

OPEN ACCESS



Journal of  
**Media and Communication  
Studies**

September 2018  
ISSN: 2141-2545  
DOI: 10.5897/JMCS  
[www.academicjournals.org](http://www.academicjournals.org)



**ACADEMIC  
JOURNALS**  
expand your knowledge

## ABOUT JMCS

**Journal of Media and Communication Studies (JMCS)** is published monthly (one volume per year) by Academic Journals.

**Journal of Media and Communication Studies (JMCS)** is an open access journal that provides rapid publication (monthly) of articles in all areas of the subject such as communications science, bioinformatics, Sociolinguistics, Conversation analysis, Relational dialectics etc.

## Contact Us

Editorial Office: [jmcs@academicjournals.org](mailto:jmcs@academicjournals.org)

Help Desk: [helpdesk@academicjournals.org](mailto:helpdesk@academicjournals.org)

Website: <http://www.academicjournals.org/journal/JMCS>

Submit manuscript online <http://ms.academicjournals.me/>

## **Editors**

### **Dr. I. Arul Aram**

*Department of Media Sciences  
Anna University Chennai  
Guindy  
Chennai 600025  
India.*

*E-mail: [jmcs@academicjournals.org](mailto:jmcs@academicjournals.org)  
[jmcs.journal@gmail.com](mailto:jmcs.journal@gmail.com)  
<http://www.academicjournals.org/jmcs>*

### **Dr. Daekyung Kim**

*James E. Rogers Department of Mass  
Communication  
Idaho State University  
Pocatello  
ID  
USA.*

### **Dr. Balakrishnan Parasuraman**

*School of Social Sciences,  
Universiti Malaysia Sabah.  
Malaysia.*

### **Dr. Mozna H. I. Alazaiza**

*Asia and Africa Department  
Bilateral Relations Sector  
Ministry of foreign Affairs  
Palestinian Authority  
Gaza city  
Palestine.*

### **Dr. Wole Olatokun**

*Department of Library and Information Studies  
University of Botswana,  
Private Bag, 0022, Gaborone  
Botswana.*

### **Dr. Lisa Fall**

*School of Advertising & Public Relations  
University of Tennessee  
476 Communications Bldg  
Knoxville, TN 37996  
USA.*

### **Dr. Zanetta Lyn Jansen**

*UNISA  
Department of Sociology  
PO Box 392  
Pretoria,  
0003  
RSA.*

## Editorial Board

**Dr. Juan José Varela**

*Fernando III El Santo 7-8th,  
Santiago de Compostela 15706,  
Spain.*

**Dr. Amir El-Said Ebrahim Al-Azab**

*Bossat Karim El-Deen-Sherbin-Mansoura.  
Egypt.*

**Dr. Maya Khemlani David**

*Faculty of Languages and Linguistics  
University of Malaya.  
50603 Kuala Lumpur,  
Malaysia.*

**Dr. Kanwar Dinesh Singh**

*Government PG College, affiliated to HP University,  
Post Box # 5, G.P.O. SHIMLA:  
171001 HP India.*

**Dr. Ruzbeh Babae**

*Department of English language and literature,  
University of Putra,  
Malaysia.*

**Dr. Sindkhedkar**

*P.S.G.V.P's Mandal's A.S.C College, Shahada 425409,  
India.*

# **Journal of Media and Communication Studies**

**Table of Contents:    Volume 10    Number 8    September 2018**

## **ARTICLES**

**Management for sustaining the fishery resources in Pulicat estuary, India**

S. Jerard Majella Francis and I. Arul Aram

**And the Oscar goes to . . . Global Cinema!!! Taking a Close-Up  
Look at the Business and Legal Challenges and Opportunities  
of International and U.S. Film Industries**

Joyce Boland-DeVito

*Full Length Research Paper*

# **Management for sustaining the fishery resources in Pulicat estuary, India**

**S. Jerard Majella Francis and I. Arul Aram\***

Department of Media Sciences, Faculty of Science and Humanities, Anna University, Chennai, India.

Received 27 December, 2017; Accepted 9 August, 2018

**The study aims to establish strategies on how to manage coastal fisheries conflicts and livelihood in Pulicat estuary. This estuary, lying in the east of the Tamil Nadu and Andhra Pradesh States in India, is the second largest brackish water body in India, the first being the Chilika estuary in the State of Odisha. The total area of the estuary is 759 km<sup>2</sup> with many island as part of it. But only 360 km in the southern part is active and the northern part is dormant. The rivers Araniri, Kalangi and Swarnamukhi are the major ones that feed the lagoon. The estuary faces anthropogenic, developmental, industrial and environmental issues threatening not only the livelihood activities of fisherfolk but also the very survival of the estuary. Studies show that the estuary (lake) is shrinking and the depth has decreased from 6 m to 1 m, putting the livelihood of the people at stake. Separate questionnaires were administered to 100 lake fisherfolk and 100 to sea fisherfolk. All were active fisherfolk, aged 18 to 65. And 20 in-depth interviews were also conducted among different stakeholders including members of civil society. There is a huge divide difference between the sea fisherfolk and the lake fisherfolk. There is a social stigma attached to the lake fisherfolk on the basis of caste and economical standards.**

**Key words:** Biodiversity, conflict, conservation, pollution, ecosystem, livelihood, Pulicat Lake.

## **INTRODUCTION**

Biodiversity has key roles at all levels of the ecosystem service hierarchy: as a regulator of underpinning ecosystem processes, as a final ecosystem service and as a good that is subject to valuation. Ecosystem science and practice has not yet absorbed the lessons of this complex relationship, which suggests an urgent need to develop the interdisciplinary science of ecosystem management bringing together ecologists, conservation biologists, and resource economists (Mace et al., 2012). The Pulicat estuary in India has faced degradation, besides disasters such as the 2004 tsunami and the

floods due to depression off the Chennai coast. Human activities such as constant conflicts to grab the benefits from the spot have also contributed enormously to the disturbance of ecosystems and livelihood in Pulicat Lake in recent times than ever before with multiple non-sustainable developmental projects of the government, and the private companies. Pulicat Lake is spread between two states of India with an area of 759 km<sup>2</sup>: the Andhra Pradesh part has 96% and the rest is with Tamil Nadu. The Tamil Nadu part of the estuary is small and it is located in Thiruvallur District (as in Figure. 1). Pulicat

\*Corresponding author. E-mail: arulram@yahoo.com.



**Figure 1.** The Tamil Nadu part of the Pulicat estuary is on the south.

has a long history of invasions. Ancient Tamil kingdoms from first century BC gave way to a middle period dominated by traders from the Arab world, the first Arab settlement taking place in the 9<sup>th</sup> century. The Portuguese rule in the 14<sup>th</sup> century, often renegaded from Goa on the West Coast of India, was followed by the Dutch, the English, who were there from 1825 to 1947. The middle phase was influenced by the politics of the Vijayanagar Empire, followed by the Golconda sultanate that controlled the Deccan. The name of Pulicat itself changed from Podouke in the early Greek records, to Anandarayan Pattinam in the Vijayanagar era, to Palaverkadu and Prelaya Kaveri in the 16<sup>th</sup> century, to Pallaicatta in the Dutch records and finally to Pulicat during the British times. Figure 1 shows the map of Pulicat.

### Need of the study

Managing coastal fisheries conflicts and livelihood activities in Pulicat Lake is in peril. Two aspects affect the Pulicat ecosystem: degradation caused due to industrial development in the upstream of the rivers that feed into the lake, and the overexploitation of the limited resources, mainly fish resource, by the local people. There is a need to study how the communication strategies can play a major role in managing the fisherfolk conflicts in Pulicat

Lake to raise the livelihood activities and sustainable development. This study examines how communication strategies can play a pivotal role in managing the fisherfolk conflicts in Pulicat Lake since the anthropogenic activities are on the rise day by day, terribly affecting the ecosystem of this precious estuary and the livelihood of the fisherfolk. This work is an interesting contribution to conservation and management of Pulicat Lake, by presenting the strategies to manage coastal fisheries conflicts and livelihood.

### Objectives of the study

- (1) To understand the causes of conflicts among fisherfolk in Pulicat
- (2) To examine the role of major stakeholders in resolving the conflict among fisherfolk in Pulicat
- (3) To identify communication strategies for managing conflicts in Pulicat.

### REVIEW OF LITERATURE

Majanen (2007) presents the results of an analysis of resource use conflicts near marine protected areas in Mabini-Tingloy, the Philippines. The author found large differences between groups of stakeholders in terms of

perceived benefits and costs of conservation and tourism, and these inequalities have led to conflicts between various stakeholder groups. Marked by unequal power relationships, the conflicts place subsistence fisherfolk as the weakest stakeholders. Fisherfolk also have the lowest rates of knowledge of and participation in conservation activities. The study concludes that for conservation programmes to be effectively transitioned onto the social and legal fabric of Mabini-Tingloy, resource use conflicts need immediate attention.

Turner et al. (1998) studied the littoral areas of the conservation of the ecosystem, with an array of properties and features, which have long been exploited by human populations and have contributed to the wealth and the quality life. Past and ongoing differentiation in uses of coastal zones has led to conflicts ranging from deleterious effects on supporting ecosystems to symbiosis with human activities. This study elicited the main forces influencing the development of coastal areas and the means available to assess the present use and manage future exploitation of the coastal zone.

According to Glavovic (2007), a people-centred, pro-poor approach must empower poor coastal communities to pursue the mercurial ideal of coastal conservation and sustainability through practical, locally relevant interventions. He aims to make a modest contribution to developing a more people-centred, pro-poor Integrated Coastal Management (ICM) approach. First, it explores the extent to which the coastal management literature explicitly addresses coastal poverty. Second, it outlines the sustainable livelihoods approach, which provides a useful analytical framework for better understanding of the nature of poverty and practical challenges involved in building sustainable coastal communities. Third, it describes the evolution of coastal management, revealing the challenges and opportunities inherent in adopting a sustainable coastal livelihoods approach. Finally, lessons are drawn and recommendations made to promote a more people-centred, pro-poor ICM approach.

As a commons institution, the *padu* system in Vallarpadam Island, Kochi, Kerala, India, defines the group of rights holders and resource boundaries and fishing sites. It is caste-specific, gear-specific (stake-nets) and species specific (shrimp). As used in Vallarpadam, and elsewhere in Kerala, Tamil Nadu and Sri Lanka, *padu* is characterized by the use of lottery for rotational access. The institution functions in providing equitable access, collective social responsibility, and rule-making and conflict resolution. The emergence of the institution in the study area is a response to change in markets and legislation in the 1970s. It may also be seen a response of the fishing communities to keep their options open, that is, to be resilient (Lobe and Berkes, 2004).

