

FILM MARKET MISTAKES

BY WILLIAM C. MARTELL

Seven common mistakes that may keep your film from finding distribution and the 21 things a distributor requires you to deliver.

You have finished your film—congratulations! Now, how do you get your movie to the audience that wants to see it? You take it to market. Every independent film, from art-house dramas to Oscar® contenders to B genre films, ends up for sale at the American Film Market.

A film market is exactly what it sounds like. Every year the rooms at the Loews Hotel in Santa Monica, and now the Le Merigot Hotel next door, are converted into “stores” for distributors and film producers with products to sell. Buyers from all over the world come to shop for movies. The average American film makes 67% of its income from outside the United States. Most of the companies selling films to

foreign countries at AFM also sell to U.S. distributors (if they are not domestic distributors themselves).

Every year it seems like the market expands geographically, more suites in the hotel next door are filled with sellers, and the press releases claim a record number of attendees ... but every year the event seems less crowded. Whatever indie-film boom we had a few years ago, it seems to be over. Paramount closed their indie division, Warner Bros. closed theirs. There just aren't enough people to see all of the indie films being made. AFM 2007 was a ghost town. Walking down the halls, seller Darrin Ramage from Maxim/Brain Damage Films actually pulled me into his suite, even though I'm not a

buyer. We talked about markets past and why AFM may need to reinvent itself.

The “hotel format” requires buyers to enter a seller's room to see what films they have. This creates a barrier between buyers and sellers that doesn't exist in the “convention floor format” used in Hong Kong and other markets. Darrin told me their company does most of their business at other markets, though still maintains a presence at AFM.

Another thing we discussed were the number of “single film” sellers—individuals who rent a suite to sell their films because established distribution companies were not interested. The problem with selling a single film, or even a couple of films you have made, is that there is no “bait” for buyers.



Buyers and sellers gather by the pool at the 2007 AFM

PHOTOS: AFM/THE LIPPIN GROUP

Most companies at AFM sell several tiers of films, from more expensive films with recognizable stars to the kind of film we might make ourselves. Bigger films are bait to entice buyers to the suite where they sell them a package of different films of different budgets—including yours. Without the bait, who wants to go all the way down to one of the basement rooms to buy a single film?

Pre-Market Mistakes

Maxim/Brain Damage specializes in low-budget horror films made by people like you and me. Looking at some of the films offered at the market, you might think that *anything* will sell. You would be wrong. According to the *Los Angeles Times*, only 2% of independent films get *any* form of distribution. That includes DVD distribution. Most films are never seen by

anyone but the filmmakers. The biggest mistake filmmakers can make is to think about marketing their films *after* making them. By then it is too late. They may have made a film that only appeals to themselves (and maybe their moms). Often, minor changes at the script stage are the difference between being in that 2% of films that are seen, or sitting on a dusty shelf with the other 98%. Here are some problems you can solve before you make your movie that will make finding a distributor easier:

► **The script that nobody wants becomes the film that nobody wants.** Producers and distributors are audience surrogates. They use their experience to make an educated decision about which projects people will pay to see. Though sometimes they are wrong, in order to stay in business they must be right most of the time. If they didn't think your screenplay would appeal to an audience, they aren't going to suddenly change their minds when they see the film version. The best plan: Take the script that everyone wants to buy and make that one.

► **No hook.** Even indie films need a hook to be unique and interesting. If your film is just another drama, no one will want it. A quirky character comedy still needs something that separates it from the other quirky character comedies. What makes your film unique? This is especially true with genre films—the more horror movies on the market, the more yours needs to be completely different from the others.

► **No production value.** Just because you financed your film on your credit card doesn't mean it has to look like it. Make a list of all of the cool and interesting things you have access to, and put them in your film.

► **Poor filmmaking.** Just as writing is both an art and a craft, so is directing. You need to understand why one camera angle and movement and framing is better than another for your story. How to juxtapose images to create emotions. Books and classes are available—read them or take them before you've shot the movie and it doesn't work. I suggest you plan five completely cool *shots* (not scenes) for your film. The rest of your film can be master shots and coverage, but if you have five shots that people talk about, they'll accept the rest. Look at all of the cool shots in *Blood Simple*—that's why we know who the Coen Brothers are.

The doorway to the movie marketplace



The Dialogue

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screenwriters



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Independents

► **Anti-genre.** Some people out-clever themselves by ridiculing a genre and its audience. They end up with a film that seems to be in a genre but actually offends the people who enjoy that genre. You'd be surprised how many filmmakers do this.

► **No genre or no audience.** If you want to make a film purely for artistic expression, that's great ... but if you plan on selling the movie to a distrib who will either sell tickets or DVDs to the public, it's a commercial enterprise. You need to know who will buy those tickets or DVDs ... and make the film they want to see. Study the genre. Find five recent films like yours as examples. Know what the audience wants to see. Best way to do this? Make the kind of films you regularly pay to see so that *you* are already in the audience.

► **No star.** This year at AFM, horror movies had finally reached over-saturation. Nobody knows what the next hot genre will be. If you are planning on making a horror movie, it not only needs to be amazing, it needs a recognizable name in the cast. Even the extreme low-budget films need *someone*. There are genre names like Reggie Bannister and Brinke Stevens and Tiffany Shepis who sell a film. It's better to hire a name for one day as a confined cameo than have nobody in your film. There are new Screen Actors Guild low-budget contracts, as well as fi-core actors (who can work in non-union films). When you make a movie, the first thing everybody wants to know is "Who's in it?" A low-budget star is better than no star at all.

What Do They Want?

