

State of Vermont  
Department of Libraries  
109 State Street  
Montpelier, VT 05609--0601

Tel: 802-828-3261  
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### Agreement between the State of Vermont Department of Libraries (VTLIB) and

School Name: \_\_\_\_\_ Town: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ e-mail: \_\_\_\_\_

### For a Public Performance Site License to Exhibit Motion Pictures (October 1, 2013 – September 30, 2014)

#### Terms of License

Movie Licensing USA (a division of Swank Motion Pictures, Inc.) under the terms of its contract with the State of Vermont Department of Libraries will provide Vermont K-12 public schools (as defined by 16 VSA § 11 (a)(7)) and approved independent schools (as defined by 16 VSA § 11 (a)(20)), with Public Performance Site Licenses to Exhibit Motion Pictures (in VHS or DVD form) of the copyright owners listed below in full compliance with 1976 U.S. Copyright Act (Title 17, Pub. L. 94-553).

- Movie Licensing USA has exclusive rights to license these motion pictures to Vermont K-12 public and approved independent schools on behalf of major Hollywood Studios which can be found here: <http://www.movlic.com/k12/studios.html>
- These motion pictures may be shown *only* inside a Vermont school building.
- Advertising the motion picture title is prohibited: 1) through the general media such as public radio, public television or public newspapers, etc. and 2) on websites (except through school publications such as newsletters that are posted on websites).
- Advertising the motion picture title is permitted: through school newsletters and/or posters inside the school.
- This license does not cover showings where admission is charged.
- This license covers motion pictures presently licensed "For Home Use Only."
- There may not be any duplication, editing, altering or digital transmission of the video cassettes or DVDs in any manner.
- The copyright of the motion picture remains the property of the copyright holder, who reserves all rights to protect its intellectual properties.
- All copyright notices must remain on the motion picture.

The above-identified school ("School") shall defend, indemnify and hold harmless the Vermont Department of Libraries and the State of Vermont, its agencies, departments, divisions, offices, officers, employees and agents ("State") from all claims demands, suits, actions, proceedings, loss, cost, and damages of every kind and description, including attorney's fees or other litigation expenses that may be asserted or made against, or incurred by, the State on account of loss of, or damage to, any property, including any infringement of intellectual property rights, or for injuries to or death of any person caused by, arising out of or contributed to, in whole or in part, by reasons of any alleged act, omission, mistake, negligence or other fault of School, its students, guests, employees, agents, representatives, members or contractors and their guests, employees, agents or representatives arising out of School's use of the Movie Licensing USA public performance site licenses granted under State Contract # 25214 ("Licenses"). School further shall have no cause of action against the State for any damage, injury or loss to person or property, including any infringement of intellectual property rights, from any cause whatsoever associated with School's use of the Licenses.

**The above named school understands and agrees to the Terms of License:** (see also reverse side of page)

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

School Enrollment: \_\_\_\_\_ (See below for where to find enrollment)

Amount to be Invoiced: \$ \_\_\_\_\_ (See below for License Costs)

### ANNUAL LICENSE COSTS

The Department of Libraries has agreed to manage a contract for public performance motion picture licenses for schools in order to offer discounted prices to Vermont public and approved independent K-12 schools. This contract will be **implemented only if at least fifty schools sign up** for and remit payment to the DOL for the licenses. The licenses will **begin on October 1, 2013** provided that 50 schools sign up. If the contract is implemented, additional schools may sign up after the deadline but will not receive a price reduction for late sign-up.

Student Enrollment (per school)	Price (per school) with discount
150 and under	\$150.00
151-300	\$175.00
301-500	\$187.50
501-1000	\$200.00
1001-1500	\$212.50
1501-2000	\$225.00
2001 and above	\$237.50

Enrollment figures (use last school year) for public schools can be found at:

<http://edw.vermont.gov/REPORTSERVER/Pages/ReportViewer.aspx?/Public/Enrollment Report>

**Community (Combined School/Public Libraries):** The Movie Licensing USA has informed us that Community libraries need two licenses: one for the public library and one for the school.

**Note:** VTLIB does not require a Purchase Order. Please return Agreement Form before September 20. If your school is required to issue a Purchase Order, give a copy of this Agreement to your business office and mail the original signed Agreement to VTLIB. Keep a copy for your records. Once we receive your signed Agreement, we will send you an invoice for payment. Payment will be due within 30 days.

**Return this signed agreement by September 20, 2013 to:**

**School Movie License  
Vermont Department of Libraries  
109 State Street  
Montpelier, VT 05609-0601**

To learn more of the uses of your school movie license visit: <http://www.movlic.com/k12/index.html>