The study of Nair et al. (2013) on ocean state forecast systems of the Indian National Centre for Ocean Information Services (INCOIS) concludes that the forecast is reliable and highly useful. Alerts based on this

operational ocean state forecast system are thus useful for protecting the property and lives of the coastal communities along the coastline of India. High wave alerts, wind speed and directionality are found to be timely and give users a sense of safety. Velvizhi et al. (2012) indicated that among the fisherfolk who have used the PFZ information for fishing it was found that there is a very strong correlation between Potential Fishing Zone information and natural indicators used traditionally by fisherfolk.

In most conservation-oriented projects in India, livelihood issues are most often secondary to the goals of conservation. Current environmental discourse in India posits two divergent views: one advocates strict conservation and maintenance of the sanctity of protected areas; the other emphasizes that people living in protected areas should not be alienated from these areas by a strict administrative regime. The latter view supports the vital role of local communities in effective conservation and natural resource management. This paper brings out the importance of livelihood issues in conventional conservation or ecological restoration projects (Panini, 2001). The Indian context is not wired to the livelihood activity of the fisherfolk with safety and security measures in place. So the livelihood is not in the forefront unlike the first world countries. Pulicat Lake too practises the *padu* system assuring rotational access as evidenced in the Kochi study.

## METHODOLOGY

Pulicat has 20 islands, the largest being Sriharikota Island where a rocket launch centre is situated. The rivers Araniri, Kalangi and Swarnamukhi are the major ones that feed the lagoon. The other large ones are Pernadu, Irrakam and Venadu. The western side is the Buckingham Canal, which was a navigation channel during the time of the British. It is connected to the sea through three tidal inlets, namely Tupilipalem, Rayadoruvu and Pulicat estuary villages respectively, from north to south. The Pulicat estuary is not only the passage of water but also a bio-corridor for the survival of both aquatic fauna and avian fauna. Vast portion of the Pulicat estuary is in the Andhra Pradesh State part and this study focuses on the small portion that is with the Tamil Nadu State. The major groups in Pulicat who are in conflict are sea fisherfolk and lake fisherfolk, as Pulicat is solely dependent on fishing as a vocation. The local language of Pulicat is Tamil. Pulicat village has the total population of 17,925 and the number of houses is 4,619 (Table 1).

Methodologies adopted are survey and in-depth interviews. The sample size of respondents for the survey (questionnaire) is 200. Two sets of questionnaires were developed exclusively for the sea fisherfolk and the lake fisherfolk, and administered by field experts in and around the Pulicat estuary. The sample size was 100 each for the sea and lake fisherfolk. All were active fisherfolk, aged 18 to 65. The lake fisherfolk belong to the lowest strata and they are mostly of Scheduled Castes or Scheduled Tribes. Prior to administering these questionnaires, a pilot study was conducted with 30 fisherfolk for reliability and face validity. Questions were simplified and designed in such a way to get the response as 'yes' or 'no'. The questions started with the need of the conflict management. Further questions were asked according to their 'yes' or 'no' to investigate the benefits of the communication strategies.



**Table 1.** Population in Pulicat, Tamil Nadu part.

<b>Census parameter</b>	<b>Census data</b>
Total Population	17,925
Total No of Houses	4,619
Female Population %	50.3 % (9,010)
Total Literacy rate %	66.8 % (11,970)
Female Literacy rate%	31.5 % (5,650)
Scheduled Tribes Population %	6.2 % (1,116)
Scheduled Caste Population %	13.4 % (2,393)
Working Population %	36.6 %
Child (0-6) Population by 2011	2,196
Girl Child (0-6) Population % by 2011	47.2 % (1,036)

Source: Census of India, 2011.

Later, in-depth interviews were conducted with 20 stakeholders who included fisheries scientists, civil society activists, administrators and tourism officials. Since the study is mainly about sea fisherfolk and lake fisherfolk of Pulicat, the subsequent analysis and interpretation of data are given headlines as such.

## RESULTS AND DISCUSSION

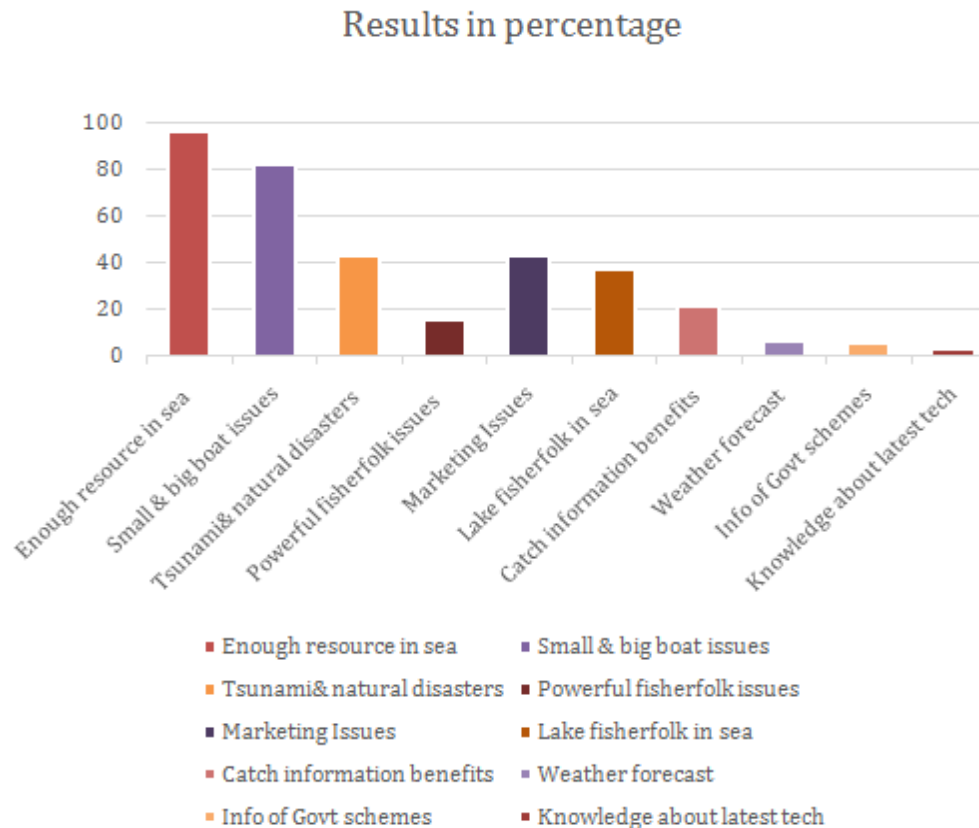
### Sea fisherfolk

No one or agency has introduced any new strategies to increase the livelihood activities of the poor fisherfolk in Pulicat. At the same time, changes in new information and communication technologies are taking shape gradually to raise the hopes of fishing communities to find solutions in a long run towards development in the coastal areas around India. The satellite remote sensing with its modern new methodologies for measuring the spatial and temporal environmental conditions of marine ecology is catching up momentum, which is very handy for the healthy ecosystem conservation and the livelihood activities of the fisherfolk - in terms of fishing advisories and ocean state forecast.

The data collected from 100 sea fisherfolk show that the sea fisherfolk are using different communication methods for ocean forecast, disaster, potential fishing areas, pelagic fishing, marketing, distribution, weather forecast, safety and security.

Figure 2 shows the study results of 100 questionnaires distributed to the sea fisherfolk. Most respondents say that there is enough fish resource at sea. The next important issue seems to be conflict between big and small boats. Sometimes, big boats (trawlers) damage the nets spread by small boats. Other major problems perceived are: disasters like tsunami and cyclones, need for market facilitation, and need to disseminate effectively fishing catch-related information. Besides fishing-related information, the sea fisherfolk have a better communication with the government agencies, non-

governmental agencies and other institutions that support them in some form or the other. The sea fisherfolk are familiar with communication technologies like mobile phones while at sea and inland. Fisherfolk interviewed say that it is unpredictable that mobile network fails during the time of disasters due to a power cut or a snapping of a power line. Normally, mobile phones cover up to 20 km at sea coastline but mechanized trawlers sometimes go beyond that too. The fisherfolk normally do not go much beyond 20 km from the shore though they go along the coast. Erection of more mobile towers along the coast may maximize the mobile reach of the sea and reduce mobile backlash areas. Providing wireless sets at a subsidized rate to the fisherfolk could solve this problem, as fisherfolk may go further distances in the years to come. A Global Positioning System (GPS) is used to navigate at sea as well as to go in search for the spots specified in the potential fishing zone (PFZ) advisories got from satellites and disseminated through various avenues to the fisherfolk. But then, GPS malfunctions during rain and lightning making it ineffective as a disaster management tool, and so a weather-resistant GPS may be produced specially for fisherfolk. GPS is needed for locating spots as a disaster alert tool in order to pass on information to rescue fisherfolk at distress. Majority of fisherfolk use their traditional knowledge for fishing. But only one-third of them rely on satellite information for fishing forecast. Also, they are secretive about the fishing locations, and they do not normally say that there are identified fishing areas where the fish catch is good. So even if some use the PFZ advisories, they may not disclose it to others. Television is the main mass medium used by fisherfolk off-sea. But they use the radio on the sea as private commercial FMs not only broadcast news but also weather information customizing it for fisherfolk. But both television and radio are not used for conflict management. The sea fisherfolk, with the utilization of all these facilities, communicate better towards their economical growth. So there is a vast economic difference between the sea fisherfolk and the lake fisherfolk. The children of the sea fisherfolk get better education in every level because of their affordability. Thus the upcoming generations go out in search of a wide range of opportunities for their employment by raising their profile and get identified with the middle-class of the society. Most of them get settled in big cities and merge with the urban community. On the other hand, there is another category of children of the sea fisherfolk who aspire to go for sea-related studies and get employed in government agencies and sea-related departments. The others, after studying the hi-tech fishing courses, go abroad and work in foreign shipping companies and fishing vessels as captains, engineers, mechanics, fisherfolk and other services in shipping. Obviously, the standard of living goes up eventually among the sea fisherfolk of the Pulicat estuary. So there



**Figure 2.** The problems of the sea fisherfolk.

is a cold war between these two groups which erupts as conflicts even when an issue at hand is insignificant.

