

## DAUK Film Committee

### HOW TO GET PERMISSION/ A LICENSE TO SCREEN A FILM

#### The Basics

- It is essential to get a permission/license to screen. We cannot just buy a DVD off the shelf or online. Off-the-shelf DVDs and downloads are normally licensed for personal viewing only and exceeding the scope of the license use could constitute an infringement of intellectual property rights. A public performance is usually defined as any screening outside the home. In both the USA and UK films are covered under copyright laws.
- Just because a video is 'free to view' online, for example on the *New York Times* or *Guardian* websites or on YouTube, that does not mean that we can show it to our members. Some film production companies (for example Brave New Films) permit people to hold small 'house parties' (e.g. 20 people) to view their films at no or minimal costs; even in these cases, we need to make arrangements with the production company or distributors to arrange a 'house party'.
- To start, you need to find the production company and then the distributor. Look at the film's website and/or IMDb (International Movie Database).
- When negotiating for rights-clearance, we usually apply for a **community** (or in rare cases where we fit the criteria - educational) **non-theatrical one-time** screening. We also emphasize that we are not doing a "public" screening; it is for our membership (and guests) only. Many websites mention not-for-profit screenings or "community screenings" as well as educational screenings. Useful to get the terminology right!
- While we are negotiating the costs, we have to be very careful to avoid asking for a discount for us as Democrats Abroad (that could cause compliance problems). At every stage we need to take care in our phrasing – e.g. seeking a community discount, a post-release discount, etc. We do mention that we are an official arm of the Democratic Party; we can indicate that we have an influential audience, but we cannot seek or receive a discount or special arrangements *because* we are DAUK.

The [Independent Cinema Office](#) is a very good source for understanding UK copyright law as it applies to films and for lists/contact details of UK distributors.

**Note:** a film's launch or DVD release in the USA does not automatically mean it is available worldwide. It depends on the distribution arrangements of the production company. Many US films have international distributors or a contact that handles international licensing; distribution rights are often assigned country by country, so you need to search for the UK distributor. For films with a high profile, e.g. *Gasland 2*, there are often different launch and DVD release dates

in different countries, and these are handled by distributors who may or may not differ for each country or territory.

With small production companies, this may not be an issue. For example, with the screening of *We're Not Broke* (Onshore Productions), and *The Brainwashing of My Dad* we were able to make arrangements with the production company or filmmaker directly.

Distributors giving the discounted community viewing rate will often want to know the date of the screening and ticket pricing and this can delay the process.

As our Film Committee needs to watch the film first and decide if we want to show it, we usually can't supply an exact date in the early stages of the process. We also must work around dates of other DAUK events.

## The Process Step-by-Step

### 1. Find the production company of the film that you may want to screen

This can take five minutes or several weeks!

You can usually find the production company and/or distributor by googling the film by name, e.g. "*Abacus: Small Enough to Jail*" will take you to the film's website, which lists the distributors and production companies. Details are also provided on the film's IMDb website (see Company Credits).

Some films happen to have a UK web site, but most do not, and will only have a US-based website.

**In the UK:** there are three major organizations that hold distribution rights for a wide range of film production companies. BFI (often has documentaries; now handles Dogwoof's non-theatrical screenings) FilmBank and MPLC (mainly feature films). It is worth checking their catalogues at the beginning of your investigations.

**Netflix and Amazon Prime** are changing the landscape of film distribution. They pose both technical problems and permissions issues. Normally, we cannot live-stream films, and in most cases, that is the only way to play Netflix and Amazon Prime films; in some circumstances, they can be downloaded and played, but this needs to be checked for each film.

We can/should look for venues where live streaming is technically reliable. Permissions for public screenings are very difficult or complex to arrange with Netflix, HBO or Amazon. In some cases, e.g. *13<sup>th</sup>*, the producer negotiates for 'free community screenings' – but those specific T and Cs required that there be no charges for tickets or donations requested. It is hard to see how we could manage those terms. On the other hand, we can try to make arrangements

directly with the filmmaker who can, in some cases, bypass the Netflix, HBO or Amazon restrictions.

## 2. Initial contact with the production company and/or distributor

Contact the production company or the distributor to ask permission and to find out if there are charges to screen, always using the film email account.

If we have a personal contact or a 'route' to the filmmakers, they may be able to facilitate negotiations with the production company or distributor. How to contact:

- It is often useful to make preliminary contact via a phone call. That can not only save time but also gives an indication of the 'rules' you need to follow when filling out forms and the tone and type of information you need to provide.
- Email: always use our official email account [films@democratsabroad.org.uk](mailto:films@democratsabroad.org.uk)
- We have also used Twitter and Facebook messaging to contact filmmakers and production companies with some success when other routes don't work.
- If you haven't found the distributor, the production company may refer you to its distributor, or it may be able to handle the permission directly. Sometimes production companies sign exclusive distribution deals for specified territories, which means that only the local distributor will be authorized to grant the permission you need. Each case is different. There are no firm rules.

