



Wise Counsel: Expert Advice from a Production Lawyer

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Wise Counsel: Expert Advice from a Production Lawyer

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We have seen incredible growth in subscribers since we launched, but we are only scratching the surface of people who might be interested. We are asking you to forward this newsletter to 2-3 people you think might be interested in joining us as subscribers.

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Production.Ink, Issue #7, here to provide you with useful and relevant news and resources on the business of production.

Just like you need [great post accountants](#) for your production, you need production counsel or you're risking problems down the road with labor, permits, copyrights, and financials that will sink your production.

We talked to Michael A. Tenzer, Esq., who leads the [Law Offices of Michael Tenzer](#), P.C., with his partner, Aline Grunwald, about how production teams should be working with counsel.

If you've read our newsletter before, you're going to notice a common theme from our interviews: If you let your post accountants, counsel, [location scouts](#), and other service providers help you by coming to them early with problems and questions, your production will be better. Maximize your investment by collaborating.

According to Tenzer, here are four areas where good counsel will make your life much easier—and your project delivery smoother and cheaper:

Contracts: You don't have the time or expertise to be writing and reviewing contracts with crew, actors, and writers, and you shouldn't be taking point on union interactions. Counsel can take that off your plate and avoid disputes over compensation, rights, and responsibilities. To avoid misunderstandings, entertainment lawyers ensure that contracts are sound and accurately represent the production's goals and protect downstream rights issues. Negotiation with assistance from an entertainment lawyer results in more favorable contracts and agreements for the production.

Intellectual Property Rights: Producers need to protect the intellectual property associated with their production, including copyrights and trademarks—and protect themselves from infringement claims. Production counsel can assist with trademark and copyright registrations, ensuring the producer has control over the production's rights and distribution needs. This is all getting even messier with [AI use increasing](#), so it's even more important to have a professional involved who can protect rights.

Clearances, Location, and Licensing: Infringement claims can be avoided by obtaining the necessary permits and licenses for filming locations, music, stock footage, branded material in shots, and other copyrighted materials. Entertainment lawyers help producers secure the correct permissions for any licensed materials used in the production. Knowing where and when the production will end up will help determine what rights are needed for long term uses. Talk with your counsel early and often.

Legal and Labor Compliance: Legal assistance is necessary to protect productions from issues related to HR, defamation, and invasion of privacy. Lawyers help a producer stay on top of industry regulations and legal requirements to keep the production in agreement with the law.

According to Tenzer, the most important thing for producers to understand is to view the counsel as part of the team, not a last resort, in order to get the most value:

Your production counsel is kind of a jack of all trades. An advisor. But if you don't include me early enough in decisions or questions or plans, I can't help give you guidance.... If a producer just treats me like a necessary evil and doesn't include me or let me know anything until the absolute last minute with the least amount of information, you kind of get that back in return. But if you're collaborative and you include counsel and you treat them like part of the team, then you get a real team effort from that.

Any experienced producer will tell you stories about how the lawyers saved their production. Yes, it may increase upfront costs and complexity, but that investment will pay big dividends on the back end. We go back to the old adage: "An ounce of prevention is worth a pound of cure"—and Tenzer notes that most of his deals are a flat fee anyway.

So bring in a production counsel that fits your style, and consult them early and often.



Labor report: Teamsters and Hollywood Basic Crafts are at the bargaining table after IATSE failed to make progress, and it looks like [expanding the California tax credit](#) program is a key point. We've talked a lot about tax credits in the newsletter; you might want to check out our [interview with a major studio exec](#) on the topic.

Over 400 members, including many high profile ones, of the WGA, DGA, and SAG-AFTRA [signed a letter to the AMPTP](#) in support of the below the line contingent. You'd hope so after 2023.

And if you're a drone camera operator, you're now covered as a [part of IATSE Local 600](#).

IATSE isn't the only union having trouble: The Actors' Equity Association, which represents 51,000+ live theatre and stage managers, has [stopped issuing contracts for development work](#) as negotiations with the Broadway

League have stalled.

The writers at iHeart Podcast Network, who are members of the WGA, [finally reached a contract](#) with management to avoid a strike—after two years of negotiation.

Looking for some optimism? We have a [great guest post](#) this week from Andy Singer, a multiplatform media executive, about the near future of TV production.

[Perspective shift on AI](#)? According to a new UTA study of production and creative execs, 56% believe AI will positively impact their daily work. It's a significant change from previous surveys that reported fear for jobs—but it's also a survey of execs only.

The [PGA's initiative to get health coverage](#) for qualified members is gaining more momentum. 20 more companies have signed on.

TCL is starting a [film and TV accelerator program](#) focusing on using [AI tools](#) to improve their projects. It offers a grant of \$25K+ to five entrants in its first class, along with AI-focused development and production support.

Highlighted Feature


Have you ever had to research the leadership at a local union or guild to help with your production? Our new feature, the Production.Ink [Union & Guild Contact Database](#), will make that painful process better for you.

This unique, one-stop resource provides key contact info for folks at all the major unions and guilds. We hope it saves you time and makes your life easier.



Jessica Biel's [Iron Ocean](#) promoted **Addison Sharp** to its Head of Development and Production.... [Rock'n Robin](#), Robin Roberts's production company, named **Reni Calister** its new Chief Content Officer and **Quanny Carr** as Director of Development.... Former Nickelodeon and 9 Story executive **Marcy Pritchard** joined [Titmouse](#) as VP of Production.... **Hannah Minghella** is joining [Netflix](#) to lead feature animation and live-action, and **Sharon Taylor** is returning to head production on feature animation.... **Nadia Afiari** joined [Mitre Studios](#) as Director of Production.... **Tony Armer** joined [Talon Entertainment](#) as its Head of Physical Production.... **Nikki Cooper** was promoted to VP, Television at [Berlanti Productions](#).... **Margaret Conway** was named Head of Physical Production for TV at [StudioCanal](#).... Production and post production company [Picture North](#) has added **Mac Hedges** as EP.

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A bold yet completely plausible prediction from Andy Singer, a multi-platform content executive. Hang in there TV frie...



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Last week, we covered how location scouts can positively impact a film or TV project. But how does money impact, if, wh...



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