Once you've found a distributor, they will give you a list of elements that you must provide to them as part of your contract. These are "deliverables," and many potential film deals crash and burn because the filmmaker is not prepared. Though each distributor has their own specific list of deliverables, here is an example of the main things you will need:

► The movie and the trailer for the movie—DigiBeta masters. Until a couple of years ago, every distributor at AFM required you to deliver on 35mm film, no matter what format you shot on. Even if the film were going direct to video, they wanted you to deliver on 35mm because that made it possible to sell theatrical rights to foreign territories. But with the middle

gone from the indie market, most films will go direct to DVD in every territory, so they don't need that 35mm internegative. The higher up the distribution "food chain" you go, the more likely they will require 35mm. Unless you have actual big-name stars in your film, you will most likely deliver on video for video.

► You will need to deliver the film in both 4x3 DigiBeta (full screen) and 16x9 DigiBeta (widescreen) formats with music and effects.

► You will also need to deliver in both NTSC (United States format) and PAL (European format) with music and effects.

► Movie and trailer in MPEG-2 format.

► HD masters—remember, on February 17, 2009, everything in the United States becomes HDTV. That means everything on broadcast television, and the televisions themselves, will be designed for HD. If you plan on shooting on standard video, your film may be obsolete.

► A "TV safe" version of your film, without nudity or nasty language or anything else that a network's Standards and Practices department (censors) will want removed—one PAL and one NTSC. You don't want to lose a sale because they don't have time for you to cut together a PG version of your hard R film.

► Screener copies of movie and trailer. (You may need to supply an initial batch of screeners ... but you will need screeners just to find a distrib in the first place.)

► Each of these versions needs a "textless" version of any credit sequence *after* the film, with about a minute of black between them. When your film sells to some other country, they will do a translated version of the titles and credits, and need whatever the background shot is without the titles.

► DA-88, eight-track audio in surround sound or 5.1 format for both PAL and NTSC, plus one for each of your TV versions.

► Final shooting script. (Some will want the original script as well as a DVD extra.)

► Dialogue and action continuity sheets for both trailer and movie. Some distributors may want copies of all your on-set reports, too. Have them handy.

► Cue sheet—music starts and stops.

► Key artwork and movie poster—many small distributors will charge you for poster design ... and it's not cheap! If you already have a great poster for your film that will work

as DVD box art, you can save that expense. Your art must be professional—if it looks like something you threw together with Photoshop in an afternoon, they will not accept it.

▶ Color stills from the movie, usually 50 to 100, on 35mm film, plus a disk with photos at 300 dpi. Sometimes they will also want black-and-white stills. Usually, they will want a mix of action stills from the film and a few behind-the-scenes production shots.

▶ Full press kit and an electronic press kit ... plus any “special features” you may have. As someone who often makes a decision to buy a DVD based on the extras, I think this is one of the most important things you can do. Plan what your behind-the-scenes extras will be ahead of time and make sure you shoot enough on-set footage. Make sure you shoot interviews on set with everyone. A friend of mine had someone shoot non-stop on set as he was making his movie, but had no planned extras. So he ended up with *boxes* of tapes and no idea how to cut them together into something. EPK and special features will also be delivered on DigiBeta. Make sure your press kit has print interviews with key cast and creative team members!

▶ Contracts, including credit obligations (text, font, size, etc.), and releases. You will need paperwork for everyone in front of and behind the camera. Everyone who worked on the film. Make sure you get these contracts signed before you start shopping the film. Best time to do it is before you start filming. One missing contract can stop a sale.

▶ Full front credit block. Full end credit block.

▶ Errors & Omissions (E&O) insurance documents. (You will need releases and paperwork for things you may not have thought of—from locations to brand-name products. A lack of paperwork is why you often see black tape over a brand name in an indie film ... and why characters in Tarantino films smoke Red Apple cigarettes.)

▶ MPAA ratings certificate. (Some distributors may pay for this, or just release the film unrated.)

▶ Copyright certificate and chain of title information, script clearance report, Thomson title research report, Thomson copyright search report.

▶ Quality control (QC) reports for all PAL and NTSC versions (a lab report that assures

your film has no flaws in editing or synchronization). This item can be a stumbling block because you need to keep resubmitting until you get a clean report, and every report costs money.

All of these things will cost money and time, so make sure you include them in your film’s budget. Don’t spend everything on production and post and have nothing left in the piggy bank when you have a distributor waiting to get your film to the audience once you’ve handed over the deliverables.

After Delivery

You still aren’t finished! Even though you have delivered your press kit, you still need to get the word out about your film. You want to build public awareness about your film so that there is a *need* for the audience to see it. If video store customers are asking the kid behind the counter when your movie is coming out, that video store will buy more copies. If there are interviews and articles about your film in every foreign territory, those territories will want to

buy your film and will pay top dollar. You need to create the demand for your film which makes it easier for the distributor to sell the film. Distributors have many titles and are not as interested in selling *your* film as *you* are. So be prepared to print postcards and attend the events your target audience goes to and set up interviews with dozens of magazines and websites all over the world. The lobby at American Film Market is often filled with cast members promoting a film in matching T-shirts or the director handing out “flaps” (page-sized posters) to anyone with a buyer’s name badge. Make sure your distributor knows that you are available at market to do press and shake hands. Round up the cast and turn it into a party ... that helps sell your film.

Making the film is only part of the job; you still need to get the film to market and then do whatever it takes to sell it. Anything that helps get your film to the people who want to see it is part of making movies. The more people who see your first film, the more people who will want to see your next film. ✨

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