

# VENDEE GLOBE 2008-2009

## MULTIMEDIA APPENDIX

### A) - VIDEO:

#### 1) PREAMBLE:

- Since it was created in 1989, the Vendée Globe has become increasingly famous. Each year, the Vendée Globe brings together even more skippers, on higher performance yachts, coming to take part in a sporting competition that now, more than ever, has high media coverage.
- This 6th event has become more international, both in terms of the skippers (7 nationalities) and the profiles of the partners and sponsors of the yachts who have economic interests throughout the world. We must therefore meet the expectations in this field by providing specific resources.
- In the last 4 years, the range of media has boomed, bringing – alongside TV broadcast over the airwaves – the new broadcast media: TNT, cable and satellite, the video revolution on the web, video hosting services such as You Tube or Dailymotion, 3G mobile telephones, Video On Demand etc. These new media need material ready to broadcast.
- The new technologies allow images to be broadcast more quickly throughout the world: it is in our interests to use them in order to maximise the event's exposure to the media and the general public.
- Daily news broadcasts usually give audiovisual coverage to the Vendée Globe, but there are so many angles and themes associated with the Vendée Globe that magazine programmes and documentary films are also interested. The Vendée Globe organisers have to provide the resources needed to facilitate the work of these media.

SAEM Vendée, organiser of the Vendée Globe has taken note of these new elements and has a strong commitment to reaching the widest possible audience, without giving exclusive rights to any of the media.

For audiovisual coverage, the organisers are committed to giving open, free of charge and easy access to the race images for all the French and foreign media with the aim of:

- Giving the general public the widest possible coverage of the race, its competitors and yachts.
- Guaranteeing reciprocal arrangements between competitors and the organisers for both production commitments and open, free of charge access to each other's images. Indeed, SAEM Vendée wishes to create original themes to attract the interest of the new media (interviews with skippers and boat-builders, pre-race preparations, images of each boat on the day of departure etc.) and to dedicate their resources to creating films which are different to those shot by the boat teams - in collaboration with them, however.
- Enabling all competitors, their and Vendée Globe's partners to take advantage of high quality audiovisual coverage for all their commitments.
- Respecting competitors' copyrights.

SAEM VENDEE has appointed the audiovisual production company SEA EVENTS (referred to below as "the Production") to facilitate optimum audiovisual broadcasting of the Vendée Globe 2008-2009 and provide the technical services for production, post-production and distribution.

Under the auspices of SAEM Vendée, this mandate covers the following remit:

- Setting up of agreements and partnerships with the broadcasters.
- The production of audiovisual content before, during and after the race to allow general promotion of the race and its sporting ethic, and promoting the race's institutional and private partners.
- Setting up a broadcast production unit for all the French and foreign television companies, and also for the new broadcast media (Internet, mobile phone).
- Daily broadcasts of raw images and also ready-to-air items in French, English, and international versions.

These tasks will be performed as part of the non-exclusive and impartial audiovisual coverage of the Vendée Globe 2008-2009 which will champion the promotion of the race, its history, sporting ethic, des competitors, ship builders, sponsors and the official and commercial partners of the race.

2) RESOURCES PROVIDED BY THE PRODUCTION:

- 2.1 Setting up broadcast agreements with the national and international media in order to optimise the audiovisual broadcasting of the race.
- 2.2 Filming competitors' preparation before the race and in Sables d'Olonne.  
The film format required for all productions and edits is 16:9
- 2.3 Approval of each competitor's on-board transmission systems before 18 October 2008.
- 2.4 Setting up a 24-hour Hot Line from 18 October 2008 and until the finish of the last competitor to answer questions about filming and image transmission.
- 2.5 Setting up a server to receive images transmitted by Inmarsat or any other on-board system.
- 2.6 Setting up a server to distribute these images for all approved media.
- 2.7 Receiving all images sent by the competitors during the race at Race Control in Paris.
- 2.8 Filming the start and finish of all the competitors.
- 2.9 Co production of a live international image pick-up signal of the start of the race and the finish of the first competitor.
- 2.10 Royalty free images sent to all media beamed daily, and relayed to SERTE GlobeCast, BT Tower in London and the UER in Geneva.
- 2.11 Daily production of ready-to-air items sent to all media and of the Vendée Globe's official website (French and English versions). These items will also be available in an international version, with no commentary or summary.
- 2.12 Weekly production of films on the race (French and English versions). These items will also be available in an international version, with no commentary or summary.

- 2.13 Setting up an audiovisual duplication service in Sables d'Olonne and at Race Control in Paris, for the media and also aux competitors' sponsors (so that they have access to all their competitor's images during the race). This service will be subject to technical charges and will take priority after the immediate coverage of the race.
- 2.14 Setting up a server providing all the images in rough cut and ready-to-air versions for the media and competitors' teams
- 2.15 Organising videoconferencing between the competitors and Race Control in Paris, or any other place that will promote the race, its partners and the competitors (e.g.: Paris Boat Show).
- 2.16 Filming the award ceremony.
- 2.17 Producing the Vendée Globe 2008-2009 official film.

