

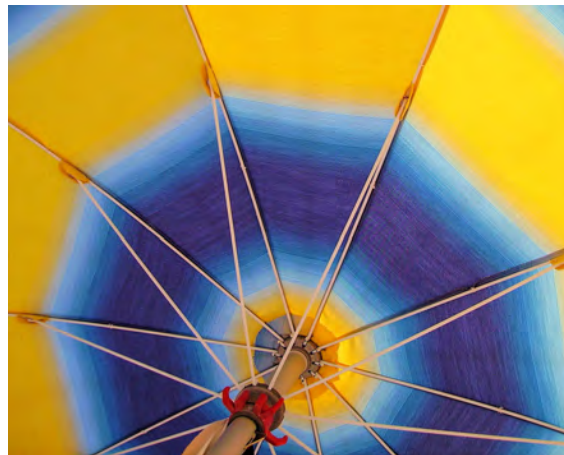


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PRESIDENTIAL ADDRESS

We are presently preparing for summer madness which is a nail-biting time of year in our offices caused by heavier workload colliding with near-constant staff departures as each of us takes well-deserved time off enjoy the beauty of this season (canoes, flowers in gardens, cold beers outside). We have nine folks here this year as the collision begins and we hope that will be plenty for taking care of whatever you throw at us over the next few months. Some gratitude to extend at this time...

- Thank you to endless winter for ending; that has improved our mood.
- Thank you to our clients for shifting your work requests to the "incoming@" address, that has improved our efficiency.
- Thank you to the National Screen Institute for hosting my visit in March. You provided a wonderful opportunity for me to work with more emerging filmmakers and to continue visiting with Winnipeg area friends of Eastern Script.
- Thank you to Alicia Blakey here who completed the design and print production on our new brochures in March. They are half-brochure, half-poster of clearance miscellany -- anyone who would like one, please email me and we'll send one out.



- Thank you to our staff who work long and hard keeping an eye on the details, we have a wonderful combination of skills here.
- Thank you to all of our clients - none of this exists without you.

FEATURED ARTICLE - THE NAME GAME - DECONSTRUCTING THE FINE ART OF KIDS SHOW TITLING

This month's featured article is excerpted here and reprinted with permission from Brunico Communications Ltd. to whom we are most grateful. Author Jocelyn Christie discusses titles of children's programs, how they are concocted, and what practical roadblocks are averted as the show finds its final title (its North American and its sometimes quite different foreign versions). Her research into this

back story is helpful for us since we spend many hours preparing title searches for clients each week. To read the full version, visit our website's "library of articles" page at: <http://www.easternscript.com/articles.html>. [An aside: Her "Radio Free Roscoe" anecdote is about a show we worked on some years ago, I remember the circumstances and the show's search for a solution when the issue she discusses emerged from one of our clearance reports.]

With so many shows competing for a finite number of kid eyeballs, it takes more than just good content to get them hooked these days. And one element that can help forge an instant connection - or not - is the title.

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FEATURED ARTICLE - THE NAME GAME - DECONSTRUCTING THE FINE ART OF KIDS SHOW TITLING *continued* -

It's often the first opportunity you have to convert potential viewers into actual viewers (think TV guides and on-screen listings), but ending up with a good one isn't as simple as it used to be. In the good old days, producers typically only concerned themselves with clearing titles in the entertainment category because it wasn't naturally assumed that toys and merch would follow. But in the brave new world of brand-building, trademark issues are much more complex. A title has to be cleared for usage in every consumer products category it may potentially live in, and as Decode Entertainment partner Beth Stevenson puts it, "pretty much every word has been used in some context or another."

Because usage roadblocks crop up so frequently and legal services don't come cheap, most producers have adopted a tiered approach to the clearance process. Decode, for example, will start off by slapping a prospective title onto a script that's about to go through legal script clearance at a contracted law firm. Stevenson says this service costs about US\$400 and will yield a list of movie and TV series titles that are similar to the one floated, as well as ID'ing the ones that are most likely to prove contentious. The next step is an actual title search, which is also handled by out-of-house legals and can cost around US\$1100.

This is the phase that effectively put the kybosh on the original title of *Radio Free Roscoe* a few years ago. The show's creator had named the live-actioner *Radio Free Nutley* after the town where she grew up. But there's only one Nutley in the world, and the

New Jersey burg happens to be both Martha Stewart's hometown and the shooting location of *The Sopranos*. Besides the taint of its association with the renowned mob drama, Nutley was also the setting of an unflattering TV movie about Martha's life that had just aired to coincide with the investigation into the infamous stock sale that landed her in jail.

Needless to say, the town was a little leery of media attention, and the local high school principal (who had to sign off because Decode's show was set in Nutley High) absolutely refused to waive his right to sue if he felt the project painted his institution in an unsavory light. Numerous phone calls were placed, but he wouldn't budge, so Decode cut its losses and went with Roscoe instead.

