

**NOTICE OF MEETING****The Annual General Meeting of The Australian Video Retailers Association Ltd**

Will be held on Friday 29th October, 2004

At Star City Casino in the Boardroom

Commencing at 10.00am

**AGENDA****1. Welcome and Apologies**

**2. Minutes of the Previous Meeting**  
Minutes of the Annual General Meeting of the 31st October, 2003 to be confirmed.

**3. President's Report****4. Financial Statements and Auditor's Report**

The meeting will consider the 2003/2004 Balance Sheet and Profit and Loss Report and the Auditor's Report.

**5. Appointment of Auditor**

It is recommended that Stephen Swaine be re-appointed as auditor for the 2004 / 2005 financial year.

**6. Changes to AVRA Constitution**

Motion: "That the Constitution of AVRA be amended as outlined in the document titled AVRA Constitution Identified issues and Recommended Changes, which is attached as Appendix A"

**7. Appointment of the AVRA Board for 2004/ 2005****8. Meeting Close**

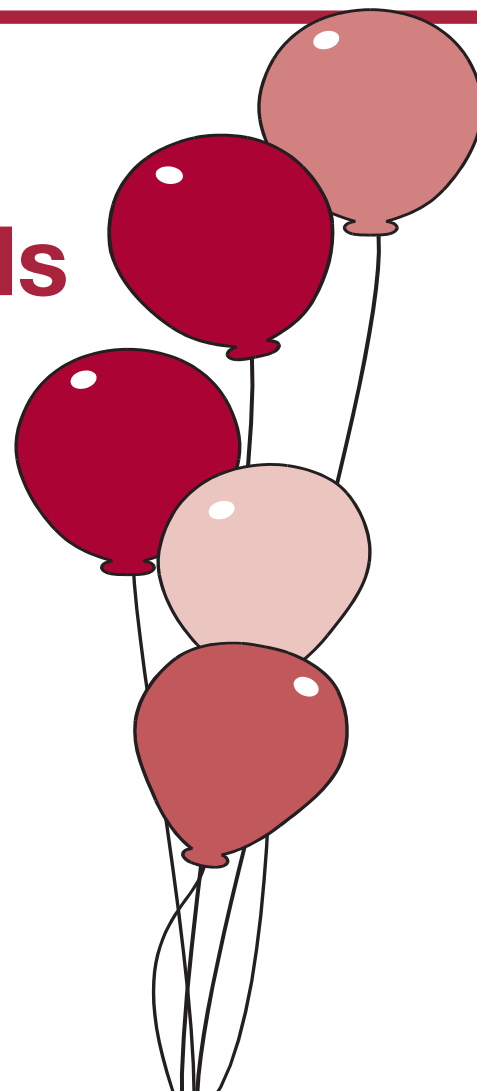
*For planning purposes all members intending to be present at the meeting should notify the AVRA office (02) 9960 0046*

# Australian DVD and Video Industry Awards

**Proudly sponsored by AAV Regency**

Friday 29th October 2004

Star City Ballroom Pyrmont Sydney



Members can access further information on the AVRA web site [www.avra.com.au](http://www.avra.com.au) or call Ross Walden at the office 02 9960 0046

**OUR MISSION**

*To develop, promote and represent the video industry. To provide effective service, support and direction for our members.*

**Australian DVD and Video Industry Awards**

**Proudly Sponsored by AAV Regency**

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Star City Ballroom Pyrmont Sydney

**Event Sponsor**  
AAV Regency

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Gfk Marketing Services Australia

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ONE-Time Security System  
Whats Hot on Video Magazine  
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Trade Guys International  
Office of Film and Literature Classification  
Optima Solutions  
MRA Entertainment  
Summit Technology

**Supporter**  
RevComm Australia  
Eagle Entertainment  
Campbell Murray Creating

Tickets Sales:  
Contact AVRA Ross Walden  
02 9960 0046

AVR

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# AVRA v FOXTEL

## Case heard in the Federal Court 15th and 17th September 2004

The court action between AVRA and FOXTEL was started when FOXTEL objected to AVRA's Pro Rental campaign and issued proceedings against AVRA. AVRA decided to take the opportunity to formalise its own complaints regarding the advertising FOXTEL has been undertaking since March promoting the Digital product, which AVRA considers to be seriously misleading. AVRA issued a cross-claim against FOXTEL accordingly.

