

MOVIE EXTRA TROPFEST

THE WORLD'S LARGEST SHORT FILM FESTIVAL

MOVIE EXTRA TROPFEST 2010 ENTRY GUIDELINES

MOVIE EXTRA TROPFEST 2010

Welcome to Movie Extra Tropfest 2010! The world's largest short film festival is in full preparation mode for its 18th festival! We once again ask filmmakers of all backgrounds and levels of experience to get out there and start shooting short films for the festival. Films can be about anything but must include the annual Tropfest Signature Item (TSI), which for 2010 is 'DICE'.

Movie Extra Tropfest was established to encourage production, not just exhibition. Our event is not just about 'showing' films - it's about 'making' them. We aim to provide you with the opportunity to showcase your work to as wide an audience as possible, not only with the fantastic premiere your film will receive if selected for Movie Extra Tropfest 2010, but also by utilising a variety of distribution outlets following the festival.

We expect that over 150,000 people will come together on **Sunday 21 February 2010** to view 16 Finalist Films and 3 Telstra Mobile Masterpieces Film Category (see below), selected from more than 600 entries at venues in Sydney, Melbourne, Brisbane, Perth, Canberra, Hobart, Surfers Paradise and Adelaide.

TELSTRA MOBILE MASTERPIECES

This year Tropfest is excited to announce a new addition to the competition and festival: **Telstra Mobile Masterpieces**. Recognising the change in technologies and the opportunities presented to filmmakers, the mobile phone category is seen as a natural extension of short film story telling. Filmmakers are invited to make their films on mobile phone cameras and can gain inspiration from the winning film of Tropfest NY 2008, *Mankind is No Island* directed by Jason van Genderen and Shane Emmett (visit www.youtube.com/tropfest to watch the film online).

Films made on mobile phones will be entered into the main Tropfest competition as well as being eligible for further Telstra Mobile Masterpieces category prizes.

The same rules of entry apply to all films entered into Tropfest. Films must include the TSI (DICE), can be no longer than seven minutes, must never been seen by a public audience and must be specifically made for Tropfest. However, to compete in the mobile category your film must have been filmed on a mobile phone camera and you need to specifically enter the Telstra Mobile Masterpieces online and observe the terms and conditions of entry.

Please read these guidelines carefully. **Entries close Thursday 7 January 2010 at 6pm.** Should you require further information please visit www.tropfest.com/au or email mail@tropfest.com.au - we are here to help!

Good Luck!

THE MOVIE EXTRA TROPFEST TEAM

MOVIE EXTRA TROPFEST

THE WORLD'S LARGEST SHORT FILM FESTIVAL

ENTRY GUIDELINES (CONT)

ALL FILMMAKERS MUST ADHERE TO THE FOLLOWING GUIDELINES:

- Your film must be made specifically for Movie Extra Tropfest 2010
- Movie Extra Tropfest 2010 must be your film's first public screening
- Your film must be no longer than 7 minutes (including titles and credits)
- Your film must contain the 2010 Tropfest Signature Item (TSI) 'DICE'

SUBMITTING YOUR ENTRY ONLINE:

ALL MOVIE EXTRA TROPFEST ENTRIES MUST BE SUBMITTED ONLINE AT WITHOUTABOX.COM

If you do not already have a membership with WAB, you will need to register as a user. This is free of charge.

Submitting your entry online is easy! Just follow these six simple steps:

1. Click on the following link <http://www.withoutabox.com/login/6358>. If you are submitting a film into the Telstra Mobile Masterpieces, please select *Movie Extra Tropfest 2010 - Telstra Mobile Masterpieces* from the drop down menu at the top of the page, otherwise click on *Movie Extra Tropfest 2010* to enter your short film. If you select *Movie Extra Tropfest 2010 - Telstra Mobile Masterpieces* to enter your film, it will also be entered into the main festival competition, so no need to enter and pay twice.
2. If you are already a member, enter your username and password in the "Withoutabox Express" section to begin submitting your entry. If you are not already a member, simply enter in all your details in the "First Time Users" section.
3. You will then be prompted to enter in details of your Movie Extra Tropfest 2010 entry. Simply click through each form page and fill out all the required information. Real easy - you're nearly there!
4. You will need to agree to Terms and Conditions of Entry during this online entry process.
5. You will also need to pay the \$45AUD (including GST) entry fee during your WAB application (credit card only). Note: We only accept payment through WAB, you will not receive a Tracking Number unless you have completed this step.
6. After you have filled out the last page, a confirmation page will appear which will inform you of your Tracking Number (eg 10-0001). **PLEASE KEEP A RECORD OF THIS NUMBER.** You must write this Tracking Number on each DVD of your film that you submit (on the cover and on the actual DVD), that way we can match your entry number with your DVD. Also, if you have any questions regarding your entry after you have received confirmation, you will need to quote this number to us in order for us to look up your film in the database.

It's very straight forward! If you have any questions or are having trouble submitting your film online please email mail@tropfest.com.au - we are here to help!

ENTRY GUIDELINES (CONT)

ENTRY MATERIALS & CHECKLIST

1. Complete our Withoutabox Online Entry Form

Please ensure you have completed our Withoutabox online entry form BEFORE sending your two DVDs to us. Information on how to submit your entry online is listed above. Remember, entry into the festival is not complete until you have received a Tracking Number at the end of the online entry form eg 10-0001.