### Lake fisherfolk

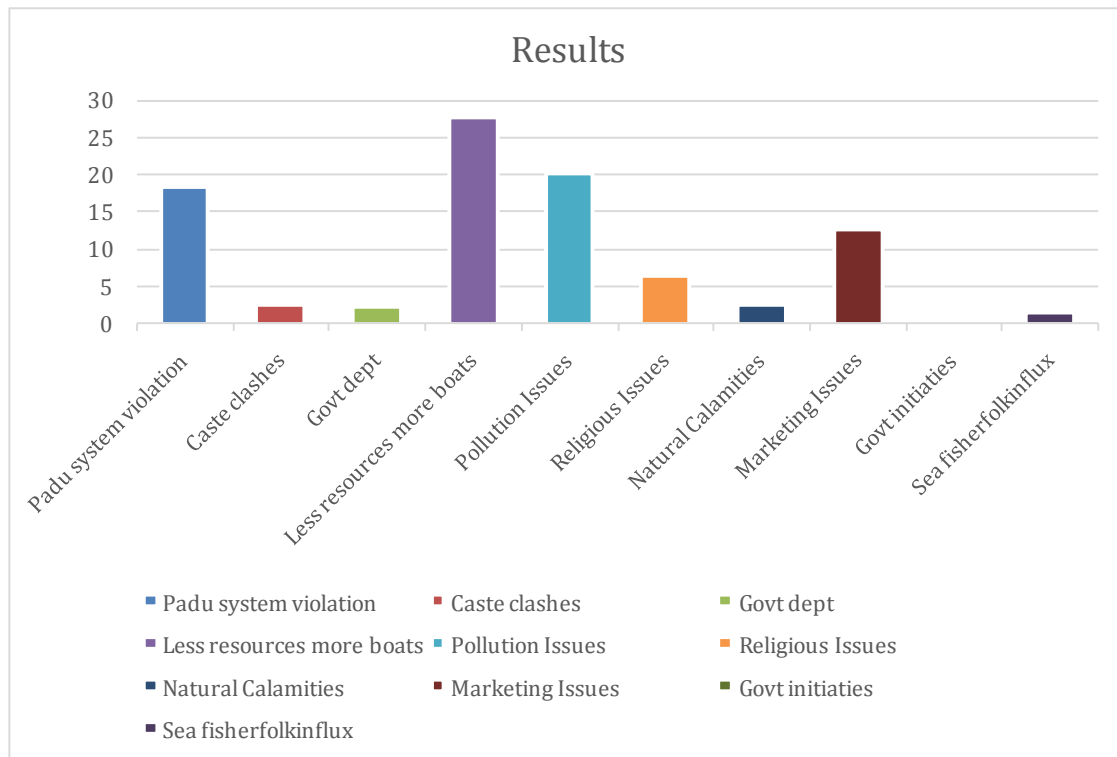
The data collected from 100 lake fisherfolk show the pathetic condition of the lake fisherfolk. The study shows that they are not even identified as fisherfolk since they catch only crabs and prawns. This is despite the fact the Pulicat mud crab is world famous and has a delicious taste. Even if they catch fish occasionally, it is only the small size fish in a meager quantity, which has very less market value. The problems of lake fisherfolk are shown in Figure 3.

The study found that there is a social stigma attached to the lake fisherfolk as they belong to a lower caste than the sea fisherfolk. The lake fisherfolk are ignorant of all the above communication methods used by the sea fisherfolk. The only tool that is used by the lake fisherfolk is mobile phone just like any other person but not specifically for fishing-related communication. They have no connection with any of the government or non-governmental agencies for their livelihood activities. Nobody seems to be bothered about them at all except the researchers who come to do their research mainly on

the technical aspects of the lake-related issues like the quality of the soil, water, species of fish, and microorganisms. So they end up fighting with each other on many of the above-discussed issues and their livelihood becomes a question mark.

There is no system whatsoever to address this issue of managing the conflicts of the fisherfolk. There are no government agencies assigned by the government to address this issue at all. The NGOs also are not interested in solving this issue, as it is very risky for the individuals who indulge in such activity since they may also be dragged into the various factors like caste, political parties' influence, etc.

Unlike the sea fisherfolk, the lake fisherfolk are impoverished. They are less articulate. However, one voice which is loud and clear (Table 1) is that there are more boats than resources in the lake. Particularly after the 2004 tsunami, many non-governmental organizations donated fibre-glass reinforced boats (FRBs) to the lake fisherfolk. The violation of the *padu* system, pollution, and inadequate market support are the other issues that come to the fore. (The *padu* system is fishing in allocated patch and days in the lake, to exploit the limited resources on a rotational basis). Since the people are ignorant and illiterate they are not even aware of their



**Figure 3.** The problems of the lake fisherfolk.

plight. They are angry with the government and the NGOs that nothing is done to them as it is done to the sea fisherfolk. The civil society concept is not there at all to raise their voice to fight for their rights. But the fact remains that if the estuary is not taken care of by Tamil Nadu and Andhra Pradesh governments respectively it will certainly affect the ecosystem of the estuary that will affect the wellbeing of both States especially the city of Chennai in various ways.

The study clearly shows that the lake faces several anthropogenic, developmental, industrial and environmental issues threatening not only the livelihood activities of fisherfolk but also the very survival of this ancient estuary itself. A major threat for the Andhra Pradesh part of the lagoon is pollution from sewage, pesticides, industrial wastes from numerous fish processing units and oil spills from mechanized boats through Arani and Kalangi rivers draining into the lagoon. Marine chemicals and salt manufacturing industries and shrimp farming on the eastern part of the lagoon affect the Pulicat estuary's bird sanctuary, besides disturbing the livelihood activities of fisherfolk and agricultural workers. It has serious impact on aquaculture development. Major ecological threats to the Pulicat estuary of the Tamil Nadu part are a petrochemical complex, a power plant and the satellite port on Ennore Creek. Siltation and complete closure of mouths at Tupilipalem and Rayadoruvu lead to fluctuation in salinity

and water level of the estuary. This has maximum effect on biotic component of the ecosystem, which is known for its biodiversity. The part of Pulicat lake in Tamil Nadu faces a greater threat than that of Andhra Pradesh. The 630 MW North Central Thermal Power Station (NCTPS), the Ennore satellite port project and a proposed petrochemical park are major threats to the estuary ecosystem. Thousands of acres of land have been cleared for the three projects.

The study concludes that there is a vicious circle that happens in this scenario that mobile communication is not possible in any way for the conservation of the ecosystem of this estuary because these people are not educated thereby there is no awareness about the degradation of the ecosystem. This put the estuary in peril destroying the livelihood activities of the lake fisherfolk. On the other hand, mobile communication is possible and supports the sea fisherfolk for their livelihood activities and the occupational safety and security measures of the fisherfolk. When the sea is rough the sea fisherfolk go to the lake for fishing which is opposed by the lake fisherfolk resulting in conflicts.

## Conclusion

The outcomes of the study are important for the management and conservation of biodiversity in solving

conflicts among communities along the Pulicat estuary. There are a number of researches done in the Pulicat estuary over time on the technical, chemical, biological aspects of water, soil, sediments, flora, fauna, microorganisms, limnology, remote sensing and so on, but hardly anything is done on the livelihood activities of the fisherfolk and the conservation of the ecosystem. This study makes a significant contribution to the scholarly works on the livelihood activities of the sea fisherfolk and the lake fisherfolk in the background of managing the conflicts of the fisherfolk through communication strategies in Pulicat Lake. Some of the findings are:

- (1) There is a huge divide difference between the sea fisherfolk and the lake fisherfolk and their lifestyle.
- (2) There is a social stigma attached to the lake fisherfolk on the basis of caste, and the economical standards.
- (3) There are conflicts due to the violation of the traditional the *padu* system of fishing.
- (4) There is a constant conflict between the fishing communities on the basis of inequalities.
- (5) There is a conflict due to the ignorance of the lake fisherfolk and the exploitation of the agencies connected to fishing and Coastal community development authorities.
- (6) Modern technologies connected to fishing are non-existence among the lake fisherfolk, unlike those of the sea fisherfolk, which causes conflict.
- (7) Besides the conflicts between the sea and lake fisherfolk, there are conflicts among the lake fisherfolk because of the caste difference that exists among the villages.
- (8) The study furthers our understanding of the impact by specifying the mechanisms through which impact can be modelled, especially focusing on knowledge level as the intermediary outcome of communication strategies.
- (9) Employment was promised by the Government in the Ennore Thermal power station in the year 1985 for 840 Pulicat villagers but only 150 were employed, that too as temporary employees. They were not paid well so eventually, all left their jobs and came back to Pulicat.
- (10) No proper fish market is provided and maintained. No cold storage is provided to keep fish catch fresh. Engine subsidy too was stopped.
- (11) Private prawn farms are put up on the river in connivance of the Government in violation of Coastal Regulation Zone (CRZ) regulations.
- (12) The petrochemical project was planned but people stopped it temporarily by filing a court case against it.
- (13) Corporate companies have been given permission to build harbours upstream of this sensitive ecosystem which is against the interest of Pulicat villagers.
- (14) 70% of the cost share of the bar mouth opening promised by the Government but it is not done. Now there are plans to build a training wall so that the bar mouth is permanently open.
- (15) No bridge is provided by the Government in

Pasiyavaram in Idamani Island so children go to school on boats on rainy days.

- (16) After the 2004 tsunami, some of the lake fisherfolk started going to the sea by the boats provided by a non-governmental organization called the Madras Social Service Society (MSSS). They gave up *padu* fishing but they too started going for sea fishing resulting in conflicts.
- (17) Conflicts among different villages arise on the basis of livelihood issues like fishing-related conflicts, castes, religion, safety, security, health, hygiene and marketing.
- (18) The sea fisherfolk have a better communication with the government agencies, non-governmental agencies and other institutions that support them in some form or the other. Conflict with the lake fisherfolk is due to the partiality by these agencies.

Some of the suggestions of the study are:

- (1) The study supports the development of crispy message design for more effective communication for the fisherfolk.
- (2) Special attentions should be given by the government and non-governmental organizations to uplift the lake fisherfolk.
- (3) Communication strategies cannot be done instantly with the lake fisherfolk since the people are so ignorant that it takes a long time to create awareness to bring them together cutting across caste and other internal factors.
- (4) Care should be taken to conserve the Pulicat ecosystem by restraining developmental activities and to promote livelihood options of the local people.

