

Tom Parish

Exploring and refining new ideas with art color and emotion. Fascinated with the mind of great story artists. Author. Screenwriter, Host of ColorTalk.

Tom: Up next is a conversation with Linda Nelson, CEO of Indie Rights, who is a film distributor located in Los Angeles. Linda, welcome to Color Talk.

Linda: Thanks for having me. Glad to be here.

Tom: I'm just really excited because you've got so much to say here. This is part two of a conversation where we're going to delve into the world of a distributor and ask the question: What if the filmmaker spoke with the distributor before a film was created or maybe even started? What might they learn? Could any money be saved, or could more money be made as a result of collaborating early with a distributor? As a filmmaker, we find ourselves singly focused on how the story moves you emotionally or sometimes just singly focused on something, but it's rarely how well it's going to play in distribution.

Who better to ask the question than a distributor? In fact, I'm going to ask this question to two different distributors. If you've heard part one with Andie Grace, then that's something you'll want to go back and catch. Right now I'm in part two with Linda Nelson. I'll kind of just start out with I think sometimes – I don't know if this is right or not, Linda, but people I think sometimes think of the distributor as a kind of gatekeeper. I don't know if that's really true or not, but I think we may be surprised.

Linda: I think you'll be really surprised. However, I think that in the past that was a more accurate portrayal of the distributor.

Tom: Oh, really?

Linda: Absolutely.

Tom: Interesting.

Linda: Quite often and I would say the norm would've been in the past to finish your film first and then a distributor wouldn't even begin to look at it until you at least had picture lock.

Tom: Oh, you know, that's really very interesting because the parallel there is the same for a colorist or digital intermediate. In the past, you totally got done with the whole thing, you totally locked it in place, and then, if you had the money at the time, you brought it to a colorist. Now it's like, well, you ought to talk to me first before you decide to do that.

Linda: I would say today more than any other time it can mean the difference between success or failure of your film. I truly believe that you should have discussions with distributors during pre-production and the same with a colorist. I think that filmmakers must get used to focusing on multiple facets of their film, rather than just one how am I going to tell the story. They also, I think, think about casting the right people and things like that, but what is critical today is how – it's critical how your film looks. What's happened is that,

because there is such great inexpensive technology, and you can get a camera so inexpensive these days it's easy to have a film that you think looks super high quality. That part of it, I think, let's filmmakers feel like they – oh, I've got this beat. Now I can do what I want. Also, they feel like they can just keep shooting and not be so prepared as they used to be. I think we have to get back towards the process that filmmakers used when they were shooting on film because they were forced to consider color and lighting and look and feel because it was expensive to shoot on film. I think technology has let filmmakers become lazy. I think now it's really important to kind of backtrack a little bit and get back in those good habits. There is nothing like being prepared. It saves you a tremendous amount of money.

Some of the things I think you discussed with Andie in your last podcast about being really, really prepared for who your audience is going to be for a film. You did discuss that with her. I do think it's an important point. One of the things that I think filmmakers have to do is if a filmmaker is extremely creative oriented and they just don't feel like they can embrace the concept of being an artist entrepreneur, then they have to have a good, strong producing partner that does handle that side because if you don't prepare for distribution from the beginning, you're going to have terrible problems both on the technical side – how you shoot and in what format you shoot because now getting your film out to key distribution platforms is totally dependent on passing very stringent quality control.

Tom: I'll tell you what. Before we jump into that, that's exactly what we want to get into the meat and potatoes on. Before we do that, what I'd like to do is just make sure the audience knows who Indie Rights is and kind of what makes you unique. In addition to this incredible information you're imparting here, tell us a little bit about Indie Rights.

Linda: Okay. Well, Indie Rights was born out of necessity. My partner, Michael Madison, and myself started out as filmmakers. As we were on the festival circuit with our second film, we were starting to get offers. Because I had an investment banking background, I had a lot of experience with contracts. When I started to see the contracts for the offers that we were getting for distribution, I was appalled at how one-sided they were in favor of the distributor. We right at that point decided we were not going to get – give our film away to anybody unless – so we decided at that point we were going to get into the distribution game and learn how to do that ourselves because we just heard horror stories from other filmmakers how, oh, no, once you finish your film you're just going to have to find somebody you trust and hand it to them, and most of the time that doesn't work out very well, especially financially.

So it was at that point, and it was in about 2006 or '7. We decided we were going to get into the distribution game. It just mushroomed into what is now a very well respected distribution company. Even though when we first did it it was almost out of a selfish need to protect our own creative output, it became extremely important for us to help other

filmmakers learn and share. We now have a very important educational aspect to our company. We're determined. We try to speak on podcasts like this, at film festivals so that filmmakers can learn that they really need to keep control of their film and learn how. It's not hard to learn how to do it the right way so that you can create a revenue stream for yourself that will help you finance more films.

