

The Eastern Script

Shameless self-promotion since 2011

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PRESIDENTIAL ADDRESS



Happy new year! It's a cold January day with fresh white snow on top of everything outside - quite a contrast from the last newsletter's editorial setting of ultra-green, windows-open, 9pm sunsets (June). In spite of many good intentions, we were not able to squeeze out a fall newsletter in 2015. It was just too busy — and that's a good thing.

In this issue, I wanted to discuss how we handle clearances for block shooting, since it seems to be an increasingly popular production strategy. You'll also find some advice on how to handle the use of books on-screen (when do you need permission and for what part of the use?) and a few other little bits and pieces. Thanks for taking the time to visit, hope there's at least one thing here to make it worth your while.

Anne Marie Murphy
President



BLOCK SHOOTING

We see more and more of this each year. I'm sure that someone in production could list for me the many reasons for block-shooting but I'm pretty sure that I already know the main one: saving money. This blog page from Complications Ensue: The Crafty Game, TV, and Screenwriting Blog (complicationsensue.blogspot.ca) offers screenwriter's Alex Epstein's perspective: "The advantage to block shooting is that if you have one location that's used once in each of eight episodes, you can shoot all eight scenes on the same day. You pay one location fee, and you move the company to the location only once. Saves time and money." And here is a concise definition, from [New Broadcasting Realities](#) (author Ken Lindner): "Block shooting occurs when multiple shows are shot during a defined period of time (a day, a week, and/or a month) so as to be cost- and time-effective."



The second scenario of "multiple shows" (=episodes) in a series shooting at once presents itself to us throughout the year. I will tell you a secret now: the last thing we ever want to do is turn away work. In 2015, however, we were unable to take on a few projects because they were block-shooting and we could not turn around the large amount of work in the small time frame in which it was needed. The typical episodic series that block shoots is lining them up two at a time. We were even presented with the chance to work on a "3 at once" scenario last year. Although we currently have a staff of nine, even that much manpower wasn't enough to deliver that much, that fast.

When we get two series scripts at once and the requested turnaround for them both is the same ("we need reports on both of them in three days") we bill an extra 50% for getting that second report to you at the same time as the first one. So, this approach doesn't save you money on the clearance front — but we must delay other promised deadlines to make that simultaneous turnaround happen for you. We think it's only fair to our other clients to handle the acceleration by charging block-shooters a bit more.

We'll let Alex Epstein have the final word here, from his book *Crafty TV Writing*: "Block shooting is rare because it's a nightmare for directors and actors to keep track of where their characters are emotionally over the course of multiple episodes. It drives wardrobe crazy, too, and it has ramifications you might not think of — essentially it means an actor can't get a shorter haircut mid-season because you can't go back to the old haircut when you're shooting scenes from the earlier episodes. If you're shooting in the fall, you may have trouble matching the color of the leaves!" Apparently we clearance types aren't the only ones who are challenged by this system.

BOOKS AS PROPS

Gee, I could write a book on this topic!

[Sorry.]



Where to begin — on the outside or the inside?

Since it's a cold snowy day, we'll start on the *inside*. Can you read aloud from an author's works in your project without requesting permission? To find out, start at one of these two fabulous websites that chart public domain status for you in North America. The first is for the U.S., the second for Canada:

“WHEN U.S. WORKS PASS INTO THE PUBLIC DOMAIN”

Posted by Lolly Gasaway of the University of North Carolina
unc.edu/~uncclng/public-d.htm

“Copyright-Free Materials, or: Why Should I Learn About the Public Domain?”

Posted by the Scholarly Communications and Copyright Office of the University of British Columbia
copyright.ubc.ca/guidelines-and-resources/support-guides/public-domain/#Public_Domain_in_Canada

For showing the *outside* of the book, here are some questions to consider:

1. Do you want to show a book that you picked up at a store, one that was produced by someone other than your art department? If so, check the copyright page. If it is recent then you'll likely need to contact the publisher for permission to feature the copyrighted artwork on its cover. For older volumes, refer to the public domain charts noted above to determine if it might still be protected by copyright.
2. Does art department want to make its own prop volume? If so, are they dreaming up titles? We “clear” fake book titles fairly constantly so send them along for us to research. We'll ensure that your title is either unique or common enough to use without identifying anything in particular. Ditto for author names.
3. Does art department want to use an actual book title on a prop that they create? Titles cannot typically get copyright protection so there is nothing to prevent you from putting the words *Gone With the Wind*, for example, on a book of your own creation (used in conjunction with your own artwork and graphic design, of course). Unless you have a production lawyer who is 100% risk averse (they exist), that use would constitute a perfectly safe visual reference to the title of the famous 1939 book by Margaret Mitchell.