2. Two DVD Copies of Your Film (at 16:9 widescreen ratio)

Please supply each DVD in a separate case; both copies must be clearly marked with the film title and Tracking Number issued by WAB (eg 10-0001).

- DVD should be in PAL TV format
- DVD Regional code should be set to ALL REGIONS
- You can record on any DVD disc that you like EXCEPT DVD-RAM
- Please check that the DVDs playback in your DVD player before you submit them; if your DVD doesn't work your entry will be disqualified

For filmmakers entering the **Telstra Mobile Masterpieces** the original file format required at a minimum is set out below. Please supply two copies of your short mobile film on two separate DVDs playable on DVD players:

- Resolution 640 x 480 pixels
- File size restricted to 100MB
- Film vision must be captured/acquired via your phone camera, but may be edited on any system eg Final Cut Pro or iMovie.
- Audio may be post produced
- Acceptable delivery formats are: MOV, MP4, AVI, WMV

Remember, half the 'uniqueness' of this category will be how cleverly the Filmmaker has used the phone medium to tell their story, so a loss in picture quality is to be expected.

All Finalist films will be screened at 16:9 widescreen.

3. AUD\$45.00 (inc GST) Non-Refundable Entry Fee

Payment must be made during your WAB application – credit card only

MOVIE EXTRA TROPFEST

THE WORLD'S LARGEST SHORT FILM FESTIVAL

ENTRY GUIDELINES (CONT)

ENTRY DISQUALIFICATION:

Your entry will NOT be accepted if:

- Any of the above items are not included.
- Your film is over the 7 minute time limit (including titles and credits).
- Your entry arrives any time after 6pm on the final day for submissions, being Thursday 7 January 2010 (including posted entries).
- You have not completed or only partially completed our online WAB Entry Form (including paying your \$45 Entry Fee)
- You have not agreed to the Terms and Conditions

SUBMISSIONS & ENTRY DEADLINE:

After you have completed our WAB entry form, please post or hand deliver your two DVDs clearly marked with your WAB Tracking Number (eg 10-001) to:

Movie Extra Tropfest 2010 Entry
Suite 209, Level 2
53-59 Great Buckingham Street
Redfern NSW 2016
Australia

Hand delivered entries must be delivered by 6pm Thursday 7 January 2010.

Posted entries must be:

- Postmarked **NO LATER THAN** Wednesday 6 January 2010
- Received anytime before but **NO LATER THAN** Thursday 7 January 2010

Entries close on 6pm on Thursday 7 January 2010.

Late entries will not be accepted under any circumstances.

We will notify you via WAB when your DVDs are received.

MOVIE EXTRA TROPFEST

THE WORLD'S LARGEST SHORT FILM FESTIVAL

ENTRY GUIDELINES (CONT)

SHORT LISTED FILMMAKERS:

If your film is short listed or selected as a finalist for Movie Extra Tropfest 2010, you will be required to supply the following materials to Tropfest by Thursday 21 January 2010:

Digital Betacam (PAL)

A Digital Betacam (PAL) master of your short film. Digi Betas of finalist films will not be returned and will be used for distribution purposes following the festival. Digi Betas of shortlisted films, which are not chosen as finalist films, will also not be returned unless the exclusive licence granted to Movie Extra Tropfest is terminated (see **Terms & Conditions**).

Two Electronic Colour Production Stills

These should be two different images of direct action from the film rather than behind-the-scenes photos. These must be horizontal files (jpg 300dpi).

A Completed Music Cue Sheet

We will email you the form when you are short listed which you must complete for all music used in your film. This should detail each piece of music used in your film (title of composition, copyright owner, duration used). If you need help with this form we can assist you; the information you will need to have on hand is a clear knowledge of who owns the copyright in each piece of music used, proof you have the permission to use each piece of music, and the duration of each piece of music used.

Script

A full dialogue script of your film. If your film does not have dialogue, we do not require a script.

Release Forms

Signed Release Forms for all works in which copyright exists. This includes literary (i.e. if your film is based on a novel), dramatic (actors), artistic (paintings etc) or musical works (composers), or films, sound recordings, broadcasts and published editions. For a typical short film, all writers, actors and composers (of original music) must sign a Release Form. You can download a Release Form template from our website www.tropfest.com/au.

Written Permission for All Music in Your Film

If you choose to use published (i.e. existing music, for example by a famous band), you will need permission in the form of a license agreement to do so. Tropfest strongly recommends you use original or "copyright free" music in your film to avoid paying license fees which can be quite pricey for popular pieces of music. To obtain the necessary clearances to use existing music, you will need to contact the copyright owner/s of your chosen track and request a license agreement to use their music in "all media" and in "all territories". If you are having trouble with this process, please contact AMCOS (www.amcos.com.au) on 1300 852 388 and they can assist you in tracking down copyright owners and requesting license agreements.

FINALIST FILMMAKERS:

The 16 Movie Extra Tropfest Finalists will be notified in early February. No additional materials will be required at that point, however filmmakers will be asked to participate in a photo call and possible media interviews as well as promotion in the lead-up to the Festival.

