

1. PIRACY – THE FACTS

* What is piracy?

Piracy is the illegal accessing, screening, copying, distribution and selling of copyright protected material such as movies and TV shows.

* How does it affect me? Why should I care?

Burning, buying or downloading an illegal movie or TV show means you are not paying the content owners for the entertainment you're watching. Less money into the industry will realistically mean:

- Less local choice – fewer movies, TV shows and documentaries.
- Higher costs and fewer locations to buy/see movies, as cinemas & DVD stores go out of business.
- Poor quality – you're ultimately robbing yourself of the best experience...why watch a movie or TV show that is sub-standard...the sound is distant and echoing, or there's someone walking across the screen, or the colour is all faded?



* How can I tell if a movie or TV show is pirated?

- If you can buy or download a movie before its cinema release or while it's still showing.
- If the playback quality is poor, artwork and features such as trailers, commentaries, and language choice are missing.
- DVD covers are displayed in a folder or not at all.
- If it has been downloaded via file sharing network, and there is no Australian classification

* What can I do to make a difference?

- **Don't** buy dodgy DVDs – enjoy the real, original DVD experience with all the trimmings (extras, Directors cuts etc).
- **Don't** download from illegal websites – go and see the original on the big screen in the cinema.
- **Don't** copy and burn DVDs to share with your mates – see it together at the cinema, or buy your own copy to support the production of more movies.

2. DINNER PARTY CONVERSATIONS

Want to talk to friends, family and strangers about film piracy in an engaging way? Here's how: The following two conversations each begin with an anecdotal story about a popular film, and then provide a supportive argument that explains how movie piracy has negative consequences. The best way to conclude these conversations is with an account of what is being done about piracy, and how everyone can play an active part.

CONVERSATION 1

The Australian film "Kenny" was the country's highest grossing box office hit in 2006; But imagine how Clayton Jacobson, the film's Writer and Director, felt when he found friends and family had freely admitted to watching or owning illegal copies of the film months before the official DVD was released. When asked by Jacobson why they did it, his friends replied: "Well, I went to the cinema and it did really well, so you got my dollar there so I thought it would be okay to burn it?"

On the face of it, the film earned a cool A\$7.5 million at the local box office. That might sound like a lot. However, after the earnings were split up and divided between the investors, cinemas, distributors, advertisers and promoters of the film, the director came away with about \$125,000. Split over the three years it took to make the movie, that's an average of \$42,000 per year. Ironically, Jacobson says that he could have earned more money, and a more regular wage cleaning toilets over the same period.

It's true that few people care about film piracy because they believe it's not hurting anyone. Surely rich film stars like Tom Cruise and Steven Spielberg are none the poorer for piracy? And besides, everyone does it, so why shouldn't I?

The frightening thing, however, is that the "Kenny" story is a common one for filmmakers.

Film piracy is wrong, and has real consequences:

- If you're not paying for a movie (going to the cinema, buying or renting a DVD, or downloading it from a legitimate site) then you are not financially supporting all of the people that bring the movies to you. If this is the case, how do you suppose movies can continue to be made? Investors will be less likely to invest in movies in the future if they lose their some of their return to piracy.
- It affects everyday people, like me and you. Roles in the film and TV industry are usually short term, and cast & crew rely on the ongoing production of movies and TV shows to earn a living. Life on set is hard work - the cast and crew spend hours on location and are often away from family for days at a time.
- It affects our emerging talent – something that makes us very proud as a nation. Think about those actors, directors, producers that have become an international success – from Russell Crowe to Nicole Kidman, George Miller to Adam Elliot and the list goes on. How do we expect this to continue if the industry doesn't have the funds to provide opportunities to develop young talent in all fields?
- It affects our well-known and internationally highly-respected talent working locally - creative's can only return to Australia to make Australian movies if there is a vibrant and protected film industry for them to come home to.
- Making a film isn't simply a 9 to 5, Monday to Friday job. It's fueled by a passion and desire to bring a project to life for the audience. Many people spend years to get a movie made and with no guarantee of any financial return.



- Less than 4 out of 10 movies ever recoup their original investment. It's a highly risky business. Investors, Producers and Directors have to wait well into the cinema & DVD release of the film to see any returns, if at all, from their investment.

CONCLUSION for both conversations

So what's being done about it and how can I make a difference?

If we can start the conversation, and raise awareness that film theft has real consequences, to ultimately change people's attitudes of piracy from acceptance to rejection, then we shall be taking the first steps to help reduce demand for pirated material.

Everyone can make a difference.

Raising awareness of the real issues and the real victims of piracy is crucial – to break down the misconception that it's a victimless crime.

Realising that film theft also includes the 'sharing' of movies and TV shows – whether it be via illegal downloading from the internet, or copying DVDs to 'share' amongst friends. Just because people aren't making money from 'sharing' movies & TV shows amongst their friends, doesn't mean it's not piracy, and that it doesn't make a difference. It does!

