

CrowFan Film Forum

A Website Proposal By

David Ullman

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Contact Information

David Ullman

[REDACTED]

Raleigh, NC [REDACTED]

[REDACTED]

[REDACTED] david@crowfans.com

George Marshall

[REDACTED] P.O. Box 1123

St. George, UT [REDACTED]

[REDACTED]

[REDACTED]

Summary: David Ullman, in association with CrowFans.com, is pleased to submit a proposal to the Edward R. Pressman Film Corporation and Crowvision, Inc. for the development of a website which will host free, downloadable, fan-made, non-commercial film and video shorts based upon the Crow mythos.

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Introduction / History

From 1994 to 1998, I worked to create a video version of James O'Barr's original Crow comic series. This video was produced for purely creative and educational purposes, with no commercial motives or prospects. Once the adaptation was completed, I contacted several administrators of Crow "fan-sites" to inquire if they might be interested in viewing the piece. A number of them did express interest, and videotapes were shipped out for the minimal cost of producing them, which included plastic video library case, color insert, specialized label, and time-specific videocassette. From these few copies, a small following emerged through positive reviews posted on some of the webmasters' sites and electronic message boards. The fan-site webmasters forwarded curious parties my e-mail address, and approximately twenty-seven cassettes were mailed by me personally to curious Crow fans who wished to see our amateur-but faithful-adaptation of James O'Barr's comic.

Encouraged by unanimously positive responses, I resolved to author a website of my own from which fans of the Crow books and films could order copies of my video version of the comic for less than \$10 (including shipping). The cost would be worked out to the penny, and the price break-down was to be included on all order forms. Prior to this, my only authorization to create a work involving this copyrighted character and story was an encouraging, hand-written letter from Aleda at Kitchen Sink Press' Crow Club in April of 1995. Aleda was very kind and helpful in offering to forward my video to James O'Barr upon its completion and asked if I would kindly send an extra copy for those at the Crow Club to enjoy. At this time, I was age fifteen and did not bother attempting to secure rights to the story, character, or music involved because of the noncommercial, low-circulation status of the project. However, six years later, I realized that a venture such as "distributing" the non-profit piece through a website would be in violation of the law of copyright without first securing permission from those whose works were appropriated; therefore, I created press kits for the project and mailed them out to bands whose music was included in the cut as well as to Jeff Conner at the Pressman Film Corporation's Beverly Hills office. Mr. Conner's address came to me through a very pleasant series of e-mails with John Bergin of the band Trust Obey. A friend of James O'Barr's, Mr. Bergin liked the piece and thought that Mr. Conner would enjoy my no-budget adaptation of the comic, but cautioned me regarding any distribution of the work.

Mr. Bergin was right. In May of 2000, I received a letter via U.S. Certified Mail from then-counsel for Crowvision, Inc., Koethi Zan, demanding that I "cease and desist all activities relating to production, distribution, marketing, publicity, or any other exploitation of the Video." Since that time, I have had no part in the distribution of this work, save the few copies made for, or lent to, family and friends; however, the demand of Crow fans to see my now-martyred "indie" production has been met by bootleggers and counterfeiters in the time since. Not a month passes in which I do not see poor quality copies of my work, redressed with different cover art, surface on E-Bay or other such Internet auction sites, and I have read of many accounts of the video being sold at conventions. Just recently, I myself purchased a copy from an unscrupulous online auctioneer for approximately \$20 to see what they looked like.

The adaptation continues to circulate without my involvement or consent. In addition to the bootlegs, the video is reputedly posted on the KaZaA file-sharing network and is frequently the subject of electronic bulletin board posts. Some Crow fan-sites have sections dedicated to its praise, and one lesser-known offering has even posted the project online in segments available for download in a message board devoted to its discussion.

Taking note of these practices, in early 2001 I contacted the Pressman offices via e-mail to ask if it would be permissible to exhibit my adaptation online by means of streaming video feeds. That February, Jeff Conner replied, requesting that I resend the press kit materials and video so that my appeal could be properly addressed. Two months later, in response to an e-mail inquiry as to the progress of the evaluation, Mr. Conner assured me that the issue was being taken seriously, but asked me to "Please be patient." This is the last I have heard from the Pressman team regarding this matter. I attempted to contact Mr. Conner again in November of the same year regarding "Inertia: Re-Making The Crow," a documentary that I produced that chronicles the creative involvement of myself and filmmaking partner on the project, which I had opportunity to screen at the 2001 New York International Independent Film and Video Festival. I received no response to this more recent post.