TELSTRA MOBILE MASTERPIECES FILM CATEGORY

Three finalists from the Telstra Mobile Masterpieces Film Category will also be selected for screening on the festival night. The screening will take place before the 16 finalist films. As noted above, all films entered into the Telstra Mobile Masterpieces Film Category are also eligible to be selected as one of the 16 finalists in the main film festival competition. If your film is also selected as one of the 16 Finalist Films, it will screen twice during the night, once during the Telstra Mobile Masterpieces Film Category and as part of the screening of the 16 finalist films.

The three Telstra Mobile Film Category Finalists will need to comply with the same terms and conditions as the 16 finalist films.

MOVIE EXTRA TROPFEST

THE WORLD'S LARGEST SHORT FILM FESTIVAL

TERMS & CONDITIONS OF ENTRY EXPLAINED

THE *PLAIN ENGLISH GUIDE* TO MOVIE EXTRA TROPFEST'S TERMS & CONDITIONS - A VERY WORTH WHILE READ!

Most of the application process is pretty self-explanatory - at the end of the day all you need to do is:

- complete our Withoutabox online entry form (located at www.withoutabox.com); and
- deliver your DVDs to Tropfest HQ in Sydney before 6:00pm on Thursday 7 January 2010 or, if you can't hand deliver it, post your submission materials to Tropfest HQ in Sydney postmarked no later than Wednesday 6 January 2010.

But make sure if you mail your entry that it is received at Tropfest HQ no later than Thursday 7 January 2010 - otherwise it won't be accepted...EASY REALLY!

BUT... before you complete our entry process, it is important you understand the terms and conditions of entry. It is also important that you realise Tropfest is all about showcasing your work to as wide an audience as possible, both within Australia and overseas, above and beyond the Festival night. In order for us to do this, there are some legal requirements that need to be understood. Tropfest is more than happy to explain its activities in further detail, so if at any time there is something you don't understand, just call or email us for further information. Now, to make things easier for you we have set out a bit of a breakdown of the terms and conditions of entry, with a focus on all the major points, particularly those that impact on rights in your film that Tropfest requires you to obtain from contributors in your film and rights you grant to Tropfest when entering the Festival.

As part of Tropfest's commitment to showcasing the work of new filmmakers, for the second time in the Festival's history, following the 2010 Festival, each of the 16 finalists' films exhibited at the Festival (**Finalists**) will also be broadcast by the Movie Extra Channels Pty Ltd (**Movie Extra**) on one or more of its channels which currently include 'Movie One' and 'Movie Two', 'Movie Extra' and 'Movie Greats' (**Broadcast**). In addition, Films which are not Finalists at the Festival may also be chosen by the Movie Extra to be broadcast on its channels.

Your film has to meet ALL of the criteria set out in the terms and conditions. The terms and conditions comprise of the document headed 'Terms and Conditions of Entry', but also include any information contained on the Withoutabox entry form, and in the Entry Guidelines (including the FAQ) (**Terms and Conditions**). When you complete and submit the entry form you are 'signing' a legal contract that tells us your film complies with all of the Terms and Conditions see Point 4(b) of the Terms and Conditions. This is why you **MUST** understand them. The Terms and Conditions may seem a little confusing, but by spending a little time getting to know them, you will save yourself grief later! And remember, don't just read this guide, read the Terms and Conditions too, this is only a guide.

Now to the specific points in the Terms and Conditions:

1. It is imperative that you, the Producer, must have made your film specifically for Movie Extra Tropfest 2010 and it **MUST NOT HAVE BEEN MADE AVAILABLE TO**

OR BEEN VIEWED BY ANY MEMBERS OF THE PUBLIC (this includes online viewing), before the Festival night, Sunday 21 February 2010, or after the Festival night and before 31 March 2010. You also must not have given or give permission for anyone else to use your film in any way before the Festival, and until Tropfest notifies you in writing that it has not chosen your film for the Festival or for Broadcast (see points 4 (a), (c) and (d) of the Terms and Conditions).

2. Points 4 (e) - (j) of the Terms and Conditions requires you to obtain written permission from each of the contributors who worked on your film or who contributed to works included in your film even if existing before your film (e.g. music) to do what you like with their contribution or performance.

The reason you need this permission is so you (and Tropfest) can edit or change their contribution or performance as you see fit **AND** that you (and Tropfest) can sell or show your film anywhere without restriction and use each contributor's name or picture for publicity connected with your film. This is very important because Tropfest is a very high profile film festival and we can't afford to run into hassles with your film at the last moment: e.g. if your film is selected as a finalist, we need to know that all of the contributions which make up your film can be included in our Festival program. We have release forms available you can download them from our website. You can adapt these forms for use by ALL contributors in your film. You should always try and have cast and crew (and other contributors) sign release forms prior to the start of production - it is easier since most contributors will be in the one place and you don't have delays tracking them down later on.

3. We also have a few requests to make of you, to ensure the continued success and growth of Tropfest as well as the continued success of our filmmakers following the Festival. It is important to us that your film is seen as widely as possible following the Festival. As you may have read on our website, Tropfest acts as a sales agent to represent your film in Australia and in the overseas markets if it is a Finalist or selected for Broadcast. This will give Tropfest an opportunity to enter into arrangements to give your film maximum exposure and will hopefully create some financial return for you. Tropfest splits any cash received with filmmakers just like a commercial distributor, and if your film is a Finalist or selected for Broadcast, we will give you notification of these financial arrangements in writing.