I mean I don't think anyone gets into the business to make one film. I think we as filmmakers hope to make films the rest of our life. Unfortunately, probably 90 percent of the filmmakers that make one film never make another because they get so discouraged. That doesn't have to happen. It's all about education. The Internet now and podcasts like what you produce and put out on iTunes are just going to spread the word to filmmakers about how they can maintain control of their projects and create revenue streams so that they can continue making films.

Tom: Cool. Well, are there any – a couple of – interesting films in the last year or two that you'd like to let us know about?

Linda: Sure. I'll talk about one in particular because I think it is just such a great example of what you can do. A very small film. It's a film called *Fray*. It's very interesting to look at as a case study for a small film that has become very successful. This film cost under \$25,000. It has no stars, but this film we – and we'll talk about this later. One of the things that we do with Indie Rights that makes us kind of unique as a distributor – well, there are several things, and we can talk about that too – for select films we do limited theatrical releases in Los Angeles. We found a small theater called Arena Cinema in Hollywood. We have a special project set up with them whereby we do a one-week release at that theater. It's in Hollywood. It's kind of an intimate setting with a patio. We have a big red carpet premiere with all of the professional photographers like Getty Images and Wire Image that show up.

When you do that, you wind up getting a review from *The L.A. Times*. An *L.A. Times* review, even if it's bad, is good for your film. Just the fact that you have been reviewed by a top critic in the country are published in *The L.A. Times* and on their website automatically guarantees you a Rotten Tomatoes score and raises your film to the level of a film that's distributed by any of the – like, mini-majors even, like a Weinstein because you now have released in a theater and you've got a top critic review. What happens is that also *The L.A. Weekly* does the review, and those reviews get picked up by papers all over the country that don't have critics. For example, *The Village Voice* picks it up. You're getting coverage all over the country about your film. That really changes – that's a real game changer.

The L.A. Times just gave the most glorious review of both the way *Fray* was made, the director, and the lead actor. Just couldn't have – you couldn't ask for a more glorious review. Of course, those becomes the quotes that you use in all of your promotion.

Because of really thoughtful use of social media, especially Facebook, we were able to use Facebook to find – I’ll tell you a little bit about the film so you understand. This film is about a young marine. A very small, simple story but beautifully set geographically. It’s about a marine that comes back from the war with PTSD and a wounded leg. It’s about the challenges he faces reintegrating back into some type of normal life. It won the audience award at Dances With Film, which is a festival, a smaller festival here in Los Angeles but an excellent one. They tried for two years to get regular distribution. Two years.

Tom: Oh, they didn’t come to you first.

Linda: No, no, no. Because Michael and I are alumni of that festival, we knew about the film.

Tom: You got word. You heard about it.

Linda: We talked to them, and maybe once every four or five months I would email back to them and say, “You have a gorgeous film. If you haven’t got distributed yet, keep us in mind.” Finally, after two years, we heard from them and they said, “You know what? We can’t find anybody whose offer we want to accept. We have a really good feeling about you. We’d like to go with you.” So we did. We did this little theatrical release. It got this fabulous review. Then it went to – it was picked up for cable with Comcast, Time Warner.

Tom: Yay.

Linda: We got it a real DVD deal. It went out in this past November and sold out in Barnes & Noble and is doing well on DVD. It’s also available on every digital platform you can imagine. It takes us about a year to really roll out to all the distribution points that we can. What I was saying about social media that’s so important is that with Facebook you can identify people that are going to be interested in your film. For example, on this film, if you put PTSD in the search graph on Facebook, over a thousand organizations come up. It’s a simple matter of using the message function, writing to the admin of the page, and saying, “Look. We have a film that touches on your subject.”

Tom: Great tip.

Linda: And we see that you have 35,000 or you have 100,000 people that are going to appreciate this story. *The L.A. Times* and, more importantly, veterans that have seen the film have said it’s the most realistic film about what they face when they come back. All of a sudden we have all of these people embracing this film. It’s simply a matter of saying, “We’d love for you to share it with your audience. Would you please here post a link to the Facebook page? People can get it on all of these places. In exchange, we’re more than happy to post a link to your page so that our movie goers that would be interested in what you do can contact with you.”

This is so important because everyone is looking for content. You can't just keep saying, "Buy my movie. Buy my movie. Buy my movie." Believe me. People get bored with that. You want to be able to provide valuable content for your audience besides where they can get the movie. We like to recommend probably four or five great posts for each post about where you can get your...