Overall, the study makes a significant contribution to future designing and the deployment of convergence of communication for managing the conflicts and enhancing livelihood activities choices of the fisherfolk of Pulicat Lake.

The government, which has the sole responsibility to take care of the ecosystem, is in the forefront to destroy it in the name of all kinds of developmental activities. The saddest thing is that the technically qualified government officials are hand in glove with the politicians to plan and execute these development projects that directly and indirectly destroy the ecosystem eventually. There are a few more projects in the planning level to be executed in the future that will cause more havoc to the ecosystem of the Pulicat estuary.

### Future research

There is a lot of scope for further study in constructing new communication strategies by using latest communication tools. There is a need for further research to adopt new communication strategies to create awareness among the fisherfolk towards managing the

conflicts by themselves, to focus on the conservation of the ecosystem, and to enhance the livelihood of all the fisherfolk of Pulicat.

## CONFLICT OF INTERESTS

The authors have not declared any conflict of interests.

## REFERENCES

- Census of India (2011). Government of India, New Delhi.
- Glavovic BC (2007). Coastal sustainability -- an elusive pursuit?: Reflections on south Africa's coastal policy experience. Coastal Management, University Palmerston North, New Zealand.
- Lobe K, Berkes F (2004). The padu system of community-based fisheries management: change and local institutional innovation in south India. *Marine Policy* 28(3):271-281.
- Mace GM, Norris K, Fitter AH (2012). Biodiversity and ecosystem services: a multilayered relationship 27(1):19-26.
- Majanen T (2007). Resource use conflicts in Mabini and Tingloy, the Philippines. *Marine Policy* 31(4):480-487.
- Nair TMB, Pachalla S, Sandhya KG, Nayak S (2013). Performance of the ocean state forecast system at Indian National Centre for Ocean Information Services. *Current Science* 105:175-181.
- Panini D (2001). Addressing livelihood issues in conservation-oriented projects: a case study of Pulicat Lake, Tamil Nadu, India. *Conflict and Cooperation in Participatory Natural Resource Management*. Springer pp. 63-74.
- Turner RK, Lorenzoni I, Beaumont N, Bateman IJ (1998). Coastal management for sustainable development: analyzing environmental and socio-economic changes on the UK coast. *The Geographical Journal* 164(3):269-281.
- Velvizhi S, Kuyili P, Lourdhusamy C, Ali AM, Saravanakumar A, Gopalakrishnan A (2012). Satellite-based potential fishing zone (PFZ) advisories - Impact of INCOIS scientific forecast services towards improving the lives and livelihood activities of fishing communities across Tamil Nadu and Puducherry in India. *International Journal of Current Trend Research* 1(3):115-120.

*Full Length Research Paper*

# **And the Oscar goes to . . . Global Cinema!!! Taking a Close-Up Look at the Business and Legal Challenges and Opportunities of International and U.S. Film Industries**

**Joyce Boland-DeVito**

School of Law, College of Professional Studies, St. John's University, New York 11439, USA.

Received 3 March, 2018; Accepted 31 July, 2018

**For over 120 years, the global cinema industry has been an important segment of the world economy which has had a significant impact on the economy and culture of countries. This article analyzes the world film industry, with a close up focused on the U.S. movie market, utilizing SWOT (Strengths, Weaknesses, Opportunities and Threats) as a strategic tool to consider the internal and external challenges and opportunities facing the film industry today including the remnants of the studio system and box office winners and flops. In addition to the methodical approach of SWOT analysis, the author, an attorney admitted to practice in the State of New York and licensed to appear before the U.S. Supreme Court, will highlight some of the legal issues facing the film industry today, particularly in the United States, such as corporate mergers and acquisitions of businesses to acquire their copyrighted content, patentable technological advances such as virtual reality, digital streaming and subscription services along with the problem of piracy.**

**Key words:** World film industry, global cinema, business analysis, legal challenges.

## **INTRODUCTION**

It only takes a quick glimpse at the 2018 Oscar Nominations for Leading Roles to notice the international Hollywood stars –Margot Robbie (Australian –*I, Tonya*), Sally Hawkins (British- *The Shape of Water*), Saoirse Ronan (Irish and American –*Lady Bird*) (3 of 5 female nominations) along with Daniel Kaluuya (Born in the UK to Ugandan immigrant parents- *Get Out*), Gary Oldman (British –*The Darkest Hour*), Daniel Day Lewis (British and Irish –*Phantom Thread*) and Christopher Plummer (Canadian –*All the Money in the World*) (4 out of 5 male nominees), as well as the international talent under

contract - Directors Christopher Nolan (British –*Dunkirk*) and Guillermo del Toro (Mexican-*The Shape of Water*). This continues a rich history. Throughout the over 120 years of film-making in the U.S., production companies have contracted with international actresses, actors and talent.

According to Price Waterhouse Cooper, the U.S. is the current global leader in filmed entertainment; however, “the next few years are set to see the US lose the dominant position that it has held in global box office revenue since the silent movie era began more than a

Email: [bolandj@stjohns.edu](mailto:bolandj@stjohns.edu) Tel: (718) 990-7428.

Author(s) agree that this article remain permanently open access under the terms of the [Creative Commons Attribution License 4.0 International License](https://creativecommons.org/licenses/by/4.0/)

century ago.” This is due to “(A) momentous shift in the global cinema market’s balance of economic power . . . now looming.” (PWC.com, 2018) According to the projections in PwC’s Global Entertainment and Media Outlook (2016-2020), China could overtake the US as the world’s biggest box-office market in revenue terms as early as late 2017. They also note some of the business changes in the industry, such as the continued downward trajectory of physical home video revenue as well as the adoption of digital technologies in theaters and streaming on viewers’ home and mobile devices.

The year 2016 was the most lucrative for the global film industry, with over \$11 billion in revenue (Boxofficemojo.com, 2018) thanks in large part to two Disney films – “Captain America: Civil War” and “Rogue One: Star Wars: The Force Awakens”. (The Hollywood Reporter, 2018 <http://www.hollywoodreporter.com/news/how-star-wars-will-change-846918>). Both films had international casts with actors coming from the United States - Captain America’s Chris Evans, Robert Downey Jr., and Scarlett Johansson, from England – Felicity Jones (*Rogue One*) and Paul Bettany (*Captain America*) as well as from Canada (Emily Van Camp –*Captain America*), Mexico Diego Luna – *Rogue One*), Hong Kong (Donnie Yee – *Rogue One*) and Romania (Sebastian Stan – *Captain America*). *Captain America* had a production budget of \$250 million (Boxofficemojo.com/movies, 2018) and *Rogue One* had a production budget of \$200 million (Marketwatch.com, 2018). *Star Wars: The Last Jedi* was the top film in 2017 and *Black Panther* in Marvel’s cinematic universe (distributed by Walt Disney Studios Motion Pictures) is making a strong showing in 2018 with \$700 million in gross income (Boxofficemojo.com, 2018). Perhaps the future of the movie industry is a “force that has awakened” since we can view international stars filmed in remote locations or even fictional locations in theaters, in 3D, through virtual reality or by streaming on our hand-held devices.

## LITERATURE REVIEW

Today, the film industry is first and foremost a business, not just an art form. It is also a global business with an international history. “Cinema was “born” in 1895, and depending on the historian, it was created first either in France or in the United States.” (Kindem, 2000). In 1891, American Thomas Edison (with W.K.L. Dickson) patented the *kinetograph*. Two years later, he gave a public viewing of a short film through a peephole (*kinetoscope*). In 1895, in France, brothers Auguste and Louis Lumiere developed the *cinematographe*, which functioned as both a camera and a projector (Kindem, 2000). Edison’s invention of the kinetograph was not a simple “eureka” moment. Instead, the kinetograph (visual images) was based upon a series of inventions including

the *phonograph* (sounds), “. . . as Edison attempted to do for the eye what the photograph did for the ear, using a cylindrical device” (Kindem, 2000).

The business of the United States film industry began in 1896 when Edison projected films on a *vitascope* projector at Koster and Bial’s Music Hall (New York). (Kindem, 2000). Whereas kinetoscopes were viewed (and paid for) by only one viewer, typically at penny arcades, hotel lobbies, Summer amusement resorts and photography studios (Kindem, 2000), projected films could be viewed (and, most importantly *paid for!*) by a large audience.

Both the Lumieres and Edison showed their movies at vaudeville theaters, but they had different business plans.

The Lumieres provided vaudeville with a complete “act”, consisting of a projector, films, and operator, that could be booked for a chain’s entire schedule throughout the country from a central New York office. Edison, on the other hand, relied upon a “states’ rights” approach to set up franchises that leased projectors and sold films to vaudeville theaters on a state by state territorial basis. It was the Lumieres brothers’ marketing plan; however, that served as the eventual basis for the Edison, Biograph, and Vitagraph companies’ commercial theatrical film success in the United States prior to the advent of storefront movie theaters or nickelodeons, in the mid-1900’s (Kindem, 2000).

The first “nickelodeon,” which received its’ name because it charged the audience a nickel to watch “The Great Train Robbery” opened in 1905 in Pittsburgh (Kindem, 2000). At the Strand Theater in Manhattan in 1914, an audience member could watch a film which was accompanied by music from a large pipe organ or symphony orchestra (Squire, 2004).

In 1906 and 1907, the some of the concepts of economics, specifically supply and demand, started to materialize in the newly emerging cinema industry since “. . . the U.S. movie industry experienced an explosion in the *demand* (emphasis added) for movies” (Kindem, 2000). Fictional movie stories became popular and most films were created in Europe who then *supplied* them to the United States (Kindem, 2000).

Another economics term became associated with the movie business at this time –*monopoly*. A suit was brought by William Fox (later known as Twentieth Century –Fox) against the Motion Picture Patents Company (“MPPC”) otherwise known as the “Edison Trust”, alleging illegal restraint of trade and monopoly as prohibited by the Sherman Antitrust Act of 1890. The federal courts ruled that the MPPC was an illegal trust in violation of Section I of the Sherman Act and Section 3 of the Clayton Act of 1914 (Kindem, 2000). See U.S. v. Motion Picture Patents Co. (October 1, 1915).

In 1918, an appellate court dismissed the Patent Company’s appeal and ended the MPPC. (Wikipedia.org/wiki/Motion\_Picture\_Patents\_Company). The initial decision was made by Judge Oliver B.

