

SHOOT®

THE LEADING NEWSWEEKLY FOR COMMERCIAL, INTERACTIVE, & BRANDED CONTENT PRODUCTION

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HD Spots To Gain Historic Yardage In Super Bowl XXXIX

Cadillac Ad Shoots, Posts, Is Slated To Air In High Definition

By Carolyn Giardina and Robert Goldrich

JACKSONVILLE, Fla.—The first Super Bowl to be broadcast in high definition aired in 2000 and, despite the fanfare, that year produced only a few HD ads, including a film trailer. In subsequent years, advertisers continued to show little interest in the medium, citing reasons such as the small number of HD sets in the market and the lack of a quantifiable audience. But this year, for Super Bowl XXXIX pitting the New England Patriots against the Philadelphia Eagles in Jacksonville, Fla., it looks like high definition may gain some notable and much needed yardage in the commercial advertising world.

Reporting a significant shift in his business since a year ago, colorist Stefan Sonnenfeld, who is president of Company 3 in Santa Monica and New York, told *SHOOT* that about half of his commercial assignments being considered for the Big Game—he estimates seven or eight spots—will

be delivered in HD.

Most of those HD assignments were shot in 35mm film—which is a high definition medium—and transferred to HD video for post and distribution. Sonnenfeld also color corrected what may be the first planned Super Bowl ad from a major advertiser to be lensed in high definition video. That landmark ad is Cadillac's "Elope," directed by Antony Hoffman of bicoastal/international @radical.media for chemistri, Troy, Mich., and Leo Burnett USA, Chicago.

Sonnenfeld—who has been advising clients about HD—said he expects that there will be much more HD advertising in 2005, and explained that the tide seems to have turned due to an increase in HDTV set penetration, HD cable, and a general awareness of the medium. He added that a growing number of his clients are now taking advantage of what the technology has to offer.

MTI Offers Peek At Post Future, NAB

By Carolyn Giardina

HOLLYWOOD—Encore Hollywood is the first site to be employing the Mathematical Technologies Inc. (MTI) new Control Dailies system, which looks well positioned to attract attention at the 2005 National Association of Broadcasters (NAB) convention in Las Vegas this coming April.

Control Dailies is a software-based workflow system that serves as the backbone of the dailies process, handling tasks such as collecting "metadata" (all the information about a job including shoot dates, credits and copyrights) as well as organizing

Continued on page 18

Ad Mantra: Medium Is The Message

By Robert Goldrich

LAS VEGAS—Figuratively taking a page in tongue-in-cheek fashion from the late Marshall McLuhan's seminal *The Medium Is The Message*, *SHOOT* launches this column to report—and reflect—on how the ad biz is rethinking media and the resulting impact on creativity. Catalysts for a media rethink were in abundance at the recently concluded Consumer

Wrap Session: Anthony Minghella

By Robert Goldrich

LOS ANGELES—Having recently wrapped his first commercial in many years—Guinness' "Mustang" for Abbott Mead Vickers, BBDO, London, produced by Independent Media, Santa Monica—feature filmmaker Anthony Minghella reflected on the experience

and its creative benefits. He also shared his views on what he regards as a generally one-way crossover street.

Minghella is a firm believer in short-form fare, although he is best known for his directing and writing of feature-length films. In '97, he won a best director Academy Award for *The English Patient*, which garnered a total of nine Oscars, including one for

best picture. *The English Patient* also earned Minghella a nomination for best writing of a screenplay based on material from another medium. Three years later he was a best screenplay Oscar nominee for *The Talented Mr. Ripley*, a film that he also directed. And he wrote the screenplay for and directed *Cold Mountain*, which earned a best

A New Chapter

It's traditional yet contemporary.
The same yet different.

It's brand new yet comfortably familiar. These seemingly contradictory terms paradoxically combine to form a clear message and sense of purpose, reflecting the new *SHOOT*, which has been bought by DCA Business Media, with Roberta Grierer returning as its publisher and assuming the ownership mantle from VNU.

Much of the longstanding *SHOOT* remains intact. But added to that foundation will be several new cornerstones: increased coverage of interactive content and branded entertainment; international reports; client perspectives; industry columns



with varied viewpoints and conveying expertise from different sectors; and a weekly electronic edition of the publication. The latter, which we refer to as the "e.edition"—coupled with a biweekly print edition—offers such advantages as being able to view notable work instantaneously.

At the same time, you'll continue to see what you've come to expect and value in *SHOOT*. We will keep on examining issues of importance to the industry, to provide news, information and thoughtful analysis, to offer not only what you want but also need to know.

Via our new ScreenWork section—which includes Top Spot, The Best Work You May Never See gallery and the just launched iWork and Brand Stand—we remain committed to seeking out

great work and gaining exposure for the creative talent and artisans behind it. Our coverage will continue to support idea-makers and artists—and arts education to help develop the next generation of industry talent.

It's an exciting new chapter for *SHOOT* but more importantly an exciting time for the industry at large as reflected in last week's e.edition Outlook series in which leading creatives and production executives assess prospects for the new year.

Take for example the feedback from Corey Bartha, senior producer of the newly named integrated production department at Crispin Porter + Bogusky, Miami: "I would say the creative climate is going to be hot in 2005. Advertisers are embracing media-neutral approaches like never before—it's all about reach. I have been involved in some really creative interactive and Internet projects in the past, but the limited amount of broadband subscribers made it very difficult to reach our audience. Now the audience is huge and

getting bigger. Advertisers are seeing results, and that means they are going to be coming back for more. From a creative standpoint, this new media becomes a blank canvas in the eyes of great creatives and the work is becoming great."

Frank Scherma, president of bicoastal/international @radical.media, related, "I see many more agencies coming and sitting down with us and talking about 'OK, we need to do the television campaign, but then we need to do an Internet component that's tied to that, then we need to do a branded campaign and maybe we need to do a TV show.' Towards the end of 2004, I saw more of that, and into 2005 I think we're going to see [even] more of it." Scherma noted that @radical currently is involved with four different agencies in development on four different TV shows for their clients.

(For a copy of our inaugural 1/21 e.edition, log onto <http://www.shootonline.biz/pubs/2005/>

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Production View

By Matt Miller

Change is good

We've all heard countless proverbs regarding Change and the opportunity that it creates. Yet no matter how many times we hear it, and no matter how much sense it makes in theory, in times of great change the unknown often makes us feel, deep down, a bit uncertain, and may even leave us longing for the comfortable, predictable past.

Well, there's change in the air, and I'm here to say it's all good.

The first piece of change is that *SHOOT* is now under full ownership and control of longtime Publisher and AICP friend Roberta Grierer. This is a change that will certainly benefit the industry, as we look to *SHOOT* as an information resource giving its perspective on what's happening in the creation and production of advertising.

Change is also in the air for the advertising agency and production industry readers of *SHOOT*, in all areas of this business, as we see the way marketers communicate and connect with their customers rapidly evolve, and utilize alternative media vehicles to deliver their messages. And that impacts all of us reading this publication.

Anyone attending the Association of National



Matt Miller
President and CEO
Association of
Independent
Commercial
Producers

Advertisers' annual meeting last October heard firsthand from leading CMOs that they are rethinking, and more important, reallocating funds for communicating with their core audience. While all of them illustrated their "new" positioning with TV commercials, reinforcing the power of television advertising in its current form, the discussion focused on the quest for quantifiable return on their marketing investment—a long-sought goal, and a quality they aren't sure they can ever get with spots.

There is little doubt that the television landscape is changing, and equally little doubt that the role of television commercials is shifting as well. Technologically it must, considering that viewers are given control of how, when, and what they watch (and in the case of advertising, you can add *if* they watch). That tells you that television advertising must change; in fact it's already changing. The growing popularity of DVRs is one reason we're seeing the rise of branded entertainment and brand integration right now. While some of this is moving marketing dollars away from spots (a bad thing for spot makers), it is also creating unconventional collaboration between advertisers and producers (a good thing for creative talent). A case in point is the overwhelming interest in the "Battle of the Brands," the first awards competition being held for recognition in this business space and presented collaboratively by ANA and AICP in February (how's that for a commercial in the content?).