4. Point 5 of the Terms and Conditions gives Tropfest exclusive rights to your film (i.e. an 'Exclusive Licence') regardless of whether your film is Short Listed, a Finalist or selected for Broadcast.

You're probably asking what an exclusive licence to Tropfest means for your film. That is a really good question and it basically means that neither you nor any other distributor, acting on your behalf, will be able to either use or sell your film and that Tropfest solely represents your film in Australia and around the world. This allows Tropfest Pty Ltd to, for example, grant rights in (**license**) your film to other film festivals in a package of finalists, in a compilation of films to screen at another film festival, or individually for exhibition on the Internet, cable, satellite, television etc

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TERMS & CONDITIONS OF ENTRY EXPLAINED (CONT)

THE *PLAIN ENGLISH GUIDE* TO MOVIE EXTRA TROPFEST'S
TERMS & CONDITIONS - A VERY WORTH WHILE READ!

without anyone else also granting the same rights in your film (**Exclusive Licence**). These are examples only.

This Exclusive Licence will change to a non-exclusive licence or terminate as set out in the table below.

You're probably asking what a non-exclusive licence to Tropfest means for your film. It basically means that Tropfest can use and grant rights in your film as above however, you or any distributor may also do the same (**Non-Exclusive Licence**).

If the Film is not Short-Listed, not a Finalist and not selected for Broadcast:	The Exclusive Licence will terminate on 31 March 2010 and all rights will revert to you. Tropfest will no longer have any rights (including copyright) in your film, and it is yours to do with what you will!
If the Film is Short-Listed but not a Finalist and is not selected for Broadcast:	The Exclusive Licence will terminate on 31 March 2010 and change to a Non-Exclusive Licence until 21 February 2014.
If the Film is a Finalist or a Telstra Mobile Masterpieces Film Category Finalist:	The Exclusive Licence will terminate on 21 August 2011 and change to a Non-Exclusive Licence until 30 June 2015.
If the Film is not a Finalist but is selected for Broadcast (whether or not it is Short-Listed):	<p>(a) unless (b) or (c) below applies, the Exclusive Licence will terminate on 21 August 2011 and change to a Non-Exclusive Licence until 30 June 2015.</p> <p>(b) If the Film is Short-Listed but is not Broadcast by 30 March 2011, the Exclusive Licence will terminate on 31 March 2011 and change to a Non-Exclusive Licence until 21 February 2014.</p> <p>(c) If the Film is not Short-Listed and is not Broadcast by 30 March 2011, the Exclusive Licence will terminate on 31 March 2011 and all rights will revert to you.</p>

5. Point 10(a) of the Terms and Conditions (about the possibility of editing or altering your film) may cause alarm - please don't panic! This clause is there because there are practical considerations that have to be made when broadcasting a short film on, for example, commercial television or downloading a short film to a mobile telephone. Tropfest is mindful of the way your film is represented and we do our best to ensure the integrity and continuity of your film is preserved. However, exploitation of your film in various media may mean your film could be 'edited' or 'altered', for example, by removing the film's credits and running them at the end of a television broadcast instead of at the end of your film. This is one practical compromise that may have to be made to get your film out there! We're sure you understand.

That's basically it - see, it's not all that bad! Please remember we are always available to go through all the above info with you and answer questions you may have.

FOR UPDATES ON TROPFEST ACTIVITIES,
REGISTER YOUR DETAILS ON OUR WEBSITE
WWW.TROPFEST.COM/AU

MOVIE EXTRA TROPFEST

THE WORLD'S LARGEST SHORT FILM FESTIVAL

TERMS & CONDITIONS OF ENTRY

AS THE PRODUCER OF THE FILM, YOU (PRODUCER) MUST UNDERSTAND AND AGREE TO THE TERMS & CONDITIONS OF ENTRY OUTLINED BELOW.

1. Entry

To enter your film (**Film**) into the Movie Extra Tropfest 2010 festival (**Festival**) which is run by Tropfest Pty Limited (ABN 89 078 140 039) (**Tropfest**), you (**Producer**) must:

- correctly complete the entry form located at www.withoutabox.com (**Entry Form**); and
- deliver two (2) copies of the Film in the form set out at page 3 'Entry Materials and Checklist' to Suite 209, Level 2, 53-59 Great Buckingham Street Redfern NSW 2016 by no later than 6pm on Thursday 7 January 2010 or, if submitting the Film by mail, posting it to the above address, postmarked no later than Wednesday 6 January 2010 and received by Tropfest no later than Thursday 7 January 2010 (Tropfest accepts no responsibility for any Entry Form or Film that is late, lost, or damaged).

By completing the Entry Form and delivering the Film, the Producer has applied to enter the Film in the Festival, related competitions and activities and accepts that the conditions contained in the Entry Form, and in the 'Entry Guidelines' which includes the FAQ and these terms and conditions (together, the Terms and Conditions) create a legally-binding agreement between Tropfest and the Producer.

The Producer must make a copy of the Film before delivering copies to Tropfest as copies of films will NOT be available for collection from Tropfest after the Festival.