Dickinson of the United States District Court. (The New York Times Published: October 2, 1915). *United States v. Motion Picture Patents Co.* 225 Fed. 800 (E.D. PA 1915), appeal dismissed, 247 U.S. 524 (1918) (Whitman, 1938).

However, this case did not stop some business practices which had already begun in the film industry such as “. . . the initial establishment of a movie star system and studio system, feature length films, a migration of producers to southern California, alternative distribution practices, such as road shows (leasing theaters for specific showings) and block booking (selling several films in a package linked to a highly desirable movie), and the exhibition of feature films in movie palaces (Kindem, 2000). Some of these movie stars, such as Mary Pickford, Charlie Chaplin and Douglas Fairbanks were paid approximately \$1 million in 1919 (Kindem, 2000) (these stars, along with director D.W. Griffith, would later go on to form United Artists.) At that time, movies were created by group production units who shot scenes following a short outline. Thomas Ince came to California in 1911, and by 1915, he had established a standardized studio system in which managers developed a written plan for a film, . . . a producer organized the work, a scenario editor controlled the script, a director headed and supervised shooting, and an editor cut the film. As his production studio grew in size, Ince divided these and other production responsibilities among specialized areas and individuals. A pyramid of labor was established, and movie making became a modern corporate business (Kindem, 2000).

In essence, movie production was now being done in a similar manner to an assembly line in a factory. The film studios, including Paramount, Fox, MGM and Warner Brothers, controlled movie production, distribution and exhibition in the 1920's. During this lucrative time of cinema, the film attendance grew each year, as the studios built exotic grand movie palaces to escape to watch a new film (Squire, 2004). Movie businesses were listed on the New York Stock Exchange and their total capital investment was over \$1 billion in 1926. Switching from silent films to “talkies” with sound (a technological upheaval similar to the recent switch from analog to digital film presentations in movie theaters) cost more than \$500 million. Unfortunately, films with sound limited their release to countries which understood the same language. The Depression reduced box office receipts (Kindem, 2000). One way that theater owners created enticements for movie-goers was special promotions, such as Bank night and dish giveaways. On Bank Night, one winning ticket-holder could claim a cash prize if he or she could get to the stage in 60 seconds, which occasionally leads to chaos. Dish giveaways, which were offered at the Lyceum Theater on West 45<sup>th</sup> St. in NYC, among other places, were aimed at female movie patrons, and featured a new dish type to be given each week along with an admission ticket. It was a good idea in that it kept workers employed at a luxury business (like

China) and gave an incentive for budget conscious movie fans to pay for tickets; however, it did not always work out perfectly. Unfortunately, there is one report that a shipping snafu resulted in 5 weeks of the same gravy boat being given away. The disappointed women in the crowd started to throw the gravy boats at the theater owner!

(<http://beauxmondesdesigns.blogspot.com/2009/02/dish-night-at-movie-theaters.html>) (Dish giveaways continued. My mother got beautiful plates from a dish giveaway in 1959 at the Embassy Theater. The Embassy Theater was opened by Loew's in 1925 and was an upscale French salon style movie house that was unique because it was managed by the only female manager in the country who employed an all-female staff. The manager, Gloria Gould, was the granddaughter of the railroad tycoon Jay Gould. (NYC Scouting, 2018 <http://www.scoutingny.com/what-will-happen-to-times-squares-historic-embassy-movie-theater/>). The film industry bounced back in 1946, with the highest number of people going to movie theaters – 82,000,000 admissions a week (Kindem, 2000).

But then, the United States Supreme Court decided the *U.S. v. Paramount Pictures Inc.* 334 U.S. 131 (1948) case which found that there was illegal vertical integration, in which the supply chain (here – from the creation of the film to the exhibition of the movie in the studio's own theaters) was intended to restrain competition. In addition, the court held that a price-fixing conspiracy (for admission prices) existed (Supreme.justica/cases/federal/us/334/131/case.html).

Also, television had a negative impact on the film industry. Film studios fought against TV, for instance, by not allowing film actors to work for TV shows. But then, studios looked to differentiate themselves from TV. They created spectacular films like *Singin' in the Rain* (1952), *Oklahoma* (1955) and *Ben-Hur* (1959). They set up extra-large movie screens like *Cinerama* in 1952, which was six times the size of a regular screen (Squire, 2004). Between 1948 and 1954, drive-in theaters grew from 820 to 3799 (Kindem, 2000). They also created 3-D films. IMAX was first used in Canada in 1967 (Squire, 2004).

Blockbuster movies like *Jaws* and the *Godfather*, along with *Star Wars* which had special effects, cost more to produce (between the 1970's and 1990's, and the average film budget rose from \$15 million to over \$40 million); but if successful, were lucrative (Kindem, 2000: 326). More recently, movie budgets have multiplied ten-fold as set forth in Table 1, which shows that *Avatar* cost \$425 million but was a success and brought in \$2.7 billion in revenue. Last year's blockbuster, *Star Wars: The Last Jedi*, was not as profitable (Table 2), but still managed to make in excess of \$1.3 billion in worldwide ticket sales. The major film studios (Table 3) realized that they could supplement their ticket sales revenue with income generated by using product placement, like the Reese's Pieces candy showcased in Universal Picture's *ET*. Toys



**Table 1.** Biggest budgets.

S/N	Release Date	Movie	Production Budget	Domestic Gross	Worldwide Gross
1	12/18/2009	Avatar	\$425,000,000	\$760,507,625	\$2,783,918,982
2	5/20/2011	Pirates of the Caribbean: On Stranger Tides	\$410,600,000	\$241,063,875	\$1,045,663,875
3	5/1/2015	Avengers: Age of Ultron	\$330,600,000	\$459,005,868	\$1,408,218,722
4	12/18/2015	Star Wars Ep. VII: The Force Awakens	\$306,000,000	\$936,662,225	\$2,058,662,225
5	5/24/2007	Pirates of the Caribbean: At World's End	\$300,000,000	\$309,420,425	\$963,420,425
6	11/6/2015	Spectre	\$300,000,000	\$200,074,175	\$879,620,923
7	11/17/2017	Justice League	\$300,000,000	\$228,616,472	\$655,545,623
8	7/2/2013	The Lone Ranger	\$275,000,000	\$89,302,115	\$260,002,115
9	3/9/2012	John Carter	\$275,000,000	\$73,058,679	\$282,778,100
10	7/20/2012	The Dark Knight Rises	\$275,000,000	\$448,139,099	\$1,084,439,099

Source: The Numbers – Where Data and the Movie Business Meet (The Numbers, 2018).

**Table 2.** Yearly Box Office: 2017 worldwide grosses.

Rank	Title (click to view)	Studio*	Worldwide	Domestic / %	Overseas / %
1	Star Wars: The Last Jedi	BV	\$1,329.0	\$618.2 46.5%	\$710.7 53.5%
2	Beauty and the Beast (2017)	BV	\$1,263.5	\$504.0 39.9%	\$759.5 60.1%
3	The Fate of the Furious	Uni.	\$1,236.0	\$226.0 18.3%	\$1,010.0 81.7%
4	Despicable Me 3	Uni.	\$1,034.8	\$264.6 25.6%	\$770.2 74.4%
5	Jumanji: Welcome to the Jungle	Sony	\$906.7	\$379.7 41.9%	\$527.0 58.1%
6	Spider-Man: Homecoming	Sony	\$880.2	\$334.2 38.0%	\$546.0 62.0%
7	Wolf Warrior 2	HC	\$870.3	\$2.7 0.3%	\$867.6 99.7%
8	Guardians of the Galaxy Vol. 2	BV	\$863.8	\$389.8 45.1%	\$473.9 54.9%
9	Thor: Ragnarok	BV	\$853.5	\$314.6 36.9%	\$538.8 63.1%
10	Wonder Woman	WB	\$821.8	\$412.6 50.2%	\$409.3 49.8%

Gold highlight = now playing or recent movies.

Source: Box Office Mojo.

**Table 3.** Major film studios.

Current major Studios/Film Unit	Founded	US/Canada Market Share (%)
Walt Disney Studios/Pictures	1923	21.82
Warner Brothers/Pictures	1923	18.50
NBCUniversal /Universal Pictures	1912	14.98
21 <sup>st</sup> Century Fox/20 <sup>th</sup> Century Fox	1935	12.92
Sony Pictures/Columbia Pictures	1924	9.87
Paramount Pictures/Viacom/Nat'l Amusements	1912	4.82
<b>Former majors included:</b>		
Metro-Goldwyn-Mayer Pictures: 1924–1986		
United Artists: 1919–1982		
RKO Pictures: 1928–1960		

Source: Wikipedia.

and other movie merchandise could also add to movie income (Kindem, 2000).

Home viewing of films became possible with videocassettes, DVDs (Squire, 2004), pay cable, pay

satellite (Kindem, 2000) and video on demand (Squire, 2004). Movies are now available via streaming services over the internet (Moore, 2011) and can be watched on a variety of devices including hand-held screens, such as a

phone, tablet or laptop.

### Research questions

- 1) What is the current status of the global cinema from a business and legal perspective?
- 2) What are the prospects for the U.S. film industry?

### METHODOLOGY

SWOT analysis in research methodology has been utilized in this paper. This paper explores the Strengths, Weaknesses, Opportunities and Threats relative to the global cinema industry and more specifically, has also targeted the analysis of the U.S. film business. The Strengths and Weaknesses are viewed through the prism of the internal workings of the industry and the Opportunities and Threats are seen through the lens which shows the external view. (Research Methodology, 2018 <https://research-methodology.net/theory/strategy/swot-analysis/>).

### RESULTS: BUSINESS AND LEGAL CHALLENGES (WEAKNESSES AND THREATS)

**“. . . – most films lose money. Indeed, 80% do. . .**

The fundamental reason for this phenomenon is simple. . . . Face it, the film industry is sexy, and people like sex. . . . The law of supply and demand (*emphasis added*) takes it from there” (Moore, 2011).

#### Business analysis

So the laws of supply and demand continue to play a starring role in the film business. At the beginning of the industry, in 1906 and 1907, the United States film producers could not keep up with demand (Kindem, p. 312), but in modern times, “. . . there is a wild oversupply of film productions – approximately 600 to 700 per year – while only 200 or so obtain even a decent release, permitting any return at all, much less a profit” (Moore, 2011).

