

OPENING SLIDE REMOVED BECAUSE OF A POSSIBLE COPYRIGHT INFRINGEMENT :P

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

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Why this topic?

- Animation is a growing form of art and industry
- Animated projects have the biggest international potential of the Finnish audio visual projects.
- There are some differences in copyright management between animated and live-action projects.

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

Assumptions

- You already know what copyright means
- You have already have or will later gain general knowledge regarding copyright management in audiovisual productions.

THE DIFFERENCES

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

Key difference between animation and live action

- In animation EVERYTHING you see on screen has been created and did not exist before someone made it. This has some copyright implications.
- For example, in animated project you don't choose an actor to film him/her. Instead, you need to design how your characters look like and in which style you want to illustrate them.
- When you create your characters and world, new copyrights are born.

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

Some things that are more typical for animated projects than live-action ones.

- Animated films often have bigger budgets than live-action. This usually leads to co-production and sharing the copyright.
- Animated projects have bigger potential in licensing and merchandising than live-action.
- Animated projects are sometimes created from existing IPRs like books or comics. Adaptation of existing IPR can differ from live action.
- Animation is teamwork and therefore creative process can be rather collective.

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

Basic copyrights stuff that applies equally to animated projects as to any other audio visual piece of work.

- Chain Of Title
- Script
- Music
- Talent agreements
- E & O insurance

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

IPRs specific to animation

- Character design
- Location design
- Visual development
- Key concepts and storyboards to some extension

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

IPRs specific to 3D CGI animation

- Digital assets. These are for example 3D models of the characters.
- Software and production pipeline.

RIGHTS MANAGEMENT
YOU BOTH OBTAIN AND RELEASE RIGHTS

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

What does rights management include?

- Optioning rights
- Obtaining rights
- Controlling rights while you have them
- Releasing

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

Options And Agreements (obtain)

- Script
- underlying rights
- Talent
- NDA MNDAs
- Submission form
- Licensing agreements - you might get a license to use well known character for instance.

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

Talent

- Scriptwriters
- Translations
- Dialog polish
- Character designer
- Location designer
- Production designer
- Art Director
- Director, co-directors
- Storyboard artist
- Cinematographer
- Editor

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

Deal Memos And Agreements (release)

- Co-production agreement
- Distribution deal
- Global sales deal
- Financing agreements
- Licensing and merchandising. Pay special attention to this when producing animation.
- Collection agreements

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

Collective management organisations CMOs

- Kopiosto
- Teosto

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

Licensing and Merchandising

- Big source of revenues but only for well known or aggressively marketed IPs
- More important for animated series than films
- Some series are fully financed with toy sales
- Copyright law in US has been influenced by Disney. 'Mickey Mouse Act 1976'

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

Fighting over revenues that don't yet exist is waste of time but...

- Make sure someone will be able to benefit from L&M rights.
- Pay attention to first contracts you make - they might disable you exploiting L&M rights in worst case.

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

Adaptations in animation

- In children's books, there is quite often underlying character design and world.
- Big brands can be quite particular of their characters
- Individual authors can be quite particular of their characters and world they live in - there can be a big emotional attachment..
- Existing IPs can be great springboard but also a development hell.
- L & M rights related to newly created IP can be difficult to manage.

So why do it?

- Can get the adults who know the property bring their kids to cinemas
- Can have bigger L & M potential even sharing these rights is tricky. .

PRACTICAL PERSPECTIVE ON RIGHTS MANAGEMENT IN ANIMATION

Plagiarism is a matter of ethics. Copyright is infringement of law.

In animation plagiarism is quite usual as there are more elements to imitate or copy.

SOME A BIT RANDOM TAKEAWAYS

- Make fair & precise contracts obtaining the rights. Bring the topic to discussions with key creatives upfront.
- Work only with people you feel you can trust. Animation is teamwork.
- Pay careful attention in contracts. If you don't understand something, just ask.
- Understand cultural differences between countries and companies. These are seen even in contracts and agreements!
- Archive the documents well :D
- Co-production is a marriage
- Animation has huge potential as business and art.