

CLASSIFICATION AND RATING ADMINISTRATION

Motion Picture Association of America, Inc.

15301 Ventura Boulevard, Building E

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AGREEMENT TO SUBMIT MOTION PICTURE FOR RATING

Effective March 1, 2010

Section 1. The Classification and Rating Administration

The Classification and Rating Administration ("CARA") issues ratings for motion pictures exhibited and distributed commercially to the public in the United States, with the intent to provide parents information concerning the content of those motion pictures, to aid them in determining the suitability of individual motion pictures for viewing by their children. CARA will rate any motion picture at any time before or after it is exhibited or distributed in the United States. This agreement (the "Agreement"), along with the Classification and Rating Rules¹ ("CARA Rules") and the Rules and Regulations of the Advertising Administration ("Advertising Rules"), each incorporated herein, set forth the terms and conditions for submission of motion pictures for rating. The person or entity submitting this motion picture for rating (the "Submitter") acknowledges that he/she or it is in possession of a copy and knowledgeable of the requirements of both the CARA Rules and the Advertising Rules.

Section 2. Authority of Submitter; Communications with CARA and Advertising Administration

The signatory to this Agreement represents and warrants that he/she has the right and authority to enter into this Agreement and bind the submitting entity as Submitter to the obligations of this Agreement. The Submitter represents and warrants that the information provided in this Agreement is true and correct. The Submitter must immediately notify CARA in writing of any change in the information provided in this Agreement, including the identity of the exhibitor, distributor or title of the motion picture. The Submitter should be aware that the rating and rating descriptor for the motion picture and all other communications regarding, or action taken in connection with, the motion picture shall be binding on all exhibitors and distributors of the motion picture. As a result, if the Submitter does not have sole rights to exhibit and distribute the motion

¹ Except as otherwise defined herein, all terms used in this Agreement shall have the same meaning as provided in the Classification and Rating Rules.

picture in all markets, it should notify any other rights holder to the motion picture of the terms of this Agreement.

The Submitter must designate: (1) a representative who shall be authorized to communicate with CARA on submission and scheduling issues (the "Submission and Scheduling Contact"); (2) a representative to accept the rating and rating descriptor for the motion picture (the "Rating Contact"); and, (3) a representative authorized to communicate with the Advertising Administration regarding the approval of advertising for the motion picture (the "Advertising Contact"). All communications by CARA relating to the rating and rating descriptor for the submitted motion picture shall be only with the Rating Contact, or someone with whom the Rating Contact shall authorize CARA in writing to communicate. Similarly, all communications by the MPAA Advertising Administration relating to the promotion and advertising of the motion picture shall be only with the Advertising Contact, or someone with whom the Advertising Contact shall authorize the Director of Advertising to communicate. All such communications with CARA and with the Advertising Administration must be treated as confidential.

Section 3. Submission of Motion Picture for Rating

3.1 Timing for Submissions. This properly completed and executed submittal Agreement, other required materials, and the appropriate payment² for rating of a motion picture must be received by CARA at least **fifteen (15) business days** before the motion picture is screened by CARA and, in any event, before the motion picture is placed on the waiting list for screening. Failure to timely submit all required materials may result in loss of a screening date and of priority for screening of the motion picture.

3.2 Additional Materials to be Provided with Submittal. Along with this executed submittal Agreement and the appropriate payment, the Submitter of the motion picture must provide the following to CARA:

- (1) Executed Authorization Form from the Rights Holder (Appendix B), if the Submitter is not the rights holder;
- (2) Letter of Authorization for retrieval of the motion picture (Appendix C);
- (3) An official credit sheet which includes the names of any producer, director, screenplay writer, and principal cast characters;
- (4) A brief synopsis of the motion picture story; and
- (5) A complete English translation for all scenes in which another language is used without subtitles.

3.3 Delivery and Retrieval of Motion Picture for Rating. The Submitter of the motion picture for rating is responsible for delivering to and retrieving the motion picture from CARA, including all costs associated therewith. Motion pictures may be submitted in any of the following formats: 35 mm, DVD or DV Cam. CARA must

² Please complete Appendix A of this Agreement to determine the appropriate payment for submission of your motion picture. For wire transfer procedures please refer to Appendix D.

receive the motion picture by 9:00 a.m. on the day of its screening. Please note that deliveries will not be accepted prior to 8:30 a.m. The motion picture may be delivered the day before its screening between 9:00 a.m. and 4:45 p.m. Please refer to Appendix E for procedures for submission of motion pictures for screening. The Submitter must authorize a company and/or individual to retrieve the motion picture after it is screened by CARA. To ensure the safety and security of motion picture submissions, a Code Number will be assigned to each motion picture the day it is to be picked up. The person or company authorized to pick up the motion picture must supply this Code Number and the title of motion picture before the motion picture is released to them. For security purposes, unless otherwise agreed by CARA, the motion picture must be picked up within twenty-four (24) hours after a final screening.