Screenwriter David Mamet makes the following complaint about business analysis in the film industry: “Executives, coming now as they do primarily from the ranks of business people rather than show people, have never had the opportunity to learn to rely on their instincts. So the film business is currently plagued by audience research. What is wrong with audience research? It does not work. *If it worked, there would be no flops*” (Mamet, 2007).

Even a highly successful film can look like a “flop” after Hollywood Accounting. Comedian Art Buchwald sued for not being credited for having his ideas used in the 1988 film “Coming to America” which starred Eddie Murphy (imbd.com) (See Art Buchwald v. Paramount Pictures

Corp. Second Phase, No. C706083 (Cal. Superior Ct. Dec. 21, 1990)). Ultimately, Buchwald won the case but lost money since he won \$150,000 in net profits (or “backend” profits) but had legal costs of over \$500,000. As Professor Burr wrote, “Buchwald, Bernheim (his complainant), and their attorney found out that even when you win, you lose” (Burr, 2013). Luckily for Buchwald, his case was accepted on a contingency fee basis and he was only responsible for the trial costs. The legal fees were absorbed by Buchwald’s attorney, Pierce O’Donnell who was a partner in the distinguished law firm Kaye Scholer (Burr, 2013).

Producer-Director Gavin Polone stated in a Hollywood Reporter article entitled, “How Studios’ Phony Accounting Screws Everyone (Including Themselves)” (The Hollywood Reporter, 2018 <http://www.hollywoodreporter.com/news/gavin-polone-how-studios-phony-852075>), that he was asked “Why are people in your business so crooked?” (Polone, 2016). The reason it would appear that way is because

“. . . film companies are permitted or required to calculate net profits differently for different purposes. The four different purposes for which net profits are calculated are as follows:

- 1) Calculating earnings based upon “generally accepted accounting principles” (“GAAP”), which is used for reporting earnings to the SEC, shareholders, and lenders.
- 2) Calculating income and loss for tax purposes.
- 3) Calculating payments to profit participants, such as writers and actors.
- 4) Calculating cash available to make distributions to equity holders, such as shareholders, of the film company (Moore, 2011, p. 135).

Therefore, there is not one standard meaning for the term “net profits”. From a legal perspective, it is difficult, if not impossible, to have a ‘meeting of the minds’ between the contracting parties.

Gavin Polone also shines a light on some “shady” accounting practices in the movie business. Specifically, he mentions “mistakes”. Even if mistakes are made in favor of the movie studios, auditors swear to secrecy so that similarly situated talent will not be able to benefit from the “mistake.” Both sides, artist and studio, may have a difference of opinion in interpreting terms in the contract, such as the term “gross profits.” Another practice that is troubling to artists is “straight-lining” in which a batch of films, some winners and some losers, are lumped together and each are assigned a value as being part of the batch (Polone, 2016). In a way, it works like a mutual fund. Another potential problem is:

**Subcontracting to sister companies:** Whenever possible, studios have their affiliates function as vendors on their projects. Examples include renting out

**Table 4.** Worldwide most pirated films of 2017.

S/N	Movie
1	Wonder Woman
2	Spider-Man: Homecoming
3	Logan
4	The Mummy
5	Kong: Skull Island
6	The Boss Baby
7	The Fate of the Furious
8	Arrival
9	Ghost in the Shell
10	King Arthur: Legend of the Sword

Source: BestVPN.com based on statistics from Torrentfreak.com written by Rob McAllister December 29, 2017.

soundstages, offices or equipment for a movie; distributing a film in a foreign territory; or even selling a movie to a cable network in which the studio also owns in exchange for a piece of ad revenue. How does a filmmaker know if the studio is getting the best deal from an affiliate? There is rarely, if ever, a bidding process. And if it is a more complicated function where money is being spent and collected, how does one know if the sister company is accounting properly to the studio? (Polone, 2016).

Studios do not have to include the credit they may receive for foreign taxes paid by their corporate parent. Also, studios make artists wait to audit any questionable pay-outs. Artists typically have two years to request an audit. The studio can take 1 to 4 years to respond. They are probably hoping that the artist will simply give up their questioning over the years that follow (Polone, 2016).

## Piracy

Studio personnel are not the only threat that artists may encounter; piracy is another. Law Professor Larry Lessig says “If ‘piracy’ means using the creative property of others without their permission – ‘if value, then right’ is true – then the history of the content industry is a history of piracy” (Lessig, 2004). According to Forbes writer, Karsten Strauss, “The pirates have outnumbered the watchdogs.” He states that viewers are watching pirated shows on free streaming websites (Table 4). “Indeed, there are real dollars being lost to piracy. An 11-employee Independent U.S. film distributor, Wolfe Video, has had its profits halved due to piracy and costs to mitigate damages from piracy, according to *The Wall Street Journal*” (Strauss, 2013 Forbes.com). In 2014, *The Wolf of Wall Street* was the most pirated film with over 30 million illegal downloads. Last year’s most pirated film was *Wonder Woman* (Table 4). Andrew Wallenstein of

*Variety.com* reports that the numbers of pirated films are rising this year, due in part, to markets like Brazil (Wallenstein, 2015).

The U.S. is believed to have lost \$8.94 billion in 2016 and is forecast to lose \$11.58 billion in 2022 due to piracy of online television and movies (Statista.com <https://www.statista.com/statistics/778342/global-online-tv-movie-revenue-loss-piracy-country/>).

## Moral rights

Moral rights, which were first acknowledged in France and Germany, protect the right to integrity of copyrighted works, including the right of attribution (and to publish anonymously or under a pseudonym) as well as the right to prevent alteration, distortion or mutilation. Moral rights were included in the Berne Convention (1928). The United States signed this agreement in 1989 (Wikipedia.org). Although moral rights are separate from monetary rights, “Economic considerations are undoubtedly at the heart of Hollywood’s objections to moral rights” (Sundara and Mira, 2011).

## Legal challenges

Movie studios continue to face legal challenges such as defamation lawsuits, copyright infringement, and privacy violations. Any protected trademarks need to be cleared before use in a film. Films have to be submitted to the Motion Picture Association of America (“MPAA”) for a rating; permission has to be gotten for the use of any music in a film, whether it is pre-recorded or specially commissioned for the film; errors and omissions (E&O) insurance to protect against any problems with the chain of title and violations of publicity and/or other rights has to be obtained; cast insurance has to be paid for in case cast members are hurt or ill; as well as workers’ compensation and liability insurance which must be paid for by the studio. The film creator also has to pay for a completion bond, which insures that the film is completed on time and on budget (Crabb, 2005). Then, the film owner makes arrangements for theatrical distribution, which is a tradition in the film industry that kicks off the distribution cycle (Crabb, 2005).

Also, there are rules and regulations set forth by the guilds that must be complied with: the Writers Guild of America (“WGA”), the Directors Guild of America (“DGA”), the Screen Actors Guild (“SAG”) and the International Alliance of Theatrical and Stage Employees (“IATSE”) which is the union for the below-the-line crew (Moore, 2011). “Below-the-line is a term derived from the top sheet of a budget (Motion Picture, Television, Commercial, Industrial, Student Film, Documentary). The ‘line’ in below-the-line is the one separating the Actors, Director, Producers, and Writers from the other crew.” (Wikipedia)

**Table 5.** Biggest money losers, based on absolute loss on worldwide earnings.

S/N	Release Date	Movie	Approx. Income	Approx. Expense	Profit
1	3/11/2011	<b>Mars Needs Moms</b>	\$26,587,016	\$170,166,000	-\$143,578,984
2	3/9/2012	<b>John Carter</b>	\$180,140,446	\$307,124,000	-\$126,983,554
3	7/2/2013	<b>The Lone Ranger</b>	\$176,788,903	\$301,886,000	-\$125,097,097
4	5/12/2017	<b>King Arthur: Legend of the Sword</b>	\$82,574,766	\$199,580,000	-\$117,005,234
5	9/30/2016	<b>Deepwater Horizon</b>	\$77,577,132	\$189,348,000	-\$111,770,868
6	1/13/2017	<b>Monster Trucks</b>	\$39,574,272	\$149,450,000	-\$109,875,728
7	3/1/2013	<b>Jack the Giant Slayer</b>	\$123,352,279	\$228,504,000	-\$105,151,721
8	12/17/2010	<b>How Do You Know?</b>	\$35,506,852	\$140,454,000	-\$104,947,148
9	12/25/2013	<b>47 Ronin</b>	\$92,796,208	\$189,988,000	-\$97,191,792
10	2/6/2015	<b>Jupiter Ascending</b>	\$109,620,286	\$206,582,000	-\$96,961,714

Source: The Numbers – Where Data and the Movie Business Meet.

Studios must make a business plan, and Disney has certainly done so. Studios can increase the talent pool by using a past star, “. . . if he or she is still generally recognized and valued by the public. By uniting an attractive concept, well-marketed, with a recognized name (although a face from the recent past), Disney has been able to generate considerable grosses. By obtaining options and multiyear agreements with these same actors, Disney has also ensured itself of a talent pool for the future at generally reasonable rates.” ((Squire, 2004). Disney “. . . focuses on popular culture and continually expands its reach to include not only theme parks but television networks, motion picture studios, music companies, radio stations, online entertainment, cruise lines, Broadway theater productions, publishing houses, and video game development studios.(Giroux and Pollock, 2010).

Disney’s current business plan includes more films from the lucrative Star Wars galaxy. The new Star Wars films include “Solo: A Star Wars Story” (Director: Ron Howard, Star: Alden Ehrenreich as the title character) which was released on May 25, 2018 at an approximate cost of \$300 million and brought in \$392 million worldwide (The Internet Data Movie Base, 2018<https://www.imdb.com/title/tt3778644/>) and “Star Wars: Episode IX” (Director: J.J. Abrams’ international cast is said to include: Lupita Nyong’o, Daisy Ridley, Adam Driver, Oscar Isaac and John Boyega) and is slated for release on December 20, 2019. These films are to be followed by a new Star Wars trilogy to be written and directed by Rian Johnson who had written and directed “Star Wars: The Last Jedi” which was released in 2017. (The Internet Data Movie Base, 2018 [www.imdb.com](http://www.imdb.com)). Interestingly, a Disney film is one that may add a surcharge when you can buy an AMC monthly Black, Yellow, Green, Red, Gold or Silver pass (AMC.com). In addition to monthly passes, another atypical movie ticket business plan is “. . . a startup called Atom Tickets (<https://www.atomtickets.com/>) that will let movie houses offer variable pricing. An app will enable











groups of moviegoers to buy tickets in bulk and get discounts on less-popular releases.” (Queenan, 2016). Some theater chains, such as Regal Theaters (“Regal Crown Club”) and AMC theaters (“AMC Stubs”) also offer rewards cards to patrons. (RegTheaters.com/AMC.com). One of the original movie subscription services, MoviePass, is facing severe financial difficulty. The subscription style services are popular with young audience members who have content delivered to them similarly by Netflix, Spotify and Amazon Prime. (Barnes, 2018). AMC just unveiled its AMC Stubs A-List where, upon joining, patrons can watch up to 3 movies every week in IMAX, Dolby Cinema (a premium cinema concept created by Dolby Laboratories that combines Dolby’s technologies including Dolby Vision and Dolby Atmos. (See [www.dolby.com/us/en/index.html](http://www.dolby.com/us/en/index.html)), and Real D 3D formats (Barnes, 2018). This business concept has even become available in Turkey where “Sinemia”, which began in 2015, offers tiered pricing packages and family plans to filmgoers (Barnes, 2018).

