



Visual Effects Society Demo Material Guidelines

Prepared by the VES Business, Labor & Law Committee

Overview

From the earliest beginnings of our industry, compilation or “demo” reels as they are known in the industry have been the standard vehicle that artists and facilities use to promote and market their skills and services. With the proliferation of online distribution and digital media formats, and concerns for security, this industry standard practice has been challenged for a myriad of legitimate reasons. However, the practices and policies implemented to date have become inconsistent among producers, studios and production companies. This, in turn, has negatively impacted visual effects practitioners who are increasingly denied access to their work while trying to survive in a highly competitive and global marketplace.

As stated in the Visual Effects Society’s VFX Bill of Rights, the Society upholds the concept of Portfolio Rights. More specifically, we recognize the right of artists and facilities to show work that they have contributed to in order to seek and gain employment in the field.

Using work from a project on a demo reel may seem a logical and even moral right, but it is critical to acknowledge this is an arena fraught with complexity that can result in legal action and even criminal proceedings if mishandled. Copyright law can be a delicate arena to navigate. Thus the VES makes the following recommendations on how materials are handled, both at the facility and the artist level.

General Guideline: As a rule, any work-for-hire material presented as part of a demo reel portfolio must be shown in a private, non-commercial format. It should be presented only after public release of the work, and done in a manner that does not interfere whatsoever with the copyright holder's ability to promote and exploit their own work for commercial gain as set forth in the practices stated below.

Guidelines For VFX Facilities

1. Contract Clause: It is in your best interest to negotiate the right to use project material for your demo (as well as the right for your artists’ use) as part of your initial contract with the studio or producers. This is often a complex negotiation and not always approved, but it should always be attempted.

2. No Use Before General Market Release: Never allow footage from a media project to be used in any format before the project is commercially released in the United States. This is the most sensitive time for the distributor, where a single image might impact the ability to market the project. Any release of information during post-production can expose the facility to the risk of litigation. Direct requests for

pre-release materials by the studio or producers for purposes such as public relations, test screenings or toy design, are, of course, appropriate.

3. Images from Released Version Only: When including imagery in your demo reel, only use shots that appear in the released version of the movie. Do not publicly release shots that were cut from the final project or use alternate takes that you may prefer unless specific permission has been granted.

4. Actor Approvals: Be aware actors often have clauses in their contracts that give them final approval over how and when their images are used. The company should seek permission from the studios in these cases.

5. Plates: Do not release original plates in any form without the express written consent of the studio or distributor.

6. Utilize PR Channels for Public Usage: Whenever possible, utilize a publicist or public relations firm to obtain permission for use of materials in a public forum, such as industry presentations, promotional events or any other widely-viewed format or venue. Following the film's release, the studio's marketing department will continue to carefully manage information to best promote the movie. Unapproved materials can impact carefully laid plans and thus harm your relationship with the producer or studio. A well-connected public relations firm or publicist will know the proper communication channels to utilize in order to receive permission. Under no circumstances should you publicly show any "making-of" material, shot builds or any information that reveals the "secrets" of the film without studio permission.

7. Third Party Usage: While it may not ultimately be your responsibility to obtain permission for an outside group (media, educational group, news program, etc.) to use your demo reel or to display your work, permission should nonetheless be sought by either you, the third party who executed the work, or the organization that seeks to present the materials.

8. Provide Only Shots in Release: Unless otherwise negotiated, only provide shots to artists that: 1) have appeared in a theatrical or mass-market promotional trailer or 2) have been released as into the home video market (DVD, Blu-Ray or On-Demand format).

9. Footage Request Forms: When providing information to artists, determine a company policy and create a form that allows an artist to request a "reasonable" number of shots. The form should require the show supervisor confirm the artist worked on "significant elements" in the requested shot.

10. Provided Footage: When providing shots to artists, always include the company logo "bug" or other on-screen ID. Establish a standard delivery format for the artist. For example, you can provide HD Quick Times in a specific compression. Make this part of your employee manual so the procedure is clear to all employees.

Guidelines For Artists

1. Deal Memo Clause: Much like a facility, you should attempt to negotiate the use of shots you've contributed to for self-promotional purpose at the time you negotiate your deal memo. It may not be possible to put this in writing, but making it clear you are thinking of this prior to the start of the project is good practice.

2. Wait for General Market Release: Never use footage from a media project in any format before the general market release of the project. This includes the home video market (DVD, Blu-Ray or in an On-Demand format) for theatrical film projects or the mass-market television or internet release of other media projects by the copyright holder.

3. Plates, Intermediate Materials & Builds: Never use original plates or other non-final material in any form without the express consent of the visual effects production company, or distributor. Any “builds” or shot breakdowns that utilize intermediate materials to demonstrate how a shot was executed should be approved by the facility or copyright holder and should be properly credited as work contributed to create the shot.

4. Images from Released Version Only: When including imagery in your demo reel, only use shots that appear in the released version of the media project. Do not publicly release shots that were cut from the final movie or use alternate take that you prefer.

5. Actor Approval: Artists should be aware that lead actors in film and television projects will normally have clauses in their contracts that give them final approval over how their images are used. Any unauthorized use of an actor’s image by an individual artist could result in legal action or industry blacklisting of both the visual effects company and the individual artist. Never show camera original plates (“before” portion of a before/after comparison) of a lead actor without the express written consent of the copyright holder or visual effects company.

6. Theatrical Trailer Shots: If you worked on material that has been released in a theatrical or mass-market promotional trailer, it is generally considered acceptable to use those shots in your demo.

7. Social Media: A demo reel is a professional tool to help you market your skills for future employment. It should not be intended for public consumption. Avoid unwanted and unnecessary exposure on public forums and social media sites.

8. Third-Party Websites: Do not provide your demo reel to any other websites. If you receive a request to show parts of your demo reel, refer the requester to the studio’s or VFX facility’s marketing departments or publicists for their own approval.

9. Breakdowns: Always provide a reel breakdown in text or pdf format on your website. It’s important to explain to a viewer what you did on every shot.

10. Proper Credit: Give credit where credit is due. In your reel breakdown, identify the work you did, and the work you didn't do. Thank the VFX facilities and/or studios, and acknowledge the copyright owner for the material (i.e. “copyright Paramount Pictures”), preferably as a small watermark on the shot.

11. Private Viewing Format & Security: When possible, show your demo reel on a portable device and do not leave it behind. If posting the materials on your own website or a video sharing website (such as Vimeo), always use password protection. Passwords should then only be provided on a one-to-one basis to potential employers. This will enhance security and limit the ways you might be exposed to legal consequences.

For both facilities and artists, it is always best to be cautious, as well as honest, about your use of copyrighted material. Though there are no clear cut rules on these matters, the more that you can show you are being responsible with the material, the less likely you will offend someone. By following the rules above, and basic common sense, you should be able to safely present your work to potential employers and clients.