- 3.4 Procedures Concerning Screenings. No one other than CARA representatives may be present in the projection booth or the screening room during the screening of a motion picture for rating.

Section 4. Appeals

An appeal may be taken from the rating certified by CARA in accordance with the CARA Rules. Prior to the filing of any appeal, the Rating Contact must accept the rating assigned to the motion picture. Please see the CARA Rules for a complete description of the procedures for filing appeals and the conduct of appeal proceedings.

Section 5. Assignment

This Agreement shall be binding upon and shall inure to the benefit of all agents, assignees, or successors in interest to the rights of the entity submitting the motion picture for rating; those individuals and entities shall be bound by the certified rating, this Agreement, the CARA Rules and the Advertising Rules.

Section 6. Notice

All notices under this Agreement shall be in writing, sent to CARA at the address set forth above or the Submitter at the address set forth at the end of this Agreement (or such other address as the Submitter may specify in writing) and shall be delivered by hand, email or facsimile and be deemed given upon delivery, or, in the case of email and facsimile, on the next business day.

Section 7. Dispute Resolution

Any controversy or claim arising out of or relating to this Agreement or the rating of a motion picture or the appeal of such a rating pursuant to the CARA Rules (including any dispute as to the validity, interpretation, enforceability or scope of the CARA Rules or this paragraph), that cannot be settled through direct discussions, will be referred to

mediation administered by JAMS before resorting to arbitration. Thereafter, any such unresolved controversy or claim (whether in contract or tort, pursuant to constitution, statute or regulation or in equity or otherwise) will be resolved by binding arbitration in Los Angeles, California, administered by JAMS in accordance with its Arbitration Rules and Procedures. The parties will make a good faith effort to select a mutually agreeable arbitrator. If the parties are unable to reach agreement on an arbitrator, one will be selected in accordance with the rules of JAMS. The arbitrator will apply applicable substantive law consistent with the Federal Arbitration Act, 9 U.S.C. §§ 1-16, and not any state law concerning arbitration. The remedy provided by this binding arbitration provision is final and exclusive. The prevailing party in such arbitration may file an action in court to confirm and to enforce the arbitration award. Any such action will be instituted in a state or federal court in Los Angeles County, California, and all parties agree, as a condition to participation in the rating process, to submit to the personal jurisdiction of those courts. Should either party pursue any other judicial or administrative action with respect to any matter included within the scope of this binding arbitration provision, the responding party will be entitled to recover its costs, expenses and attorneys' fees incurred as a result of such action, regardless of the outcome of that other action.

Section 8. Entire Agreement; Incorporation of Classification and Rating Rules and Advertising Administration Regulations

This submittal form represents the sole and final agreement between CARA and the Submitter concerning the submission and rating of that motion picture, and supersedes all prior discussions or writings concerning such matters. The submission and rating of motion pictures is subject to the CARA Rules and the Advertising Rules, which are incorporated herein. Failure to abide by the CARA and Advertising Rules and/or the terms of this Agreement may lead to the suspension of the rating process or revocation of the rating.

Section 9. Information Concerning the Motion Picture

1. Title of motion picture: _____
Previous titles, working titles (if any): _____
2. Type of Screener (Check One): ☐ DVD ☐ DV Cam ☐ 35 mm Footage: _____ Running Time: _____
3. (A) Production Company: _____
Address: _____
City/State/Zip _____ Telephone: _____
(B) Producer(s): _____
(C) Director(s): _____ (D) Writer(s): _____
4. Film locations in U.S.A.: _____ Locations in foreign countries: _____
5. U.S. Exhibition and Distribution Rights:
Are you the holder of U.S. Exhibition or Distribution Rights for*:
- | | | |
|--------------------------------|------------------------------|-----------------------------|
| Theatrical | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Home Entertainment (DVD/Video) | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| VOD | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Internet | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

*If you **are not** the holder of U.S. Exhibition or Distribution Rights, Theatrical, DVD/Video, VOD or Internet, please have such rights holder execute the attached Authorization Form in **Appendix B** and provide it with this Submittal Agreement.

(A) Has this motion picture been in domestic exhibition or distribution?

Theatrical:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
DVD/Video:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
VOD:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Internet: _____	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Other (specify): _____	Yes <input type="checkbox"/>	No <input type="checkbox"/>

(B) Has this motion picture been exhibited or distributed unrated?

Yes ☐ No ☐

Please describe: _____

(C) Has this motion picture been distributed with a self-applied X?

