

### COMMERCIALS

## Industrial Use vs. an “Industrial”

**We often hear the term “Industrial” and depending on the context, it could refer to two different contracts. I thought now would be a good time to clarify things.**

### **What is Industrial/Theatrical Use in the Commercial Contract?**

This is a type of use that is covered by Section 43 of the Commercials Contract. Examples of Industrial/Theatrical use would be:

- A Sprint commercial being shown in movie theaters before the previews
- A Samsung commercial exhibited on the Times Square JumboTron

A producer would pay performers an additional session fee if they wanted Theatrical/Industrial use of a commercial for 30 days. If they wanted to use it for more than 30 days, they would pay a total of \$1,074.70, which would allow them to use it up to the Maximum Period of Use (MPU) of the commercial.

### **What about Corporate Educational and Non-Broadcast Industrial Program (Co-Ed) - formerly known as the “Industrial” contract? What exactly is that?**

Prior to 2011, the Corporate-Educational and Non-Broadcast Contract was called the Industrial Contract. This contract, which is separate from the Commercials Contract covers various types of programs that are divided into two category types: Category I and Category II.

**Category I Programs:** Intended for limited exhibition, (i.e., museums, libraries or other similar locations), with no term limit on use (i.e. use in perpetuity).

**Category II Programs:** Intended for unrestricted exhibition to the general public, ( i.e., internet, air or bus terminals), with a three-year use term.

### **Examples of Category I Programs:**

A corporate training video shown to new employees during orientation  
An instructional video for Alexa playing on a loop in Bed Bath & Beyond

### **Examples of Category II Programs:**

B-Roll footage shot during a commercial production  
A safety video shown while waiting in line at an amusement park

## QUESTIONS?

If you have any questions, please contact us at 323-549-6858 in Los Angeles or 212-827-1454 in New York. Or email [Comm.CoEdInfo@sagaftra.org](mailto:Comm.CoEdInfo@sagaftra.org).