2. Judging of the films

Tropfest may, in its absolute discretion and without giving reasons:

- short-list the Film for the last judging round for selection of the finalists for the Festival (**Short-Listed**); and/or
- select the Film from the Short-Listed films as a finalist for viewing and judging at the Festival (**Finalist**) on the night of Sunday 21 February 2010 or such other date as Tropfest may nominate (**Festival Night**); and/or
- even if the Film is not Short-Listed or a Finalist (as the case may be), select the Film for broadcast, transmission, retransmission, communication, distribution, or display (**Broadcast**) on any channel owned, sublicensed, controlled, managed or developed by The Movie Network Channels Pty Ltd (ABN 72 089 135 740) (**Movie Extra**).

Judging of the Telstra Mobile Masterpieces Films

Tropfest may, in its absolute discretion and without giving reasons:

- short-list a mobile Film for the last judging round for selection of the finalists for the Festival (**Short-Listed**) and for the Telstra Mobile Masterpieces Film Category; and/or
- select the mobile Film from the Short-Listed films as a finalist for viewing and judging at the Festival (**Finalist**), and the Telstra Mobile Masterpieces Film Category on the night of Sunday 21 February 2010 or such other date as Tropfest may nominate (**Festival Night**); and/or
- even if the mobile Film is not Short-Listed or a Finalist (as the case may be), select the Film for broadcast, transmission, retransmission, communication, distribution, or display (**Broadcast**) on any channel owned, sublicensed, controlled, managed or developed by The Movie Network Channels Pty Ltd (ABN 72 089 135 740) (**Movie Extra**).

Any prizes awarded are not transferable, exchangeable or redeemable for cash.

3. Important Dates

Each film must comply with the following dates to be eligible for entry in the Festival:

6 January 2010	If submitting the Film by mail, the Film must be postmarked no later than 6 January 2010 and be received by Tropfest by 7 January 2010.
7 January 2010	If submitting the Film in person, the Film must be received by Tropfest by 6pm on 7 January 2010.
15 January 2010	If the Film is Short-Listed, Tropfest will advise the Producer on or before 15 January 2010.

21 January 2010	If the Film is Short-Listed, Tropfest requires the Producer to provide the 'Additional Materials', as set out on page 5 of the Entry Guidelines, on or before 21 January 2010.
6 February 2010	If the Film is not Short-Listed, Tropfest will notify the Producer of the Film's non-selection on or before 6 February 2010.
6 February 2010	If the Film is Short-Listed Tropfest will notify the Producer whether or not the Film has been selected as a Finalist on or before 6 February 2010.
21 February 2010	Festival Night.
22 February 2010 – 19 March 2010	Any film entered into the Festival may be selected by the Movie Extra for Broadcast.
19 March 2010	If the Film is selected for Broadcast, Tropfest will advise the Producer on or before 19 March 2010.
23 March 2010	If the Film is selected for Broadcast, Tropfest requires the Producer to provide the 'Additional Materials', as set out on page 5 of the Entry Guidelines on or before 23 March 2010.
31 March 2010	If the Film is not selected for Broadcast, Tropfest will advise the Producer on or before 31 MARCH 2010.
1 April 2010	Tropfest may dispose of the DVDs of the Film and any 'Additional Materials' at its discretion.

4. Guarantees of the Producer

The Producer guarantees to Tropfest that:

- the Film was made by the Producer specifically for the Festival;
- the Film complies with the Terms and Conditions;
- the Film has not been, and will not be, available to be viewed by the public by any means, including by way of the internet, until the Exclusive Licence granted by the Producer to Tropfest under clause 5 terminates in accordance with clause 6, 7, 8 or 9;
- the rights (including the intellectual property rights) in the Film have not been, and will not be, assigned, licensed or otherwise granted, in whole or in part, to any person other than Tropfest, until the Exclusive Licence granted by the Producer to Tropfest under clause 5 terminates in accordance with clause 6, 7, 8 or 9;
- the Producer is entitled to reproduce and exploit all of the underlying works in the Film by including these in the Film*;
- without limiting clause 4(e), the Producer is the owner, or has permission from the owner, of the copyright in the sound recordings comprising the soundtrack to the Film and the music and lyrics reproduced in those sound recordings*;
- all of the performers in the Film have consented in writing to the use of their performances in the Film*;
- the Producer has obtained from each contributor to the Film, including to the underlying works in the Film (**Contributor**), a written consent to do or omit to do anything which may infringe any and all moral rights granted to the Contributor including to edit, alter and/or reproduce the work of the Contributor, in any manner or context, by the Producer, and any person authorised by the Producer to do so (including Tropfest, its assignees and licensees), and such consents have been obtained to the full extent permitted under the Copyright Act 1968 (Cth) (Moral Rights Consents)*;
- the Producer has obtained from each Contributor:
 - authorisation for Tropfest to use the Contributor's name and likeness in connection with any publicity for the Festival and related competitions; and
 - an undertaking that the Contributor will perform publicity appearances for the Festival and related competitions if reasonably requested by the Producer or Tropfest*;
- the Producer is entitled to grant to Tropfest permission to make use of each and every right referred to in clauses 5, 6, 7, 8 and 9 (as applicable) and the use or exploitation of the Film as contemplated by the Terms and Conditions will not violate the rights (including copyright) of any third party;

MOVIE EXTRA TROPFEST

THE WORLD'S LARGEST SHORT FILM FESTIVAL

TERMS & CONDITIONS OF ENTRY (CONT)

AS THE PRODUCER OF THE FILM, YOU (PRODUCER) MUST UNDERSTAND AND AGREE TO THE TERMS & CONDITIONS OF ENTRY OUTLINED BELOW.