In the new frontier, opportunities abound for creative thinking and execution. While television viewing as we

know it is evolving, advertisers themselves are clinging to the certainty of the past, all the while hungering for change. One just has to look at the booming financial outcome of the 2004 upfronts as proof. Why this inconsistency? It's because the message communicated through sight and sound, through a moving picture, is and always will be the most engaging way to tell a brands story to the viewer.

At the moment, television still holds sway as the chief medium that can deliver this desirable format. However, as the broadband environment becomes ubiquitous, more and new avenues to communicate using motion picture will open. Herein lies the opportunity in the change. As creators and producers of engaging messages for marketers, how is the industry going to rise to the challenge of creating messages in the various environments for advertisers? The answer is simple—by using the skills they already possess, by thinking about the media landscape in a whole new way, by not being pigeonholed into former roles, and by leading the way in developing innovative projects for marketers.

Yes, change is in the air. But opportunities abound for creative collaborators to strut their stuff. AICP is going to be there, helping to keep our members up to speed on what is happening in new arenas, and representing their interests as opportunities arise. This is what we'll be reading about on the new pages of *SHOOT*, and I, for one, can't wait for the story to unfold.

Feature Firsts For Reactor Films, Director Atchison

Bee Takes Flight With Distribution and Financing From Lion's Gate and 2929 Entertainment

By Robert Goldrich SANTA MONICA—To attain certain firsts, you have to last—and that is certainly the case for director Doug Atchison and bicoastal commercial production house Reactor Films. Both have been persistent and patient in waiting for their project, *Akeelah and the Bee*, to get off the ground. At press time *Bee* was about to take flight, with production slated to begin on February 7.



Danny Llewelyn

Bee, a drama that stars Laurence Fishburne, Angela Bassett, and Keke Palmer (in the title role of Akeelah Anderson), marks Atchison's feature directorial debut. It's also the first theatrical motion picture for Reactor. The production company was drawn to the project in '00 when Atchison's script won the Academy of Motion Picture Arts and Sciences' prestigious Nicholl Fellowship for Screenwriting. The script for *Bee* caught the eye of Reactor development executive Danny Llewelyn. Some four-and-a-half years later, the movie has finally come to pass, the last major hurdle recently being cleared with the securing of financing and distribution from Lions Gate Films. Also providing key financing is 2929 Entertainment, the venture headed by entrepreneur and Dallas Mavericks NBA team owner Mark Cuban.

Llewelyn and many of his counterparts make it a point—and with good reason—to scout the annual Nicholl Fellowship winners and finalists. Past winners include numerous aspiring writers who have gone on to attain prominence, including Michael A. Rich (*Finding Forrester*), Ehren Kruger (*Arlington Road*), Andrew W. Marlowe (*Air Force One*) and Susannah Grant (*Erin Brockovich*, *28 Days*).

The Nicholl Fellowships started in 1986 with 99 entries. In '00, the year Atchison was among the select winners, there were 4,000 entries.

Bee centers on Akeelah, an 11-year-old girl from South Central Los Angeles, and her journey to compete in the National Spelling Bee. Fishburne plays Dr. Joshua Larabee, who becomes her mentor.

Bassett portrays Akeelah's mom, Wanda Anderson. In the film, Akeelah has to deal with a struggle from within—in part by not being afraid to show that she is smart. Akeelah's inclination is to downplay her intelligence and spelling acumen, which are not regarded as hip traits in her inner city circle.

Reactor principal Michael Romersa described *Bee* as the *Rocky* of spelling-bee movies. "It's a sports story with a lot of heart." Atchison developed the idea for the script after seeing ESPN's inaugural broadcast of the Scripps Howard Spelling Bee. At the time, he observed that few inner-city children participated in the competition. The Akeelah character, said Atchison, "comes from an environment where many kids feel like the Spelling Bee is for someone else. In order to compete, Akeelah must first overcome her feelings of inadequacy."



Michael Romersa

Romersa, Llewelyn and Out of the Blue Entertainment's Sid Ganis and Nancy Hult Ganis are producers on the film in

Directors Auerbach, Weedon Link With GARTNER In U.S.

Production House Gains Bare Affiliation In U.K

By Robert Goldrich

SANTA MONICA—Directors Shona Auerbach, who has made a major splash with her feature film debut, *Dear Frankie*, and Jim Weedon, an accomplished spot editor who's successfully diversified into helming, have joined Santa Monica-based GARTNER for their first formal representation in the American ad market.

Both Auerbach and Weedon are with The Bare Film Company, London, a shop formed last summer by partners/managing directors Helen Hadfield and Claire Sims. GARTNER gains a European production foothold via Bare, in addition to repping two of its directors stateside. Conversely,

GARTNER executive producer Don Block noted that Bare can tap into GARTNER for production support and resources when shooting in the U.S.

Auerbach first made a name for herself with the short film *Seven*, which gained recognition at several venues, including the British Short Film Festival and the British Film Festival. Based on the success of that short, she was approached to do commercials. Auerbach went on to establish herself as a spot director, with European credits for such clients as Whiskas, Bold, Baci, SWEB and Proximus. Prior to Bare, she was with its two predecessor U.K. companies, including Bliss, which were also under the aegis of Hadfield.

L.A. Spot Shoots Up 17.5%; EIDC Warns Against Complacency

By Robert Goldrich

LOS ANGELES—While there are rumblings that California may be about to propose significant anti-runaway incentives for feature, TV and commercial production (see Street Talk, p. 22), clearly the health of filming in Los Angeles has improved dramatically this past year.

According to the Entertainment Industry Development Corp. (EIDC), which oversees the Los Angeles City/County Film Office, film permits were issued to cover 6,703 spot location shooting days in Los Angeles during 2004. That's a whopping 17.5 percent more than the 5,701 days tallied in '03.

The '04 performance represents the

largest percentage increase since '01 exceeded '00 by 12 percent. Since then, spot lensing activity has been relatively flat with '02 being one percent higher than '01, and '03 showing a 1.5 percent increase over '02. Even the 12 percent jump in '01 wasn't all that impressive in light of the fact that '00 was the year of the six-month actors' strike against the advertising industry, which accelerated runaway production to foreign countries and caused spot filming in Los Angeles to tumble precipitously. Thus '01 outperforming '00 could hardly be deemed a major accomplishment.

But the surge in spot location lensing

Denyer Joins Big Lawn As COO/Exec Producer

SANTA MONICA—Big Lawn Films, the year-old shop owned by director Chuck Bennett, has brought Andrew Denyer on board as COO/executive producer. Denyer joins the one-director shop after spending the past three years as a freelance producer.

Among those freelance endeavors were collaborations with Bennett (i.e., Maytag for Leo Burnett USA, Chicago, LucasArts for FCB, San Francisco) when the director was at Crossroads, bicoastal and Chicago. That positive working relationship with Bennett—and the opportunity to help build a small entrepreneurial shop—led to Denyer's decision to return to the executive producer ranks.

Prior to freelance producing for Bennett and other Crossroads directors—as well as such helmers as Chris Smith of bicoastal Smuggler and Tim Hamilton of bicoastal Go Film—Denyer was an executive producer at now defunct Propaganda Films. He earlier served as head of production at bicoastal Headquarters, where he also handled some exec producer responsibilities.

Denyer succeeds Gabrielle Yuro as Big Lawn's executive producer.

He intends to add to Big Lawn's directorial roster but noted that the first priority is Bennett's helming career. Among Bennett's latest endeavors are Subway for McCarthy, Mambro & Bertino, Boston, and a couple of assignments for GSD&M, Austin, Texas: an AARP spot and a promo for The Learning Channel show *What Not To Wear*.

