



# Copyright and Trademark Policies

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## COPYRIGHT AND TRADEMARK POLICIES

### **I. EMMY® NAME AND EMMY STATUETTE POLICIES.**

The Emmy name and the Emmy statuette are the trademarked property of The Academy of Television Arts & Sciences (“Television Academy”) and the National Academy of Television Arts & Sciences (“National Academy”). Additionally, the Emmy name, logo and statuette are licensed to the International Academy of Television Arts & Sciences (“International Academy”) for International Emmys. The Academies have adopted the following rules regarding use of these properties, as follows:

#### **A. Use by Emmy Honorees and Nominees of Emmy Name and Emmy Statuette in Advertising and Publicity.**

1. Emmy honorees or those congratulating them may at any time refer in advertising and publicity to the fact that the honoree has received an Emmy Award and may for one (1) year after an award is made, use a replica of the statuette in advertising and publicity which appears in print, by broadcast or over the Internet.

2. Subsequent to the announcement of their Emmy nomination, nominees or those congratulating them may refer in advertising and publicity to that nomination, and, provided that such nominees are clearly identified as such, may use a replica of the statuette in advertising and publicity (subject to the requirements set forth below) up until the actual Emmy Awards ceremony and presentation.

3. Broadcasters, cable services and Internet sites may use the Emmy name and statuette in connection with promotional announcements for programs or broadcasters (or the like) which in fact have been awarded an Emmy as long as it is done within one (1) year after the awarded has been awarded and not thereafter.

4. Subject to obtaining specific authorization from the chief operating officer of the appropriate Academy (i.e., the Television Academy for Primetime Emmy Awards and Los Angeles Area Emmys, as well as the National Academy for Daytime Emmy, Sports and News Emmy presentations and other regional Emmy presentations), sponsors of Emmy Awards presentation may use a copy of the Emmy statuette and the Emmy name in advertising provided that (i) the advertising occurs at or near the time of the presentation of the Awards show = (ii) advertising makes specific reference to such sponsorship of the show and (iii) the advertising is approved by the respective Academy. No other commercial use of the Emmy name or statuette is permitted.

5. In the case of DVDs, videos and electronic productions, Emmy honorees and/or producers of Emmy-honored programs may reference the fact of their receiving an Emmy; however the statuette may not be used unless it is capable of being removed from all copies or transmissions within one year after the award is granted.

6. Whenever the statuette photo or graphic is used it should be provided to the user by one of the Academies, and in general, should appear facing left. It must be accompanied by ® at its base (denoting trademark protection). The word “Emmy” is also trademarked and whenever possible its first use in an advertisement or text should appear as follows: “Emmy®”. Any deviation from these instructions must be pre-approved.

A copyright notice for the statuette is not mandatory, but when used should read “©ATAS/NATAS” for brevity.

## **B. Use of Excerpts (i.e. Clips) From Emmy Awards Presentations.**

The Academies have adopted the following rules concerning use of clips from their respective Emmy awards presentations

1. Use of Excerpts from Emmy Award Presentations in News Programming and Similar Programming: Audio and audiovisual excerpts from Emmy Award presentations may be used in news broadcasts (Including Internet transmissions) about these events which occur within two (2) days from the time the presentations are initially presented, except that excerpts may be used in week-end-type news shows during the weekend following the initial presentation. In the case of news reports in foreign countries, excerpts may be used during a reasonable period (to be approved by the chief operating officer of the Academy involved) following the presentation or the first broadcast of the event in the foreign territory, if later. In addition to uses described above, and, subject to clearance as outlined below, the policies governing use of excerpts for other news purposes are as follows:

a. Excerpts may be used in current news stories which relate to a recipient of an award, e.g. a current news story regarding a recipient (such as a death or marriage);

b. Excerpts may be used in retrospectives and similar programs and documentaries dealing with the career or history of recipients;

c. Excerpts may be used in another awards show.

In all cases, the user of the excerpt must assume (and will be deemed to have assumed) all clearance obligations, i.e. clearance of individuals (other than uses in current news shows), union clearances and music clearances.

In no event may the clip contain excerpts from another production (e.g. an excerpt from a program receiving an Emmy) unless the copyright owner of the other production consents on terms acceptable to such copyright owner.

Each Academy reserves the rights to (i) limit the period of time during which an excerpt may be used and (ii) charge a fee for the uses of excerpts described in subclauses a. - c. above.

