

MARKETING PROGRAM

ESSENTIAL INFORMATION GUIDE

1. My project was not financed by Telefilm in production. Is it eligible for support under this Program?

- Yes.** However, Telefilm prioritizes projects that have been financed for production or post-production under the [Production Program](#), the [Theatrical Documentary Program](#) or the [Talent to Watch Program](#).

Note: You must apply prior to the theatrical release of your project. Please contact your Feature Film Executive for more information.

2. Are projects financed under the Talent to Watch Program eligible?

- Yes.**

3. Will Telefilm require changes to the distribution agreement?

Telefilm will review the distribution agreement and may require modifications to bring the agreement into line with the Canada Feature Film Fund Distribution Terms & Contract Requirements (available on the Program [webpage](#)).

Even if the project was financed by Telefilm at the production stage, it does not necessarily mean that the distribution agreement has been reviewed and approved by Telefilm as this may only be done at the final cost analysis stage. In this case, the distribution agreement is analyzed during the review of the marketing application. An amendment may be required to meet the requirements of the Distribution Terms and Contract Requirements, even if the project has already been released.

4. What distribution rights must the applicant hold?

It is expected that the applicant holds all the Canadian distribution rights, except for rights which may have been assigned to parties as part of the financing of the project. For example, a broadcast licence used in the production financing may include certain broadcasting and SVOD rights. Distribution rights within Canada (for example, Quebec versus rest of Canada) can be split. On a case-by-case basis, Telefilm may permit the applicant to carve out or divide rights (for example non-theatrical rights) with another party to allow for a separate marketing application to be submitted in order to promote and support community outreach initiatives.

5. My project has two distributors, one for the Francophone market, and another one for the Anglophone market. Who should submit the application to Telefilm?

There should be two separate applications respecting the territories and rights mentioned in the distribution contract.

6. Are marketing and promotion costs incurred prior to the application eligible?

Costs incurred prior to confirmation of funding by Telefilm are at the risk of the applicant as they may be ineligible and/or outside the Telefilm-approved marketing plan. Telefilm recommends that applications be submitted no less than four (4) weeks in advance of the proposed release date. When required by Telefilm, test screening costs are eligible when carried out during postproduction prior to delivery.

7. My production company is self-distributing our project. What will Telefilm take into consideration in determining the amount of its financial support towards the marketing of the project?

Telefilm will take into consideration the needs of the project as demonstrated by the marketing plan, the exhibitor commitment (e.g., the number of screens, the number of cities), the marketing and distribution experience of the applicant, the track record of the film as well as the availability of resources. The applicant must have adequate promotion and marketing expertise.

8. My production company is self-distributing my project and contributing financing to the marketing costs. Will it be able to recoup this amount in the same tier as a traditional minimum guarantee?

Producer contributions to the financing of marketing costs of self-distributed projects will recoup *pro rata pari passu* with Telefilm in the first tier (in advance of the recoupable production financing amounts).

9. What are the applicant's obligations with respect to subtitled and/or dubbed versions financed under the Marketing Program?

In cases where an applicant does not have exclusive distribution rights in all markets for a production, the applicant must guarantee that the production versioned with the assistance of this program be made available either to the Canadian producer, or to any distribution or foreign sales company appointed by the Canadian producer. Please contact your local Telefilm feature film representative for more information.

10. What constitutes a commitment from a theatrical exhibitor?

A commitment from a theatrical exhibitor can be in the form of a fully executed deal memo, a short form agreement, a firm commitment letter or an email confirming the commitment of the theatrical exhibitor to release the film theatrically within six (6) months of the application.

11. My project will not be released theatrically, is it eligible for marketing support?

Telefilm may consider waiving the theatrical release requirement **only** if the project was financed by Telefilm in production or post-production and the producer and distributor (as applicable) agree that a straight to VOD release and campaign would best serve the project. In such case, the following criteria will be taken into consideration to determine whether Telefilm can waive the theatrical release requirement and support the ancillary platform campaign:

- project budget and level of Telefilm support in production;
- scope and costs of the ancillary platform campaign;
- audience reach strategy;
- alignment between producer and distributor (if applicable);
- special circumstances.

If you are considering making such a request, please contact the Regional Feature Film Executive responsible for your region prior to submitting your application.

12. My distribution company is distributing a project with a production budget of less than \$3,5 M that was financed by Telefilm under the Production Program, but it does not qualify as an Eligible Distribution Company under this Program. Is it eligible for marketing support?

On a case-by-case basis, Telefilm may grant marketing support under this Program to a distribution company that meets the basic eligibility criteria but does not qualify as an Eligible Distribution Company. In such case, the funding and recoupment terms shall be the same as for production companies.

Further, administration fees are not considered as eligible costs when the applicant is a production company or a distribution company that is a related party to the production company and does not qualify as an Eligible Distribution Company for the project.

If your distribution company has not qualified as an Eligible Distribution Company with Telefilm for your project, please contact your Feature Film Executive before applying.

13. My film will be presented at TIFF. Are the TIFF release costs recoupable?

Yes. If the project is selected at TIFF, the applicant may recoup up to \$10,000 for the release costs (if it is an Eligible Distribution Company) or \$5,000 (if it is not an Eligible Distribution Company). Such costs must be clearly identified in the budget submitted to Telefilm, and the applicant must submit the TIFF invitation letter to Telefilm at time of application.