While Big Lawn will maintain its core spotmaking operation, Denyer said that he and Bennett plan to explore opportunities outside the

traditional :30 format, including interactive, Web-based technologies and wireless.

Bennett first gained industry prominence as an agency creative. He and Clay Williams started out as an art director/writer duo, first at now defunct Stein Robaire Helm for three years. Then they firmly established themselves as a creative team at TBWA/Chiat/Day, Los Angeles, moving up from art director and writer, respectively,

to managing partners/

FLASHBACK

5 YEARS / 10 YEARS



□ **JANUARY 28, 2000**/Editor **Brad Wetmore** is set to join the Santa Monica operation of **Mad River Post**, the bicoastal editorial house which also maintains facilities in New York and San Francisco. He comes over from Santa Monica-based editorial shop **Jigsaw**, where he spent the past four years....On the strength of his spec reel, director **Dan Rush** has landed at Los Angeles-based **Palomar Pictures**....**Pacific Data Post**, a Santa Monica-based telecine boutique, has been launched. The new venture is a subsidiary of Dallas-based Video Post & Transfer (VP&T)....**J. Walter Thompson**, New York, has created **©JWT**, a New York-headquartered division that is an alliance with Beverly Hills, Calif.-based **Basic Entertainment**. ©JWT will develop entertainment built around brands, and will bring corporate clients closer to projects in development....

□ **JANUARY 27, 1995**/**Bruce Hurwit**, a creative group head and art director for four years at agency Cliff Freeman & Partners, New York, has left the agency to direct commercials for bicoastal production company **Crossroads Films**.... Director/cameraman **Ken Morrison** has joined bicoastal **Harmony Pictures** for commercial representation on both coasts, Chicago, St. Louis, Detroit and in most international markets....**Napoleon Films**, New York, a division of Napoleon Videographics, has announced its new affiliations with three directors: Los Angeles-based director **Greg Marquette**, New York-based tabletop shooter **Ben Dolphin** and Los Angeles-based music video/spot director **Peter Allen**....**Fireside Productions**, Atlanta, has signed director/cameraman **Mark Claywell**, formerly with **Oasis Films**, Charlotte, N.C....

GARTNER Signs Auerbach, Weedon

Given her prowess in performance-driven fare, Auerbach got the chance to direct *Dear Frankie*. The low-budget U.K. film has gained considerable acclaim, receiving a standing ovation at Cannes and an audience award for best international feature at the Los Angeles Film Festival. The most recent accolade came last week from the British Academy of Film and Television Arts (BAFTA), which named Auerbach a nominee for the prestigious Carl Foreman Award signifying special achievement by a British director, producer or writer in their first

feature film.

Miramax chieftain Harvey Weinstein saw *Dear Frankie* on the festival circuit last year and became a major champion of the bittersweet film, in which a Scottish single mother fakes the existence of a seagoing husband for the sake of her deaf, nine-year-old son. Miramax is slated to release *Dear Frankie* in the U.S. in early March. The movie premiered in European theaters last week.

The film's pending American release and a recent commercialmaking endeavor make the time opportune for Auerbach to now make her first foray into the U.S. market via GARTNER. Not only does the theatrical rollout of *Dear Frankie* figure to generate further momentum for her career, but she also is coming off of a three-spot, Bare-produced MasterCard campaign for McCann-Erickson, London. Word is that some of that people storytelling work for MasterCard could gain airtime in the U.S.

Auerbach said she was drawn to GARTNER's company reel, which features people-based, performance-driven advertising. "It just felt like my work fit right in with what the company's directors were doing," she related.

WEEDON

While he too gains his first directorial representation in the U.S., Weedon is no stranger to the American market in that he has edited commercials for stateside and European clients. He continues to be repped as a spot editor through Final Cut, London and New York. Weedon started his career at The Whitehouse, London (which has

[Continued on Next page](#)

TOP SPOT OF THE WEEK TOP SPOT OF THE WEEK TOP SPOT OF THE WEEK TOP SPOT OF THE WEEK TOP SPOT OF THE WEEK TOP SPOT OF

TOP SPOT
OF THE WEEK**Fallon Depicts Old World Problem Solving For PBS***Director Merhige Deploys “Bucket Brigade” To Bring Flames To Water***By Emily Vines**

To capture a feeling of antiquity in “Bucket Brigade,” a :90 for PBS, out of Fallon Minneapolis, director E. Elias Merhige of Independent Media, Santa Monica, created a charming, yet forward-thinking community in the remote hilltop village of Curtiduria, Chile.

The spot, although not meant to be anywhere in particular, has a European sensibility. Perhaps it’s the accordions in the arrangement of “La Noyee” by Yann Tiersen from the *Amélie* soundtrack. Composers Colin Smith and Simon Elms worked on the piece through Amber Music, New York.

This unique melody accompanies villagers as they work together to extinguish a fire burning in their library.

Upon discovering that the town’s well is almost dry, residents transport the flames, in buckets, to the dripping water source. This ingenious human assembly line was born out of the fact that since the villagers couldn’t bring water to the inferno, they decided to bring the flames to the H₂O. “Be more inventive” the end tag encourages.

This spot is part of the “Be More” campaign that has been running on PBS since 2002. Airing indefinitely on PBS, Fallon group creative



CLICK POSTER TO VIEW

director Mike Gibbs described the target audience as people who watch the network to become more well-rounded and aware of various perspectives on a range of subjects. Executive creative

director Bruce Bildsten referred to the members of this audience as social capitalists, “basically people who are very socially concerned and want to know about the world.”

Gibbs and Bildsten also said the spot is a metaphor for the state of PBS, which has had declining donations and memberships. In “Bucket Brigade,” a group of people tries to save something they feel strongly about, the library, Gibbs related. Bildsten added that the scenario speaks directly to what PBS is about and the predicament it is experiencing.

HEADING FOR THE HILLS

Regarding the tone of this cinematic spot, copywriter Dean Buckhorn said,

Client
PBS

Production Company

**Independent Media
Santa Monica.**

E. Elias Merhige, director; Bruno DeBonne, DP; Susanne Preissler, executive producer; L. Skutch, line producer; David Brisbin, production designer. Benito Cine, Santiago. Veronica Figueroa, producer. Shot on location in Curtiduria, Chile.

Agency

Fallon Minneapolis.

Bruce Bildsten, executive creative director; Mike Gibbs, group creative director; Gerard Caputo, art director; Dean Buckhorn, copywriter; Brian DiLorenzo, director of broadcast production; Robert van de Weteringe Buys, executive producer; Nicholas Gaul, associate producer.

Editorial

The Whitehouse, New York.

Rick Lawley, editor; Dan Maloney, assistant editor; Corina Dennison, senior producer.

Post/Visual Effects

The Mill, New York and London.

Hitesh Patel, visual effects supervisor; Fergus McCall and Paul Harrison, Telecine artists; Phil Crowe, lead Flame artist; Ivor Griffin, CG animator; Tom Poole, Telecine assistant; Adam Grint and Richard Betts, Flame assistants; Helen Weil and Stephen Venning, producers.

Music

Amber Music, New York.

Colin Smith and Simon Elms, composers.

Audio Post

Wow & Flutter Minneapolis.

Dale Goulett, mixer.

Sound Design

Amber Music

Bill Chesley, sound designer. Mitt Out Sound (M.O.S.), Sausalito, Calif. Luke Dunn-Gielmuda and Ren Klyce, sound designers; Misa Kageyama, producer.

Principal Actors

Herman Robles, Pedro Linares.

'Kick-Off' Brings Home The Horror Of Landmines

Idyllic Soccer Scene Turns Tragic In Spot Directed By Kevin Thomas For The Brooklyn Brothers, New York

By Kristin Wilcha

When tragedies exist in far-off lands, it can at times be difficult in day-to-day life to feel their full devastating impact. This spot brings the landmines issue much closer to home. As a result of constant conflict, there are an estimated 18 million landmines buried in countries through Africa, as well as Cambodia and Afghanistan, among others. The landmines cause thousands of injuries and deaths a year, and also have an economic impact, given that their presence makes it impossible to use land for farming.