2. Use of Excerpts in Entertainment and Other Programming:

a. Excerpts of the presentation of an award may be used in a promotional announcement for a period of one (1) year following the granting of the award, provided that the primary purpose of the promotional announcement is to congratulate the program or individual so honored;

b. Excerpts of Emmy Award presentations may be used in DVDs, videos and Internet uses of both pre-existing productions and of new productions provided that the primary purpose of the use is to honor the awardee (e.g. a DVD containing a year's series of a show that received an Emmy). Additionally, with authorization from the appropriate Academy, excerpts may be shown at non-broadcast public events (e.g. a dinner) provided the primary purpose of use of the excerpt is to honor the individual or program honoree who/that is the subject of the excerpt.

c. Excerpts may be made available to individual and program Emmy honorees for personal and Internet use. In the case of Internet use, excerpts may be furnished digitally, or when possible, from a hosted site whereby the excerpt may be embedded. In any case, the digital excerpts shall be non-broadcast and not capable of redistribution or download. Internet license is limited to one hosted source, embedding can be enabled, but all other forms of redistribution including downloading are not allowed.

d. In all cases, the user of the excerpt must assume (and will be deemed to have assumed) all clearance obligations, i.e. clearance of individuals (other than uses in current news shows), union clearances and music clearances.

In no event may the clip contain excerpts from another production (e.g. an excerpt from a program receiving an Emmy) unless the copyright owner of the other production consents on terms acceptable to such copyright owner.

Each Academy reserves the right to limit the period of time during which an excerpt may be used, except that in the case of DVDs and similar product this limitation shall apply to the period of manufacture, with recognition that items may be sold off subsequent to the end of the license.

Each Academy reserves the right to charge a fee for the uses of excerpts described in this paragraph 2.

3. Use of Excerpts in Commercials. Except as provided above for promotional announcements, excerpts from an Emmy Awards presentation may not be used in commercial advertising.

### **C. Use of Emmy Name and Emmy Statuette in Productions, Publications, Websites and the Like.**

Although the Academies will permit certain uses of the Emmy name and statuette in other contexts, the unrestricted use of the same violates both the value and stature of the Emmy and may serve to dilute the marks. Therefore the following uses, although permitted under some circumstances, always require prior express written authorization from the Academy from which authorization is sought:

1. Use of Emmy Statuette or Certificate as a Prop in a Production. If authorized, the Emmy statuette or a replica of a nomination certificate may be used as a prop in a production provided that (i) the use is in no way derogatory to the Emmy, (ii) the use is incidental to the primary story of the production, and (iii) the script and other detail regarding the use has been submitted as a precondition to the Academy's consideration of its authorization

2. Use of Emmy Replicas; Re-Creations of Emmy Awards Presentations. Requests for use the Emmy (e.g. the Emmy statuette used on stage during the presentation or the statuette located at the Television Academy's headquarters) and requests to recreate or simulate an Emmy Awards presentation must be submitted to the Academy from whom authorization is sought; each request will be considered by the chief operating officer (in consultation with counsel); in cases where authorization is denied, the applicant may request re-consideration by the Executive Committee of the Academy from which authorization is sought

3. Use of Emmy Name or Statuette in Published Works, Websites, and the Like.

a. If approved, the Emmy name and/or statuette may be used in connection with printed works, websites and the like, provided that the work is of an educational or informational nature and the reference to the Emmy name or statuette is non-derogatory and is reasonably related to the purpose of the work.

b. With prior approval, Emmy honorees may from time to time use pictures of themselves receiving the Emmy statuette or otherwise holding the Emmy statuette in personal resumes and the like. Pictures of Emmy winners receiving their Emmys statuettes or otherwise holding the Emmy statuette may also be used in printed materials and websites and the like featuring biographical material about such honorees, provided that the use is reasonably related to the biographical material. If the photo is owned by any of the Academies, it should be noted in the caption or beside the photo, e.g. "Photographer name/ Invision ©Television Academy" or if the photography is unknown and the photo was taken prior to 2013, "©Television Academy."

c. With prior approval, the Emmy name, logo and/or statuette may be used on DVDs or similar productions that include programs that have received a program category Emmy Award, indicating that the program has been so honored. Except in unusual cases, as determined by the appropriate Academy, approval for such uses for programs for which individual achievements (but not program category awards) were given will not be allowed.

4. Uses on Stationery, Business Cards, and the like: Nothing shall preclude an individual or entity from stating the fact that such individual or entity is an Emmy honoree on their/its stationery or business card, provided that neither the Emmy logo nor the statuette is used in connection with such factual statement, it being understood that any such use of the logo or the statuette is specifically prohibited.

5. Use of Emmy Name or Statuette in Merchandising Prohibited: The Emmy name and/or statuette may not be used on commercial products or in connection with any merchandising items except with prior approval of the Boards of the Academies. This restriction does not apply to branded merchandising given away at an event with an Academy's approval, e.g. an Emmy name or logo on a give-away gift.