Here is an example (from a few years back) of how complex the correspondence can be when art department finds a gorgeous book at an antique store that they want to feature on-screen:

Client: our production wants to use A 1949 publication of *Little Women* without the publishers name on the jacket. FYI The version of the novel we intend to use as a prop item has only text on the cover, no graphics.

Eastern Script: Alcott's works are in the public domain (she died in 1888) so you could recite from her books without needing permission. And you are able to refer to the book and

its author without needing permission, esp. since this author has been dead for many years. You also would not need permission to refer to the movie version and one of its prominent stars (Janet Leigh) if you're not defaming anyone and what you're saying is accurate

If you're quoting from the screenplay (1949 film) based on the book there could be copyright issues if the screenplay adaptation is not word-for-word from the book. Also (obviously) if you're using any audio or video from the film.

Re: showing the prop book, yes the publisher typically is copyright holder for any artwork on the outside of the book (on the spine/dust jacket etc.). technically speaking that would apply to their graphic design of the title words on the front cover (the font, placement on page, etc.) but in this case with a publisher you are having trouble locating (long since out of business?) I'd just run this one by production counsel to get what might well be a green light from him/her in terms of risk.

Least risky route of all is simply to create your own prop volume with the words "Little Women" (with or without author's name) on it. No permission needed there.

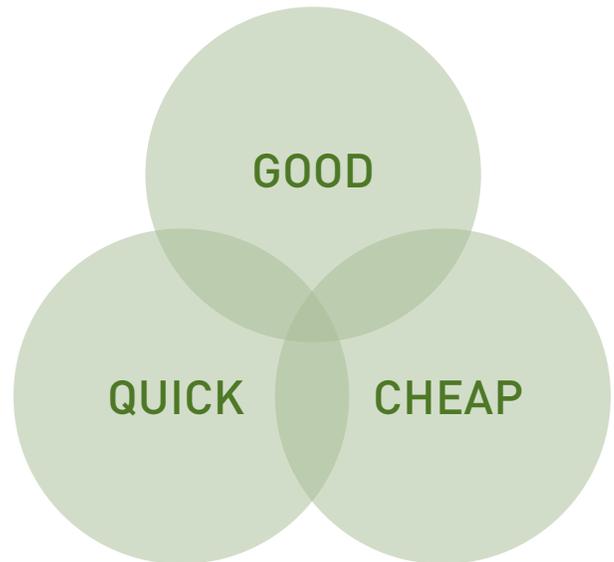
REALITY TRIANGLE

ALSO KNOWN AS "PICK 2: FAST OR CHEAP OR GOOD."

Here is an explanation of the concept in connection with the business of moviemaking:

"There's a little triangle that Francis Ford Coppola uses to explain the fundamentals of production. The top of it says *good*, the left side says *quick* and the bottom right says *cheap*. The way it works is that you can connect any two sides of this, but not all three. If it's good and quick, it won't be cheap. Likewise, you can make something good and cheap — but it won't be quick. And if it's quick and cheap..."

(Source: answers.google.com)



HAPPY BIRTHDAY – FREE AT LAST

- ♪ Happy birthday to you. ♪
- ♪ Happy birthday to you. ♪
- ♪ Happy birthday dear everyone from here forward in every television show and movie and webisode who celebrates a birthday. ♪
- ♪ Happy birthday to you. ♪



In case you haven't heard, the stranglehold on North America's favorite birthday song has been released. We no longer need to resort to its two-bit also-ran substitute teacher "For He's a Jolly Good Fellow" when the family gathers around the table for an emotional celebration of Jimmy's 10th birthday in the movie-of-the-week about his unimaginable fight against a very bad disease.

From Reuters news service (December 2015): "People who sing Happy Birthday in their homes or at private gatherings have typically never been at risk of a lawsuit. But when the song has been used for commercial purposes, such as in films, Warner has enforced its rights, and took in an estimated \$2 million in royalties for such uses each year."

If you want to learn more about what happened and how, here is the court case: Good Morning To You Productions Corp et al v. Warner/Chappell Music Inc, in the U.S. District Court for the Central District of California, No. 13-cv-4460

STARS WARS. HAVE YOU HEARD OF IT?

Quite a few of us eastern scripters saw it on the big screen over the holidays. Here are some one-line staff reviews"

- "I thought they did a great job linking the generations into one story while keeping adventure and excitement on the front burner."
- "Sent me back to 1977."
- "The Force Awakens was a perfect blend of the classic and modern Star Wars universes with familiar friends and soon to be favourites."
- "A personal film for fans of the original trilogy, and the start of an adventure for new fans."
- "Epic family fun – the perfect introduction to Star Wars for today's future Jedi."