"Kick Off," for the United Nations Landmine Action Committee, effectively and shockingly brings the issue to the forefront. The spot, directed by Kevin Thomas of Thomas Thomas, London, via agency The Brooklyn Brothers, New York, opens on two girls' soccer teams. The players—around 12 or 13 years old—are getting ready to play, and parents are gathering

on the sidelines to cheer their daughters on. The game starts, and one fresh-faced girl scores a goal. As she smiles towards her parents, the idyllic scene, common on playing fields all over the U.S. and Europe, is interrupted by horror. The girl who scored the goal suddenly flies through the air, landing on the ground, presumably dead. Some of her teammates are injured. As the dead girl's father cradles her body, her mother is held back at the sidelines, as she screams and sobs. A super follows the jarring, shocking imagery: "If there were landmines here, would you stand for them anywhere? Help the U.N. eradicate landmines everywhere." A Web site address, www.stoplandmines.org, follows.

Guy Barnett, a partner in The Brooklyn Brothers, served as copywriter on the spot, as well as on two others, which use footage of farmers in Cambodia and Afghanistan talking about the inability to cultivate land studded with mines. Barnett's partner

in the agency, Callum MacGregor, served as art director. Barnett related that agency became involved in the project through Lisa Lesfevre, who does freelance account work for The Brooklyn Brothers. She knew Richard College, a member of the mine action group at the U.N., which was searching for an agency to help publicize the issue.

Barnett related that using a soccer match as a backdrop was meant to bring the issue of landmines home to people who might otherwise be unaware of the devastation and tragedy caused by the weapons. "So much of these kinds of problems are always focused on faraway places, with people you don't know, and don't have that much in common with," he said. "And we really wanted to make the issue come alive in the minds of people who live in very sophisticated Western countries, specifically the United States—which has yet to sign the treaty banning landmines. ... That was one of core

audiences, the U.S., so we thought by imagining a scenario where landmines were affecting children's everyday lives, as they are in other countries. It would bring the importance and horror of having landmines buried in the ground [into people's minds.]"

Oscar Thomas (no relation to the spot's director, Kevin Thomas), a senior producer at freelance agency production shop Driver, New York, who initially met MacGregor and Barnett while producing a Xenadrine spot for The Brooklyn Brothers, produced "Kick Off," and helped secure Kevin Thomas as director. "Kevin is very versatile," noted Thomas. "I've worked with him before, ... and he's one of the most grounded and most intelligent visual storytellers, and I thought he could do the job."

For his part, director Thomas is pleased with "Kick Off." "I thought it was a great cause, and a great script," related Thomas of why he chose to do the ad. Thomas said his biggest concern while shooting was making sure the



Click Poster To View

landmine explosion was as realistic as possible.

Both a :60 and a :90 version of the spot were created, with the latter hopefully running in cinemas. Oscar Thomas noted that the team would like the work to air on a variety of U.S. outlets, including MSNBC, Lifetime and The History Channel. They also hope to gain airplay on the BBC and other international stations.

Additional credits for the project go to Thomas Thomas executive producer Philippa Thomas; DP Brendan Galvin; and producer Ira Brooks. The spots were cut at Crew Cuts, New York, by editor Sabrina Huffman; Kelly Erickner served as assistant editor, and Melanie Klein produced. Tom Poole of The Mill, New York, served as colorist; additional Mill credits go to executive producer Alistair Thompson and producers Wendy Garfinkle, Verity Grantham, and Elisha Levin.

The online edit was done at FrameStore CFC, New York, by Murray Butler and Maryanne Lauric, under the aegis of managing director Jon Collins. Bill Chesley of bicoastal/international Amber Music created the spot's sound design; Michelle Curran executive produced, while Kate Gibson produced. Audio post was done at Nutmeg Recording, New York. Chris Fina served as mixer, with Jon Adelman producing. Graphics were created by Loyalkaspar, New York. Credit there goes to creative directors Beat Baudenbacher and David Herbruck. Principal actors were Blair Sams, C.J. Wilson, Zena Gray, Sarah Hyland and Jenna Rae Gaertner.

"Getaway"

Click Poster To View

Just what TV needs: another car chase. However, the twist on this pursuit turns out to be not only funny but also an effective piece of advertising for a client outside the mainstream—yet well suited to streams and other bodies of water.

This :30 thrusts us right into a siren-blaring, high-speed chase on a back country road. We see a sporty black Camaro motoring like a bat out of hell, with three sheriff's cars not too far behind.

Clearly the driver of the Camaro is a suspect in a crime, if not an outright criminal. The camera reveals, however, that this perpetrator is not of the two-legged variety. Instead, we see a fish at the wheel of the sports car, which careens off road and skids up to the water's edge. The fish jumps out of the car into the water, seemingly making good its escape via river, lake or creek.

A deputy gets out of one of the law enforcement vehicles and begrudgingly admits, "He got away."

"No, he didn't," confidently says a wiser veteran sheriff who arrives on the scene. The reason for his confidence then

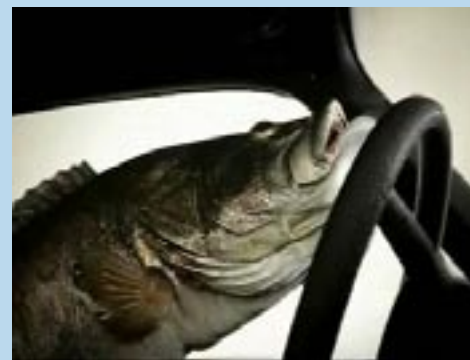
becomes evident—he's holding a fishing pole rigged with a Rapala lure. The spot ends with the word "Rapala" supered across a dark background.

"We wanted to play off all the best car chase scenes," related art director Brock Davis of Carmichael Lynch, Minneapolis. "There's no hint of lighthearted or silly anywhere. And then you see the fish...and it's driving a Camaro."

"Getaway" was directed by Tom De Cerchio of Incubator Films, West Hollywood, for Carmichael Lynch. Alexandra Chamberlain executive produced for Incubator, with Kate Dale serving as line producer. Production services were provided by Radke Films, Toronto. The DP was Glen Keenan.

The agency team consisted of chief creative officer Peter McHugh, executive creative director Jim Nelson, creative director Steve Casey, writer Tom Camp, producer Sean Healey and art director Davis.

Editor was Charlie Gerszewski of Channel Z,



Minneapolis. Colorist was Dave Sweet of Pixel Farm, Minneapolis. Steve Medin of Pixel Farm was online editor/visual effects artist. Audio engineer was Ken Chastain of Pixel Farm Music, Minneapolis. Ron Stefaniuk of Stefaniuk Studios, Toronto, was creator/artist of the animatronic fish.

Sound designer was Jay Nierenbreg of Elias Arts, bicoastal.

Top Tunes

The Winter Top 10 Encompasses Wide Variety.

By Kristin Wilcha

The winter top 10 chart encompasses a wide array of musical stylings—from lush orchestral pieces to thoroughly effective licensed tracks to truly inspired sound design. In this edition of *SHOOT*'s music series, we look at the tracks and what makes them work so well with the creative.

NUMBER ONE

Landing atop the chart is “Digital Joy,” for the Intel Corporation and the Microsoft Corporation, out of Deutsch, New York. The ad, directed by Samuel Bayer of bicoastal RSA USA, uses iconic film characters—ranging from Little Orphan Annie to the alien in the *Alien* movies to Dr. Zaius from *Planet of the Apes*—to illustrate how people can use high-powered PCs based on the Intel Pentium 4 technology and Microsoft Windows XP Media Center Edition 2005 to view, manage and work with digital content. “Digital Joy” shows a parade of the icons, as well as more generic representations of entertainment, making their way through the city streets to a typical home where they join a family in its living room. A score that seamlessly shifts as much as the genres presented on screen—from suspense, to action, to musical, and back to action again—backs up the stunning visuals.