**D. Television Academy Rules Relating to Corporate Sponsor Identification with Emmy and Emmy Show Activities.** *(These provisions apply to the Television Academy; readers should contact each of the other Academies to determine their applicable rules as to sponsor identification and Emmy show activities).*

1. Consistent with the Trademark policy prohibiting use of the Emmy name and logo for advertising and merchandising, the following applies to corporate sponsorship partners of the Television Academy:

a. Sponsorship partners may clearly identify themselves as associated with the Television Academy if cleared with the Television Academy's marketing department and if approved in writing to use by the Television Academy's President/Chief Operating Officer and CFO/EVP Business Operations and the Network partner if Television Academy determines that Network partner approval is required. Permitted uses may include the use of the Emmy name, marks and logo on partner products or in advertising material including but not limited to print, online and Point of Sale advertising and may include a tune-in message (e.g. Tune into/ Watch the Prime Time Emmy Awards show on \_\_\_\_). Sponsorship partners may accompany the tune-in message with the Emmy logo, as long as the use is cleared in advance with Television Academy's marketing department, and is approved in advance in writing by the Television Academy's Chief Operating Officer and, if required, its Network partner.

b. Sponsorship partners which get tickets for a show/dinner may use them for employees and clients, but may not re-sell them or make them available for any contest, auction or lottery, unless previously approved by the Television Academy's President/Chief Operating Officer and CFO/EVP Business Operations as part of a consumer marketing campaign sold within the sponsorship.

c. The same rule applies to broadcasters of the shows or their affiliates.

d. The Television Academy may allow certain charities (only if approved by the Television Academy President/Chief Operating Officer and CFO/EVP Business Operations), to purchase tickets that the organization then auctions off in return for charitable contributions.

e. The current practice of the Television Academy precludes advertisers or sponsors to run a contest or auction of Prime Time Emmy Show tickets, absent further approval of the Television Academy President/Chief Operating Officer and CFO/EVP Business Operations. The Executive Committee will be notified.

f. In the case of the Television Academy, there have been other contests that do not involve Emmy Show tickets (e.g. contests for Red Carpet bleacher seats, a suggested contest for seat-filler jobs) that are not direct uses of the trademark, and these may be allowed on a case-by-case basis with approval from Television Academy President/Chief Operating Officer and CFO/EVP Business Operations.

2. Additionally, the Television Academy Foundation requires approval from the Television Academy President/Chief Operating Officer and CFO/EVP Business Operations if offering Primetime Emmys/Ball tickets for its online auction in return for contributions. No other online campaigns are to be approved for any Academy unless cleared by the Television Academy and the National Academy.

3. These Trademark rules and practices do not address the issue of contests that might be conducted within the shows, either by the network or by the Television Academy, wherein the prize is something other than Emmy tickets. Such activities are to be approved or disapproved on a case-by-case basis by Television Academy President/Chief Operating Officer and CFO/EVP Business Operations.

4. Some advertisers run contests (in print or online) which invite viewers to “choose the winners of the Emmys [Oscars].” Although the Television Academy will determine whether such use is permissible either as a “fair use” or otherwise, if a publisher or Internet advertiser were to use the Emmy logo in the presentation of the contest, that conduct would be considered an infringement of the Trademark, and the Television Academy would reserve the right to take further action.

## **II. OTHER ACTIVITIES OF TELEVISION ACADEMY AND FOUNDATION**

In addition to the Emmy Awards presentations referred to above, the Television Academy and the Television Academy Foundation (“Foundation”) currently have other activities as to which the foregoing copyright and trademark policies apply. In summary these are as follows:

**A. Television Academy Hall of Fame**

1. Use of Name, Hall of Fame Award

a. The name of the Television Academy describes the Hall of Fame presentation conducted by the Television Academy as well as the venues wherein sculptures of Hall of Fame honorees are located, and as such is protected by applicable common law trademark and other laws. No use of the name may be made, other than in news reports and the like, except as set forth below or with prior authorization from the chief operating officer of the Television Academy.

b. Hall of Fame honorees shall have the same rights to use of the statuette and name and of the award in advertising and publicity to the same extent and subject to the same restrictions that apply to Emmy honorees as outlined above

2. Use of Excerpts from Hall of Fame Presentations. Use of excerpts from Hall of Fame presentations are governed by the same policies and restrictions that apply to use of excerpts from the Emmy Awards presentations, as outline above. Contact the Television Academy for fee quotes.

