

ESSENTIAL REQUIREMENTS FOR THE INDEPENDENT FILM MAKER BEFORE YOU START FILMING

YOUR PRESENTER:



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Mr. Marszalkowski is Special Counsel for Damon & Morey LLP where he chairs the firm's Immigration Practice Group. His practice includes matters involving business immigration, immigrant visas, labor certification, physician waivers, national interest cases, and family unification. He has developed an international reputation for expertise in entertainment related matters. His clients include recording artists, award winning directors and cameramen in the film and television industry, producers and engineers in the recording industry, and production, sound and lighting companies in the entertainment industry.

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PROGRAM OUTLINE

A. The Film Idea

1. Original Ideas
 - Protect your expression through copyright
2. Real Life Events
 - Can present as documentary or dramatization
 - Legal limitations (permission, privacy, libel, contractual limits)
3. Copyrighted material
 - Everything else
4. Submission Agreements
 - Protect the production company/film maker
 - Confidentiality/non-disclosure
 - Joint writers

B. Acquiring Rights to the Story

1. License the Movie Rights
2. Identify the Copyright Holder(s)
3. The Purchase Agreement
 - Right to use literary material for any stated purposes
 - Representations and warranties
 - Purchase price
 - Royalties
 - Screen credit
 - Remakes, Sequels, Prequels, Television versions

ESSENTIAL REQUIREMENTS FOR THE INDEPENDENT FILM MAKER

4. Option Agreement
 - Starting date and ending date
 - Amount to be paid if option is exercised and property is purchased

C. Business Organization

1. Common Themes
 - Comply with organizational requirements
 - Comply with tax filings
 - Ownership and control
 - Continuation issues
2. Sole Proprietorship (DBA)
3. Partnership
4. Limited Partnership
5. Corporation
6. Limited Liability Company

D. Performer Agreements

1. In writing, signed and dated

E. Locations

1. Permits
2. Special Effects, Weapons
3. Insurance