Meanwhile, in order to prepare my admittedly unauthorized adaptation for authorized Internet exhibition, as acknowledged by Mr. Conner, I again contacted John Bergin. Mr. Bergin graciously granted me permission to fully re-score the picture to his Fear and Bullets album(s) so as to fill the film with approved music and assured me that I was to feel free to use any of his music on any of my projects, asking only for due credit and personal copies of the works that featured his contributions in return.

So sanctioned, I revised the soundtrack to include only songs and score by Trust Obey and divided the piece into six segmented MPG video files for Internet presentation. It is in this form that the project exists now, complete with stills, press kit package, newly recorded directors' commentary, and over four years of resonance with the Crow online community, awaiting a response from Crowvision to take the next step.

Rationale and Significance

Cultural theorist John Storey asserts that "Fandom is not just about consumption, it is also about the production of texts –songs, poems, novels, fanzines, videos, etc. –made in response to the professional media texts of fandom" (qtd. in Alvermann 438). As the production of the third sequel to the ground-breaking first Crow film unfolds, society is in the midst of what MIT media studies professor Henry Jenkins terms an "explosion of grassroots, participatory culture" (qtd in Walker). Now more than ever, devoted fans of books, films, and television shows are being inspired to create new works based upon the original productions they admire. Crow fans are no exception. In fact, they are a prime example of the outpouring of creative works inspired by an original vision. However, it is their freedom to do so that is the issue at hand.

Ph. D. candidate Jeffrey Brown asserts in his essay “Comic Book Fandom and Cultural Capital,” that “Rather than blind devotion, fandom is a means of expressing one’s sense of self and one’s communal relation with others in our complex society.” Crow fans are embodiments of this doctrine, and as noted in the 2001 Crow “Ultimate Collection” DVD Box set booklet, “‘Crownees’ appear to enjoy a more nuanced approach to their activities. Something about the depth and intensity of the Crow mythos—the themes and issues evoked by The Crow stories—compels its ardent devotees to commit acts of self-expression, telling their own Crow stories in a variety of ways.” As the article points out, “fans are generally ahead of the curve,” and Crow fans are not limited to the time-honored traditions of fan fiction, poetry, and Fine Art. Creatively inclined Crow enthusiasts produce their own comics, screenplays, and yes, amateur films (9).

MIT’s Jenkins holds that “We now live in a culture that is based on sampling with new means of poaching and redacting images. It’s a new aesthetic.” Jenkins goes on to state that artists “now can use videotapes, camcorders, Photoshop, digital film editing, recordable CDs, MP3 files, and the Internet. The result has been an explosion of amateur films, fiction, and music, all of which can be ‘published’ for a minimal investment by putting them on the Web” (qtd in Walker). The World Wide Web has brought these amateur productions out of the basement and into the households of the world. Associate editor of Reason magazine Jesse Walker observes “Thus, a Web surfer with the right software—most of it available for free—can download an astonishing array of homemade epics, varying widely in tone and quality.” Obviously, this is a nightmare for, as stated in the aforementioned DVD literature, “those concerned with intellectual property rights” (9).

These noncommercial pieces of fan appreciation need not be the bane of copyright holders existences. While some corporations are intolerant of such works, other key players in the industry are taking a different stance in regard to fan films. In particular, powerhouse producer George Lucas allows, and in fact embraces, the cinematic treatments of his Star Wars universe by amateur filmmakers. His company, Lucasfilm Ltd. now even sponsors an annual official fan film competition hosted on the Internet by AtomFilms (www.starwars.atomfilms.com). The contest encourages filmmakers to dream up and produce original parodies or documentaries based upon the Star Wars universe. There are three awards offered, the prizes for which range from a custom-made trophy to \$2000 cash and a visit to the Skywalker Ranch. In addition to eliciting these sanctioned appropriations of his creations, which would technically fall under the “fair usage” provision of copyright law, Lucasfilm abides by a good-faith agreement with the fans which permits the Internet exhibition of fan films that utilize and expand the Star Wars tradition on websites such as the Star Wars Fan Film Database (www.swfanfilms.com) and The Force Net Fan Films (www.fanfilms.com). Such sites house over 400 “Wookiee-centric works” (Gaslin), all permitted by Lucasfilm’s “live-and-let-live legal” (Davis) strategy, one which has gained international attention in the media.