Whether in the United States or abroad, it is important for content creators to engage their fans, as Christopher Vollmer writes for Price Waterhouse Cooper:

*Making businesses “fan”-centric requires functional transformation*

An entertainment and media (E&M) offering today simply cannot thrive without the economic, social, and emotional power of fans. Devoted followers are as critical to feature films, video games, and sports teams as they are to *Mr. Robot*. Premium content is expensive, and getting more so. Distribution is a brutal battle for shelf space where only brands that are “most wanted” can hope to win. The steady march of digital technology has ushered in a direct-to-consumer environment characterized by greater choice and user control. There is simply too much competition for users to allow E&M businesses to survive on experiences that cater to casual “eyeballs” or infrequent users.

**Table 6.** Largest markets by box office.

Rank	Country	Box office revenue (billion US\$)	Year	Box office from national films <sup>[102]</sup>
N/A	<b>World</b>	39.92	2017 <sup>[103]</sup>	N/A
1	 United States	10.31	2016 <sup>[104]</sup>	88.8% (2015)
2	 China	8.59	2017 <sup>[105]</sup>	53.84% (2017) <sup>[105]</sup>
3	 Japan	2.16	2016 <sup>[101]</sup>	63.1% (2016) <sup>[101]</sup>
4	 India	2.06	2016 <sup>[106]</sup>	85% (2015)
5	 United Kingdom	1.87	2017 <sup>[107]</sup>	44.3% (2015)
6	 South Korea	1.57	2016 <sup>[104]</sup>	52.2% (2015)
7	 France	1.54	2016 <sup>[104]</sup>	33.7% (2015)
8	 Germany	1.17	2016 <sup>[104]</sup>	–
9	 Australia	0.92	2016 <sup>[104]</sup>	7.2% (2015)
10	 Mexico	0.87	2016 <sup>[104]</sup>	5.9% (2015)

Sources: Theatrical Market Statistics 2017 – MPAA largest markets by box office revenue; Wikipedia.

(<https://www.strategyand.pwc.com/trend/2017-entertainment-and-media-trends>).

## BUSINESS AND LEGAL STRENGTH AND OPPORTUNITIES

Currently, the largest markets by box office are United States, China, and Japan (Table 6); and the countries with the largest number of film productions are India, Nigeria, and the United States. Other centers include Nepal, Pakistan, Hong Kong and in Europe the United Kingdom, France, Italy, Spain, and Germany are the countries that lead movie production (Wikipedia). The best ways for the movie studios to continue to prosper on a global basis ([www.statista.com/topics/964/film](http://www.statista.com/topics/964/film)) are to provide excellent *technology* and wonderfully creative *content*.

### Technology

“If you build it, he will come” was a line in the film, *Field of Dreams*. The same is true of technology for the movie – watching audience. Movie audiences continue to enjoy the spectacle of traditional theaters, so long as IMAX and/or 3D technology is also available! Audience members appreciate luxurious seating and pulsating sound systems. There are even dine-in movie theaters. Movie goers look forward to a better experience in a traditional movie theater which is the best place to watch an action film like Star Wars.

Not everyone has the time to go to the theater. Streaming technology has enabled viewers to time shift programming and offers flexibility so that viewers can watch what they want, when they want, and where they want. Watching a film on the subway on your phone may

not be how the director intended for the viewer to watch the film, but now the viewer has easy access to the film and it makes the commute more enjoyable. Virtual reality seems to be the next big thing in film-making (and watching) since the viewer can see 360 degrees around the film environment and feels like they are literally in the middle of all of the action. The devices are made by HTC, PlayStation and Facebook-owned Oculus Rift. The Oculus Rift is expensive (\$1600) and requires a high end computer to work with it. At present, some of the virtual reality players are aimed at gamers, but film content is starting to be created for them as well. Time will tell whether people will cope with the slightly disorienting feeling that is associated with it and whether it will make us more globally connected or disconnected (CBS News, April 2, 2016). Perhaps that time has arrived! The Hollywood Reporter’s Paul Bond tells us that Virtual Reality (“VR”) is set to become a \$5 billion industry by 2021. Since film and TV revenue is expected to grow slowly in the next 5 years, Hollywood is focusing on VR for growth.

It is not far-fetched to envision consumers en masse strapping on goggles — made by such tech titans as Google, Sony and Samsung — to play video games or watch the latest incarnation of *Sharknado*, with the man-eaters swirling about their living rooms. “There’s no iTunes for VR content now, but our forecast anticipates that sort of marketplace in about three years,” says PwC partner Christopher Vollmer. Including VR in its annual Entertainment and Media Outlook forecast for the first time, PwC predicts a growth rate of 64% annually for the next five years, with VR becoming a \$5 billion industry in the U.S. by 2021. It will generate almost half as much as the box office, which will grow at a minuscule 1.2% to \$11.2 billion in that time frame (The Hollywood Reporter, 2018 <https://www.hollywoodreporter.com/news/virtual-reality-set-become-a-5-billion-industry-by-2021>).

Studio 21<sup>st</sup> Century Fox's FoxNext VR has created a VR short that promoted *War for Planet of the Apes*. It also produced *The Martian VR Experience* for users to virtually play Matt Damon's role. "VR will continue to develop and be adopted at an accelerated rate," predicts FoxNext VR Studio general manager Brendan Handler. "It gives filmmakers an endless canvas to tell stories and offers consumers what they have been craving: more immersive experiences." (The Hollywood Reporter, 2018 <https://www.hollywoodreporter.com/news/virtual-reality-set-become-a-5-billion-industry-by-2021>). How can studios start to monetize this new technology?

Fox Home Entertainment also is charging \$14.99 for VR versions of mainstream movies purchased through Facebook's Oculus Video, which allows fans to use their phones, coupled with Samsung Gear VR, to watch titles such as *Die Hard* and *Birdman* on giant, virtual movie screens in a 360° theater. And IMAX has introduced a model in which consumers sit in their own pods to watch shortform content in a cushy chair that moves and vibrates according to the "onscreen" action. At the IMAX VR Experience Centre in a stand-alone building in L.A., ticket buyers pay up to \$12 apiece to watch the first episode of *Raising a Rukus*, an animated series from The Virtual Reality Co., co-founded by *Maleficent* director Robert Stromberg (The Hollywood Reporter, 2018 <https://www.hollywoodreporter.com/news/virtual-reality-set-become-a-5-billion-industry-by-2021>).

Ridley Scott's RSA Films has launched RSA VR, a new division dedicated to the development and production of virtual reality, augmented reality and mixed media (The Hollywood Reporter, 2018 <https://www.hollywoodreporter.com/news/ridley-scott-s-rsa-films-launches-virtual-reality-division-994629>).

Created by Oscar-winning director Alejandro G. Inarritu and cinematographer Emmanuel Lubezki, *Carne y Arena* (*Virtually Present, Physically Invisible*), the first VR film to screen at Cannes, re-creates the experience of immigrants crossing the Mexican border into the U.S. Viewers wander barefoot through a vast, dark space covered in sand and equipped with a backpack, VR headset and headphones, while virtual border guards swoop down to arrest them. (The Hollywood Reporter, 2018 <https://www.hollywoodreporter.com/news/alejandrog-inarritu-embraces-virtual-reality-but-dont-call-cinema-1006881>).

There is one more challenge for VR – we are used to sharing the movie-going experience. We laugh, gasp and cry together when we watch films in a theater.

One hang-up Hollywood must figure out is how to turn what is a solitary experience into a shared one, so users can still watch sports with their friends and go to theaters with hundreds of strangers while immersed in virtual reality. "That needs to be solved," admits Vollmer, "Right now, VR is for power users — the people who want to be first and second, not third or fourth. It is a dynamic space in the entertainment ecosystem, but it is very immature

"(<https://www.hollywoodreporter.com/news/virtual-reality-set-become-a-5-billion-industry-by-2021>).

The New York City Tribeca Film Festival (April 14-17, 2016) featured "Storyscapes", which includes installations and Virtual Reality ([Tribecafilm.com/festival/storyscapes](http://Tribecafilm.com/festival/storyscapes)).

## Content

Film festivals are a great place to discover outstanding content. Film festivals can showcase international talent and student talent. Since films can now be created digitally, the financial barrier of buying expensive film, which also had to be developed and shipped, is no longer an obstacle. Truly excellent films like the ones showcased in the Academy awards can go on to make even more money. The Oscar-winner "Spotlight" made \$1.77 million after winning the Best Picture Award. This was a 140% increase in ticket revenue (Alexander, 2016).

U.S. movie studios can also prosper if they create shows directly for international markets instead of considering them as an afterthought. This trend is starting with Sony Studio. Sony's television shows are being created for international markets directly, which is a highly lucrative market. "International sales have gone from 50% of a typical show's revenue to as much as 70% for dramas . . ." (Garrahan, 2016).

