



National Speakers Association
1500 South Priest Drive
Tempe, Arizona 85281
Phone: 480-968-2552
Fax: 480-968-0911
information@nsaspeaker.org
www.nsaspeaker.org

Intellectual Property Dos and Taboos: Guidelines from the National Speakers Association

What steps do you need to take to assure that you and your presenters are complying with intellectual property laws? As the leading organization for experts who speak professionally, the National Speakers Association (NSA) offers the following intellectual property guidelines for meeting professionals. These are general guidelines and are not meant to substitute for legal advice.





What is Intellectual Property?

Intellectual property is broadly defined as the original expression of ideas, as well as symbols and words that represent the products or services of a company or person.

Items considered to be intellectual property:

- Cartoons
- Photographs
- Overheads
- Videos
- Movie/TV clips
- Audio-taped interviews
- Music
- Speeches
- Written material
- Signature stories
- Logos/trademarks
- Drawings
- Artwork
- Other proprietary materials

Complying with the Law

Presenters who use any type of intellectual property that is not their own must get permission from the owner by obtaining a formal license or written permission to use the material. It is important to note that in some cases, the creator of the property is not the owner.

Assuring an Informed Audience

Ask presenters who use handouts that duplicate intellectual property with permission to add "Used with permission of ____" to the document. The handouts might also explain that the presenter has permission to use other materials (cartoons, photos, music, etc.) in the presentation. For example, "All of the materials presented in this program are either original, licensed or used with permission."

The presenter can also inform the audience that he or she has permission to use the intellectual property of others by making a simple, brief statement such as: "These photos are used with permission of ____." Sometimes the owner may require that a more formal declaration be used, including for example, a copyright notice.

Presenters who have gone to the expense of creating and/or commissioning their own intellectual property should notify the audience of this. The presenter might use a brief phrase such as, "I had these cartoons especially created for my seminars."

Securing Music Rights

By paying a small yearly fee, you can secure certain performance rights from organizations such as A.S.C.A.P. (American Society of Composers, Authors and Publishers) or B.M.I. (Broadcast Music Incorporated). This license fee allows certain music to be played or performed in front of a group of people.

Failure to secure licensing can result in significant fines, so be sure to contact B.M.I. and A.S.C.A.P. directly to learn what types of licensing agreements you need in order to comply with the law.

The organization hiring the music is generally responsible for licensing the music. A presenter that uses music in their presentation falls into the same category as a



piano player hired for a cocktail party or a DJ hired for a dance. Be sure to ask your presenters if they intend to use music. If the presenter is going to synchronize music to another media (sound on slide, video, etc.), he or she must obtain a separate synchronization license.

Taping the Presentation

Chances are, your group tapes and sells presentations to bring in extra revenue. If a presentation is being audio- or video-taped, you must obtain permission to duplicate any intellectual property that is presented. The recording company must be advised of presentation content so that they can:

1. obtain the appropriate permissions (which is unlikely),
2. simply edit out the musical selections (which is most likely), or
3. choose not to duplicate the presentation (which sometimes happens).

For videotaped programs, the same permission is required for any visual media that would be reproduced, such as photos or cartoons. The most practical way to handle this is in the standard release for taping signed by your presenters. Have the presenters indicate that taping is permitted and that they have received permission for your group to duplicate the intellectual property contained in their presentation. If such permission has not been obtained, they should indicate what portions need to be edited.

Be aware that this kind of duplication is prohibited for “casual” use of music as well. For example, if during an awards ceremony music is used to introduce the winners, duplication of this music is not permitted without a license.

A Shining Example

As a meeting professional, you gain credibility when your group places value on respecting the intellectual property of others. By requiring your presenters to understand and follow ethical guidelines for using the materials, titles and thematic creations of others, you will honor your responsibility to model the highest standards for your audiences and colleagues.

The National Speakers Association (NSA) is the leading organization for experts who speak professionally. NSA's 4,000 members include experts in a variety of industries and disciplines, who reach audiences as trainers, educators, humorists, motivators, consultants, authors and more. Since 1973, NSA has provided resources and education designed to advance the skills, integrity and value of its members and speaking profession. Visit NSA's Web site at www.nsaspeaker.org.
NSA: The Voice of the Speaking Profession®.

©2002 National Speakers Association
Unauthorized reproduction is prohibited.