Tom: Well, that's just a spot on story with a great ending on it.

Linda: Oh, it's just doing so well. We're so thrilled. I'll talk about one other one.

Tom: Sure.

Linda: It's called *Where We Started*. We did the same path, however the *L.A. Times* review was terrible. The tagline was, "*Where We Started* never got going."

Tom: Oh, ouch.

Linda: Just ouch, right? The director was heartbroken and I said, "Don't worry about it. Don't worry about it." We did the next night. We had the theatrical review. We thought, "Oh my God, the film is doomed." I said, "No, no, no. It doesn't matter. What matters is that you've been reviewed by a top critic in one of the top papers in the country. That's what's important." People understand, and they got a picture.

Tom: Some critics are just off. Yeah.

Linda: Oh, of course. It's just a personal opinion. What happened was that someone walked the red carpet that was hugely of interest to the press, and it got picked up by everyone. Every photo of this person said, "So and so attends the premiere of *Where We Started*." It got so much coverage it trended on Yahoo. That film has become one of our very top selling films.

Tom: Just because.

Linda: Right. Just because. It's so much about finding some way to get exposure. A lot of times reviews – it doesn't matter so much whether it's good or bad. Sometimes even bad can stir up a lot more discussion. There is a third film that we have, and I'm not going to say the title because I don't like to talk about bad reviews. On Amazon it's important that you get as many people as possible to review your film...

Tom: Oh, yeah. Good point. Excellent.

Linda: ...because they have robots that watch and algorithms that pick up activity. If they see a huge amount of activity on a film, they start recommending it to other people because they put out a newsletter weekly saying, "Oh, check out this film." In order to pump that algorithm pump and recommendation pump, you've got to have a lot of reviews. We encourage our filmmakers to get 50 to 100 reviews on their films. When they do, that activity pays off.

Now, we have one film that gets the worst reviews. You get to do one to five stars on Amazon, and then you can make a comment or a little review. Well, this one 80 to 90 percent of the reviews are 1 stars instead of 5 stars. Again, the filmmaker was heartbroken because some of them were mean. There are haters online that love to just bash things, right? They're like bullies. They're just like schoolyard bullies. They'll say, "I saw five minutes. It was so bad I couldn't even watch the rest," and then give it one star. Well, that's not fair to give a movie five minutes. Don't leave a review if you didn't watch the film.

We tell the filmmakers just go on there and comment on every review. If somebody doesn't like your film, just tell them, "Hey, sorry you didn't like this one. Maybe you'll like my next one better." So many times a filmmaker will want to counter or engage in a bad way with some of these haters. We encourage them not to do that but just to kind of take the high road. Sometimes it just doesn't matter if the reviews are great or not.

Tom: I think that's really encouraging.

Linda: What matters is the engagement. If you can have something controversial, all the better. We have another film that winds up on two sides of the abortion issue.

Tom: Oh, yeah. Wow. That's a biggie.

Linda: You know, or family planning. It's an important issue. We have this one side that's saying, "No, this is why you have to be abstinent." Then on the other side you have to say, "No, planned parenthood. Use condoms." You know, that. They hate each other. That film we had 100,000 comments on Hulu. It's insane. So controversy is good. Those are a few cases of these films that have just – we've been thrilled with.

Tom: Better to be controversial than to not be at all, not be existent at all is what you're saying?

Linda: Right. Exactly.

Tom: Well then, let's move into the nitty-gritty on the technical side. On our pre-call, we had a marvelous pre-call. I appreciate you for that. We got into some technical things that were related to many of the issues I run into as a colorist with regards to helping a client get

ready and all of that. Let's delve into that. I think you have this list of – there are, like, five or eight must-do items or be keenly aware of items before bringing it to a distributor.

Linda: Right. When you are planning your film, it is definitely great to talk to a colorist because it – and this, again, goes back to the discussion we started in the beginning about making sure that you have some feel for what the look of this film is going to be, whether it's going to be dark or whether it's going to be bright or fluffy, and lighting is so, so very, very important because you can't fix most lighting problems in post. People have this idea with digital...

Tom: Tell more people that please.

Linda: Just shoot it clean, and then the colorist will fix it in the end, right? It's so not true because you cannot add light to someone's face.

Tom: I know.

Linda: I get so many films that much of it is great, great footage because they've shot it with a Red camera, and it looks gorgeous, but any scenes that are inside or at night they're so poorly lit that you can't – you just can't see them. That really makes your film look amateurish. I'll say a quick thing about 4K. There is no reason not to shoot a film in 4K these days. Our last film we did 4 years ago, and we did the whole film in 4K, the entire workflow.