Peter Nashel and Andy Farber of Dutone Audio Group, New York, composed the score, which was performed by a 50-

person orchestra. The pair started working with Deutsch early on, during the storyboard phase. Nashel notes that the agency creatives knew going into the project that the music “needed to reflect all the various personalities and cultural references, but still hold together as a single piece of music.” As for the orchestral direction, Nashel says it was an idea that “came about naturally—it just seemed to fit the scope of the spot, and gave it the depth it needed.” Nashel reports that the track—from composition to the final recording—took about a week.



NUMBER TWO

Nextel’s “The Build,” out of TBWA/Chiat/Day, New York, uses the imagery of ants to illustrate how the telecommunications provider aids in the construction of a building. “The Build,” directed by StyleWar of bicoastal Smuggler with extensive effects by The Mill, London and New York, shows construction workers assembling a large building. The workers pass off supplies in formation—much like a colony of ants constructing a hill. Underscoring the action are the sounds of construction, as well as the familiar beeping of Nextel phones. As the action unfolds, the music slowly builds—almost underneath the other noises—with a steady drumbeat. As the action builds in the spot—supplies are off-loaded and workers bring them to the necessary part of the building—the music increases in tempo, using drums and

Top Ten Tracks Represent Diverse Mix

other instruments.

David Shapiro, partner/executive producer at Fluid, New York—the company’s Judson Crane composed the score—related that the agency initially wanted to go with sound design only, “but as [the agency] began to edit and animate, they saw that it really needed something to drive the images. We had about two to three weeks at that point to develop a sound.”

Shapiro noted that the agency wanted the tune to have a repetitive nature, in keeping with the tone of the spot. After creating about 15 demos, “we zeroed in on a sound that worked for everyone.”

NUMER THREE

At times, licensed music can detract from a spot’s creative. That’s certainly not the case with Cingular’s “Road Trip” via BBDO New York. The ad, directed by Lance Acord of

Park Pictures, New York, highlights the enhanced coverage by the recently merged Cingular and AT&T Wireless. The spot, set to the classic tune “The Weight” from The Band, shows a young guy traveling from Boston to San Francisco in a 1956 Chevrolet Malibu convertible. Throughout his travels he gets remarkable reception—five bars, in fact—on his cell phone. His surroundings mimic the five bars—as he passes a farm, rows of tractors plowing through the field are cutting swaths that increase in length like the five bars on his phone. Ditto for buildings, trees, boats, coffee cups at the convenience store where he stops to refuel, and a flock of migrating birds. The changing landscapes are punctuated by “The Weight,” which was licensed via EMI Publishing, New York.

BBDO senior VP/executive Bob Emerson relates that the selection of the song was somewhat accidental. The

spot’s editor, JJ Lask of PS 260, New York, used the song while cutting the spot. Emerson noted that the agency team had been prepared to create a score for the spot, but in the end decided that “The Weight” worked, and licensed the track.

NUMBER FOUR

In a holiday-themed spot for the OfficeMax chain of stores, DDB Chicago took the now-iconic Rubberband Man supply guy and immortalized him as an animated clay figure. The spot, “Santa’s Helper,” directed by Chel White of Bent Image Lab, Portland, Ore., finds the helpful supply man tooling around town with his ubiquitous cart filled with goodies from the office supply store. He brings cheer to the town’s denizens in the form of PDAs, computer printers, and assorted other office fixtures. At first glance, “Santa’s Helper” calls to mind classic holiday specials like *Rudolph the Red-Nosed Reindeer*—until the viewer

sees the modern gadgets being given out.

As with previous spots featuring the Rubberband Man—who is normally live-action—the action unfolds to the tune of The Spinners’ hit “Rubberband Man.” Although in this case, it’s a holiday themed version, featuring a children’s choir and sleigh bells. Mat Morse of Spank! Music and Sound Design, Chicago, composed and arranged the new version, which is even catchier than the original.

NUMBER FIVE

Tracy McGrady, a guard for the Houston Rockets, and one of the league’s leading scorers, plays the role of Gulliver against a band of Lilliputian soldiers in order to make a basket in the extraordinary adidas spot “Unstoppable.” The ad, via TBWA/Chiat/Day, San Francisco, and directed by Brian Beletic of bicoastal Smuggler, opens on McGrady going in for the dunk.

As he moves up the court, the action slows, and an army of tiny men in white and gold appears, attempting to take the player down with ropes that tangle around his neck, arms, waist, legs and feet. Assaulted on all sides, McGrady is also stalked by helicopters, as well as soldiers in jeeps and paratroopers raining down from the sky. Though it all McGrady stays on course, and makes the shot, defeating the miniature army. The spot’s score is comprised of thrilling sound design—the roar of helicopters and assault vehicles, the bouncing of the ball and the squeak of sneakers on the hardwood.

Ren Klyce of M.I.T. Out Sound/M.O.S., Sausalito, created the sound design, which helps to make the action—a teeny army taking on a basketball great—seem more real.

NUMBER SIX

“Belief” for eBay presents a simple idea: people are inherently good. In the ad, out of Goodby, Silverstein & Partners (GS&P), San Francisco, and directed by Noam Murro of Biscuit Filmworks, Los Angeles, people are shown performing simple good acts, accompanied by an uplifting but sparse piano score. A man holds an elevator door open, passers-by help a man pick up some dropped papers, riders on a bus leave the handicapped seat empty, two guys help push a stalled car. The idea: eBay, the online auction site, started with the idea that people are good and trustworthy, and people proved the site correct.

Jonathan Elias, creative director/composer at bicoastal Elias Arts, composed the track for “Belief.” A frequent collaborator with GS&P, Elias says the creative process was a seamless one, and though a few versions of the track were created, the agency opted to

		TITLE	MUSIC/SOUND	AUDIO POST	AGENCY	PRODUCTION
1		Microsoft/Intel "Digital Joy"	Duotone Audio Group, New York Peter Nashel and Andy Farber, composers; Amy Sheldon, executive producer Amber Music, bicoastal/international. Bill Chesley, sound designer	Lime Studios, Santa Monica Loren Silber, mixer	Deutsch, New York	RSA USA, bicoastal Samuel Bayer, director
2		Nextel "Ants"	Fluid, New York Judson Crane, composer; Brad Stratton, producer; David Shapiro, executive producer	Sound Lounge, New York Tom Jucarone, Peter Holcomb and Rob Sayers, mixers	TBWA/Chiat/Day, New York	Smuggler, bicoastal StyleWar, director
3		Cingular "Road Trip"	"The Weight," by The Band EMI Publishing, New York	Sound Lounge, New York Philip Loeb, mixer	BBDO New York and Atlanta Loren Parkins, executive music producer	Park Pictures, New York Lance Acord, director
4		Office Max "Santa's Helper"	Spank! Music & Sound Design, Chicago Mat Morse, composer/arranger; Gary Guzman, instrumental arranger; Ken Kolasny, executive producer	Spank! Music & Sound Design Rick Fritz, mixer/engineer; Brian Calhoon, assistant engineer	DDB Chicago	Bent Image Lab, Portland, Ore. Chel White, director
5		adidas "Unstoppable"	Mit Out Sound/M.O.S., Sausalito, Calif. Ren Klyce, sound designer, Misa Kageyama, producer	Lime Studios, Santa Monica Loren Silber, mixer	TBWA/Chiat/Day, San Francisco	Smuggler, bicoastal Brian Beletic, director
6		eBay "Belief"	Elias Arts, bicoastal Jonathan Elias, creative director/composer; David Gold, creative director, Ann Haugen, producer Resonate, San Francisco Dave Baker, sound designer	Crescendo! Studios, San Francisco Dave Baker, mixer	Goodby, Silverstein & Partners, San Francisco	Biscuit Filmworks, Los Angeles Noam Murro, director
7		adidas "Improvisation"	Marshall Grupp Sound Design & Music, New York Marshall Grupp, sound designer; April Jaffe, producer C5 Foley Studio, Northvale, N.J. George Lara, Foley engineer; Marko Constanzo, Foley artist; David Warzynski, Foley assistant Blast Music, Los Angeles Garth May, composer; Aaron Jacoves, producer	Skywalker Sound, San Rafael, Calif. David Hughes, mixer	TBWA/Chiat/Day, San Francisco	RSA USA, bicoastal Jake Scott, director
8		BMW "Lawn Ornaments"	Amber Music, bicoastal/int'l Mike Hower, composer; Ebony Maitland, producer; Patrick Oliver, music supervisor.	audioEngine, New York Joe Vagnoni, mixer	Publicis, NY	Food Chain Films, Portland, Ore., and Go Film, bicoastal Andrews Jenkins, director
9		Stolichnaya "Frozen Neighbors"	Human, New York Gareth Williams, Andy Bloch, Morgan Visconti, Lindsay Jehan, Sloan Alexander, composers/sound designers; John Connolly, sound designer.	Final Cut, New York Teresa Tate, mixer	Publicis, NY	Partizan, bicoastal/international Josh & Xander, directors
10		All "Floor"	Tonefarmer, New York Raymond M. Loewy, composer; Tiffany Warin, executive producer	Sound Lounge, New York Tom Jucarone and Rob Difondi, mixers	Bartle Bogle Hegarty, New York	Oil Factory Films, London Airside, director; Giles Lovell Wilson, executive producer; Melody Sylvester, producer

