

Screenrights is a non-profit company which administers copyright licences in Australia and New Zealand and collects similar royalties from Europe and North America for its 2,500 members from 52 countries.

February 2007

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This is an online newsletter. You can subscribe by emailing ota@screenrights.org

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Feature: Getting your work copied by educators

With Screenrights distributing a record \$9.78 million between 1 November and 31 December 2006, **Off the Air** spoke to some of the recipients of this most recent round of payments to find out more about their work and why it appealed to educators.

Total payments during this two month period exceeded the previous year's November/December distribution of \$8.44 million. The bulk of this money (\$9.45 million) was for copying in Australian educational institutions, with royalties being paid to a wide range of rightsholders, including copyright owners in drama, documentary and animation.

For Daniella Ortega, Producer and Co-Director of **Battle of the Brains**, the royalties showed her that educators had "really responded and engaged with the program."

Battle of the Brains is a prime time documentary series commissioned for **Catalyst**. It follows a group of young, brilliant scientists as they strive to represent Australia in the International Science Olympiads.

"While the program was not only about the quest for gold, it was also about what it's like to be a young and brainy science student – so it appealed to both teachers of science and educators with an interest in gifted and talented education, as well as students in those areas too," Daniella said.

This was the first time Daniella had specifically focused her marketing on the education sector, with her two key targets being Science Education and Gifted Education.

"We developed a funky looking website and utilised our promotional skills to develop marketing material that was eye-catching and appealing," she said. "We made sure that our program didn't feel like an 'educational' program, but was just a real, compelling and exciting show that was going to be informative as well."



Frank Hurley: *The Man Who Made History*

Daniella also developed a study guide in conjunction with the Australian Teachers of Media (ATOM) and worked with the Australian Science Olympiad to get the word out to schools through a special 'Invitation to Watch' postcard. In addition to this, she personally notified teacher and student networks of the upcoming broadcast and submitted articles to relevant journals.

"In the final week before the broadcast, the EnhanceTV newsletter went out to subscribers with our program right at the top spot, which was fantastic," Daniella said.

The experience has led Daniella to believe that there are "possibilities for almost any documentary to be of value to the education sector."

"Teachers are overworked and their attention is being pulled in many directions at any one time," she said. "If you can cut through by at least making them aware of your project you're doing well. If you can make them remember your project by engaging them on an emotional level (through your stills or synopsis), as well as an educational one, then I think you've got a better chance of them watching. They are viewers like the rest of us they want to be engaged and compelled to watch!"



Frank Hurley: *The Man Who Made History*

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For Anna Cater, of Mitra Films, her documentary, **Frank Hurley – The Man Who Made History**, had obvious appeal to the education sector.

"It covers some of the most significant events for Australia in the 20th Century – the early Antarctic exploration, the 1st and 2nd World Wars, the colonisation of PNG and the growing nationhood of Australia," she said. "Frank Hurley filmed all these events and it's through his eyes that much of this period of history is remembered by Australians today. Our film also reveals how Hurley manipulated his photographic images, raising issues that are still topical today – such as the truth of documentary images and the responsibility of image makers."

The program also had an ATOM study guide and received considerable media attention, including being selected by every TV guide in Best of the Week sections and Daily Recommended Viewing.

"The royalties from Screenrights helped us to recoup some of the FFC's investment in the film," she said. "This revenue will assist the FFC in their continuing support for Australian documentaries. We also appreciate that this film has been popular with educational institutions, and hope that further awareness of Frank Hurley's life and work will give Hurley his rightful place as a significant historical figure."

When Anthony Lucas of 3D films made his animation **The Mysterious Geographic Explorations of Jasper Morello**, he didn't really have the education sector in mind, although he can see in retrospect where the appeal lay.

"There are a lot of references to classic works of literature, and my visualisation of a bygone era might inspire students to investigate these classics," he said. "The study guide we have just completed certainly focuses on this connection. And from a purely storytelling point of view, Jasper is a young man at the beginning of his career who has to deal with some pretty murky moral issues, which could raise debate."

Anthony feels study guides are vital. "They are a fantastic way to get under the skin of a program. I remember the stories I studied at school, and still think about them today."

In addition to this, he frequently gives talks about his work and the techniques he uses.

"I've given a bunch of talks over the years and often go into how I have been animating in silhouette now for over 15 years, and how computers have come to dominate," he said. "The documentary in the Extra Features on the Jasper DVD goes into this, and I hope this is of interest to students."

For him, Screenrights royalties are a "tremendous way of paying off the investors and saying to them, yes, this product does have a market and here is concrete evidence."

The Oscar nominated **The Mysterious Geographic Explorations of Jasper Morello** goes to air again in early March 2007, right after the Oscars.

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EnhanceTV nominated in AIMIA Awards

The EnhanceTV website has been nominated as a finalist in the best non-profit website category in the 13th annual Australian Interactive Multimedia Industry Association (AIMIA) Awards.