Tom: Let's talk a little more about that. Why do you think that's – I guess what you're saying is we've pushed a turning point on that.

Linda: Yeah. And I will say...

Tom: Because digital projection is still 2K largely.

Linda: Well, we'll talk about that too.

Tom: Okay. All right. Well, you go.

Linda: Those are two points that are important to discuss.

Tom: Yeah. Okay. 4K.

Linda: 4K is how people are going to be watching. Most people are going to be watching your film. This is what people aren't thinking about. Most people do not see a film in a theater.

Tom: I agree. I don't think people get that really.

- Linda: Right. They don't. Most people do not see a film in the theater. They see it on their big flat panel TV at home.
- Tom: Right. Exactly.
- Linda: All the new TVs are 4K.
- Tom: Go by any Best Buy and just stand there for an hour, and you'll just see truck after truck after truck somebody borrowed to bring home their latest 70-inch screen.
- Linda: Right, and they're 4K. The movie *Fray* that we were talking about, we have 4 films that are now on Samsung 4K televisions in 4K.
- Tom: No kidding. That's great.
- Linda: This is a \$25,000 film. I don't buy this, "Oh, it's too expensive." It's not. Like I said, our last film, *Delivered*, it was a \$50,000 film. We did it in 4K all the way through. We did not pay a penny to add – we didn't add anything to our budget to have that. We were fortunate enough to find a very talented DP who was very proficient in lighting, and his parents had given him a Red camera as graduation for college from film school. He had done some music videos and shorts but was looking to get that first feature credit. Of course, he was on board. We were able to add him to our team very, very inexpensively. We were able to – also, we beta tested Adobe's editing software.
- Tom: The new Premiere?
- Linda: The new Premiere. We beta tested using that film as the test. Now anybody can use that system. I highly, highly recommend Adobe Premiere, especially if you're going to have any effects because After Effects, which is the industry standard, is incorporated into the timeline and you waste no time rendering. It's dynamically linked. You make changes in the effects, and they're automatically on your timeline. All that rendering takes place in the background. Between those two things, we were able to have a total 4K workflow from beginning to end on our film *Delivered*. It can make the difference between your film looking amateurish or like a studio film.

So many times I think, "Oh, well, we don't know how to do this," or, "We don't know how to do that." Well, my partner sat with a laptop and video copilot YouTube videos to make the explosions. We open with a war scene. Who would – this is another thing. You don't have to limit yourself to shooting a low budget film in an apartment with three actors. Not necessary. We had 22 locations and were able to get those locations for nothing. This goes back to that whole concept of having really good preparation. We used

Facebook – and we should talk about that a little bit later too – as a way to scout locations.

Tom: Oh, that's a smart idea.

Linda: When you start your social media early, you wind up having the strongest uber fans that you can imagine that are going to force all their friends to go see your movie – believe me – because their name is in the credit. We gave a location scout credit to everyone who provided a location.

Tom: Brilliant. Brilliant.

Linda: What we did was we posted, “This is what we need. If you can provide us with one of these locations for free, we will give you a location scout credit.” Right? And so, oh, people just love to go out and feel like they're part of making your movie. It's a collaborative process making movies. It makes them feel good to know that they – you know, I got that location. They're proud of that.

Tom: Yeah. Ownership.

Linda: It's important. There are so many ways that you can save money during production if you're smart about it and plan well. With that film, it was 30 days of shooting, 22 locations, huge cast. Like I said, it has war scenes and car chases and explosions and lots of guns. People don't think they can make big movies on a small budget but you can. You just have to not let your brain put limitations on your creativity. It's all about creative producing. Anyway, back to the 4K. What you said was absolutely true. You go in Costco or Best Buy, any big electronic store, and it's filled with these huge 4K televisions. That is the way most people will be watching their movies.

Let me tell you. Our second movie we did we shot on a Canon XL1, which is one of the first digital cameras that filmmakers could use. Well, let me tell you. It looks horrible. It looks horrible on a 2K television, on a 1080p HD. It doesn't hold up. What you want to do is you want to future proof your movies. It's the biggest reason to shoot in 4K. Sony's got a really inexpensive 4K camera now that's gorgeous. Canon has 4K cameras.

Tom: Everyone does.

Linda: They're less expensive than that horrible Canon XL1. It wasn't horrible at the time, but it's horrible now. It hasn't come out of its box in five years.