Top Ten Tracks

stick pretty close to the original.

NUMBER SEVEN

“Improvisation” is the second spot on the chart for adidas that presents basketball players with on-court challenges normally not seen in a typical NBA match-up. The ad, out of TBWA/Chiat/Day, San Francisco, and directed by Jake Scott of bicoastal RSA USA, features Detroit Pistons point guard Chauncey Billups literally taking on the court. As he attempts to make a basket, the hardwood comes to life, pulling itself into life-size formation, and attempts to block Billups from taking the shot. When that doesn’t work, the court pushes him back, creating a wave as he runs towards the hoop. The floor’s action is for naught, though, as he makes the basket.

The CG action—Digital Domain, Venice, Calif., created effects for the spot—is accompanied by frenzied sound design that makes it seem as a basketball court could morph into different shapes. In the background, an ominous tune plays—sounding like something out of a horror movie.

Composer Garth May of Blast Music, Los Angeles, created the music for the spot. Marshall Grupp of Marshall Grupp Sound Design & Music, New York, created the sound design. Because “Improvisation” involved such intense CG, Grupp was brought into the process early on, and spent about six weeks creating the sound design. “The agency was very clear in their creative brief that the sound design needed to be very realistic,” he says. “It had to sound like the

basketball court was erupting, but they didn’t want any ‘weird’ sound elements. The court, in a sense, comes to life, but it’s not anthropomorphic—it doesn’t breathe or make vocal sounds.”

Grupp noted that as a sound designer, “this was a wonderful project as the sound elements were an integral part of the storytelling.”

NUMBER EIGHT

BMW’s “Lawn Ornaments,” out of Publicis NY, and directed by Andrews Jenkins of Foodchain Films, Portland, Ore., and bicoastal Go Film, shows that even inanimate objects love the look of a Beemer. The spot features the car moving through a suburban street at holiday time. The various lawn decorations—plastic Santas, elves with candy canes, angels and children’s choir

members—eye the car as it drives by.

Once the BMW has reached its home, the various decorations have clustered around the car to admire it. The spot’s score, comprised of piano and strings, has an ethereal, otherworldly feel to it, in keeping with the magical events taking place.

Mike Hewer of bicoastal/international Amber Music composed the piece. The team at Amber—including producer Ebony Maitland and music supervisor Patrick Oliver—notes that the agency was looking for “something Christmas-y and magical to help highlight the action in the film.” A search of Amber’s catalog by Oliver and his assistant, Matt Friedman, turned up a piece by Hewer. And, with some tweaking in instrumentation, it became the final version. The Amber team is please with how “Lawn Ornaments” turned out, noting “the music captures perfectly the movement and mystery of the spot.”

NUMBER NINE

A new spot for Stolichnaya vodka, out of Publicis NY, and directed by Josh & Xander of bicoastal/international Partizan, opens on a guy watching TV. As he takes his feet off the coffee table, he realizes his floor is frozen. Another neighbor looks bewilderingly at a vase, which has frozen and cracked. A woman in another apartment, who just came out of the shower, opens her medicine cabinet, and finds its contents frozen. The source of this odd indoor-ice storm: a group of friends has completely frozen their apartment to best enjoy their Stoli, a vodka best served chilled. The music builds slowly in the spot, culminating in a track that sounds as though it would be perfectly at home in an austere lounge or nightclub.

Gareth Williams of Human, New York, was the primary composer on the spot. (Human works collectively on all projects.) “[‘Frozen Neighbors] had a really strong concept and music was a critical element to achieving the coldness of the spot. Everyone was on the same page creatively from the beginning,” says Williams, who noted that it took just two days to create the music and sound design. “Within the confines of creating ‘cold’ tracks, we were able to still come up with several different interpretations of what cold music sounds and feels like against the picture.”

NUMBER TEN

Ads for laundry detergent usually call to mind product demos that keep your whites white and colors bright—rarely do they conjure animated tales about the various mysteries of laundry as is the case with All’s “Floor.” The ad, out of Bartle Bogle Hegarty (BBH), New York, with animation by



LEGALEASE

By JEFFREY A. GREENBAUM



Do you have proof for your claims? And do you floss?

Like many Americans, I have had some awkward conversations with my dental hygienist trying to explain why I hadn't flossed. So when I saw Listerine's recent advertising campaign promoting mouthwash that is "as effective as floss," I put aside the jaded skepticism of an advertising lawyer and rushed out to buy a bottle of Cool Mint Listerine. As I left for the office the next morning, I thought, not only will I have fresh breath, but never again will I have to feel guilty about not flossing.

Listerine launched its "as effective as floss" consumer advertising campaign in June 2004. One television commercial claimed that "Listerine's as effective as floss at fighting plaque and gingivitis. Clinical studies prove it." Almost like liquid floss, the commercial also showed a stream of blue liquid swirling around and between teeth. The spot does warn, however, that "there's no replacement for flossing."

Last fall, McNeil-PPC, Inc., the market leader in dental floss sales, sued Pfizer Inc., the maker of Listerine, alleging that Pfizer's advertising was false and misleading. McNeil argued that Pfizer was falsely claiming that clinical studies showed that Listerine is as effective as floss against plaque and gingivitis and that Listerine can serve as a replacement for floss. Earlier this month, a federal court in New York found that McNeil was likely to win the lawsuit and granted McNeil a preliminary injunction barring Pfizer from making these claims, at least until the lawsuit is concluded.

Lessons from Listerine?

The effect of the preliminary injunction will be dramatic. While the lawsuit is pending, McNeil

will have to pull advertising, which will include putting a sticker over affected Listerine labels. If you want to avoid being forced to scrap your advertising campaign, there are some important lessons to be learned.

Even though Listerine's advertising did not mention any of McNeil's products by name, McNeil still sued. Competitors can sue you for false advertising, even if you don't mention them or their products.

If you claim in a commercial that "studies prove" something, you must actually have the studies that you say you have. In the Listerine case, the court found that Pfizer's claim that "Listerine is as effective as floss against plaque and gingivitis" was overly broad, since the studies only tested people with mild to moderate gingivitis – not people with severe gingivitis or periodontitis. When citing a clinical study in your advertising, you also have to ensure that the study is sufficiently reliable. Here, the court found that the studies didn't prove that Listerine is "as effective as floss," but only proved that Listerine is as effective as floss when flossing is not done properly.