Yes ☐ No ☐

Provide the name, address, telephone and e-mail of the distributor and approximate release date for the U.S. Exhibition and Distribution of the motion picture:

Theatrical: _____ Approx. release date: _____
(Name)

_____ (address) _____ (telephone) _____ (email)

Home
Entertainment
(DVD/Video):

_____ Approx. release date: _____
(Name)

(address)

(telephone)

(email)

Title of motion picture:

VOD: _____ Approx. release date: _____
(Name)

(address) (telephone) (email)

Internet: _____ Approx. release date: _____
(Name)

(address) (telephone) (email)

Other
(specify): _____ Approx. release date: _____
(Name)

(address) (telephone) (email)

6. Submission and Scheduling Contact: _____ Telephone: _____

Title: _____

Entity/
Company: _____

Address: _____

City/State/Zip _____

Facsimile: _____

Email: _____

Rating Contact

7. (Person Authorized to Accept the Rating): _____ Telephone: _____

Title: _____

Entity/
Company: _____

Address: _____

City/State/Zip _____

Facsimile: _____

Email: _____

8. Advertising Contact: _____ Telephone: _____

Title: _____

Entity/
Company: _____

Address: _____

City/State/Zip _____

Facsimile: _____

Email: _____

Title of motion picture:

9. Original Rating Certificate will be mailed to the Rights Holder. **Additional copies to be mailed to:**

Name (Mr./Ms.): _____ Telephone: _____

Title: _____

Entity/
Company: _____

Address: _____

City/State/Zip _____

Facsimile: _____

Email: _____

Name (Mr./Ms.): _____ Telephone: _____

Title: _____

Entity/
Company: _____

Address: _____

City/State/Zip _____

Facsimile: _____

Email: _____

I certify that I have authority to enter into this Agreement and that the information provided herein is accurate. I hereby agree to be bound by the terms and conditions set forth in this Agreement, including any and all appendices, the CARA Rules and the Advertising Rules.

Name (Mr./Ms.): _____

Signature: _____

Title: _____

Entity/Company: _____

Address: _____

City/State/Zip _____

Telephone: _____

Facsimile: _____

Email: _____

Date: _____

Title of motion picture:

APPENDIX A

Fee Schedule

Check appropriate category and class

Category A

Films that meet at least one of the following criteria:

- To be used by **submitters involved** in any way whatsoever with the production or financing of the film.
- Submitters aggregate gross revenues for the production, financing, or distribution of motion pictures for the prior calendar or fiscal year were more than \$5,000,000.³
- Film does not meet criteria for Category B submission.

Class A-1	Negative Cost	\$75,000,000 or more	\$25,000.00	<input type="checkbox"/>
Class A-2	Negative Cost	\$40,000,000 to \$74,999,999	\$20,000.00	<input type="checkbox"/>
Class A-3	Negative Cost	\$15,000,000 to \$39,999,999	\$15,000.00	<input type="checkbox"/>
Class A-4	Negative Cost	\$5,000,000 to \$14,999,999	\$8,000.00	<input type="checkbox"/>
Class A-5	Negative Cost	\$500,000 to \$4,999,999	\$5,000.00	<input type="checkbox"/>
Class A-6	Negative Cost	Less than \$500,000	\$3,000.00	<input type="checkbox"/>

Category B

Films that meet all of the following criteria:

- Submitters were **NOT involved** in any way whatsoever with the production or financing of the film.
- Submitters aggregate gross revenues for the production, financing, or distribution of motion pictures for the prior calendar or fiscal year were **less** than \$5,000,000.⁴
- The motion picture being distributed has negative costs less than \$15,000,000.

Class B-1	Negative Cost	\$12,000,000 to 14,999,999	\$7,000.00	<input type="checkbox"/>
Class B-2	Negative Cost	\$8,000,000 to \$11,999,999	\$5,000.00	<input type="checkbox"/>
Class B-3	Negative Cost	\$4,000,000 to \$7,999,999	\$4,000.00	<input type="checkbox"/>
Class B-4	Negative Cost	\$1,500,000 to \$3,999,999	\$3,000.00	<input type="checkbox"/>
Class B-5	Negative Cost	\$500,000 to \$1,499,999	\$2,700.00	<input type="checkbox"/>
Class B-6	Negative Cost	Less than \$500,000	\$2,500.00	<input type="checkbox"/>

Category C

Films that meet one of the following criteria:

- Films *previously certified* by this office and being submitted for re-rating or re-screening prior to their exhibition or distribution.
- Re-issued films originally released prior to November 1, 1968 that have not previously been rated.
- Short films under 30 minutes.

Class C-1	Re-Rate / Re-screen	\$2,500.00	<input type="checkbox"/>
Class C-2	Re-issue	\$2,500.00	<input type="checkbox"/>
Class C-3	Short subject	\$750.00	<input type="checkbox"/>
Class C-4	Re-Rating due to Obsolete Rating Symbol	N/C	<input type="checkbox"/>

³ Based on gross revenues from the exhibition or distribution of motion pictures to all media

⁴ Based on gross revenues from the exhibition or distribution of motion pictures to all media and if within 2 years of the certification of a motion picture, it is acquired by an exhibitor or distributor which falls in Category A, the submitter or the new exhibitor or distributor must immediately remit to CARA the difference between the original fee and the applicable amount had the new exhibitor or distributor submitted the motion picture directly.