Tom: As a midpoint in the show here, it's worth mentioning again that that's the key point is that hardware costs have dropped dramatically. Software costs have dropped dramatically. I mean what used to cost hundreds of thousands of dollars in color grading

the software is free now from DaVinci. Well, I mean Blackmagic. They bought DaVinci. Yes, you need to have some expertise. Yes, you need to learn what you're doing. The thing is just rushing to the gear and rushing to the software and getting a shoot and just doing it doesn't make you – 4K doesn't make you a better filmmaker. It's how you collaborate across and do early conversations about what it is you're trying to create. Money is less and less the issue is fundamentally what you're saying if you're smart. Smart is not lone ranger smart. Smart is how do we collaborate all up and down the line periodically and see how our story evolves and our creativity evolves to get the best of what we can because that's what's going to separate you in your production quality.

Linda: Absolutely. I mean as a distributor now we probably get maybe 10 films a week, people wanting to submit their films to us. You used to be able to separate a lot of them out in the first 5, 10 minutes because the quality – if it was horrible, then we're like, "Oh, no, there's no way."

Tom: Now it's the story.

Linda: The thing is these sites are curated. iTunes is not going to take anything. Hulu is not going to take anything.

Tom: You might explain before you jump into that. When we say curated, I think people know it means that there's some pre-filtering. Talk a little bit about what that means from an iTunes or an Amazon perspective.

Linda: I think they look at a number of things.

Tom: They have something specific they're looking for.

Linda: Right. Part of this is back to the technical thing. What I see happening is bad lighting, no consistent look and feel for the film. It's all over the place. That's something talking to a colorist can help you develop. Did you have moods and very specific reasons for changing that mood through the look of the film? They look at that, and it helps tell your story if you do it the right way. Critical is audio. Audio is the biggest failure that I see just from a purely technical point of view. Sometimes the audio sounds fantastic, but they have not separated their audio so they don't have separate audio tracks for the music and effects and the dialog. This is really important because what we now have – the opportunity for independent film now is global. This is not just about getting your movie out in the United States. There is a global interest in independent films. We're selling in 120 countries with digital.

Tom: My goodness. So it's not just the U.S.?

Linda: Oh, gosh, no. It's even more critical than ever that you have your audio done correctly. More and more platforms want you to have 5.1 as opposed to just stereo.

Tom: I've been seeing that.

Linda: For example, on iTunes, if you only have stereo, you cannot sell your movie in HD even. You can only rent it. In order to sell and rent on iTunes in both HD and SD, you must have 5.1. That's something that a lot of people don't know.

Tom: Interesting.

Linda: Anyone can get 5.1 made for their film, but you must plan your audio recording to do that. Again, it goes back to being well prepared and thinking about these things, not just running out and shooting something. It just doesn't cut it because now your movies have to sit next to big studio films. When you go on Amazon or M-GO, our films are sitting right next to the biggest tent pole studio films. They're not going to let a piece of junk go up there. Now, that doesn't mean that if you don't have a super top quality film you can't distribute it digitally. You can.

For example, all of our films go on Amazon. They don't all make it to iTunes because iTunes is pickier and curated, more highly curated and more selective. Same with Hulu. There are some platforms – if you want the widest distribution, you need to pay attention to these things. Lighting and audio. Also, because a lot of times they don't want to make a decision about the story or the content, they look at other criteria. It has to be able to pass these technical tests, and they have robots passing these – doing these tests now.

Tom: Well, let's talk a little bit more about this then. Let's go down that list. You've got a great list there.

Linda: It used to be if you were going to have a film you'd send a tape, and they'd watch the tape, and they would author a DVD from it. That was the end really. If your tape was good, it would go onto broadcast and wind up on television or something. Now they actually have robots that perform software tests and QC your film. It needs to be technically proficient. For example, they have software that will pick up audio dropouts. If you have audio dropouts, they're going to come out and say, "No, you've got audio dropouts here." First, it's got to pass the robot test. Unfortunately, that comes after they've decided if they want to do the film. You can get approved and then not be able to pass the robot tests, which is really rough. It's really important that you keep everything from your editing system in place until you have gotten on these digital platforms.

Tom: Well through distribution. I think that's an excellent point. I've noticed that of late.

Linda: So many people they rent an edit bay for three months, and then they throw it in the closet or they don't make adequate backup so they can go back and make adjustments if they have to make adjustments. That's really, really important to plan for your backup and stuff like that. Again, it's about preparation. Now what curated sites are looking at is what is your social media audience. If you have no Facebook page or no IMDb page, they won't even consider it. These things are important. IMDb has become super, super important. You must have an IMDb page. I think that everyone needs to be in some film festivals, even they're small.

Tom: Before they get into distribution you're thinking?