In announcing the finalists, AIMIA CEO John Butterworth said: "The entries were of exceptional quality with finalists representing the very best of Australia's booming interactive and digital media industry."

EnhanceTV, which provides information on educational TV, as well as free study guides and feature articles to help teachers use television in the classroom, continues to grow in popularity, with more than 2000 visitors to the site a day.

EnhanceTV Project Director Mike Lynch said: "The nomination acknowledges the great work done by the Australian Teachers of Media (ATOM) in preparing world class study guides. It is also an endorsement of the Film Finance Corporation's (FFC) policy of funding the production of study guides for all FFC funded Australian documentaries."

The winners of the awards will be announced on March 2. Details are available at www.aimia.com.au/awards

New Member Services Executive

Screenrights is delighted to announce the appointment of Emma Rogers as its new Member Services Executive.

Emma has worked for Screenrights as a Member Services Officer since December 2002. Over the past 18 months, in her role as Registration Coordinator, Emma has been heavily involved in the development of Screenrights' registry of works in preparation for the first distribution of royalties from the Australian Retransmission Service.

Emma replaces Cameron Patience who is now working with Freehills in the Intellectual Property Litigation Group.

Screenrights Chief Executive Simon Lake said: "Under Cameron's leadership, returns to members were distributed with great efficiency and care. We wish him every success in his new legal career."

International update

Screenrights International is currently allocating retransmission royalties from a number of European territories.

The royalties are from Austria, Romania, Denmark, Sweden, the Netherlands, Finland and Poland for retransmissions over various years.

Once allocations are made, members who are owed payment will be contacted.

If you have not yet appointed Screenrights International to collect your overseas royalties, contact Maha Ismail on maha@screenrights.org for further information.

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ISAN Update

Less than a year after its official launch in Australia, the International Standard Audiovisual Number (ISAN) has been receiving strong support in the Government sector.

The Australian Film Finance Corporation (FFC) is acquiring their first ISAN for 640 programs, covering ten years of back stock. The Australian Film Commission (AFC) and the NSW Film and Television Office (FTO) have also adopted ISAN for new projects.

This commitment represents a significant step forward for the Australian film industry as they adopt best practice through ISAN, the universal number that can identify audiovisual works across national boundaries and language barriers.

New projects can incorporate an ISAN as a data element in systems that identify, manage and process information about audiovisual works. This includes scripts, contracts, film rushes, editing and versioning of work, production documentation, and marketing materials and packaging. An ISAN is a consistent identifier, whereas working titles change. ISANs also save confusion and possible errors for works in co-production.

ISAN Australasia was founded by Screenrights and APRA/AMCOS. It is part of a worldwide network of ISAN Registration Agencies involved in issuing this unique identifying number to works created by the film and TV, music, games, advertising and software industries.

For more information about ISAN, go to www.australasia-isan.org or contact info@australasia-isan.org

Reference group for copyright in NZ schools

The New Zealand Ministry of Education has established a Reference Group to look at licensing of copyright in schools and improved awareness of copyright among teachers.

Currently, New Zealand schools choose whether they will take out a licence on an individual basis. Screenrights has been lobbying for the Ministry to take out a blanket licence for all government schools (similar to the Australian situation), ensuring that all students and teachers have full access to television in teaching.

We will be contributing to discussions held by the Reference Group.

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Proposed changes to NZ law

Screenrights has made a submission to the New Zealand Government concerning a number of proposed changes to copyright legislation affecting members' rights.

The Copyright (New Technologies and Performers Rights') Amendment Bill proposes creating a new "communication work" to replace and expand upon protection for "broadcasts and cable programmes".

Screenrights is concerned that under current drafting, protection would be conferred upon a person who unlawfully makes a film available on a peer to peer file sharing service. We are also concerned that creating this new work will greatly expand the possibility of educational institutions being able to download material from unlawful sites on the Internet, rather than taking out a licence that requires payment for use.

The Bill also creates a broad based free exception for educational use of certain material on the Internet. Screenrights has objected to this provision as it has the potential to encroach on members' rights and the existing educational copying licence.

We have also made a submission in relation to proposed provisions enabling libraries to make audiovisual items in their collection available to remote users online.

Copies of our submission are available on our website: www.screenrights.org

Copying podcasts

Recent changes to Australian copyright law mean that copyright owners will now be paid when a podcast or vodcast of their material is copied by an educational institution.

The amendments to the Copyright Act allow schools, TAFEs, universities and other educational institutions to copy broadcast material made available online by the broadcaster as part of the educational copying provisions.

"This means that educators can now download and make copies of their favourite programs from a broadcaster's website," Screenrights Licensing Executive James Dickinson said. "It also means that copyright owners will be eligible for payment when their material is used in this way."