APPENDIX B

Rights Holder Authorization Form

(To be filled out only if the Rights Holder is not the Submitter)

Certification of rights to (check all that apply): ☐ Theatrical ☐ Home Entertainment
☐ VOD ☐ Internet

I certify that I am the holder of the United States theatrical, Home Entertainment, VOD or internet rights, as stated above, to the **motion picture entitled:** _____ (the "Motion Picture"). I hereby authorize the following **company:** _____ (the "Submitter"), to submit the Motion Picture to the Classification and Rating Administration ("CARA") for rating. While the Motion Picture is submitted for a rating and thereafter, if a rating is certified by CARA and accepted by the Rating Contact designated in the Submittal Agreement, I understand that I and all of my agents, assignees, or successors are bound to abide by such rating, the Submittal Agreement, the CARA Rules and the Advertising Rules in connection with the Motion Picture. I acknowledge and agree that failure to abide by such terms and conditions may lead to the suspension or revocation of the CARA rating. Finally, I understand that upon acceptance of a rating by the Rating Contact, CARA will send me the original certificate of rating.

Name (Mr./Ms.): _____
Signature: _____
Title: _____
Entity/Company: _____
Address: _____
City/State/Zip: _____
Telephone: _____
Facsimile: _____
Email: _____
Date: _____

APPENDIX C

Letter of Authorization

This letter formally authorizes the following **Company/Individual/Messenger:** _____ to
pick up or destroy the **film entitled:** _____ after its scheduled screening by CARA.

Name: _____
Signature: _____
Title: _____
Entity/Company: _____
Address: _____
City/State/Zip _____
Telephone: _____
Facsimile: _____
Email: _____
Date: _____

APPENDIX D

Procedures for Wire Transfers, Checks and Note Regarding Banking Charges

The MPAA is not charged for receiving wired funds; however, your bank may charge you for wiring the funds to us, and deduct that fee from the monies being transferred. Therefore, please arrange to have both the funds for the rating fee and the funds for any bank charge included in the wire transfer. All wire transfers must be in U.S. dollars.

Bank Name: JP MORGAN CHASE
500 Stanton Christiana Road
Newark, DE 19713

Routing Number: 021 000 021

SWIFT: CHASUS33

Account number: 777 203 126

A/C Name: MPAA Classification and Rating Administration

Checks may be made payable to:

Classification and Rating Administration (CARA)
15301 Ventura Boulevard, Building E
Sherman Oaks, California 91403

Please be aware that any check drawn on a foreign bank, even if denominated in U.S. dollars, must be sent for collection by our bank. This process will incur a minimum charge of \$50.

APPENDIX E

Procedures for Motion Picture Submissions

1. Security disclaimers must be located at the top or bottom of the frame in no larger than a 10 pt. font. **All screeners will be checked prior to screening. If the disclaimer is too big and/or interferes with the frame, the screener will be returned.**
2. No watermarks accepted.
3. For DV Cam, allow 30 seconds of 1K tone before the start of the film.
4. For DVD, Letterbox or squeezed is preferred. Do not send a Pan & Scan DVD. We suggest sending a back-up screener (VHS screener recorded on Standard Play) in case there is a problem screening your DVD. Please make sure the DVD is copied from the MASTER, or from a copy as close as possible to the MASTER.
5. Indicate a run time for all screeners.
6. DVD and DV CAM screeners must not include any visible time codes.
7. Time codes must start at 00:00:00 for DV CAM only.
8. Label film aspect ratio, i.e. 1-85 SCOPE, etc.
9. For 35 mm, cue film for changeovers.
10. If picture is separate picture and track, submit it on 2,000 ft. reels.
11. Send complete sound without fill leader.
12. Do not send film directly from the platter-theater. You must inspect it first to make sure the leaders are spliced to the proper reels.
13. **We cannot run 4 TRACK MAG, or Beta screeners.**
14. Film/screeners may be delivered the day before the motion picture is screened between 9:00 a.m. to 4:45 p.m. Film/screeners delivered the same day of the screening must be delivered between 8:30 a.m.-9:00 a.m. (no deliveries accepted before 8:30 a.m.) and the film/screener must be picked up by 4:45 p.m. the day of the screening unless other arrangements have been made. For security purposes we issue a "pick-up" number the day of the screening to the Submitter. If you are sending a courier service to pick up the film/screener, **please make sure they have the film title and the pick-up number;** otherwise the film/screener **will not be released.**