



NEWSLETTER

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FORMAT DEFINITION

FRAPA'S co-chair Phil Gurin was invited by industry trade magazine C21 at the dawn of 2020 to provide an overview for the current definition of a format for the benefit of all – here's what he had to say:

WHAT IS A FORMAT? Phil Gurin, co-chair FRAPA

Much like the concept of money — which only works because everybody chooses to believe it has value — today's multi-billion-dollar format industry is built on the premise that a TV format is a precious, protectable, marketable commodity. So it is ironic that, as FRAPA enters its third decade, the debate still rages about what constitutes a TV format.

2020 is our 20th anniversary. To mark the occasion, we've launched the FRAPA Vision Project, the overarching aim of which is to ensure we continue to offer the best services, resources and guidance to our growing global community of format producers. In some ways, little has changed over the last 20 years.

This year, we were invited to present our ideas for a sustainable global formats industry at the second EU-China Roundtable on Copyright Protection and Licensing in the Digital Environment, which took place in Shanghai. This was followed by a similar invitation to the annual conference hosted by the Korea In-house Counsel Association (KICA) and the Korean Entertainment Law Society, in collaboration with Korean Copyright Law Association.

For us, the key take-away from both of these events was that the vast majority of entertainment professionals have only the haziest idea of what constitutes a format, never mind how copyright law can be used to protect it. And as our industry grows in size, weight and scope, driven by the growing appetite from platforms and streamers for formatted programming, this lack of basic understanding is becoming increasingly problematic. In short, formats have gone mainstream: it's time we had a mainstream

modus operandi to help a global industry in desperate need of boundaries, best practice and standardised trade agreements.

The first step is to define terms — and this is where FRAPA, as an impartial, non-profit organisation, can help. In 2017 we partnered with international law firm Baker & McKenzie we provided the most comprehensive definitions in 40 reported judgements in 20 major TV territories – you can see where streamlining starts to become mission critical. Now, collecting input from our board, specialist legal partners and dedicated members, we have crafted the following definitions and sub-definitions:

Format (noun):

A specific type of intellectual property that allows for and guides the replication of the original idea in subsequent iterations across media, platforms and territories.

- i. *In television (or any audio and/or video medium), a clear and repeatable set of elements that, when combined, enable the production of a programme. Elements may include, but are not limited to, narrative structure, character descriptions, set and lighting plans, graphic and audio designs, music and sound effects, rules, production procedures and anything else that permits subsequent users to reproduce the original concept.*
- ii. *The original idea may or may not be commercially produced, as it is the initial intellectual creation and accompanying elements and instructions that immediately establishes its origin and ownership.*

Format (verb) (as in, “to format a show”)

To turn an existing piece of intellectual property (ie, fiction, non-fiction, song, movie, etc) into a unique and original guide with repeatable elements to be recreated and distributed.

The top-line descriptive is designed to be a simple, understandable and widely encompassing definition that producers, creators, distributors and legal bodies can cite when discussing/ arguing over what is and what is not a format. The sub-definitions offer a more nuanced understanding, as secondary definitions in dictionaries typically do for words with expansive meaning.

Our hope is that it is adopted worldwide by courts and lawyers, as well as the creators, sellers and buyers of formats and that, over time, it becomes the accepted standard for our industry. It’s about time we get one and we need it to protect the industry which feeds our families.

SAVE THE DATE!

The FRAPA Mini Summit will be held as ever this March as a central part of the MIPFORMATS event in Cannes before MipTV kicks off.

FORMAT AWARDS

Calling all members for contributions; The International Format Awards have opened for entry for any format that first went on air in 2019 and is now being marketed to the international market. The International Format Awards are the leading awards for the global format business, recognising creativity and excellence across a range of categories. They are a coproduction between leading players in the formats business; FRAPA, EMC and C21Media in association with MIPFormats. The awards will be judged by a panel of international formats buyers. The Awards are open to any show that first went to air during 2019 and is being marketed to the international community as a format.

- Entry period is **January 13 – February 7**
 - Finalists will be announced on **March 11**
 - Winner will be announced during MIPFormats
 - The awards will be presented at a gala dinner during MIPFormats
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NATPE

At NATPE Miami 2020 which runs from the 21st to the 23rd January, FRAPA has been invited to present its latest views and analysis on global formats. Make sure if you're attending the event to get down to the Fontaine room at the Fontainebleau Miami Beach on Tuesday January 21 11:00 AM - 11:45 AM

What the World is Watching: Global Formats - presented by FRAPA

- **Jennifer Dettman**, *Executive Director, Unscripted Content, Canadian Broadcasting Corporation*
- **Enrique Guillen**, *EVP Commercial Strat. & Intl. Development, Universal Television Alternative Studio, NBC Entertainment*
- **Vasha Wallace**, *EVP, Global Acquisitions & Development, FREMANTLEMEDIA GROUP*
- **Phil Gurin**, *President & CEO, The Gurin Company*
- **Julien Degroote**, *Head of Content, Development and International, TF1 SA*
- **Mike Beale**, *Managing Director, Creative Network & Nordics, ITV Studios*
- **Cyle Zezo**, *Executive Director, Alternative and Digital Programming, The CW*

Also on Tuesday January 21 at 04:45 PM - 05:45 PM. Hayley Babcock, FRAPA General Board member will take to the stage in the Dazzle suite for a panel that will give you the latest insights on how to maximise your IP.

Maximizing IP: Rights Retention & Exploitation Strategies with NPACT

- **Jennifer Daly**, *President, Critical Content*
- **Michelle Van Kempen**, *Interim General Manager, NPACT*
- **Hayley Babcock**, *Head of Int'l Format Production and Acquisition, A+E Networks*
- **Sarah Coursey**, *SVP, International, GRB Studios*



Create evidence of your work on FRAPA's FRS (Format Registration System)

[READ MORE](#)

FRAPA is one of the founding partners of the The International Format Awards.

[READ MORE](#)

CODE OF CONDUCT

'FRAPA believes in and fights for the protection and recognition of formats worldwide. As a global organization it represents the international community of format creators, distributors and producers and, as such, believes passionately in the principles of freedom of expression and the right to fair trade. All persons associated with the creation, production and distribution of formats should have the right to be heard without fear of political interference or injection. The opportunity to exercise these basic creative rights is to be enforced regardless of ethnicity, religious beliefs, political affiliation, race or gender. We appeal to our members to respect one another's right for free expression.'

[READ MORE](#)

DECLARATION OF COOPERATION

Intellectual property is the basis upon which a global economic industry grows and prospers in virtually every country on earth.

GENERAL BOARD FRAPA

Phil Gurin, The Gurin Company, co-chair
Jan Salling, BBC Studios Nordics, co-chair
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www.frapa.org

Gooimeer 4-15 | 1411 DC Naarden | The Netherlands
Postbus 5135 | 1410 AC Naarden | The Netherlands

Opening hours Office:
Monday – Friday : 10:00 – 16:30 hours (CET)

Telephone number:
+31 (0) 35 – 695 40 07

info@frapa.org

Registered office:
Gooimeer 4-15 | 1411 DC Naarden | The Netherlands

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