The following is an excerpt from Harry Allen’s 2001 article for Premiere magazine entitled “An Empire of Their Own”:

[. . .] Star Wars fan films cannot be sold or exhibited for money. It's part of Lucas's spoken and unspoken deal with his fans.

That is, since every single element of the Star Wars realm is part of his copyrighted property, then, technically, the creators of fan films are breaking the law. The act of showing a fan film "in public" —and that includes on or through the Internet —"is a copyright infringement," says attorney Martin Garbus. Lucasfilm "has a right to stop it, whether the filmmaker shows it for money or not"

Interestingly, Lucasfilm has taken a unique and enlightened position here, particularly in comparison to other companies. "We encourage our fans to have fun and celebrate Star Wars," says Jim Ward, vice-president of marketing at Lucasfilm. "As long as we deem these things celebratory in nature, that fans are trying to have fun and express themselves positively, and are not trying to make money off of copyrighted material, or use it in a way that is offensive to our core audience, offensive to kids, or are using it in connection with pornography—all of those kinds of areas cross the line for us. That's when we have an issue with it."

Enabled by Lucasfilm's "enlightened" attitude, these loyal fans, by means of this new and exciting medium, "have begun a unique chapter in the history of filmmaking: one where, through digital technology, the means to shoot high-quality [. . .] films, then get them widely—globally—streamed, downloaded, seen, and appraised, have been put into the hands of amateurs" (Allen 49). Now, thanks to these new technologies, all it takes is "camcorders, computers, and a little imagination" to enable even the most inexperienced fanfilmmaker to take a seat in the director's chair (DeRuvo).

Why do people make fan films? Creator of the 50-minute Star Wars fan feature Knightquest offers this explanation: "[. . .] these fan films have a built-in audience. I've got people waiting to see this" (qtd. in Allen 51). Attentive viewers are a very big attraction for fledgling filmmakers. A captive audience, other than one of token friends and family sedated with microwave popcorn and free beer, can be more valuable than a handful of cash, an end for which fan films are not built, to a burgeoning filmmaker. These individuals are the epitome of the cliché. Their projects are labors of love, done only for themselves and fellow enthusiasts. Amongst this class of cinematic embryos, inspiration and encouragement go a long, long way. These amateur auteurs, who craft tributes to the films that have inspired them, are not making their productions for money or even recognition. "Ultimately, [. . .] they're in it for the enjoyment of filmmaking" (Humphries 16). These efforts are first attempts to learn the ropes of motion picture making. Fan films provide "a chance for budding actors, writers, and directors to learn the rudiments of their craft" (Walker). In his introduction to "The Official Star Wars Fan Film Awards" broadcast on the Sci Fi Channel last year, cult film director Kevin Smith proposes a reason for the rigorous devotion of Star Wars fanfilmmakers: "They identify with it; they see themselves in it [. . .] It's their mythology." The same is true for fans of The Crow, who have already created websites that host countless volumes of fan fiction, poetry, artwork, and multimedia.

An entire subculture has emerged from the shadow of James O'Barr's avenging angel, and Jenkins maintains, "If something becomes an essential part of our culture, we have a right to draw on it and make stories about it"(qtd. in Walker). Fans must be able to adopt a character and take it on new and continuing storylines. Although my offering is a re-telling of the original comic series, one need look no further than to the sites mentioned throughout this document to see that the vast majority of the fans that create and consume these works are not interested in tracing the tracks of the original tales that set the standards, but rather in exploring new trails, forging fresh paths down which to take their own characters. Through the proposed website, Crow fans will be encouraged to produce works that will "rework the [Crow mythology], expanding it with new personalities, scenarios, and conflicts" (Allen 49).

Online fan films are not limited to the Star Wars sect. There are X-Files entries, Buffy the Vampire Slayer shorts, Highlander homages, a decade-old Spider Man feature complete with a commercially available "making-of" documentary, and more. There is, in fact, another independent Crow short film hosted by one of the major online sites for streaming media. The content of such broadband multiplexes is growing exponentially, and despite legal notices that demand submissions come from the exclusive copyright holders of the content, unsanctioned fan films are hosted and transmitted onto desktops around the world by the tens-of-thousands.