Linda: Well, no, no. Well, yes, but what happens is with distribution often times there can be three to six-month lead-time. You can do festivals during that period, right?

Tom: Good point. Right. Right.

Linda: There are a lot of festivals now that don't require a premiere. Now, if you're headed for Sundance, if you have an absolutely incredible film and you happen to get in one of the top, say, 20 festivals, they'll want you to not have any form of distribution until you premiere at the festival. Outside of that, a lot of them are quite flexible. We have several films that we have in distribution that are still playing festivals that they get invited because they're good films. Then how big your social media audience is is critical. For example, we have a documentary about cricket. Well, one of the stars in *The Big Bang Theory* is the narrator. He has millions of Twitter followers. Let me tell you. That's something that's going to be very interesting to any digital platform because it means that with a couple of tweets you can blow something up.

You've got to think about those things. We didn't talk much about it, but you need a Facebook page from pre-production on. You need a Twitter account from pre-production on and a YouTube account so that you can start sharing behind the scenes clips, those types of things that are going to engage your audience once you are in distribution. You want to get people excited about your movie. Those things are very important to curated sites.

Tom: Let's see. Frame rates. Wrong frame rates. You want to talk a little bit about frame rates and closed caption issues and stuff like that?

Linda: All right. Let's talk about a few of the things during planning and production that are really critical to keep in mind. These days it's absolutely critical that you have closed captioning for your film. It's a requirement of the FCC. Now that most people are watching, even though it's via the Internet, they're still watching it on television so the FCC has decided they are in charge of the rules for that game. Even though it's not broadcast technically, it is coming to your television via the Internet, and it does require

closed captions. Closed captions used to be very expensive. You'd have to get them through a post-production house that used to cost a couple grand for a feature length film. Then it started to get competitive, and the price came down to about \$1,200 and then slowly worked down to 5 or 6 because that was a job. Now the people don't need tape. Post-production houses that were depending on tape production were looking for other ways to have revenue streams. Now there are companies that will do it for as little as a dollar a minute. Now captions only will cost you about \$100 for your feature film. Our favorite site is [zencaptions.com](#).

Tom: [zencaptions.com](#)

Linda: Zen. Z-E-N-C-A-P-T-I-O-N-S.com.

Tom: Excellent. Okay.

Linda: Not only are they doing captions, but they're about to launch a subtitle option, which is so important because now that films are globalized and we are selling films globally through Vimeo – we're just about to launch a new Vimeo channel that's in over a hundred countries. We also are partners with Google. Through our partnership with Google, we're in 120 countries with our films. If you are distributing through iTunes and you have subtitles for the country that you want to distribute to, they can put you in whatever country you want. You do need to have those subtitles. Now, what we usually recommend is that let's see how your film does, and if it looks like you have a lot of fans on Facebook in Spain or Mexico then maybe it's worthwhile to get Spanish subtitles. With the cost coming down so much because of technology, it's no longer cost prohibitive. It used to cost \$10,000 to get foreign subtitles.

Tom: It's back to the same point. The technology is making everything possible. Now it's all about the story. The impact of the story is going to be a result of how well you collaborate all through the process.

Linda: Exactly.

Tom: What about anamorphic? I have filmmakers bringing me things that are sort of burned in anamorphic, even though it was shot 16x9 originally, and they've got to back that out.

Linda: Let's talk about that again. We did our last film anamorphic, and so it's got a black letter box on the top and the bottom.

Tom: It looks cool.

Linda: If your film is kind of a lot outside and includes a lot of great landscaping, it can really make it look nice. There are difficulties in that when you do your delivery to a distributor

you need to provide both, one with letter box and one without because different platforms – every platform has different specifications for delivery. For example, for Amazon we can only deliver active video. That means we have to crop off the letter boxing from the top and the bottom before we send it to them.

Tom: That's what I was getting at.

Linda: So there's more work involved. What we're asking now our filmmakers to do is give us two copies of the pro-res file, one that's only the active video and one that's 16x9 because in the end the televisions are 16x9 and they like to fill the screen.

Tom: Right. You have people that are like, "Well, how come it doesn't fill the whole screen?"

Linda: Right. Well, that's why. The last thing you want is to see your images stretched or squashed. They look really bad. That really is important. It's also important that you don't switch your frame rates. This is a problem we see with a lot of films. They all shoot on a camera that's 23x9x7. Then when they put it into their editing system they switch to 29x9x7 or 9x8 and all of a sudden there are not enough frames. So the machine will fill in those frames from the other frames, but it causes bad art effects and ghosting.

Tom: Jittering and ghosting.