- k) the Producer will pay all fees and other charges related to entry of the Film in the Festival;
- l) all details submitted in the Entry Form by the Producer are true and correct, and the Producer indemnifies Tropfest from and against any and all claims and demands made against Tropfest, its assignees or licensees, in relation to the guarantees provided by the Producer in this clause 4;
- m) all residuals or other payments to Contributors in connection with the Film have been paid, together with the cost of all licences of all copyright and any film footage, musical works, lyrics, sound recordings or other material in which copyright subsists, owned by any third parties and which are used or adapted in the Film, other than fees that may be payable to local performing rights associations for use of the Film after the Festival Night; and
- n) no part of the Film is, or will be, actionable for defamation or invasion of privacy or breach of confidence of any person.

*Copies of a release form for the purposes of complying with clause 4 (e), (f), (g), (h) and (i) above can be obtained from Tropfest HQ (see clause 1 for the address).

5. General Licence

In these Terms and Conditions:

Exclusive Licence means an exclusive licence to Tropfest to do any and all of the acts now or subsequently comprising the copyright in the Film, or any part of the Film, including any production stills, throughout the world, in any and all media now existing or subsequently devised, in all languages, in perpetuity.

Non Exclusive Licence means a non-exclusive licence to Tropfest to do any and all of the acts now or subsequently comprising the copyright in the Film, or any part of the Film, including any production stills, throughout the world, in any and all media now existing or subsequently devised, in all languages, in perpetuity.

In consideration of Tropfest reviewing the Film for the purpose of the Film being Short-Listed and/or a Finalist and/or selected for Broadcast, the Producer grants to Tropfest an Exclusive Licence from the date the Film is entered into the Festival.

6. If the Film is not Short-Listed, not a Finalist and is not selected for Broadcast

If the Film is not Short-Listed, is not a Finalist and is not selected for Broadcast, the Exclusive Licence will automatically terminate on 31 March 2010 and all rights granted by the Producer to Tropfest under clause 5 will automatically revert to the Producer, and neither Tropfest, nor its assignees or licensees, will have any rights, including copyright, in the Film.

7. If the Film is Short-Listed but is not a Finalist and is not selected for Broadcast

If the Film is Short-Listed but is not a Finalist and is not selected for Broadcast, the Exclusive Licence granted by the Producer to Tropfest under clause 5 will automatically terminate on 31 March 2010 and the Producer will automatically grant to Tropfest a new Non-Exclusive Licence (and the Producer acknowledges that the terms and conditions are effective to grant such licence). After 21 February 2014, the Producer may write to Tropfest to request the termination of the Non-Exclusive Licence granted to Tropfest under this clause 7.

8. Finalist films

If the Film is a Finalist, the Exclusive Licence granted by the Producer to Tropfest under clause 5 will automatically terminate on 21 August 2011, and the Producer automatically grants to Tropfest a new Non-Exclusive Licence (and the Producer acknowledges that these terms and conditions are effective to grant such licence). After 30 June 2015, the Producer may write to Tropfest to request the termination of the Non-Exclusive Licence granted to Tropfest under this clause 8. The Producer acknowledges that all Finalist Films will be Broadcast.

9. Films selected for Broadcast (whether or not it is Short-Listed)

If the Film is not a Finalist but is selected for Broadcast (whether or not it is Short-Listed):

(a) Subject to clauses 9(b) and (c), the Exclusive Licence granted by the Producer to Tropfest under clause 5 will automatically terminate on 21 August 2011, and the Producer automatically grants to Tropfest a new Non-Exclusive Licence (and the Producer acknowledges that these terms and conditions are effective to grant such licence). After 30 June 2015, the Producer may write to Tropfest to request the termination of the Non-Exclusive Licence granted to Tropfest under this clause 9.

(b) If the Film is Short-Listed but is not Broadcast by 30 March 2011, the Exclusive Licence granted by the Producer to Tropfest under clause 5 will automatically terminate on 31 March

2011 and the Producer will automatically grant to Tropfest a new Non-Exclusive Licence (and the Producer acknowledges that these terms and conditions are effective to grant such licence). After 21 February 2014, the Producer may write to Tropfest to request the termination of the Non-Exclusive Licence granted to Tropfest under this clause 9.

(c) If the Film is not Short-Listed and is not Broadcast by 30 March 2011, the Exclusive Licence granted by the Producer to Tropfest under clause 5 will automatically terminate on 31 March 2011 and all rights granted by the Producer to Tropfest under clause 5 will automatically revert to the Producer, and neither Tropfest, nor its assignees or licensees, will have any rights, including copyright, in the Film.

10. Moral Rights

The Producer:

- a) acknowledges that Tropfest, its assignees and licensees, may do or omit to do anything which may infringe any and all moral rights granted to the Contributors or the Producer including to edit, alter and/or reproduce the work of the Contributors, the Producer and the Film and the Producer consents to these actions by Tropfest, and its assignees and licensees, in any manner or context, in perpetuity throughout the world, and such consent is given to the full extent permitted under the Copyright Act 1968 (Cth); and
- b) without limiting clause 10(a), authorises Tropfest and its assignees and licensees to do any and all acts comprised in the Moral Rights Consents.

11. Use of name and likeness

The Producer authorises Tropfest to use the Producer's name and likeness in connection with any publicity for the Festival and related competitions and activities, and the Producer agrees to undertake publicity appearances for the Festival and related competitions and activities as reasonably requested by Tropfest.