Assuming a title doesn't fall prey to a similar fate, the final gauntlet it has to run is a trademark search, which is at least double the cost of a title search and looks for similarly named consumer products in the international marketplace. This is where Little Airplane Productions' original title concept for *Oobi* was grounded for good; *Pipo*, as it turns out, is a well-known Italian brand of jeans.

Sometimes, hitting a hurdle in clearance can be the catalyst that leads to a much stronger title. In Little Airplane's case, for example, the double O's in *Oobi* happen to mirror the eyeball accessories that are such a big part of the handpuppet show. "I find it can be a blessing to have to dig deeper for the name of a show," says the studio's founder and president Josh Selig.

Co-productions are notorious breeding grounds for titling problems; as each partner brings different territory-specific issues and sensibilities to the table, disagreements often abound. *article continued pg 3*



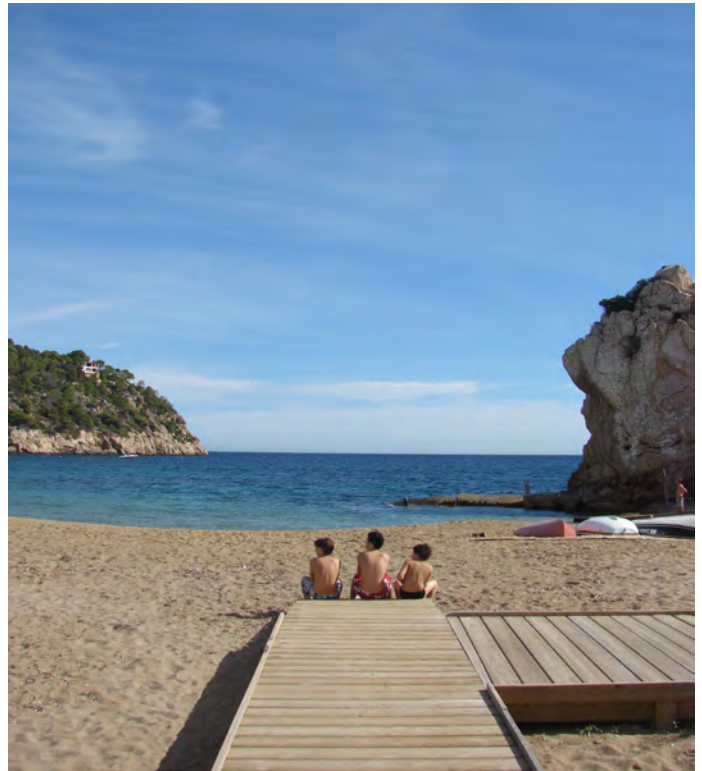
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FEATURED ARTICLE - THE NAME GAME - DECONSTRUCTING THE FINE ART OF KIDS SHOW TITLING *continued* -

"All our shows are co-productions with at least three partners," says Marathon Media GM David Michel. "And the title is so key to every single one that you end up on a middle ground that kind of works, but isn't great." When the company was developing boys action toon Team Galaxy, for example, Marathon presented about five or six much stronger title options, but the partners couldn't agree on them and had to move on to the B-list.

International sensibilities have just as much influence on indie projects as they do on co-productions, and it's wise to do a survey of close contacts in all the major sales regions to suss out potential "lost in translation" issues before a show and its title get too far down the pipeline. Decode preschool toon Fanny's Feet was called Fanny's Feet when it was first introduced to buyers outside of Canada, but the sales team hadn't counted on the pitch generating as much laughter as it did in the UK, where the word "fanny" is slang for vagina.

Please continue reading the rest of this article at our website's "library of articles" page:
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INS AND OUTS

"Out" is Darianne Lancaster who helped us tremendously during her last year in the undergraduate program of the Dept. of Film and Media at Queen's University. She has left not just us but Ontario too, making her way to the west coast to pursue graduate studies. We miss her sparkling personality and keen focus. Now warming that briefly-empty chair (thus "In") is Jane Mundy who is in Kingston for a summer break from her studies in the Image Arts: Film Studies program at Ryerson University. She expressed interest in learning about what we do and so has been trudging through various articles and research projects in our limestone dungeon for the last few weeks. We hope to lure a few speakers here to round out her summer clearances education before she returns to university in September. Welcome Jane and all best wishes to Darianne.



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CLEARANCES PRIMER – YOUR SUMMER READING

I've found some "stuff to know about clearances" websites that are worth sharing with anyone who wants good overviews of the clearance process. Although none of these would generally be considered beach chair page-turners (I lied about the "summer reading" part), each is worth a bookmark for easy retrieval when you get back to the business of filmmaking.

