

UTAH'S COTTAGE FILM EDITORS HAVE HOLLYWOOD CRYING FOUL

By Rebecca Buckman

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SALT LAKE CITY -- Last year, director Steven Soderbergh took home an Academy Award for his unblinking portrayal of drug use in his movie "Traffic." But viewers of a version of "Traffic" from software company ClearPlay Inc. didn't see all of it. Gone are scenes of the teenage heroine prostituting herself and learning how to freebase cocaine with her prep-school boyfriend.

"Do I have to see the drug dealer on top of her to get that message across?" asks 27-year-old Ryan Fawson, who adapts movies at ClearPlay's offices here for customers who prefer a cleaned-up version.

Mr. Fawson is part of a growing cottage industry busily snipping out scenes from Hollywood movies and selling or renting the alternative cut, either on videocassettes and DVDs or through new Web-based software such as ClearPlay's. The companies are based in Utah, where members of the Church of Jesus Christ of Latter-Day Saints have been viewing scrubbed Hollywood films in a few theaters for years. Now, in strip malls and office complexes across the state, mom-and-pop video stores and high-tech start-ups are slicing, dicing and sugar-coating Hollywood movies for Mormon tastes -- and, they say, for a broader audience of concerned parents and others put off by the violence and sex in mainstream films.

The big Albertson's Inc. grocery-store chain this summer began renting so-called e-rated videos -- edited without filmmaker permission -- in most of its 46 Utah stores. A Utah-based software start-up, Trilogy Studios, just introduced a product that lets home-video users excise a variety of unwanted scenes on their computer, using the company's pre-programmed edits.

Their efforts are stirring a storm of protest in Hollywood over copyright protection and artistic integrity. Utah's editing industry insists it's giving viewers a legitimate new option.

"All we're talking about here is choice," says Ray Lines, the 42-year-old founder of CleanFlicks of Pleasant Grove, Utah. "We're not telling Steven Spielberg to make a different movie."

Mr. Lines reserves that task for himself, with one assistant, in the basement editing suite of CleanFlicks' offices next door to a beauty salon. A former TV sports producer and father of seven, he

founded the company 2 1/2 years ago after friends, Mormons like himself, kept bringing him must-see videos such as "Shakespeare in Love" and "Titanic" to clean up on his home editing gear.

His aim is to preserve the plot, minus the sex and gore. CleanFlicks' version of Mr. Spielberg's "Saving Private Ryan," for example, excludes chunks of the 25-minute opening scene depicting the Americans' landing on Omaha Beach. Its rendition of last year's "Monster's Ball" excises scenes in which the character of Oscar-winning actress Halle Berry has sex with her dead husband's jailer. Mr. Lines even deemed the children's movie "Shrek" too racy and cut out swear words and "sexual innuendo."

A year ago, CleanFlicks had only a handful of stores. Now the company says it distributes to 76 outlets in 18 states, typically tucked away in small office complexes and strip malls. Only some are profitable, grossing around \$4,000 a month, company officials say, but they are opening three to five new dealerships a month and expect to expand next to Texas and California. They also sell some of their growing inventory of 440 re-edited films on their Web site, and are unabashed about their mission.

"I can go into Wal-Mart, buy a set of golf clubs and paint 'em a different color, and nobody cries about that," says Mr. Lines. "This is America."

Movies aren't golf clubs, filmmakers say. The Directors Guild of America, based in Los Angeles, is exploring legal action to halt the editing operations. DGA Executive Director Jay Roth says all the editing operations likely violate copyright laws.

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Experts say the biggest legal issue may be whether editing films, or making software that changes movies, runs afoul of the "derivative work right" of copyright holders to control the making of related works. Courts might look at exactly how many minutes of a movie were altered or cut to determine if an edited film was actually a derivative work, says Pamela Samuelson, a law professor at the University of California at Berkeley. If a company axed just 10 seconds of bad language, for example, "it's pretty unlikely, it seems to me,

that a judge would say that runs afoul of the derivative work right," she said. Many sanitized movies have several minutes of film excised.

Hollywood has long allowed movies to be cleaned up for television and airplane viewing. [Movie-makers also routinely edit movies for foreign markets. Violence is often toned down for European audiences, and sex scenes are often eliminated for viewers in India, and for Islamic countries like Indonesia and Pakistan. CSM, 8/28/02] Still, that editing remains controlled by Hollywood studios, which own the rights to the movies in question.

Also relevant is the "fair use" doctrine, allowing those possessing copyrighted works to use them for their own purposes -- such as taping a TV show on a VHS tape and watching it later in one's home. Many of the Utah movie-rental companies have organized themselves as co-ops, so that renters are also "members" of the store who technically own the movies on the shelves.

Technology is helping the new bowdlerizers. It is simple nowadays to transfer films from VHS cassette to personal computer, where their contents can be easily manipulated and recorded back onto video cassettes for rental. The more sophisticated editing firms, such as Trilogy, go a step further: That firm's software, sold over the Web, lets people choose for themselves how much flesh and blood they want to see.

TELL ME A STORY

Trilogy users rent ordinary DVDs at their video store and play them on their computers, or on TV sets that have been hooked up to computers. Trilogy's MovieMask software, preprogrammed for specific films, deletes offensive sounds and images in accordance with a user's selected taste. Want blood but no nudity? Click accordingly. Sex without swear words? Piece of cake. Trilogy is working on a new version of MovieMask that will not only delete but enhance movie content, such as cladding a topless Kate Winslet in "Titanic" in a corset and turning swords in Mr. Reiner's "Princess Bride" into light sabers.

"Once something is digital, it can be manipulated and translated in ways we never imagined," says Kieth Merrill, a Trilogy investor and Oscar-winning director of a 1974 documentary about

CUT!

What's missing from the CleanFlicks versions of Hollywood movies:

- "Saving Private Ryan": About 4.5 minutes, most from the bloody, opening beach-landing scene.
- "Training Day": Three to four minutes. Thirty seconds of the final scene, a violent shootout in a car, is excised.
- "Bridget Jones's Diary": About two minutes, mostly sexual situations.
- "Shrek": About 30 seconds of profanity, some sexual innuendo.

cowboys. Trilogy's supporters include Mr. Merrill and singer Marie Osmond, both Mormons, and talk-show host Larry King, whose wife is a member of the church. Utah Sen. Orrin Hatch helped Trilogy arrange a meeting with the influential Jack Valenti, head of the Motion Picture Association of America, to explain its technology. The Republican senator "feels that technology offers a new synergy between artists and their audiences," says his spokeswoman in Washington, "where artistic expression and viewer choice both can flourish." A spokesman said the MPAA was "studying the issue."

At Trilogy, 22-year-old Markus Montandon is one of the chief arbiters of artistic taste. A film buff and BYU dropout, Mr. Montandon will see R-rated movies such as "Fight Club" himself, he says, but enjoys cleansing movies for others because it means he can watch them with more squeamish friends and family members. "When I think about [how] I can watch 'The Patriot' with my 12-year old brother, with my 16-year old brother, and watch it comfortably, that's what is powerful for me," he says.

Sometimes he finds the job isn't that hard. Though Mr. Montandon chopped plenty out of the "Saving Private Ryan" opening scene, "it's just amazing how little of it is crucial to the flow of the story," he says.