I have refrained from such outlets due to my respect for Crowvision's copyright holdings and my underlying hope that the Edward R. Pressman Film Corporation will exhibit the same brave foresight that brought the original concept of The Crow to fruition in the medium of motion pictures and allow willing and able Crow fans to create works in the same manner and present them to fellow enthusiasts via the most vital resource for awareness-building of the new millennium: The Internet.

The Internet is providing a broad platform for these amateur writers, artists, and now filmmakers to present their tributes to the creators of their favorite works. Last year, according to the FCC, an estimated 54 million Americans subscribed to an Internet access service, and of that figure, an average of 12.5 million viewers regularly sought video content online (Beach). Amidst online societies, dedicated devotees express themselves through their chosen medium in reverent homage to the concept to which they are collectively drawn. For Crow fans, this practice has been limited to written works and artistic renderings because of the stringent enforcement of Crowvision's copyright, as exemplified by my case stated in the above introduction. The fan film phenomenon is one which Pressman Films would be foolish to ignore.

There is no need to let Lucasfilm be the "ruler of the digital domain" (Davis). Why not harness the inherent enthusiasm of one of the most committed fan bases on the Internet? Granting them a place to express themselves and being instrumental in cultivating the fan film culture will foster enthusiasm and raise awareness for The Crow, thus creating larger audiences for the films produced by the corporation. Pressman Films, and its continuing efforts to bring fresh Crow stories to the screen, can only be aided by the existence of a venue, such as the one proposed here, for free, fan-based Crow cinema.

Organization Profile

CrowFans.com, the website which has agreed to host the proposed CrowFan Film Forum, is a privately-owned company that was founded in September of 1999. An Internet site dedicated to the interaction of fans of The Crow comics, TV series and movies, CrowFans.com boasts a registry of nearly 4000 members and services users from over 100 countries. The site averages 350 visitors and 3000 plus page views per day, and serves a key demographic of men and women predominantly between the ages of 17-35.

CrowFans.com is the brainchild of three dedicated volunteers: George Marshall from St. George, Utah, webmaster of The Avenger.com, Frank Guill from Spokane, Washington, who maintains The Crow's Loft, and Mike H. Peters from Melbourne, Australia, co-Webmaster and news manager of the popular "Around the Clock Crow News" Site, A Boy and His Bird. These three prominent figures from the Crow online community have pooled their efforts with the shared goal to create the ultimate starting point for Crow fans on the Internet.

CrowFans.com features many attractions. Visitors can browse through collections of Crow-inspired artwork, poems, short stories, desktop themes, and screen savers. An annual "CROW-EEN" contest presents an opportunity for fans to become a part of the mythology by submitting photographs of themselves in full Crow attire to be judged according to make-up, clothing, and "Crow essence" by a jury of their peers for the chance to win Crow prizes. Another very popular feature are the "Devil's Night Greeting Cards," custom e-mail messages adorned with selections from nearly 150 Crow images and accompanied by samplings of music from The Crow movie soundtracks. A live chat room offers devotees a place to congregate and converse with each other and key figures in The Crow franchise. Notable guests have included Crow feature film producer Jeff Most, Stairway To Heaven executive producer Bryce Zabel, and The Crow: The Story Behind the Film author Bridget Baiss. CrowFans.com also offers "The Murder of Crows" newsletter, with nearly 2000 subscribers, that answers Crow related questions and contains Crow news and website updates, the "Tell Me A Story" online role-playing game, a streaming radio channel dubbed "The Pit Jukebox," a Crow Events calendar, which announces Crow related happenings such as release dates, TV listings, and personal appearances of Crow alumni, "Remembrance," a place for testimonials about how fans have been touched by The Crow's wings, "The Tides of Sin" discussion board, and a merchandising section devoted to Crow products and paraphernalia. In addition to these items CrowFans.com provides an Instant Messaging directory for registered members, as well as free e-mail services and low-rent web page hosting.