Linda: Yeah. You have to be very careful not to mix your frame rates or change your frame rates during your post-production processing. It's a shame because we get films where that ghosting is baked in or the same with interlacing.

Tom: They want me to take it out and I'm like, "Yeah. Okay."

Linda: You can't. Those types of issues you have to pay very close attention to that.

Tom: Moving on to – before we start to move on to the contractual side of things, which we wanted to end with, there was one thing that I thought you brought up that was really interesting. I think some filmmakers sort of figure that if they just go on and do their own distribution by getting on Amazon Instant or something like that themselves that that's the best way to get started, but that's not necessarily the case, right?

Linda: Not only is it not necessarily the case it could totally wreck your chances for real distribution.

Tom: Talk about that. It was a good point.

Linda: That's really, really important. First, you want to really research your opportunity to be with a real distributor. If you look hard enough, you will find someone to work with

because the day you start doing it on your own you are automatically limiting your distribution outlets. If in the end – and there is only a small chance of that – you can't find anyone, then you do it yourself. That's great because you can still wind up on Amazon, for example. Now, on Amazon through CreateSpace you can get your film up there. You can sell DVDs. They'll manufacture them for you. It's nice and easy. You can get on to your next film. They will put it on Instant Video, Amazon Instant Video where you can sell and rent it. However, the downside is that it's only in standard definition. If you've gone through all this effort to make a 4K movie, the last thing you want is to have your film out there in standard definition.

Tom: That's got to hurt.

Linda: So Amazon. If you want to be there in HD and you want to make it to Amazon Prime, which is a critical platform to be on these days – it's become one of the most popular platforms on the Internet, and everybody has it on their TV. I think it out performs just about anything. If you want to see your film looking good on that, you have to go through an aggregator because only Amazon partners can distribute your film in HD and on Prime. That's really, really important. The last thing you want to do is put it up there as soon as it's done – I see this over and over again – because it's almost impossible to get it down. That's because once you put it up there, and say you sell even two or three copies of that film, what people don't realize is you're not buying the physical digital copy on Amazon. You are buying a license to view that movie whenever you want forever. They have to leave it up. If somebody has purchased it, how can they take it down if somebody has already bought it? So big mistake to do that thing first.

Now, with something like Vimeo, Vimeo has decided they are really going to compete with Amazon and Netflix. They are now starting to work with distributors, not just individual filmmakers. While any individual can put their film up as a standalone film, if you go up through a reputable distributor, you're losing very little of the revenue stream. For example, we charge 20 percent for our distribution services. The filmmaker gets 80 percent. You're not losing that much. We're going to talk about that later, a little more detail about that. It's important. If you put your film up and you're not putting it up through a distributor, you're not going to get the benefit of that distributor's reputation. For example, Indie Rights has a lot of followers. If a new Indie Rights film comes out, they're going to look at it. We publicize Indie Rights films. We market Indie Rights films. You have more chance of discovery if you're on our channel than if you're just a standalone film. So there's an advantage to that.

Tom: Well, all right. Let's get into the most fearful topic that I would imagine most filmmakers have such a reticence about, which is the contract. To some degree, from a little bit of experience that I've had over the years in this final process of getting the ball over the goal line, once you hand it to – some distributors in the past have been somewhat not so

good results for a lot of money that had to be added into it. What's the smart way to put together an arrangement with a distributor?

Linda: The number one rule, if you do nothing else relative to distribution, is go on IMDb Pro, look up the distributor, look up the distributor that you are considering, see what films that they've had for at least a year or two, call five of them. All you have to do on IMDb – every single film has contact information. Call them.

Tom: Oh. Call and say, "How'd it work out?"

Linda: Exactly. They don't have to tell you how much they made. Just say, "Do you get quarterly statements with details so you can see where and on what platforms your film is selling on, and do they pay you on a regular basis?" You'll get tears. That's why we started Indie Rights because people were crying saying, "Oh my God, they took my film. I never made a penny. They didn't bother to put it here or there," or whatever. If you call five people and four of them say, "Oh my God, they will never answer the phone. I can't get them to return an email. I never get any reports. I didn't notice in the contract that it said this," they're stuck.

So that's the first thing. If you just do that, you're going to get a feel for what that distributor's relationship is with his filmmakers. One of the things that sets us apart is that we have a personal relationship with our filmmakers and respond to every phone call and email. It's critical. Our reports are transparent. Regarding the contract, you want to keep the term as short as possible. Most of them will ask for 7 to 10 years. They might back down to 5, but most of them will want at least 5. We have a 3-year contract that renews automatically unless you tell us you don't want it anymore.