12. General

The agreement created by the Terms and Conditions is made in New South Wales and is governed by the non-exclusive jurisdiction of the courts of New South Wales. The Producer will do such acts and sign, or cause to be signed, such instruments as Tropfest may reasonably request for the purposes of this agreement. Tropfest may assign or license its interest under this agreement. The Producer must not assign or license its interest under this agreement. A reference to a person includes a body corporate. The singular includes the plural and vice versa. Includes and including are not words of limitation. The words and expressions used in this agreement have the meanings given to them in the Copyright Act 1968 (Cth). A reference to a "film" is a reference to a "cinematograph film". In the case of any inconsistency between the terms and conditions set out above and any other language contained in the Terms and Conditions (as defined in clause 1), the terms and conditions set out above prevail.

I, the Producer, understand and agree to the Terms and Conditions of Entry as outlined above.

Name of Film submitted (PLEASE PRINT): _____

Producer/s Name (PLEASE PRINT): _____

Producer/s Signature: _____

Signed on: _____

MOVIE EXTRA TROPFEST

THE WORLD'S LARGEST SHORT FILM FESTIVAL

FREQUENTLY ASKED QUESTIONS

GOT SOME QUESTIONS ABOUT MOVIE EXTRA TROPFEST AND CREATING A SHORT FILM FOR THE FESTIVAL? WE HAVE COMPILED A LIST OF FAQ TO HELP YOU ON YOUR WAY!

What is the deadline for Movie Extra Tropfest 2010?

The deadline for entries for the Movie Extra Tropfest 2010 is 6:00pm Thursday 7 January 2010.

When is the Festival held?

In 2010 the Festival is scheduled for Sunday 21 February.

What is the Tropfest Signature Item (TSI) for 2010?

The TSI for 2009 is DICE. Filmmakers are invited to represent the TSI in any way they choose - we strongly encourage a creative interpretation of the word!

Why does my film have to feature the TSI & how can I use it?

The TSI is meant to show that your film was made specifically for the Festival - as Movie Extra Tropfest is about encouraging production, not just exhibition. Try to make a film that stands on its own feet and include the TSI as part of the background somewhere. This will also enable your film to have a life after the Festival. Very occasionally a film based around the TSI is brilliant so don't let us stop you if yours is one of these!

What have the past TSIs been?

2009 - Spring, 2008 - 8, 2007 - Sneeze, 2006 - Bubble, 2005 - Umbrella, 2004 - Hook, 2003 - Rock, 2002 - Match, 2001 - Horn, 2000 - Bug, 1999 - Chopsticks, 1998 - Kiss, 1997 - Pickle, 1996 - Teaspoon, 1995 - Coffee Bean, 1994 - Muffin, 1993 - No TSI.

What is the maximum length for Movie Extra Tropfest films?

7 minutes including titles and credits.

Is there a minimum length?

No.

Can I submit more than one film for the competition?

Yes - there is no restriction on the number of entries.

Does Movie Extra Tropfest accept international entries?

Yes.

Does Movie Extra Tropfest accept animations?

Yes.

Does Movie Extra Tropfest accept documentaries?

Yes.

Are there other important restrictions?

Movie Extra Tropfest must be your film's first public screening. This means that the film must not have been screened at any other film festival, or made available on free to air or pay TV, in cinemas, on the Internet or any other public arena. This restriction does not include cast and crew screenings.

Can I re-edit a film that has already screened so it fits the Movie Extra Tropfest guidelines?

No! We consider this a different version of the same film, therefore if it has screened previously or otherwise made publicly available, it is not eligible for Movie Extra Tropfest.

What format do I have to shoot on?

You can shoot on any format you like (or can afford) - HD, DVD, 35mm, 16mm, Mini DV, mobile phone. Whatever format is available to you.

What format do you accept for entry?

You must supply x2 DVD copies of your film in a separate case. Both copies must be clearly marked with the film title and Tracking Number issued by Withoutabox (eg 10-0001).

- DVD should be in PAL TV format
- DVD Regional code should be set to ALL REGIONS
- You can record on any DVD disc that you like EXCEPT DVD-RAM
- Please check that the DVDs playback in your DVD player before you submit them; if your DVD doesn't work your entry will be disqualified.

For filmmakers entering the **Telstra Mobile Masterpieces** the original file format required at a minimum is set out below. Please supply two copies of your short mobile film on two separate DVDs playable on DVD players:

- Resolution 640 x 480 pixels
- File size restricted to 100MB
- Film vision must be captured/acquired via your phone camera, but may be edited on any system eg Final Cut Pro or iMovie.
- Audio may be post produced
- Acceptable delivery formats are: MOV, MP4, AVI, WMV

All Finalist films will be screened at 16:9 widescreen. Short listed filmmakers must supply a 16:9 Digi Beta (PAL) tape by Thursday 21 January 2010. FATS Digital offer all Tropfest entrants 40% off costs in creating a digital betacam masters, simply quote 'Tropfest' www.fats.com.au.

Does Movie Extra Tropfest place restrictions on swearing or sexual/violent content?

