

## Identify and negotiate copyright issues

---

### Overview

This Standard involves ensuring that copyright issues relating to all relevant materials are identified and concluded before production commences.

It is about ensuring that systems are in place so that copyright issues relating to archive, intellectual property and music are monitored throughout the production process.

This Standard is for those involved in identifying and negotiating copyright issues including Production Managers and legal teams.

## Identify and negotiate copyright issues

---

### Performance criteria

*You must be able to:*

1. use  
information from reliable sources to identify the original sources of  
materials  
within productions which may be subject to copyright
2. assess  
the use of materials against current copyright regulations
3. obtain  
information and advice from specialist sources when materials are  
subject to  
complex or unusual copyright regulations
4. agree terms,  
conditions and extent of use of copyright materials with copyright  
owners or  
license holders
5. confirm  
that terms, use and cost of copyright materials meet production  
requirements,  
are within the budget, and are consistent with standard industry  
rates
6. verify  
that copyright clearances have been obtained from appropriate  
people,
7. make  
sure that clearances are obtained within production timescales  
and that payments  
are within budget
8. confirm  
that accurate records of copyright clearances are kept in line with  
organisational procedures
9. suggest  
alternative clearable and less expensive materials when it is not  
possible to  
obtain copyright clearance for originals

## Identify and negotiate copyright issues

---

### Knowledge and understanding

*You need to know and understand:*

1. how to identify copyrighted material, as well as the source and ownership of materials
2. how to access sources of specialist advice on copyright
3. the different types of copyright and the type of materials they apply to
4. the rights, territories and clearances required by broadcasters and all parties
5. what to cover in negotiations with copyright owners and licence holders regarding the conditions of use of copyright materials
6. how the use of material from and in different countries may affect copyright regulations
7. accepted rates for copyright fees
8. Chain of Title, where appropriate for feature films
9. laws of copyright and intellectual property as they apply to film and TV production
10. organisational processes for storing copyright clearances
11. where to access alternative sources of materials

## Identify and negotiate copyright issues

---

<b>Developed by</b>	ScreenSkills
---------------------	--------------

---

<b>Version Number</b>	2
-----------------------	---

---

<b>Date Approved</b>	31 Mar 2019
----------------------	-------------

---

<b>Indicative Review Date</b>	30 Mar 2022
-------------------------------	-------------

---

<b>Validity</b>	Current
-----------------	---------

---

<b>Status</b>	Original
---------------	----------

---

<b>Originating Organisation</b>	Screen Skills (formerly Creative Skillset)
---------------------------------	--

---

<b>Original URN</b>	SKSP5
---------------------	-------

---

<b>Relevant Occupations</b>	Arts, Media and Publishing, Production Managers, Production Coordinator
-----------------------------	---

---

<b>Suite</b>	Production (FILM and TV)
--------------	--------------------------

---

<b>Keywords</b>	Copyright, Legal, Clearances
-----------------	------------------------------

---