Tom: Three years?

Linda: Yeah, we have three years. Ours is non-exclusive so that once we get you on the premium platform, if there are other things that you want to do, we allow you to do that.

Tom: That's smart.

Linda: You can try with traditional distribution to get a non-exclusive, but it's very difficult.

Tom: I would imagine.

Linda: Very few people do it. The next thing is the expenses. Most distributors will put in there – they might put in there first you get \$50,000 worth of expenses over the time of the contract. You want to negotiate that as low as possible. I would never agree to anything more than \$10,000.

Tom: Yeah, I think that's a wise thing.

Linda: These people are using – a lot of distributors they want to go to Cannes. They want to go to Berlin. They want to go to Venice every year. They want that paid for. It's really important that if you do agree to expenses that you cap that as low as possible. The next thing that's important – and it's also hard to get – is a performance clause. I have many friends that have been stuck in 10-year contracts or 5-year contracts and never saw a penny or got a single report.

Tom: What would a performance contract look like then?

Linda: A performance contract says you will put X amount of dollars in my pocket within two years, or I get my film back. Very simple.

Tom: Very simple. It's like your keyword is "keep it simple."

Linda: Yeah. That actually happened with one of our films.

Tom: Yeah, well, it's gonna.

Linda: It did because we...

Tom: It's okay.

Linda: We wanted to try out foreign sales, using foreign sale...

Tom: Sure. Yeah.

Linda: Because we put that clause in there, we were able to get that film back because they gave us projections like 1.2 million dollars foreign sales. They didn't make one sale. We got our film back. And so what? The thing that's great about distribution these days is that you have forever to make your money back. It used to be if you were lucky enough to get a DVD deal it went in Blockbuster or a video store, and it would stay there for three to six months, and then it would get replaced by the next one. If you were lucky enough to get it in stores like Walmart or Target, it would be on the shelf for a little while, and then it would get replaced by the next one and go into a dog bin. Then that was the end. Then it was out of circulation. Now, with Internet platforms and digital, you are there forever. I mean I don't know about forever, but it could be 20 years that you're going to continue to see money come to you. The more films you have the more of those revenue streams you're creating. It's like investing in real estate, like buy income producing real estate. You're investing in yourself. You have to keep that in mind.

Tom: Well, all right.

Linda: There was one other thing I was going to say.

Tom: Yeah, please. Add it in.

Linda: Every contract that I've seen from traditional distributors will have a tiny clause that says, "If you haven't earned any revenue, we don't need to send you a report." Change that. You need quarterly reports. We talk to filmmakers that three or four years have gone by and they've never gotten a single report. They may have had quite a few sales, but if they're not due any money – in other words, the expenses were more than what they earned...

Tom: But still.

Linda: ...how their film is performing.

Tom: You want to know.

Linda: You want to know. That's really important. Those are some hints.

Tom: Linda Nelson, I've got to say this is a rich conversation of amazing pieces of insight. How can the audience get in touch with you?

Linda: The easiest way is on Facebook. You can look for Indie Rights Movies. We actually have a tab there that will tell you how to submit a film if you want us to consider a film for distribution, or we do have a website. You can search for Nelson Madison Films, which is our production studio because we make movies. We're working on our fourth feature. Or Indie Rights. If you search for either Indie Rights or Nelson Madison Films, we fill up the first three pages of Google search. It's real easy. There are lots of links. Very easy to find.

Tom: Are anyone from your team making it down to South by Southwest 2015 this year?

Linda: I don't think we are.

Tom: Not this year. Yeah.

Linda: No.

Tom: Maybe next year.

Linda: Maybe next year. I know Andie and her company is based on Austin. My partner is from Dallas so he's Texas. We will get down there one of these days.

- Tom: Well, listen. I hope you have a wonderfully rich and profitable year this year. Thank you so much for sharing some very wise insight with us.
- Linda: It's been my pleasure. We love to share with filmmakers. I think it's the very best time in history to be an independent filmmaker.
- Tom: Wow. Excellent point. Well, that's a rap. By golly, I am so excited. I can't wait to get this one up. Really I am sincere in my appreciation for you taking the amount of time that you have – it's been an hour now – and really giving some extremely valuable – I mean I get that it's – if you can get others to see this, it makes your job easier, but still you'd be surprised. I think we still have some generations of people that are like, "Well, you know, that's hard earned information. I'm not sure I want to share that with anybody." It can help your business.
- Linda: Right.
- Tom: I appreciate it.
- Linda: Well, thank you again very much.
- Tom: All right. Take care.
- Linda: Bye-bye.
- Tom: Bye-bye now.