Both sides of the fight came before Justice Conti in the Federal Court for final hearing and determination on 15 and 17 September. The case is not quite concluded, as the parties' lawyers are now preparing final

submissions. The judge has indicated that we might expect to see a judgment in October.

AVRA's Board is very happy with the way the case was presented in Court and is confident of a positive result. More importantly, the Board feels it had no choice but to defend itself against FOXTEL's claims and its advertising campaign, which has targeted the rental industry as a direct but inferior competitor of FOXTEL's own product. AVRA remains concerned that consumers need to be provided with full information regarding FOXTEL's offering, so that they can make a properly informed decision before deciding to subscribe.

## AWARDS ACCOMMODATION

**Book now for Awards night Accommodation – Do not Miss Out!**

Have you booked your accommodation for the Australian DVD and Video Awards on the 29th October 2004?

If not, here is your chance to take advantage of the special discounted nightly rate we have negotiated with Star City.

Superior Pyrmont View Room	\$215 per night room only
Superior City View Room	\$225 per night room only
2 Bedroom Pyrmont View Apt	\$265 per night room only
2 Bedroom City View Apt	\$285 per night room only

To book, simply dial Star City Reservations on **1800 700 700** and quote reference number **AUS 2910**

**Stay Star City, where all the action is.**

**Book now Book now Book now**

Offer only guaranteed to 18th October 2004, then on availability.

**REPORT PIRACY****It's easy to do now**

To assist its members in tackling piracy, the Association's web site now has a direct link to the Australian Federation Against Thefts site so members can now easily report piracy activity.

Simply log on to [www.avra.com.au](http://www.avra.com.au) and click on the piracy icon to provide you with the link.

Remember piracy affects your business (see the overseas news article) – report all incidents promptly so they can be acted upon by the correct authorities.

**OVERSEAS NEWS ON PIRACY****VSDA President Bo Andersen Addresses the Home Entertainment Retail Expo**

Article By Paul Sweeting

**SEPT. 23 | BALTIMORE** — Illegal movie downloads cost the average video store \$11,000 a year in lost rentals and sales, according to a new analysis by the Video Software Dealers Association.

Speaking at the Home Entertainment Retail Expo here last week, VSDA president Bo Andersen said displaced rentals alone cost the industry \$640,000 a day, or roughly \$30 a day per store.

The annual toll in lost sales and rentals could top \$1 billion a year.

VSDA based its calculations on estimates by the Motion Picture Association and others that 400,000 to 600,000 movies are downloaded illegally in the U.S. each day.

"If only three-quarters of those represent displaced sales and rentals, that's 300,000 per day," Andersen said. "If we assume that breaks down as 200,000 rentals and 100,000 sales lost each day, retailers are losing \$1 billion annually, based on average prices."

The new calculations, presented at the show's main business session, were

meant to raise retailers' awareness of the scope and seriousness of the piracy problem facing the industry, according to Andersen.

"Our numbers are only estimates, but by any estimate, the problem is going to get worse, unless something is done to address these illegal peer-to-peer networks," Andersen said.

While VSDA is backing several legislative initiatives in Congress aimed at various aspects of movie piracy, the group also is stepping up efforts to recruit retailers themselves to the fight.

The association is making available posters and other in-store displays featuring the mock parental guidance ad created earlier this year by the Motion Picture Association of America. The ad, which ran in leading newspapers and other print outlets, was designed to evoke the MPAA's own ratings symbols, and reads, "I: Illegal downloading is unsuitable for all ages."

"We're asking retailers to display these prominently in their stores," Andersen said. "We can provide them to you as posters, as window clings – however you want them."