WEBSITE UPDATES AND SOME FAQ CHECKING

We've spent the first few weeks of the year making our website squeaky clean, pushing all its buttons until it was completely up-to-date, cramming it full of more helpful information. The main update focus has been on our **Credits** and **Clients** pages, so please take a peek there to see what we've been up to since your last visit.

1. Will Errors & Omissions insurers accept your script clearance/title search reports?
2. Do we need to set up an account with you?
3. What forms of payment do you accept?
4. What do you charge for this work?
5. What is your billing policy for revisions and miscellaneous art department requests?
6. What is your billing process for title searches, for clearance work?
7. What's the turnaround time on a title search report?
8. What's the turnaround time on a clearance report?
9. We're block shooting, how do you handle that?
10. How do I submit a request?
11. Will you assign one person to work on our television series?
12. What is the difference between a title search and a clearance report?
13. Why do a title search, I thought titles couldn't be copyrighted?

Did you know that our **FAQ page** answers the 25 most commonly-asked questions and it does so at all hours of the day and night? You can find dramatic answers to compelling questions at 4 a.m. in your puppy pyjamas!

14. We have a title that has been used before — probably many times. Does that automatically mean we can't use it?
15. Can we get a shorter cheaper title search, we are super low budget?
16. Do you conduct title searches for television episodes?
17. Do I need an “opinion” on my title search, if so how do I get this?
18. Do you do copyright searching?
19. Do you do research on images/logos you would like to use as part of your project?
20. Do you do footage + music clearances?
21. How can we figure out if some footage or music we want to use is in the public domain?
22. Is animation clearance work different from live action?
23. What do we do when story elements don't “clear”?
24. When does our lawyer get involved in this process?
25. What can you tell me about your staff, what background is needed for the work you do?

RECENT WORK

BIG SCREEN

THE CHILD REMAINS “THE CHILD REMAINS is a terrifying ghost story set in a country inn that harbours unspeakable secrets.”

For more: a71productions.com/?page_id=349

THE HISTORY OF LOVE “The story of a long-lost book that mysteriously reappears and connects an old man searching for his son with a girl seeking a cure for her mother's loneliness.”

Starring John Hurt, Gemma Arterton.

HUNTING PIGNUT Described as a “gutter punk feature” at the filmmaker's website; the director is a video journalist for CBC News.

For more: dreamshakemedia.com

JEAN OF THE JONESES “Jean of the Joneses is about a girl from a dysfunctional family of Jamaican women who have happily sent all the men in their lives running for the past 30 years.”

For more: cfccreates.com

SADIE'S LAST DAYS ON EARTH “Everything in high school is like the world ending and Sadie Collins crippling fear of the coming apocalypse is the heightened version of that. Undeterred by the naysayers, Sadie has two weeks to ready herself before doomsday.”

For more: www.brancseater.com

SHUT IN “A psychologist (Naomi Watts) tries to save a boy from a deadly winter storm.”

YOUR MONEY OR YOUR WIFE Described as a “criminal romantic comedy” from NS filmmaker Iain MacLeod.

SMALL SCREEN

DOT. “Meet Dot! She's a spunky little girl obsessed with electronic devices. Dot knows a lot. She knows how to tap... to swipe... to share! Dot sets off on an interactive adventure with the world surrounding her using her tech-savvy expertise, mingled with her resourceful imagination.”

For more: industrialbrothers.com

FRONTIER “Frontier is the first original scripted series ordered by Discovery, and will follow the struggle to *control wealth and power in the North American fur trade in the late 18th century.*”

Source: CBC website

MSLABELLED “MsLabelled is a witty, vlog-style comedy series set in the fast-paced, high-pressure world of fashion. The series features Ella, a young fashionista who tries to find her own voice in the industry by launching an upstart fashion blog, after landing a job at a magazine overseen by editor-at-large Jeanne Beker.”

Source: slice.ca/mslabelled/

SHOOT THE MESSENGER “The series, which will air on CBC-TV and ITV, follows an ambitious young newspaper journalist (Levesque) who witnesses a murder and is drawn into a dangerous web of criminal activity that stretches into the corporate and political realms.”

Source: CBC website

SLASHER “The original series, Slasher, centers on a young woman who returns to the small town where she was born, only to find herself the centerpiece in a series of horrifying copycat murders based on the widely known, grisly killings of her parents.”

Source: Deadline Hollywood