When illustrating the performance of a product – even in a fanciful way – you may be held responsible for any unintended claims that are communicated. For example, the court found that, by showing a stream of a blue liquid tracking floss as it is removed from the floss container and then showing the mouthwash swirling between and around teeth, Pfizer had implied that Listerine is a replacement for floss.

If you're worried that someone may be confused by your ad, disclaimers may not solve your problem. Although Pfizer included disclaimers such as "floss daily" and "there's no replacement for flossing," the court found that the disclaimers didn't adequately correct any misimpression when the ads were considered as a whole.

If you want to avoid trouble with your advertising, make sure you have proper substantiation for your claims. And if you want to avoid trouble with your teeth (at least until we see more research), it seems like you'd better floss.

Jeffrey A. Greenbaum ESQ. is a partner at Frankfurt Kurnit Klein & Selz, New York. If you have a suggestion for a topic to be covered in a future column, send an e-mail to jagreenbaum@fkks.com

What About Commercials? Spots Conspicuous By Their Absence In N.Y. Filming Incentive Packages

By Kristin Wilcha

In recent months, new tax credits meant to attract more production to New York State and New York City were introduced. In the case of the state initiative, Gov. George E. Pataki signed off on a budget that includes millions of dollars in wage tax credits for



Stuart Match Suna

film and television productions shot in the state. Dubbed the Empire State Film Production Tax Credit, the incentive calls for the State of New York to contribute a total of \$100 million over the next four years—\$25 million annually—in order to offer a 10 percent tax credit on below-the-line production costs.

Late last year, New York City introduced a credit to function in tandem with the state initiative. The city production tax incentive, which is tied to the state legislation, offers a five percent refundable tax credit to those filming in New York City, which will be funded by an annual \$12.5 million allocation.

Projects shooting under the new state and city incentives could receive a 15 percent tax break for shooting here. Already, one project, the film version of *The Producers*, being directed by Mel Brooks, will take advantage of the credits. The film, from Universal Pictures, will be lensed at Steiner Studios in Brooklyn.

While the tax credits are most definitely a good thing for both the state and city, and will likely attract productions—and keep those already here—neither incentive applies to commercials. “Both the State and City film offices represented the interests of all entertainment sectors in the drafting of the bill for the film production tax credit. In at least one of the early drafts, commercials were included,” explains Katherine Oliver, commissioner of the New York City Mayor’s Office of Film, Theatre & Broadcasting. “It is important for legislators to hear from their constituents on such important matters, and the final legislation is a result of the strong lobbying efforts from various sectors of the entertainment community. Going forward, we will work to expand the program and explore new



incentives for this key entertainment sector.”

Matt Miller, president/CEO of the Association of Independent Commercial Producers (AICP), notes that the exclusion of commercial production from the state legislation “was purely an economic factor. They weren’t sure how this thing was going to fly, and once legislation is written, and they’re trying to get it passed, it becomes a budget issue,” he said. “It becomes a negotiation between the people who are sponsoring, and the finance people. And it’s just becomes a matter of numbers. They weren’t exactly convinced of the importance of commercials, and they also weren’t really sure of what the cost of the overall bill would be.”

The AICP is working with a lobbying firm—Wilson, Elser, Moskowitz, Elder & Dicker (WEMED), and at press time, Miller and AICP executive VP Steve Caplan were scheduled to travel to Albany to meet with senators and assemblyman to lobby for inclusion of commercials in future tax credit legislation.

Stuart Match Suna, president of Silvercup Studios and Silvercup East, both in Long Island City, N.Y., who also serves as co-chair of the Runaway Production Task Forces of the Creative Coalition and the New York Production Alliance, relates that a research paper on the importance of commercials is in the works. The paper, done under the auspices of Cornell University’s Fiscal Policy Institute, located in Ithaca, N.Y., will be completed this year. “[The paper] is documenting the importance of this industry and the growth potentials and job growth and tax revenue,” notes Suna. “We are also continuing to lobby our elected officials, and show them how successful this program can be—it is going to create jobs—and

also why by including commercials you’ll be able to increase job growth and tax revenue in the future.

TAX ISSUE

As earlier reported in *SHOOT* (9/17, p. 1), the state tax incentive package sprung from the aforementioned Steiner Studios, the recently opened studio complex located on the site of the Brooklyn Navy Yard. The facility is located in an Empire Zone: during the ‘80s, 72 sites in New York State were deemed to have distressed employment based on census date. Declared Empire Zones, those areas were eligible for state tax credits and benefits, which hopefully spur development, and create new jobs.

With those tax credits set to expire last year, Steiner Studios reportedly lobbied state lawmakers to not only ensure the renewal of benefits available to Empire Zones, but also modify the rules to allow a 10 percent investment tax credit for films and television shows shot in those zones.

Other area studios, such as Silvercup Studios and Silvercup Studios East, as well as Kaufman-Astoria Studios, Astoria, N.Y., got wind of the idea, and along with other members of the production community, pushed to expand the tax breaks statewide. At the time the initial credits were introduced, Suna, as well as officials at Kaufman-Astoria, called for commercials to be part of the incentive legislation. An original version of the bill included spots, but that was ultimately dropped, due to cost considerations.

While Miller notes that there were a number of factors involved in why spots were not included in the legislation, he says legislators are aware of spotmakers concerns, and the hope is that the situation will be rectified.



Katherine Oliver



Matt Miller

Classifieds

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TM MOTION PICTURE EQUIPMENT RENTALS GRIP LIGHTING FACILITY AT LOS ANGELES CENTER STUDIOS

TM Motion Picture Equipment Rentals has opened up another facility at the Los Angeles Center Studios. TM will be the exclusive supplier of Grip, Lighting and Generators for the stages at Los Angeles Center Studios. Tom D. May, President/Owner, and Jeff Arnone, Executive Vice President, commented that TM along with Los Angeles Center Studios have major plans in the works to provide a more personalized operational service to producers and crews.

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PRODUCTION... WORK? OR PERK?



BY C. TEXAS EAST

2005 already, I have no idea how the last 30 years slipped by so fast. A new era is upon us and it remains to be seen who adapts best in a new business climate.

First, I am thrilled to be writing an article for SHOOT with its expanded creative and production coverage and new digital e.dition dedicated to the production of _____. You can fill in the blanks because this publication is about all things production. And that is (to borrow a term from an inmate) "a very good thing."

Today I want to talk about a weight problem... No not mine, but all of ours in the commercial production business. The news is in, commercial production has become fat. Really fat. Before you shake your head and assure yourself that the markdowns are as low as they can go, we have become experts at shooting in Canada and cost consultants are negotiating bids down to the nub... what fat??? Yes, I have moved to the "dark side" ...just humor me and read on a bit and see if in fact I may be on to something.

No one or no one thing is to blame. Commercial production has gotten fat the way most of us do. Each year we add a couple of pounds and we kind of accept it. Wear a little larger pant or bigger neck collar or, god forbid, wear our pants lower, under the belly. Well no need to tell a lot of us that over 30 years or so of the good life, we find that we are 10-15-30 pounds overweight? It just adds up...

Let's apply that concept to commercial production. I remember the quiet uproar with the business managers when a particular "world-class director" declared that his crews must have tents to have their lunch under to escape the sun. The next thing we knew, gourmet caterers preparing and accommodating various diet preferences for

breakfast, lunch, afternoon snacks (shrimp?) and dinner were a fixture.

No, that director is not responsible for our collective obesity, but it was the beginning of a trend, the trend of needing to address all our needs and wants. The old adage that "what once were vices now become habits" goes a long ways towards explaining how we got here. Vans became lux buses, video replay became video village, the craft service table became chef's groaning board, coffee became four lattes, one extra foamy... And so on and so on...