VSDA isn't ready to distribute a second, more sharply worded ad – yet, he said. The second ad would carry a warning, "You can click, but you can't hide" and caution downloaders of possible prosecution and severe penalties.

Sean Bersell, VSDA's VP legislative and public affairs, said the group is still working out the details of how the posters will be distributed.

"We're still discussing the logistics with the MPAA but the commitment is there from everyone to make this happen," Bersell said.

He added that VSDA has already discussed the program with the major rental chains as well as many independent retailers and that "the response has been very positive across the board."

In addition to the posters, VSDA is making available an anti-piracy public service announcement for screening in-store as part of preview reels. The PSA, also created by MPAA, has been running in theatres prior to the start of movies for several months.

The group has held discussions with preview provider ScreenPlay about including the PSAs in the reels it makes available to its retail subscribers.

ScreenPlay president Mark Vrieling is a former VSDA chairman and serves on the board of IDEA, the VSDA offshoot for independents.

The VSDA also is asking studios to begin including the PSA on DVDs.

"We'll be producing more PSAs, so it won't always be the same message on every DVD," Andersen said.

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**Correction and Apology**

In the June 2004 edition of the AVRA newsletter, we reported on AVRA's Pro Rental campaign. In that article, we made some statements concerning AUSTAR, as well as FOXTEL. Some of these statements were incorrect.

AVRA wishes to make it clear that AUSTAR and FOXTEL should be regarded as separate companies.

AVRA also advises that it was wrong to assert that AUSTAR had been contacted by the ACCC and had provided undertaking regarding its advertising and promotion.

AVRA apologises to AUSTAR for these errors.

**QUEENSLAND VIDEO INDUSTRY GOLF DAY RESULTS**

Eighty players hit-off in the 10th Annual Queensland Video Industry Golf Day held at Gainsborough Greens Golf Club on Wednesday 1st September.

Retailers from Blockbuster, Top Leading Edge, Video Ezy, Network and Civic Video competed in a 4 ball Ambrose event for the Coca-Cola Cup

Winners from Network Video were:

P. Gianotti  
M. Hancock  
M. Damien  
S. Bosely

The winning score was 55, with two teams from Video Ezy coming in second and third with scores of 56.5 and 57. Ten other prizes for nearest the pin and other events were presented while players enjoyed the usual sausage sizzle after play finished.

Organisers of the day, Jeff Menck and Tim Standing, again declared the day a huge success and handed over a cheque for \$2,500 to Damian Topp, Events and Community Fundraising Manager for Starlight Children's Foundation.



*From left to right: Mark Hancock, Mark Deadman, Michael Fagan and Paul Gianotti*

The same venue has been booked for Wednesday 31st August, 2005. It is hoped that with 11 months notice more retailers and distributors will be able to play next year.

**TRADE NEWS**

Trade Guys has been in operation for some 15 years. In February of this year a new company was formed with the aim of offering a much broader range of security and storage solutions to the Video Industry. Trade Guys International products include security cases, DVD shelving, security systems and various video accessories. Trade Guys International's main products are the famous D- case and D- shelf system which improves DVD storage capacity by four times the normal. D- Case is the preferred rental case by many having sold over 2 million cases in the last two years alone.

To strengthen the management team and raise the profile of Trade Guys International (TDI) within the industry, Peter Scicluna joined the group in May this year after spending 12 years as Chief Operating Officer with Video Ezy. Peter says his aim is to expand the business both in the local and international markets. Manufacturing is done at the Gold Coast and TDI have structured group deals with the likes of Video Ezy, Civic and Leading Edge.

TDI will launch its products in New Zealand on 1st October through an agent, Fixtronics.

If anyone wants some expert advice ring 03 9330 4140 for the sales team or Peter himself on 0408 418 995.

**AVRA WEB SITE**

If you have not logged on and checked it out you are doing yourself disfavoured. The newly launched AVRA web site has it all. Catch all the latest media releases and plenty of reading with all the back issues of the AVRA newsletter posted there.

[www.avra.com.au](http://www.avra.com.au)