



**CFTPA**

Representing television, film  
and interactive production in Canada

**ACPFT**

Porte-parole de l'industrie de la production télévisuelle,  
cinématographique et interactive au Canada

**For Immediate Release**

**NEW STUDY SHOWS CANADIAN PRODUCERS  
DO NOT BENEFIT FROM DIGITAL DISTRIBUTION OF THEIR SHOWS**  
***Broadcasters Not Paying Additional Compensation for Online and Mobile Rights***

**Ottawa, June 9, 2010** – The Canadian Film and Television Production Association (CFTPA), released an important new study today showing that independent producers continue to receive little or no compensation from Canadian broadcasters for the digital rights to their programming.

“The results of the study unfortunately only confirm what we’ve been hearing for the past several years from our membership – that we have a long way to go in establishing a vibrant digital rights marketplace in Canada,” says Norm Bolen, President and CEO of the CFTPA. “These results underscore the need for Terms of Trade between broadcasters and independent producers, as the CRTC itself reaffirmed in its recent television group licensing policy framework.”

The study, *Towards a Framework for Digital Rights*, included a comprehensive survey of the CFTPA’s members. More than half (56%) of respondents indicated that they did not receive any additional compensation for the digital (Internet and mobile) rights to their shows, whether in the form of an incremental licence fee or a revenue share. At the same time, a majority of respondents indicated that they were not confident about their estimates of the market value for digital rights in Canada.

“What the study really demonstrates is that independent producers don’t have access to the data they need in order to be full participants in the Canadian digital rights marketplace,” says John Barrack, Chief Operating Officer and Chief Legal Officer of the CFTPA. “It’s hardly surprising that so many producers are giving away their digital rights essentially for free – they are subject to enormous broadcaster pressure to hand over these rights and they don’t have the informational yardsticks they need to help them effectively negotiate equitable deals for their shows.”

In addition to surveying CFTPA members, interviews were also conducted with broadcasters, distributors and digital aggregators operating in the major English-language markets (Canada, the United States, the United Kingdom, Australia and New Zealand) to obtain their views about the state of the digital rights marketplace. In Canada, however, the major private conventional and speciality TV broadcasters declined to be interviewed for the study.

“The lack of participation by the big private broadcast groups is disappointing,” says Reynolds Mastin, CFTPA Counsel. “We believe greater transparency is in the interests of all industry stakeholders, and that this can be achieved without revealing confidential commercial information belonging to either broadcasters or independent producers. We also think that the CRTC has taken a step in the right direction by pushing to obtain more data regarding the online activities of Canadian broadcasters. Provided that it asks the right questions and obtains the right data, we are confident that the Commission can serve as the catalyst for an industry dialog about how we collectively move forward in this complex and dynamic area.”

The study was supported by Ontario Media Development Corporation, with additional funding contributions by a number of key production industry funders, including the Association of Provincial Film Funding Agencies, the Bell Broadcast and New Media Fund, the Canada Media Fund, the National Film Board and the Shaw Rocket Fund.

“The fact that so many key funders of Canadian programming are seeking the same information as independent producers shows that there is an emerging consensus regarding the importance of having reliable data about the commercial terms for digital rights,” says Barrack.

The study is available on the CFTPA website [here](#).

#### **About us:**

The CFTPA represents the interests of screen-based media companies engaged in the production and distribution of English-language television programs, feature films, and new media content in all regions of Canada. Our almost 400 member companies are significant employers of Canadian creative talent and assume the financial and creative risk of developing original content for Canadian and international audiences. Independent producers create content for distribution on Internet and mobile wireless platforms in order to deliver content to consumers how and when they want it.

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