

## **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. During each year Emmy nominees or those congratulating them may refer in advertising and publicity to the fact that the nominee has been nominated and, provided that such nominees are clearly identified as such, may during the period from the announcement of nominations until the following awards presentation use a replica of the statuette subject to the requirements set forth below.

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 Prime Time Emmy and Los Angeles Area Emmy presentations and 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 and (ii) advertising makes specific reference to such sponsorship of the show. 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 is used it should appear facing left and must be accompanied by ® at its base (denoting trademark protection). The word “Emmy” is also trademarked and whenever possible its use should appear as follows: “Emmy®”.

A copyright notice for the statuette is no longer mandatory, but when used should read “©ATAS/NATAS”

## **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. 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 chief operating officer of 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 of replicas of 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.

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.

## **II. CONTACTS**

**A.** Requests for information, clearance information and fee quotes for the Prime Time and Los Angeles Emmy Awards presentations and Television Academy activities and events may be obtained from Academy of Arts & Sciences, 5220 Lankershim Blvd, North Hollywood CA 91601. Contact Nora Bates at 818-754-2800 or email [bates@emmys.org](mailto:bates@emmys.org)

**B.** General information regarding the International Emmy Awards may be obtained from International Academy of Television Arts & Sciences, 25 West 52<sup>nd</sup> Street, New York, N.Y. 10019. ATT: [awardsdept@iemmys.tv](mailto:awardsdept@iemmys.tv). Clearance requests and fee quotes may be obtained directly from the Television Academy at the above address.

**C.** 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)