

Law 101 . . .

How Distributors Evaluate Films

by **Mark Litwak**

Filmmakers are often dismayed when they witness how motion pictures are bought and sold at a market such as AFM or Cannes. Films are often treated like a commodity. The atmosphere is more akin to a fish market than art gallery. Most buyers are bottom-line oriented and spend little time contemplating the artistic merits of a picture. Needing to license a lot of product quickly, they rush from one screening to another like contestants on "Supermarket Sweep." They may acquire films on the basis of trailers, posters and cast without viewing the entire movie. Or they may hit the fast forward button and quickly scan scenes that the filmmaker labored over. They may even buy in bulk, purchasing packages of ten or more films.

The primary concern of buyers is simply: How can I make money by distributing this film? Which leads directly to the query: "How can I sell this to sub-distributors and/or the public?" The marketability of the picture is of paramount concern. A brilliant film that is difficult to market may be less desirable than a mediocre film with marketable elements.

Distributors typically market indie films in several ways:

- 1) Name Actors:** "Who is in it?" is the first question that most foreign buyers ask. Sometimes a name director, such as Quentin Tarantino, will suffice instead of name actors.
- 2) Festivals:** Movies that have won acclaim at major festivals can be marketed on that basis. You don't have to be a marketing genius to recognize that placing a banner across your poster proclaiming: "Winner, Sundance Film Festival," will help attract an audience.
- 3) Reviews:** Reviews by the trade papers (e.g., *Variety*, *Hollywood Reporter*, *Screen International*) and major media, such as the *LA Times*, *NY Times*, or *Ebert & Roeper*, are useful in marketing a film. Quotes from such critics are often included in advertising.

If an independent film does not have one or more of the above elements, many distributors will pass on it. It's not that they don't like the film - they may think it is brilliant but they do not see an obvious way to market it, much to the chagrin of the filmmaker, who has struggled for years to create a masterpiece. The distributor has no investment - financial or emotional - in most of the films they acquire from producers.

Thus, the filmmaker's quandary: since many low-budget independent films are not high-concept, and may not have much sex or action, they must rely on good word of mouth to build an audience. But one cannot

generate word of mouth unless one's film has been released to the public. If no distributor is willing to take the financial risk of marketing the picture, the film may never find its audience.

Of course, a filmmaker could book the film into theatres directly, by either renting the theatre (four-walling) or entering into a "service deal" with a distributor. These arrangements, however, require the filmmaker to finance the cost of prints and advertising, which can amount to more than the production budget. Many indie filmmakers are broke by the time they complete their film.

Sometimes a controversial or newsworthy film can be distributed on the basis of publicity, such as Michael Moore's *Fahrenheit 9/11*. But don't think that just because you made a great film on a minuscule budget that this is newsworthy. This is old news.

If you want to interest distributors in your film, figure out how to market it. Make the distributor's job easy. If you're passionate about your story, you should be willing to brainstorm to come up with a good title and a marketing hook. Then persuade distributors that your campaign will work. It may be helpful to prepare a professional looking one-sheet, poster and/or trailer. By doing the heavy thinking for them, distributors can quickly see how to promote your film.

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