

Fair Use Statement

Like all good documentary films, *Bill Evans: Time Remembered* includes excerpts from earlier-created works, including music, footage and photos, to present a new narrative to the world. In doing so, director Bruce Spiegel relied upon the fair use doctrine that is a part of our copyright law.

Some content owners, acting as though their copyright is absolute, demand a payment for every use, no matter its purpose or length or context. But that's unreasonable and not what the law requires.

The uses of third-party-owned copyrighted works in this film are permitted under the copyright law, without payment or permission. This is because, when a filmmaker complies with the fair use doctrine, as Mr. Spiegel has done, the law states that the use "is not an infringement."

Through the fair use doctrine, the Copyright Act encourages people to make and distribute new creative works, and it takes special account of works that comment, educate and communicate new ideas and perspectives. Courts across the country continue to hand down decisions that protect our right to invoke fair use to independently explore our culture, as this wonderful documentary does.

In the more than two years since the film's release, no legal action has been filed against Mr. Spiegel or any of the festivals and other venues that have screened the film for appreciative audiences. But some owners have taken to sending threatening letters - and smoke, even where there is no fire, can have a chilling effect, where filmmakers, their exhibitors and distributors, and members of the public do not know the law.

Fortunately, several filmmakers' organizations and law schools have in the past few years sought to expand awareness among filmmakers of their rights. More filmmakers are seeking expert legal advice so that they will meet the requirements of the law, which enables them to undertake films that otherwise would never get made.

Mr. Spiegel carefully conformed to the law, while providing new insights into a great American artist and his outsized impact on American jazz. So please enjoy this film, knowing that you are supporting the creativity that the copyright law intended to encourage.