The staff of CrowFans.com are firm believers in the freedom of art and information and are adamant about not charging for the use of their site; however, funding for CrowFans.com is aided by the sales of Crow-related banner advertisements and referral fees obtained by linking to Crow-related merchandise, as per the conditions set forth in the affiliate programs of such online merchants as Amazon.com, AllPosters.com, and Emerchandise.com. This practice is employed to offset the cost of equipment maintenance and upgrades.

Proposal

I, David Ullman, on behalf of CrowFans.com, request permission from the Edward R. Pressman Film Corporation and Crowvision, Inc. to develop a website which will host free downloadable, fan-made, non-commercial film and video shorts based upon the Crow mythos. The purpose of this website is to be an outlet for creative Crow fans to express their admiration for The Crow films, books, and television series through the production of original fan films that utilize and expand the conventions of The Crow franchise.

The volunteer staff at CrowFans.com is committed to realizing this free exchange of Crow fan films through the donation of their web hosting services. This independently-owned and operated Internet site is currently capable of transmitting the high-volume video feeds necessary for the presentation of short films on the World Wide Web by way of their T-3 Internet connection and ISP bandwidth without incurring additional costs to the operation or its users. The no-fee trafficking of creative works and services will hinge solely upon the drive and commitment of the participants, whose incentive to submit works includes a global audience of fellow Crow enthusiasts as well as followers of the emerging trend of Internet-based fan films.

This proposed off-shoot of Crowfans.com is to be launched with the debut of the first segment of my adaptation of James O'Barr's original Crow comic series, the history of which is detailed above. An announcement will be sent to the curators of Crow fan-sites and message boards. For the next five consecutive months, a new segment of the project will be posted, along with calls for the submission of original short films and videos inspired by The Crow. Entries adhering to pre-established guidelines will be archived along with any included supplemental material such as director commentary, photos, interviews, and production notes. The website's growth will depend upon the involvement of its visitors and contributors.

Such an venue will fill a void in the Crow fan base and place the producers of The Crow feature films ahead of the curve of this new chapter in filmmaking history, which has already been embraced by an enlightened few of Hollywood's most powerful players (see above "Rationale and Significance" section). Providing an outlet for burgeoning writers, actors, musicians, and directors will not only deepen the commitment of long-time Crow fans, but will also inevitably attract fresh faces seeking notice in the increasingly competitive world of Internet distribution. Ardent followers of the franchise have already unleashed innumerable Crow-themed stories, poems, and artwork on the Internet. More recently, an organized independent comic site has elicited new stories of love and revenge in the Crow tradition, and some half-dozen independent Crow film proposals have been published on the Internet with plans to produce unauthorized incarnations of new Crow avatars with or without a sanctioned avenue of exhibition. Permitting fans to take the characters and character-types popularized by The Crow franchise down un-tread cinematic pathways of peril and promise will undoubtedly nurture the hard-won devotees of a film series with widening appeal, whilst winning new fans through the synergistic advertising efforts of the CrowFans.com staff.

Closing

Due to the addition of Wicked Prayer to the Crow cannon, the profile of the franchise will need to be raised significantly in the coming months. A forum for fan films such the one suggested in this proposal can only improve relations with Crow fans and aid the efforts of the impending media campaign that will be launched in support of the new film.

The plan is simple. The precedent has been set by industry leaders (as described above). It is now merely the question of a challenge to be met. Is the Edward R. Pressman Film Corporation ready to loosen its vice on the creative men and women who desire to expand the wings of The Crow franchise and place itself at the forefront of this revolutionary chapter of film history?

The aim of this proposal is to initiate a dialogue with the Pressman team that will ultimately yield an official or unofficial amnesty for inspired Crow fans to create cinematic expressions that incorporate the themes, characters, and story elements copyrighted by Crowvision, Inc. to be exclusively exhibited on a free-based, noncommercial website which will establish terms of service and film submission guidelines which must be agreed to by all contributors and users of said site.

I feel that there is a very real place for a free-based cinematic dialogue amongst Crow enthusiasts, and I would like my adaptation of the original comic series to lead the way, not by example so much as through inspiration. The anthological approach that has been the key to continuing The Crow saga through different avatars is a surface that has barely been scratched and one that allows for an infinite number of interpretations. I believe the fans are ready to take up this challenge, and the Internet is the perfect vehicle for the exploration of this "avenue without revenue," one from which Pressman Films and its affiliates can only benefit.

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