

WRITERS OPTION AGREEMENT CHECKLIST

1. Author
2. Purchaser
3. The Work
4. Option Fee
5. Option Period
6. Extension Period
 - (a) Fee
 - (b) Notification in writing or by condition precedent such as filming.
7. Rights Transferred
 - (a) to copy
 - (b) to adapt
 - (c) to reproduce
 - (d) to publish
 - (e) film production
 - (f) territory
 - (g) to exhibit film
 - (h) to broadcast film
 - (i) to transmit film
 - (j) advertising/publicity - radio
 - (k) publication of synopsis - purposes
 - i) publicity
 - ii) education
 - iii) magazine
 - (l) sound recordings
 - i) make,
 - ii) sell
 - iii) lease,
 - iv) hire
 - (m) use of biography - photos/author
 - (n) merchandising

- (o) registration of Trade Mark designs, patents
- (p) film and production of film
- (q) assignment and or licensing to third parties
- 8. Production
 - film serial video other
- 9. Purchase Price
 - (a) amount on exercise of option
 - (b) percentage of budgeted cost of production
 - (c) minimum/maximum
 - (d) time of payment:
 - i) on exercise of option/extension
 - ii) on financing
 - iii) on commencement/production
- 10. Right of Refusal
 - (a) What happens when option lapses? - loss of exclusivity.
 - (b) Right of purchaser to better non-exclusive offer.
- 11. Warranties of Author
 - (a) Copyright
 - (b) Defamatory
 - (c) Trade Practices Act – false and misleading
 - (d) Passing off
 - (e) assist in completion
 - (f) Australian National/Resident
- 12. Accreditation
 - (a) on what publicity
 - (b) by-products
 - (c) on screenplays to Distributors
- 13. Expenses
 - attendances/author for school or publicity
- 14. Address for notices
- 15. Assignment