If you go to the production company's site, you can usually find an email address. If not, try to find the director.

When you contact the production company, they should be able to tell you the name of the distributor for the UK. It is also useful to phone the distributor, whether to initiate the contact or to follow up.

Below are sample letters, the first for asking to get a DVD on online access to preview a film and the second for once we have previewed the film and know we would like to show it.

When writing to a production company, it is good to adapt the tone and content of messages to fit the circumstances – e.g. if we have screened their films before or are writing to a 'known' contact. From the website, you can also get a sense of what would be an effective tone for the email – more or less formal, emphasis on activism or influence, etc.

### **Sample initial contact to ask for access to preview a film**

Dear \_\_\_\_\_,

Re: Request for online access to preview a film

I am contacting you on behalf of the Film Committee of Democrats Abroad UK (DAUK).

DAUK is an official part of the Democratic Party. Our Film Committee has been screening documentary films to our membership for over 15 years.

We are considering showing *A Place at the Table* and would like to arrange to have online access or the loan of a DVD in order for our Film Committee members to preview it. We are very interested in the topic and know that the film has received great reviews, so we do hope you can provide some means for us to view the film. (And we have previewed/shown your films before).

If we decide we would like to screen it, we will be in touch very quickly to discuss the arrangements for licensing a community screening.

We hold Film Nights about four times a year to our members, and usually have about 70-130 members attending.

If you would like further information on our Film Nights, please do contact us.

Thanks, and regards,

## Requesting and negotiating permission/license

You want to include all these relevant facts: that it's a "community group" requesting a one-time screening, that we are part of the Democratic Party, that we are a long term and well-established program attracting good attendance and speakers. Stress that it's a not-for-profit screening in which we only aim to cover costs. In some cases, you can mention the venue and its cost, the cost of a ticket and venue.

### **Sample initial message to a production company after previewing the film**

Dear \_\_\_\_\_,

**Re: Request for a Community Screening**

**I am contacting you on behalf of the Film Committee of Democrats Abroad UK (DAUK). DAUK is an official part of the Democratic Party. The Film Committee has been screening documentary films to our membership for over 15 years.**

**We are considering showing *A Place at the Table* and would like permission to show it to our members here in London on a one-off basis. Our members are very interested in this topic and have read the good/excellent reviews of this film**

We hold Film Nights several times a year to promote awareness, discussion and engagement important issues in US society and politics. Our Film Nights include after-screening discussions led by prominent experts and/or activists on the issues, and the filmmakers themselves. Recent films have included *RBG*, *Capturing the Flag*, and *Dolores*.

(Decide how much detail to provide at this stage) We usually hire a room at London School of Economics or another university venue. We have to charge in order to cover our costs, the main one being the cost of venue hire (which usually costs over £500 (\$675); we do not use these occasions for fund-raising. Typically, we charge £12.00 (about \$16.00) and £6.00 (about \$8.00) for seniors and the unemployed, students, etc. Normally we get from 70 to 130 members in attendance. If we attract more people, we get a bigger room.

We think we would get a very good audience for this film, which hope to screen in the near future We would like to know your charges. I can provide a mailing address once we hear from you.

Thanks, and regards,

### 3. Charges and costs

Usually there are fixed charges, but sometimes you can negotiate. We usually spend between £70 - £200 for permission/licensing to screen a film. The costs of a license can change, especially for new films: e.g. to arrange a *preview* for *RBG* would have cost over £3600; screening it during its *general release period* about £600. We showed it in April for the cost of £98.00.

Letting them know that we are not-for-profit, that we only aim to cover our screening costs and that it is a DAUK members-only event may help to reduce the cost.

Letting them know who attends these films and that we attract influential speakers should also be considered.

These assurances also place significant limits on how we can promote the film. For example, we configure the relevant ticket sales page (Eventbrite) so that the event is only viewable to people using a DAUK supplied link – i.e. it is not "published" in the general Eventbrite listings.

If the film is not available online, you will have to ask for a DVD, which they may send free, but you usually have to pay. We sometimes buy the DVD first, watch it in a group and then decide whether to show it before asking for permission.

We must have permission from the Chair and Treasurer of DAUK prior to committing to an expense, but DVD purchases are not usually an issue.

