
Professional Certificate in Film and Television Law

Contracts and Agreements in Film and Television

Contracts and Agreements in Film and Television Glossary

A

Assignment

Assignment refers to the transfer of rights or obligations under a contract from one party to another. In the context of film and television, assignments may occur when a producer transfers their rights to a distributor.

B

Buyout

A buyout is a one-time payment made to acquire all rights to a piece of content. For example, a studio may offer a buyout to a writer for their screenplay, giving them a lump sum in exchange for full ownership.

C

Chain of Title

The chain of title is a legal document that traces the ownership history of a piece of intellectual property, ensuring that the current owner has the right to sell or license it. In film and television, a clear chain of title is crucial for securing financing and distribution deals.

Completion Bond

A completion bond is a type of insurance policy that guarantees a film will be completed according to the terms of its contract, even if unforeseen circumstances arise. This provides financial security to investors and distributors.

Copyright

Copyright is a form of intellectual property protection that grants the creator of an original work exclusive rights to its use and distribution. In film and television, copyright protects scripts, screenplays, and other creative content.

D

Defamation

Defamation refers to the act of making false statements that harm a person's reputation. In the context of film and television, defamation claims may arise if a character is portrayed in a defamatory manner.

Distribution Agreement

A distribution agreement is a contract between a content creator and a distributor that outlines the terms of distribution for a film or television show. This agreement typically covers territories, platforms, and revenue

sharing.

E

Exclusivity

Exclusivity refers to the exclusive rights granted to a party under a contract. In film and television, exclusivity clauses may limit where, when, and how content can be distributed.

F

Force Majeure

Force majeure is a clause in a contract that excuses one or both parties from fulfilling their obligations in the event of unforeseen circumstances, such as natural disasters or pandemics. Force majeure clauses are crucial in film and television contracts to account for production delays.

G

Guarantee

A guarantee is a promise made by one party to ensure the performance of another party under a contract. In film and television, guarantees may be provided by distributors to secure financing for a project.

H

Holdback

A holdback is a period of time during which a piece of content is withheld from distribution in certain territories or platforms. Holdback agreements are common in film and television to maximize revenue potential.

I

Indemnification

Indemnification is a legal obligation to compensate for losses or damages. In film and television contracts, indemnification clauses may protect parties from claims related to copyright infringement, defamation, or other legal issues.

Intellectual Property

Intellectual property refers to creations of the mind, such as inventions, literary and artistic works, designs, symbols, names, and images used in commerce. In film and television, intellectual property includes scripts, characters, and trademarks.

J

Joint Venture

A joint venture is a business arrangement in which two or more parties collaborate to undertake a specific project or business activity. In film and television, joint ventures may involve co-producing a film or television show.

K

Kickback

A kickback is a form of bribery in which a commission is paid to someone in exchange for favorable treatment. Kickbacks are illegal and unethical in the film and television industry.

L

Licensing Agreement

A licensing agreement is a contract between a content owner and a licensee that allows the licensee to use the content in exchange for a fee or royalty. In film and television, licensing agreements are common for music, footage, and other copyrighted material.

M

Mutual Indemnification

Mutual indemnification is a clause in a contract in which both parties agree to indemnify and hold harmless the other party from certain liabilities. In film and television contracts, mutual indemnification clauses provide protection for both parties in case of legal disputes.

N

Non-Disclosure Agreement (NDA)

A non-disclosure agreement is a legal contract that outlines confidential information that the parties wish to share with each other for certain purposes but wish to restrict access to or by third parties. In the film and television industry, NDAs are commonly used to protect scripts, storylines, and other sensitive information.

O

Option Agreement

An option agreement is a contract that grants a party the exclusive right to purchase or produce a piece of content within a specified period. In film and television, option agreements are often used by producers to secure rights to a book or screenplay before it is developed into a film or television show.

P

Producer's Rep

A producer's rep, short for producer's representative, is an individual or company that represents a film or television producer in negotiations with distributors, sales agents, and other industry professionals. Producer's reps help producers secure financing, distribution deals, and other opportunities for their projects.

Public Performance Rights

Public performance rights are the legal rights to perform a copyrighted work in public, such as in theaters, on television, or online. In film and television, public performance rights are typically granted by the copyright owner or licensing agency.

Q

Quid Pro Quo

Quid pro quo is a Latin phrase that means "something for something." In the context of contracts, quid pro quo refers to an exchange of goods or services of equal value. Quid pro quo arrangements are common in the film and television industry, such as talent trades or co-productions.

R

Release Form

A release form is a legal document that grants permission to use a person's likeness, voice, or other identifying features in a film or television production. Release forms are essential for avoiding legal disputes over rights to an individual's image.

S

Severance Package

A severance package is a compensation package provided to an employee upon termination of their employment. In the film and television industry, severance packages may be offered to crew members or talent whose contracts are terminated early.

Subsidiary Rights

Subsidiary rights are additional rights to exploit a piece of content beyond its original form, such as merchandising, publishing, or remakes. In film and television, subsidiary rights can be a valuable source of revenue for producers and creators.

T

Term Sheet

A term sheet is a non-binding document that outlines the key terms and conditions of a proposed deal. In film and television, term sheets are used to negotiate agreements before drafting formal contracts.

U

Union Agreement

A union agreement is a contract negotiated between a production company and a labor union representing workers in the film and television industry. Union agreements set forth the terms and conditions of employment, including wages, working hours, and benefits.

V

Vertical Integration

Vertical integration is a business strategy in which a company controls multiple stages of the production and distribution process. In film and television, vertical integration may involve a studio owning a production company, distribution network, and streaming platform.

W

Work-for-Hire

Work-for-hire is a legal concept in which a person or entity commissions a work and owns the rights to it. In film and television, work-for-hire agreements are common for hiring writers, directors, and other creative professionals to create content for a specific project.

X

Exhibit

An exhibit is a document or item attached to a contract that provides additional information or details. In film and television contracts, exhibits may include budget breakdowns, shooting schedules, or talent agreements.

Y

Yellow Pages

Yellow Pages is a colloquial term used in the film and television industry to refer to directories or databases of industry professionals, such as talent agents, casting directors, and production companies. Yellow Pages are valuable resources for networking and finding collaborators for projects.

Z

Zone of Reasonableness

Zone of reasonableness is a legal principle that refers to a range of acceptable terms in a contract. In film and television negotiations, parties may use the zone of reasonableness to find mutually beneficial solutions and avoid disputes over unreasonable demands.