Movie Extra Tropfest receives a classification exemption which is the equivalent of an MA 15+ classification rating from the Office of Film and Literature Classification (OFLC). We recommend that you follow the guidelines of the MA 15+ (strong) classification rating from the OFLC. For a complete rundown of the classification guidelines please visit www.oflc.gov.au. If in doubt, check out past Finalist Films on our YouTube Channel www.youtube.com/tropfest as a guideline.

Does it cost anything to enter?

Yes, it costs AUD \$45.00 (including GST). You must submit payment to us online as part of your WAB entry process (credit card). This is the only form of payment we accept; we do NOT accept cash, cheque or money orders. NOTE: You will

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THE WORLD'S LARGEST SHORT FILM FESTIVAL

FREQUENTLY ASKED QUESTIONS (CONT)

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not receive a Tracking Number if you do not complete this step during your WAB application.

Do I need to apply for an ABN number/register for the GST?

If you are making your film for Movie Extra Tropfest as a hobbyist – i.e. you are not a professional filmmaker, then it is not a necessity to register for an ABN/GST. If your film makes it to the finals, a staff member will discuss your options with you at this time. This is due to the fact that we distribute the finalist and short listed films following the Festival. This distribution activity attracts a financial return (however limited!). To obtain professional advice with regard to ABN/GST registration we recommend you contact your accountant or the Australian Taxation Office on 13 24 78.

Do I have to obtain copyright clearance for the music?

YES! You must own all copyright for or have written permission to use all underlying works included in the film including music, performance and script. Arts Law has a great website www.artslaw.com.au with lots of information and advice about copyright. We suggest you read through their articles on copyright as well as their short film guide for producers. Otherwise, if you would like further advice on copyright and clearances consult our Filmmaker Representative on +61 2 8011 0290 or email mail@tropfest.com.au.

Can I use any piece of music as long as I have permission?

You can use most pieces of music provided you have received the necessary permissions from the copyright owner(s). Well known/published music can become very expensive to use. You will need to have cleared rights to use the piece of music in "all media" and in "all territories" (please see Terms and Conditions). Movie Extra Tropfest has a network broadcast of the event and acts as a distributor for finalist and short listed films following the Festival. You must have cleared all music in order to participate in such activities and, indeed, such clearance is a condition of entering your film in the Festival. It is important to note that you are not just asking for a "festival clearance" of the music. AMCOS administers the rights for production music libraries and it does have a special festival rate for production music. However, this does not apply to Movie Extra Tropfest films because the films may be screened after the festival via our many distribution channels which means you would need additional rights and clearances. Try to use copyright or royalty-free music in your film. Don't limit the life of your film by making rushed music choices or leaving this until the last minute. Music should be one of the first things you must consider when planning your production. Call us on +61 2 8011 0290 for clarification on any of the above.

Can I use music that I download from a website?

Just because you are able to download music from a website does not mean you can use it in your film. In most cases, music made available to download is for "private use" only (i.e. not a festival screening in front of thousands of people!). If you plan on using downloaded music, please make sure ensure that it clearly states it is "copyright or royalty free" – i.e. there is no copyright owner or royalties that need to be paid, or that it clearly states you are able to do so. Having said this, there still may be limitations on how you use the music so we strongly suggest you read the fine print and contact the owner/s of the website just to be sure. Remember, you will need clearance in "all media" and "all territories" to be eligible for Movie Extra Tropfest.

What is a music cue sheet?

If you are short listed, we will email you a music cue sheet to fill out. It is basically a form detailing all the music used in your film (title of composition, copyright owner, duration used). We will also email you a completed example to help you with this process.

Do I need written permission from cast etc?

Yes, you must request all actors, writers and composers of your film sign a Release Form, which can be downloaded from our website www.tropfest.com/au. You will need to supply these to us if you are short listed. If you are having difficulty in filling the form out, please contact us on +61 2 8011 0290 or mail@tropfest.com.au. We suggest you print out a few of these forms and bring with you to your shoot, that way you don't have to chase them later.

What will the production stills be used for?

If your film makes it to the finals, the stills you provide will be used in publicity materials produced by Movie Extra Tropfest and in our Festival catalogue.

What ratio will my film be screened at?

This year Movie Extra Tropfest will screen all films at 16:9 ratio. This means if you shoot your film at 4:3 you need convert it to 16:9 in post-production. There are two methods in which you can convert your film from 4:3 to 16:9:

1. The picture is simply transferred from 4:3 to 16:9 leaving black bars on both sides of the image (this method is known as Pillarbox).
2. The picture is enlarged to fit horizontally on the screen. Note that this method means that the top and bottom of your picture is cropped to fit the 16:9 ratio.

There are pros and cons for both aspect ratio conversion methods. We suggest that you look into each method further and choose which best suits the look and feel of your film.

Please be aware that not all digital cameras (particularly older cameras) have the option to shoot 16:9 so if you are planning on shooting at this ratio, make sure check your camera's features well before your shoot date.

If you are short listed you must provide a Digi Beta master of your film in 16:9 by Thursday 21 January 2010.

For more information on shooting your film at 16:9 please email mail@tropfest.com.au or call us on +61 2 8011 0290. Also, be sure to check out our 16:9 Shooting Guide (PDF) on our website www.tropfest.com/au.

What if my film contains subtitles?

This is fine, however please consider that the film is screened in a very large environment, with many audience members a great distance away from the screen. You should double the size of subtitling and avoid yellow shades. White on black is best in terms of visibility.