## **Compliance issues:**

While we can negotiate the costs, we have to be **very careful** to avoid asking for a discount for us as Democrats Abroad: that could cause compliance problems since we could be seen as requesting a donation from a company (whether U.S, or foreign) to DAUK which is strictly forbidden or an individual (no donations permitted from non-U.S citizens or Green Card holders); soliciting/receiving a donation of an 'artistic product' from a U.S. citizen can also be problematic, so consulting the DAUK Compliance team is essential. At every stage we need to take care in our phrasing – e.g. seeking a community discount, a post-release discount, etc. We do mention that we are an official arm of the Democratic Party; we can indicate that we have an influential audience, but we cannot seek or receive a discount or special arrangements *because* we are DAUK, Democrats, etc.

### **4. Be prepared to chase!**

Production companies are not very good at answering the initial email so you may have to email again or pick up the phone. If you get a run-around, just persist!

### **5. Decide if we can afford to screen the film**

Once you get a reply with the information about permissions, the Film Committee has to decide if we can afford to show the film. Permissions and the venue charges (£560.00 for the Wolfson Room at LSE) are the main costs. As noted above, ticket charges are £12.50 Regular /£6 Concession (students, unwaged, seniors), from which we net £10.99 on a £12.50 ticket and £4.80 on a £6.00 ticket (£8.63 for £10.00 and £3.92 for 5.00) ticket. We normally get between 70 and 130 people attending a show.

### **6. Decide if we want to screen the film**

The Film Committee also has to view the film either at someone's home or online, and decide if it will attract enough members for a successful event and to cover our costs.

Some distributors – such as Dogwoof or the PBS America production company – will give a password to permit our Film Committee members to view the film online.

When viewing a film for consideration, the key questions are: Does it cover the topic/issue in an effective and accurate way? Is it compelling? Does it have good production values? Is now a good time/context for showing this film?

Even if the documentary has already been shown on TV, that doesn't necessarily rule it out. Some people will have missed it on TV, or don't have Netflix or Amazon accounts. Sometimes a film will be very topical even if it is a few years old. For example, we showed *Who Killed the Electric Car* almost two years after it came out, because the moment was right, and we got a huge audience.

Remember that part of the value of a film-screening event is the opportunity to watch the film with fellow Democrats, and to debate the subject matter in the discussion session after the screening.

## 7. Booking the screening

Once the Committee has approved a film, and the DAUK Officers have approved the event and finances, get back in touch with the producers/ distributors to send the booking form and invoice to [treasurer@democratsabroad.org.uk](mailto:treasurer@democratsabroad.org.uk) and [films@democratsabroad.org.uk](mailto:films@democratsabroad.org.uk). Josh Van der Ploeg (as DAUK Treasurer) or Elaine (as Chair of the Film Committee) has to fill out the booking form and sign on behalf of Democrats Abroad UK; we arrange for the invoice to be sent to the Treasurer ccing us. *In extremis* we can pay personally and claim back the costs from DAUK if we provide a receipt.

We must inform the production company or distributors that our screening **cannot** go on their website if we are screening at the London School of Economics. The terms of our use of the LSE are that it is a member-only event; LSE is not licensed as a cinema and cannot hold public film events.

We have an account set up with the BFI; Josh, our Treasurer, is the signatory. The link for the [BFI booking page is here](#) and their phone number is 020 7957 8935 or 020 7957 8925 /8938 .

## 8. Post-screening follow-up

After a Film Night, send a note of thanks to the producers/ distributors, including some details about the number of people who attended. This is courteous, and it is obviously desirable to maintain good relationships with the film companies.

If we reject a film for screening, we should also write them a letter of thanks and a brief, diplomatic explanation.

## 9. Communications

It is helpful if all members can help in the pursuit of permissions; however, they should ensure that they coordinate their actions with Courtney and Kathryn and keep Elaine informed. If people have personal contacts or connections, it can be particularly helpful to use them.

It is essential to use the [films@democratsabroad.org.uk](mailto:films@democratsabroad.org.uk) email account for official communications.

If you have to use your personal account, please cc the [films@democratsabroad.org.uk](mailto:films@democratsabroad.org.uk) email account to ensure that there is a copy of the communications there.

When using the [films@democratsabroad.org.uk](mailto:films@democratsabroad.org.uk), it is helpful to use the existing labels, e.g. Permissions, and to create one with the name of the film and another with the name of the production company or distributor.

## 10. Invoices and forms

If you fill out a form, please ask that the invoice be sent to DAUK's official addresses. Please ask them to send an electronic invoice to [treasurer@democratsabroad.org.uk](mailto:treasurer@democratsabroad.org.uk) and to cc [chair@democratsabroad.org.uk](mailto:chair@democratsabroad.org.uk) and [films@democratsabroad.org.uk](mailto:films@democratsabroad.org.uk)

If needed, the official DAUK postal address for invoicing is:

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