The production and post production companies are all just trying to keep their heads above water. This trend has been more akin to the cold war buildup of the nukes... If one company snags 'em with the old "I can get you box seats for the Mets," or even a welcome basket loaded to the gills...you can bet that the production company across the street will be topping it tomorrow to exceed the expectation.

The agency and clients have come to expect all of the extras that really add little to the production other than a degree of comfort. I certainly am not saying that production needs to be harsh and uncomfortable, but let's face it; it has to fall somehow under the term "work".

There is a reality lurking around the corner that necessitates this fat trimming—MEDIA DIVERSIFICATION. We need to reduce the cost of commercial production to afford the ability to produce multiple formats of content for the same price. We need to start to work on a budget style modeled after music videos or even programming. How can we take advantage of new technologies, global alliances and re-purposing footage?

We need to re-engineer production. We must re- think and define what is most important and then leave the rest behind. Should production be regarded as a perk? A training ground for the inexperienced? Do we need to have so many choices for everything? Do we need a three-person production team to be on location for so much of the prep, rationalizing its existence by all hav-

□ Are anti-runaway incentives in the offing for California? Industry buzz is that **Gov. Arnold Schwarzenegger** (R-CA) may soon push legislation—which could include a wage-based tax credit—designed to help the state keep and attract more production. Word is that the incentive package would also apply to commercials. However, any measure would figure to face resistance, if not outright opposition, from a number of lawmakers in light of California's budget crisis. A year and a half ago, the state's massive budget deficit led to the disbanding of the well regarded **Film California First (FCF)** anti-runaway program. Administered and overseen by the California Film Commission, FCF provided reimbursements of certain film-related costs incurred by qualified production companies when shooting on local, state or federal public property in California. Eligible projects included commercials, TV programs and theatrical features....**Lewis Kofsky** has been named head of computer graphics and visual effects at **Curious Pictures**, New York. He comes over from **PDI/DreamWorks** where he worked on the visual effects for **Shrek 2** and the soon-to-be released **Madagascar**. Kofsky will be at the helm of Curious' expanded effects department, which entails a 75-member team, 110 digital workstations, 50 traditional workstations, and a soundstage equipped with motion control. The move to Curious is a bit of a homecoming; earlier in his career, he worked as a technical director at the company....Visual effects supervisor, **Inferno artist and designer Aron Baxter** has departed Nice Shoes, New York, to join its sister facility, visual effects boutique **Guava**, also in New York. The move represents the first step toward a major expansion at Guava, both in terms of creative staff and technical resources. Baxter had been at **Nice Shoes** since '03, having come over from **Condor Post Production**, London. At Nice Shoes, he focused on design, shot supervision and effects production for commercials. Meanwhile, with Baxter coming aboard Guava, **Nice Shoes** has promoted Inferno artist **John Shea** from a nighttime position to days.Seattle-headquartered **Corbis** has opened an office in Montreal. **Tina Poitras**, founder of **Magma Photo**, will head the new operation as sales director for Canada. **Corbis** has also acquired **Zefa Visual Media Group**, Dusseldorf, Germany, which is globally billed as being the third largest image licensing company. Additionally, **Corbis** has entered into an agreement to represent the content, as well as to handle rights management, for **Marvel Enterprises**. Under the pact, Corbis will rep the rights to such characters as Spider-Man, the Incredible Hulk, Elektra and The X-Men.....**Amy Kindred**, formerly of **Sideshow**, New York, has been named executive producer of New York visual communications studio **Pure**....

rep report

□ **Curious Pictures**, New York, has secured **Marci Miles** of Chicago-based **Reelize** for representation in the Midwest. Additionally, **John Robertson** has joined **Curious** and is representing the shop on both coasts for music videos and promos....New York-headquartered music/sound design house **Human** has signed **Delores Hively** and **Dawn Schiffman** of **Buzz Management**, New York, to handle representation on the East Coast. **Pia Alexander** continues as head of sales for Human and has also been named head of production....**Dana Dubay** has come aboard **Compulsive Pictures**, New York, as sales rep.... **MOO Studios**, Burbank, Calif., has secured **Hillary Herbst**, **Laurel Dobose** and **Ravelle Tomczak** of Chicago-based **Hilly Reps** for representation in the Midwest.... **Global Production Services (GPN)**, a Los Angeles shop handling production service companies worldwide, has added to that roster by signing **Blue Sky Productions Croatia** for exclusive North American representation....**Dattner Disputo and Associates**, Los Angeles, has added DPs **Eric Trembl** and **Wyatt Troll** to its roster....**Orlando Management**, Sherman Oaks, Calif., has signed DP **Michael Pinkey** for exclusive representation. His credits include spots for such clients as Infiniti, 7-Up, Toyota, Nissan, Honda, AOL and Reebok....**Bicoastal New York Office** has signed DPs **Luis "Panch" Perez** and **Michel Taburauix** for representation....DP **Ramsey Nickell** has wrapped principal photography on **The Oh in Ohio**, directed by **Billy Kent**, and is again available for spots and music videos via **Raidant Artists**, Los Angeles....

C. Texas East, most recently co-head of broadcast production at Ogilvy & Mather, has partnered with industry veteran, Shelley Landgraf, to form production industry consultancy, The East and Landgraf Group.LLC. contact: texas@eandlgroup.net

PRODUCTION... WORK? OR PERK?

ing opinions on what color the pencil should be—and for other such decisions that most likely will not materially make a difference on how many pizzas the client will sell? How many people need to be involved in the major and minor choices?

I think there are two kinds of fat in production... One is “perks”; the other is “redundancy.” Let’s discuss them in order. First, we have come to view much of our production as a couple of weeks of first class living. The hotels we choose, the meals we expect and, of course, the fact that on most prep days, the agency is hardly worn to a nub. The more agency people, the more clients, the more peoples’ opinions to take into account, the more money is spent in time and materials.

The production and postproduction companies have come to learn that these extra “contingencies” need to be worked into the budgets. How long will it take and how many people need to approve the wardrobe? How much budgeted for meals at a fab new restaurant, lots of great wine and sushi lunches? Often ballgame tickets just show up and are used to help deal with the boredom of nights without prep work for the agency to do. “Who is taking us out tonight” is frequently heard. All of this really has to be added somewhere in the production bill. As happy as they want to make you, vendors exist to make money – and get the next job. We need to start the diet somewhere and the South Beach diet aside; cutting down on this kind of fat is a great place to start.

Redundancy is the next area we need to address. The unique vertical structure of decision-making in commercial production is taking a huge toll on production costs. All parties who have an interest in a project are allowed to make a decision and see its results, before the next person in the line above gets to make his or her point heard and seen. This is a fine way

for young people to learn, but it is a very wasteful and expensive way to produce. In spite of egos and schedules, let’s not take any actions that cost money until the top people have signed off. Can the decision-makers please be available? This applies to casting, locations, wardrobe etc. All the way through post production... And that includes clients as well. When we can provide a final answer before all of the work must be done and then re-done, we will have earned the right to demand lower production prices. In speaking with production company execs and heads of editorial houses, we understand there is already a multi-tier pricing structure—one for big agencies (lots of people, lots of points of view), small agencies (a lot less people and work directly with the decision-makers) and the least expensive (direct with the client). We need to understand that the advertiser should not be paying extra for the sales needs of the vendors, nor should the agency expect that there is so much money being made that they can continue to expect the current perks of production. If the agencies cannot deliver the kinds of budgets the advertiser needs, advertisers will go directly to the production companies.

It is not just the agency and clients creating all the redundancies; we have directors and DPs who make equipment and camera decisions earlier and take less back-up and alternate choices. It wasn’t that long ago that it was the norm to budget a pre-light day and a 10 hour shoot day for most :30 spots. It got done, and it got done well. Now the point of entry is two 12-14 hour days. We must shoot film at a more efficient ratio than 100 to 1. Maybe even not shoot film at all... Hmmmm, I am really getting in deep here, but it is time we change what has become wasteful and reduce it to what is only useful.