ALL CLEAR? A producer's guide to intellectual property clearances.

Thomas A. Crowell, Esq. is a New York City area attorney whose focus is entertainment law. He is the director of the "Indie Film Clinic at Cardozo Law School, where he also teaches a course in film law." This article provides an overview of the need for clearance work and speaks at some length about the complex dance in which e&o insurer, producer, distributor participate. academics.hamilton.edu/mediascholarship/sitePages/files/NITL/E%20MIV/MHcopyright.pdf

BBC's film network - "showcasing new British filmmaking"

This website has a wealth of information about the clearance process, skewed to a U.K. audience. "Film Network screens short films, promotes the UK movie industry and provides a social network of filmmaking... Watch the best new movies from UK filmmakers." Read their guidelines for writers, their "Legal Guide: Filmmakers FAQs section," and their section on music rights. <http://www.bbc.co.uk/filmnetwork/filmmaking/guide/before-you-start/content-clearances>

Clearance Procedures Guidelines

Compiled by David Albert Pierce, Esq. of the Pierce Law Group in Beverly Hills, this is an extensive discussion of clearance issues and ends with an interesting list of "legal disputes over Clearance issues which demonstrate the volatile situations that may arise from this area" (list appears to have last been updated in 2002). www.piercelawgroupllp.com/articles/clearance-procedures.pdf

Loyola Marymount University's "Copyright, Clearances & Student Filmmaking" handbook

Loyola Marymount in Los Angeles has a well-established filmmaking program at both the undergraduate and graduate level. A clearances primer for their students is available online as a .pdf file and has a lot of southern California-specific instruction for solutions in this area.

www.lmu.edu/Assets/WEBADMIN+ONLY+-+Special+Content/copyright/sftvclearance.pdf.pdf

Managing Content in the Frame: Script Clearance, Background Copyrights and Third-Party Ownership Rights

Here are an American lawyer's notes on the clearance process, excerpted from his book on the subject (published in 2009); it is described as being "designed to introduce filmmakers and others interested in creating content on the legal issues involved in the filmmaking process."

<http://www.gcgolaw.com/resources/entertainment/filmcontent.html>





BIG SCREEN:

Brick Mansions from Luc Besson's EuropaCorp. Described as "...the American-ized remake of the Paris-set Banlieue 13. The film will star Paul Walker and will be directed by Camille Delamarre, a protege of Besson. Besson, who co-wrote the original, scripted the remake with his Taken collaborator Robert Mark Kamen." (source: deadline.com)

Legend of the Underzoo - from the prodco's website: "Four adventurous animals unite in search of a mythical treasure to save their devastated zoo. This is a fun roller-coaster ride of laughter and adventure with friendship, courage and empathy at its heart." Directed by Warren Coleman (Happy Feet).
Trailer Park Boys... yes the next installment is on its way. Our lips are sealed !! But Yahoo's lips aren't: "The entire crew is now back for the third film, which will revolve around the boys' attempt to start their own internet television show called 'Swearnet' where anything and everything goes. They'll be joined by a new (but familiar) face in Tom Green, who will star in the film as himself" (Brett Gallman | Yahoo! Contributor Network).

What We Have - "A migrant gay tutor puts his reputation and his heart on the line to protect his young student from a bully in a small Northern Ontario town." This is "the first feature from Telefilm Canada's micro-budget production program to get in front of the cameras" (PlayBack, Etan Vlessing) and was shot in both Canada and France.

SMALL SCREEN:

Backpackers - a web comedy series, here are details from the production company's notes: "Backpackers is a buddy comedy with heart. We follow two young guys as they travel through Europe. The night before they left Ryan made a deal with his fiancé Beth, that they will travel separately and experience all that Europe can offer as a final hurrah to their single life before settling down and getting married."

Jar Dwellers - "Three weird creatures from obscure corners of the Earth are hidden away in glass jars for 200 years. When a brother and sister release them, The Jar Dwellers want to make up for lost time. " Produced in Montreal by Groupe PVP's animation arm.

Jack - more odd animated creatures, this time it's an alien named Jack, "a scientist of sorts - an explorer. He lives a normal life with his two companions in his home in Beano, a small asteroid that orbits the earth. Unbeknownst to all parents on Earth, he quietly tunes in with the help of CHIP to search for and monitor little mysteries for Earth's children. When one of those questions strikes his fancy, he goes on a mission to investigate, and unravel the mysteries."

The Next Step - "The Next Step follows the lives of a group of elite dancers at The Next Step Dance Studio as they work to win the regional competition. When a talented new girl joins the team, the studio's hierarchy is brought into question" (posted by Diane Wild at tv-eh.com). Apparently many of the age 8-14 eyeballs in their target audience have been glued to this dance studio drama; a second season is now entering production.