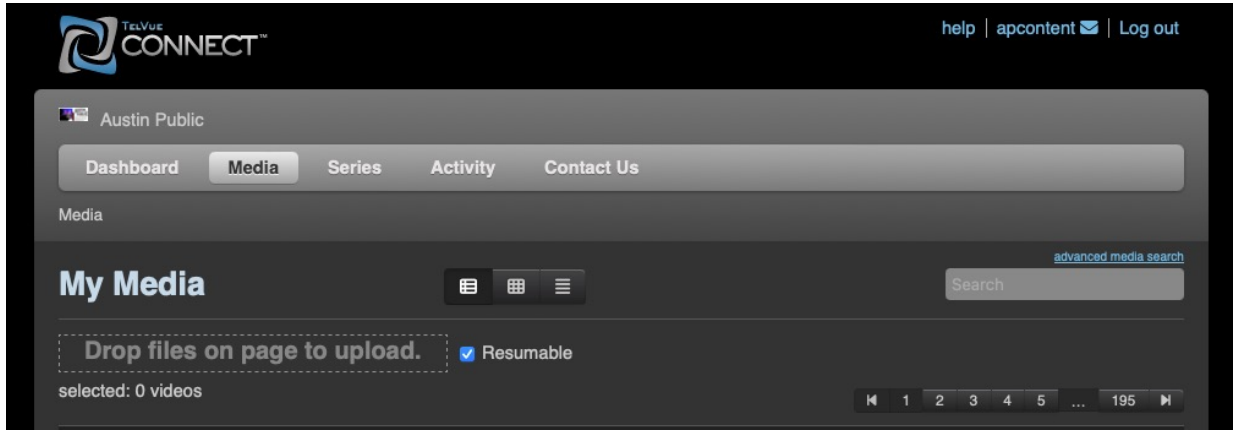
FILE UPLOADING

Step 1. Got to: https://connect.telvue.com/media/all

Step 2: Login: (User: apcontent , Password: APcontent)

Step 3. Drop your file into where it says: "drop files on page to upload"

You can also drop off your file onsite at Austin Public. Please remember that we air content in Full HD (1920x1080) with a frame rate of 29.97fps. Your file will be converted on upload.



RESERVATIONS

RESERVATION LENGTHS

- Production gear - **5 days**
- Editing computers and accessories - **10 days**
- Production spaces - **5-hours at a time**
  - 10-hours max per week
- Edit bays & meeting space- **entire day**
  - Walks in welcome for edit bays

48-hours
Time between a return and another checkout.

Resources may not be reserved back-to-back.

PICK UP AND RETURN ON TIME!!



CONTACT US

WHAT'S NEXT:

- Look for email from Austinpublic@austinfilm.org
- Fill out intake form (if you haven't yet)
- Gain access for one month free
- Take Resource Certification Classes
- Sign up for Subscription after first free month ends

HOW TO CONTACT:

- EQUIPMENT ROOM: (512) 322-0145, EXT 3241
- ADMIN/COORDINATOR: (512) 322-0145, EXT 3235

- doug@austinfilm.org (Program Management)
- charles@austinfilm.org (Content Programmer)
- equipment@austinfilm.org (Reservations)
- austinpublic@austinfilm.org (Program onboarding)