3. Use of Hall of Fame Name and Award in Productions, Publications, Websites and the Like. These uses are governed by the same policies and restrictions that apply to use of excerpts from the Emmy Awards presentations, as outline above.

**B. Television Academy Honors**

1. Use of Name and sculpture

a. The name of the Television Academy Honors describes the presentation conducted by the Foundation to honor television programming with a conscience. Both the marks “Television Academy Honors” and “Television with a Conscience” are protected by federal trademark. No use of the names may be made, other than in news reports and the like, except as set forth below or with prior authorization from the chief operating officer of the Television Academy.

b. Television Honors honorees shall have the same rights to use of the name and of the award in advertising and publicity to the same extent and subject to the same restrictions that apply to Emmy honorees as outlined above.

2. Use of Excerpts from Television Honors Presentations. Use of excerpts from Television Honors presentations are governed by the same policies and restrictions that apply to use of excerpts from the Emmy Awards presentations, as outline above. Contact the Television Academy for fee quotes.



3. Use of Television Honors Name and Award in Productions, Publications, Websites and the Like. These uses are governed by the same policies and restrictions that apply to use of excerpts from the Emmy Awards presentations, as outline above.

**C. Archive of American Television.**

1. Name. The name “Archive of American Television” represents an archive of audio and audiovisual interviews which have been and are being conducted by the Foundation in order to secure a history of American television from the persons who participated in its development and evolution and is protected under federal trademark law. No use of the name may be made, other than in news reports and the like, except as set forth below or with prior authorization from the chief operating officer of the Television Academy or the Executive Director of the Foundation.

2. Rights of Interviewees. Interviewees have the right to refer to the fact that they have been interviewed for the Archive and to reference their interview; although copyright to the interviews is owned by the Foundation, in most cases interviewees reserve the right to restate all or portions of their interviews; any inquiry as to use of any such materials as to which rights are reserved should be directed to the interviewee. Any inquiries as to access to the interviews, as recorded, should be directed to the Foundation.

Subject to Foundation approval in each instance, Interviewees or, with the interviewee’s permission, others may have access to portions of their interviews for personal and Internet use; In the case of Internet use, excerpts may be furnished digitally, or when possible, from a hosted site whereby the excerpt may be embedded. In any case, the digital excerpts shall be non-broadcast and not capable of redistribution or download. Internet license is limited to one hosted source, embedding can be enabled, but all other forms of redistribution including downloading are not allowed. The Foundation reserves the right to charge fees for such uses.

3. Use of Interviews or Excerpts of the Same.

Subject to any rights reserved by an interviewee, the interviews are available for viewing, as and when uploaded, at [emmytvlegends.org](http://emmytvlegends.org). Please refer to the clip licensing instructions at [www.emmytvlegends.org/about-the-archive/clip-licensing](http://www.emmytvlegends.org/about-the-archive/clip-licensing) for details.

**D. Other Television Academy/ Foundation Events**

The Television Academy and the Foundation from time to time present other events such as the Bob Hope Comedy panel discussions, “An Evening with...” and the like. Any use of materials about or excerpts from these events requires specific authorization. Inquiries should be addressed to the Marketing Department at the Television Academy.

### **III. CONTACTS**

**A.** Requests for information, clearance information and fee quotes for the Primetime and Los Angeles Emmy Awards presentations, Hall of Fame and other Television Academy activities and events may be obtained from the Television Academy, 5220 Lankershim Blvd., North Hollywood CA 91601. Contact Nora Bates at 818-754-2800 or email [bates@televisionacademy.com](mailto:bates@televisionacademy.com).

**B.** Requests for information, clearance information and fee quotes for the Television Academy Foundation's Archive of American Television ([emmytvlegends.org](http://emmytvlegends.org)) interview footage may be obtained from the Television Academy Foundation, 5220 Lankershim Blvd., North Hollywood CA 91601. Contact Jenni Matz at 818-509-2262 or email [matz@televisionacademy.com](mailto:matz@televisionacademy.com).

**C.** General information regarding the International Emmy Awards may be obtained from International Academy of Television Arts & Sciences, 25 W. 52d Street, New York NY 10019, or ATT: [awardsdept@iemmys.tv](mailto:awardsdept@iemmys.tv). Clearance requests and fee quotes may also be obtained at this address.

**D.** Requests for information, clearance information and fee quotes for other Emmy Awards presentations (e.g. Daytime, Sports, News) may be obtained from National Academy of Television Arts & Sciences, 111 W. 57th Street 6th Floor. New York, N. Y. 10019 (212-568-8424) or ATT: Caroline Grippi ([cgrippi@emmyonline.tv](mailto:cgrippi@emmyonline.tv))