Another way to obtain content is through acquisitions and mergers. On July 27, 2018, in New York City, Walt Disney and 21<sup>st</sup> Century Fox's shareholders voted to approve a \$71.3 billion agreement under which Disney will obtain large parts of Fox, including the 20<sup>th</sup> Century Fox film and television studios, Fox's entertainment cable networks and its international assets under a "combination merger proposal" (Hollywood Reporter, 2018 <https://www.hollywoodreporter.com/news/disney-fox-shareholders-approve-713-billion-deal-1128343>). According to NASDAQ which tracks the Walt Disney Company (DIS) and 21<sup>st</sup> Century Fox (FOXA), this deal marks ". . . a massive shift in Hollywood's century-old studio system. It also indicates the direction of the overall entertainment media industry, as the studios that remain vie for market share in the digital age" (NASDAQ, 2018)

Are U.S. movie studios playing it too safe with their content? Consider the recent offering of films for 2018 – *Tomb Raider*, *Avengers Infinity War*, *Deadpool 2*, *Solo: A Star Wars Story*, *Ocean's 8*, *Incredibles 2*, *Jurassic World: Fallen Kingdom* and *Ant Man and the Wasp*. All are sequels or remakes of prior films. From a business standpoint, there is a guaranteed audience, namely, film-goers who bought tickets or viewers who bought DVDs or streamed the content, and who enjoyed the previous version or prequel. However, are we missing out on opportunities to showcase new ideas? Since China is gaining on the U.S. studio system (<https://www.pwc.com/gx/en/entertainment-media/pdf/>

**Table 7.** Most profitable movies, based on absolute profit on worldwide gross.

S/N	Release Date	Movie	Approx. Income	Approx. Expense	Profit
1	12/18/2009	Avatar	\$1,790,479,948	\$516,262,000	\$1,274,217,948
2	12/18/2015	Star Wars Ep. VII: The Force Awakens	\$1,216,568,534	\$381,704,000	\$834,864,534
3	11/18/2005	Harry Potter and the Goblet of Fire	\$996,535,390	\$208,064,000	\$788,471,390
4	11/22/2013	Frozen	\$1,026,020,441	\$245,904,000	\$780,116,441
5	5/4/2012	The Avengers	\$995,060,466	\$300,290,000	\$694,770,466
6	6/12/2015	Jurassic World	\$968,549,545	\$287,756,000	\$680,793,545
7	7/15/2011	Harry Potter and the Deathly Hallows: Part II	\$832,640,264	\$177,306,000	\$655,334,264
8	7/3/2013	Despicable Me 2	\$735,037,074	\$143,056,000	\$591,981,074
9	4/3/2015	Furious 7	\$831,290,000	\$245,576,000	\$585,714,000
10	7/7/2006	Pirates of the Caribbean: Dead Man's Chest	\$858,774,157	\$293,790,000	\$564,984,157

Source: The Numbers – Where Data and the Movie Business Meet.

**Table 8.** Most profitable movies, based on return on investment.

S/N	Release Date	Movie	Approx. Profit	Production Budget	Rol (%)
1	9/25/2009	Paranormal Activity	\$89,359,754	\$450,000	19,758
2	7/10/2015	The Gallows	\$6,941,723	\$100,000	6,842
3	1/6/2012	The Devil Inside	\$37,396,051	\$1,000,000	3,640
4	2/5/1953	Peter Pan	\$140,380,256	\$4,000,000	3,410
5	3/21/2014	God's Not Dead	\$36,289,525	\$1,150,000	3,056
6	6/16/1978	Grease	\$186,884,189	\$6,000,000	3,015
7	5/25/1977	Star Wars Ep. IV: A New Hope	\$324,975,371	\$11,000,000	2,854
8	10/20/2010	Paranormal Activity 2	\$77,144,539	\$3,000,000	2,471
9	1/1/1946	It's a Wonderful Life	\$74,545,020	\$3,180,000	2,244
10	4/1/2011	Insidious	\$35,034,616	\$1,500,000	2,236

Source: The Numbers – Where Data and the Movie Business Meet.

outlook-cinema-article-2016.pdf), perhaps, it is a good time to rethink the current business models in cinema production and distribution.

## Conclusion

There is an old Hollywood joke that goes like this: "How do you net \$5 million in the film industry? Start with \$10 million" (Moore, 2011). To avoid this scenario, it may be wise to think of the film business as similar to a mutual fund. Risk of loss (Table 5) can be offset by other successful films (Table 7 for the most profitable movies, based on absolute profit on worldwide gross revenues and Table 8 for the most profitable movies, based on return on investment income), global productions and other streams of revenue, which again, can be international in nature, such as The Walt Disney Company's Disneyland Paris, Tokyo Disney Resort, Hong Kong Disneyland Resort, Shanghai Disney Resort and Disney Cruises.

"Today, the U.S. copyright system is a cornerstone of a vibrant creative economy that is unparalleled in the world

—adding over \$1 trillion to the national economy and nearly 5.4 million direct jobs in 2012 (IIPA Report, November, 2013) and making the United States a world leader in creativity, technological innovation and economic growth." (MPAA.org). The United States film industry is currently the most prosperous in the world (Wikipedia) and with continued technical innovation and creativity, it will continue to serve the country and the world with its wonderful entertainment.

"Now more than ever we need to talk to each other, to listen to each other and understand how we see the world, and cinema is the best medium for doing this." — Martin Scorsese.

## CONFLICT OF INTERESTS

The author has not declared any conflict of interest.

## ACKNOWLEDGEMENT

The author thanks St. John's University, College of

Professional Studies (Queens, New York USA) for the assistance rendered during the research.

## REFERENCES

- Alexander B (2016). 'Spotlight' burns 140% brighter after its Oscar, USA Today, March 9, page 6D. AMC Theaters <https://www.amctheatres.com/faqs/tickets-and-passes> accessed 7/27/18.
- Beaux Mondes – Inspiration for Traditional Living, <http://beauxmondesdesigns.blogspot.com/2009/02/dish-night-at-movie-theaters.html> accessed 7/25/18.
- BestVPN.com based on statistics from Torrentfreak.com. written by Rob McAllister December 29, 2017 <https://www.bestvpn.com/privacy-news/most-torrented-movies/> accessed 2/20/18.
- Box Office Mojo <http://www.boxofficemojo.com/yearly/chart/?view2=worldwide&yr=2017> accessed 2/20/18.
- Box Office Mojo <http://www.boxofficemojo.com/movies/?id=marvel2016.htm> accessed 8/21/18.
- Box Office Mojo <http://www.boxofficemojo.com/yearly> accessed 8/21/18.
- Box Office Mojo <http://www.boxofficemojo.com/yearly/chart> accessed 8/21/18.
- Burr S (2013). Entertainment Law in a Nutshell, 3<sup>rd</sup> Ed., (West Nutshell Series), St. Paul, MN: Thomson Reuters pages 311-13.
- CBS News (2016). <http://www.cbsnews.com/videos/oculus-rift-virtual-reality-is-now-real/> accessed 7/25/18.
- Crabb KC (2005). The Movie Business – The Definitive Guide to the Legal and Financial Secrets of Getting Your Movie Made., New York: Simon & Schuster pages 331:286-327.
- Garrahan M (2016). Sony Pictures starts to rewrite the script for US-first model of TV shows. The Financial Times, March 14, page 18.
- Giroux HA, Grace P (2010). The Mouse that Roared – Disney and the End of Innocence, New York: Rowman & Littlefield Publishers, Inc. page 25.
- The Hollywood Reporter <https://www.hollywoodreporter.com/news/alejandro-g-inarritu-embraces-virtual-reality-but-dont-call-cinema-1006881> accessed 7/25/18.
- The Hollywood Reporter <https://www.hollywoodreporter.com/news/virtual-reality-set-become-a-5-billion-industry-by-2021> accessed 7/25/18.
- Kindem G ed. (2000). The International Movie Industry, Southern Illinois Press pages 195, 310-315, 319, 322, 326-27.
- Lessig L (2004). Free Culture, New York: Penguin Press page 53. Marketwatch.com (<https://www.marketwatch.com/story/movie-watch-disney-is-up-against-great-expectations-as-rogue-one-hits-theaters-2016-12-15>) accessed 8/21/18.
- Mamet D (2007). Bambi vs. Godzilla – On the Nature, Purpose, and Practice of the Movie Business, New York: Pantheon Books page 43.
- Moore SM (2011). The Biz – the basic business, legal and financial aspects of the film industry, 4<sup>th</sup> ed., Los Angeles: Silman-James Press pages pp.13, 99, 135.
- NASDAQ (2018). <https://www.nasdaq.com/article/disney-fox-deal-changes-the-past-present-and-future-of-hollywood-cm892514>
- The Numbers (2018). <https://www.the-numbers.com/movie/budgets/> accessed 7/25/18.
- PWC.com (2018). <https://www.pwc.com/gx/en/entertainment-media/pdf/outlook-cinema-article-2016.pdf> accessed 8/21/18.
- Queenan JOK (2016). Hollywood. Let's Make a Deal. The Wall Street Journal March 12-13, , p. C11.
- Squire JE ed. (2004). The Movie Business Book 3<sup>rd</sup> Ed., New York: A Fireside Book Published by Simon & Schuster, pages 107:513-516, 518-519, 521.
- Strauss K (2013). TV and Film Piracy: Threatening an Industry? <http://www.forbes.com/sites/karstenstrauss/2013/03/06/tv-and-film-piracy-threatening-an-industry/#48fb404f5e0e> accessed 7/25/18.
- Sundara R, Mira T (2011). Moral Rights – Principles, Practice and New Technology., New York: Oxford University Press page 41.
- Tribeca Film Festival <https://tribecafilm.com/festival/storyscapes> accessed 7/25/18.
- Wallenstein A (2015). Top 10 Pirated Movies of 2015 See Alarming Increase in Downloads <http://variety.com/2015/digital/news/top-10-pirated-movies-of-2015-see-alarming-increase-in-downloads-1201667982/> accessed 7/25/18.
- Whitman WF (1938). Anti-Trust Cases Affecting the Distribution of Motion Pictures, 7 Fordham L. Rev. 189:190.
- Wikipedia.org [https://en.wikipedia.org/wiki/Below\\_the\\_line\\_\(filmmaking\)](https://en.wikipedia.org/wiki/Below_the_line_(filmmaking)) accessed 7/25/18
- Wikipedia.org [https://en.wikipedia.org/wiki/Film\\_industry](https://en.wikipedia.org/wiki/Film_industry) accessed 7/25/18.
- Wikipedia.org [https://en.wikipedia.org/wiki/Major\\_film\\_studio](https://en.wikipedia.org/wiki/Major_film_studio) accessed 7/25/18.
- Wikipedia.org [https://en.wikipedia.org/wiki/Moral\\_rights](https://en.wikipedia.org/wiki/Moral_rights) accessed 7/25/18.
- Wikipedia.org/wiki/Motion\_Picture\_Patents\_Company accessed 7/25/18.



**Related Journals:**