Awareness of the issues is very important: It doesn't directly convert into a change of behaviour; but it is the first critical step in changing attitudes.

The film & TV industry will continue to consider new business models to deliver content as the audience demands, but ultimately it can't compete with 'free'. Australians need to value copyright and creativity to enable the industry to continue to create the movies and TV shows we all currently enjoy.

The industry has no intention of preaching to anyone, nor to point the finger and apportion blame – they simply want to engage and educate people to the value of copyright and its role and value in society so everyone can make an informed choice.

Research has identified that apathy is the biggest issue for the film & TV industry – for many Australians film piracy is not even on the radar. For the industry to survive and continue to produce a variety of quality shows, we need to shift the mentality of what is right or wrong when it comes to accessing film & television content. Just because it's entertainment, doesn't mean everyone has an irrefutable right to access it whenever and however they want.

It is important to raise these issues and prompt everyone to think before they accept or view pirated material. The knock-on effect will then reduce the demand for such goods.



CONVERSATION 2

Did you know that the recent “X-Men Origins: Wolverine” production employed over a 1,000 Australians and engaged over 100 Australian-based companies? The production contributed more than A\$80 million dollars to the Australian economy, and is a great international showcase of the enormous talent and scope of our local film industry. Despite high security measures, an unfinished version of the film was leaked, uploaded to the net, and viewed by over four million people before its theatrical release. Let’s not pretend that film theft is a good marketing tool for the industry: Research has told us that only 16% watch a movie at the cinema after watching a pirated version of it on the internet or on DVD, and, only 26% of people would then buy an original DVD, movie or TV show after watching a pirated version of it; With a significant 72% of people don’t watch or buy it legally (at all) after doing so illegally.

With less than 4 out of every 10 films recouping their initial investment, combined with the loss from piracy that is increasing every year, it might make investors think twice before investing in a new movie. This results in fewer jobs in the industry, and fewer films getting off the ground for the audience to enjoy. The industry’s integrated marketing campaign, ‘What are you really burning?’, aims to give Australians a reason to care – to start them talking by engaging them in the issue.

This is the size of the problem: In 2005, global independent research (LEK) found the cost of piracy to the Australian film industry to be \$233 million dollars. That’s enough money to make roughly another 200 films with the budget of the much-loved “Kenny”.

Globally the Motion Picture Association puts the losses on filmed entertainment worldwide as a result of piracy at US\$18.2 billion¹. This means less money to reinvest in future films, and fewer jobs.

Is film piracy really all that damaging, to anyone?

There’s a misconception that film and TV piracy is a victimless crime, and that its effects are inconsequential to the industry. Illegal download site Mininova, just one of many bit torrent sites online, has as of April 2009, clocked up 8,000,000,000 illegal downloads. That’s enough for one illegal file per person on the entire planet and then some. This is just one site and just one of the ways piracy operates.

Piracy, bootlegging, or copyright theft, call it what you want, but its actions rob the local Australian film and TV industry of funds that help develop our talent and produce the films of the future. Film & TV theft limits the number of movies being made and the impact is felt across the board; including writers, directors, actors, runners, cameramen, stuntmen, on-set carpenters, scene painters, costume designers, make-up artists, caterers, technical experts and cinema staff, who are among just a few of the 50,000 industry workers that are negatively affected by piracy.

[THEN USE CONCLUSION FROM CONVERSATION 1]



¹Motion Picture Association / Asia Pacific
<http://www.mpa-i.org/>

3. THE INTELLECTUAL PROPERTY AWARENESS FOUNDATION

Who is the Intellectual Property Awareness Foundation?

Intellectual Property Awareness Foundation (IPAF) is a film and TV industry initiative that promotes the value of the industry by raising awareness, understanding and appreciation of intellectual property and its role and value in society.

IPAF members include a broad range of film and television industry organisations including: AFACT, MPA, theatrical & home entertainment distributors, cinemas, DVD replicators, retailers, and Australia's largest rental chain of local franchised businesses FE Group (Video Ezy & Blockbuster), as well as many in-kind industry contributors.

What does IPAF do?

IPAF develops and delivers communication including: education and awareness campaigns, which aim to motivate a change in attitudes and behavior to reduce public demand for illegal copies of film and television programs.

Where are the IPAFs messages?

IPAF have a number of communication campaigns including the 'What are you really burning?' message on DVDs, in cinemas and retail & rental stores. IPAF has also developed schools resources to demystify copyright, and raise awareness and appreciation of creativity. They can all be checked out on their website: www.ipawareness.com.au

IPAF conducts ongoing research to make sure the message remains relevant and fresh, to continually increase awareness and shift attitudes.

