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Entertainment Industry Contracts

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HIGHLIGHTS

Motion Pictures

- Two new producer agreements (studio version and independent production company version).

Television

- New television syndication agreement.

Internet and Interactive Media

- New chapter on music websites.

Theatre

- New chapter on producer-controlled productions.

Art

- Completely revised chapter and form on museum loan agreements.

Motion Pictures. Both a studio version (FORM 9-1A) and independent production company version (FORM 9-1B) of the producer employment agreements are added to Chapter 9. Although both are lengthy and complex documents, the studio version includes a number of issues concerning compensation and obligations of the individual

producer, which are not dealt with at all or in the same depth, in the independent production company version. (For a description of these agreements' distinctions and uses, *see* the detailed discussions at the start of each form.

Television. FORM 95-4 embodies an agreement between a syndicator and a television producer wherein the producer licenses to the syndicator the rights to the producer's television series in consideration of the syndicator placing the series in barter syndication. The programs may be existing programs that have already aired on a television network in prior years (which is this agreement) or the producer may be producing new programs specifically for barter syndication. Domestic television syndication is the sale of television programming in the U.S. on a market-by-market basis.

Internet and Interactive Media. New Chapter 109M, "Music Websites," provides detailed background discussion on the downloading of music from the Web since Napster. It also includes an Internet Sound Recordings Distribution Agreement, which a website must enter with each label if it wants

to offer music streaming and downloading legally to consumers.

Theatre. New Chapter 126B, "Producer-Controlled Productions," includes an option for a first-class production of a Broadway musical (FORM 126B-1), which is intended to satisfy the needs of a bookwriter, composer, and lyricist as one party, and the producer of a Broadway musical as the other party. In this scenario, the producer has created the concept for a musical play, wants to assemble the most creative personnel possible, has access to a comfortable amount of front money so that he can afford to offer the creative parties something more than they would otherwise get (than if it were a Dramatist Guild Approved Production Contract) in exchange for his having control over the merged play.

Art. Museums need owners of artworks and art objects as a critical source for their exhibition activities. Owners are happy to

enjoy the recognition of having a cultural institution publicly display their property. According, the most common arrangement is memorialized in updated FORM 223-1 (Museum Loan Agreement) by the borrowing institution, which rarely contains any compensation to the lender. (In a situation where the lender has some clout, the lender should seek some terms that are likely to be missing from the museum's form.)

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