### 3) PRODUCTION RESOURCES REQUIRED FROM COMPETITORS:

- 3.1 Before the race, produce **a bank of on-board images** in 16:9 format which must show the official race identification. This bank must be as complete as possible showing all weather conditions (calm, medium, and breeze) and different speeds (close-hauled, running).
- 3.2 Before the race, produce **a bank of aerial images** in 16:9 format which must show the official race identification. This bank must be as complete possible showing all weather conditions (calm, medium, and breeze) and different speeds (close-hauled, running).
- 3.3 Transmit these banks of images in 16:9 format preferably in a DVCAM format to the Production by 30 September at the latest. **Competitors will understand that it is in everyone's (the organisers', competitors', their partners' and suppliers') interest that these image banks are produced as quickly as possible and the images sent to the Production without delay.**
- 3.4 Take part in the filming sessions organised by the Production.
- 3.5 Have available on board one or more fixed or portable cameras with accessories (cassettes, batteries, water-tight box, 12V battery chargers, clamp-on mount, etc) for filming in 16:9 format. For boats already equipped with cameras which only film in 4:3 format, this format will be permitted.
- 3.6 Have available on board editing and image compression software as a minimum and know how to pre-edit and send images in compressed format via the transmission system existing on board (point 3.7 below).
- 3.7 Have available on board Inmarsat transmission equipment or any other system with world-wide coverage (fleet 55, 77, Bgan, etc.) that can transmit images and sound.
- 3.8 All the filming, editing, compression, transmission equipment on board each yacht must be tested and approved by the Production before 25 October 2008. It must be compatible with the receiving equipment provided by the Production to the Press Control in Paris (digital video or Satellite reception or via FTP server, DirectShow-compatible encoder filters).

### 4) RECOMMENDED PRODUCTION RESOURCES FOR COMPETITORS:

- 4.1.1 Film the preparations before the start of the race in order to promote the race and the competitor beforehand.

4.1.2 Have a videoconferencing system available on board.

5) COMPETITORS' OBLIGATIONS

5.1 Appoint two audiovisual referral agents to the Production for the whole race. These audiovisual referral agents must give consistent and non-contradictory information to the Production. In the event that both these audiovisual referral agents respond to a request from the Production unit, they must do so jointly and uniformly.

5.2 The policy for the audiovisual coverage of the Vendée Globe 2008-2009 is to give no exclusive rights to any broadcaster and to be impartial with all competitors, whether of a commercial nature or otherwise, with any publisher and/or distributor whatsoever, and irrespective of the media used. This will apply until the end of the race.

5.3 To ensure that this non-exclusivity requirement is observed, since it is the key feature of the audiovisual coverage of the trial, at least twice a week competitors are asked to send to the Production unit set up at the Race Control Centre, all video images and sound recordings for use by broadcast news, magazines, image agencies and on the official race website or on those of its partners.

Where technical or other types of problem prevent a competitor from satisfying the minimum requirement of two dispatches per week, he/she must notify the organisation without delay via the race management.

Competitors are free to conclude partnership agreements with the broadcasters of its choice, but must respect the terms mentioned in Articles 5.2 and 5.3.

5.4 This being so, each competitor is asked to send video images and sounds exclusively to the Production installed at Race Control, at least twice a week, that can be used by news broadcasts, magazines, picture agencies, and the official websites of the race and its partners.

5.5 Given that no exclusive rights are granted for the audiovisual coverage of the race, competitors must not sign any exclusive rights agreement, whether or not for gain, with any publisher and/or broadcaster whatever in any medium.

5.6 Authorise the Production, as appropriate, to install filming equipment and an HF Link on board their yacht in the start and of finish stages of the race on condition that the Production guarantees that the HF Link does not interfere with the on-board electronics.

5.7 After crossing the finishing line, give priority to receiving a Production team whose task will be to capture the competitor's first images and sounds in order to broadcast them to all the media.

5.8 If a yacht entered in the race does not finally take part in Vendée Globe 2008-2009, images of the yacht in the colours of the Vendée Globe 2008-2009 may not be sent to television companies or other video broadcasters throughout the duration of the race.

6) ORGANISERS' OBLIGATIONS:

6.1 The organisers will pay, on presentation of documentary evidence, up to 8,000 euros exclusive of tax (eight thousand euros exclusive of tax) per competitor for Inmarsat telecommunications for regular transmissions of video and photo images of competitors to the Press Control in Paris throughout the duration of the race. It is important that the competitors ask their telecommunication suppliers about taking advantage of the Mobile Packet Data Service which charges for the volume of information transmitted rather than the time the transmission takes.

6.2 The Production is obliged to consult the competitor's audiovisual referral agents each time images of the competitor are received via Inmarsat or any other on-board system at Press Control in Paris. Each competitor's audiovisual referral agents will have a secure access port to view the images sent by his yacht. Approval of the images will take place in accordance with the following agreement procedure:

- The Production will inform the competitors' audiovisual referral agents by any method, with confirmation by email, when the reception server receives the images.
- The audiovisual referral agents will have 90 minutes between the hours of 9.00am and 9.00pm (French time) to view and approve the competitors' images. Both audiovisual referral agents are reminded that they work together and must present a joint and uniform opinion to the Production.
- If there is no response after 90 minutes agreement to publish is assumed.

It should be noted that the images will be accessible in low definition so that the audiovisual referral agents can view quickly, and will then be offered in broadcastable quality to be downloaded by the media.

6.3 After being informed by the competitors, authorise them to take part in directly in videoconferencing (Inmarsat) with any broadcasters or media of their choice during the race.

6.4 Authorise the competitors to install filming and HF Link equipment on board their yachts during the start and finish stages of the race.

## 7) ROYALTY FREE IMAGES / RECIPROCAL PRINCIPLE:

**Reminder: It is the policy of the organisation and its audiovisual service provider is to reach the widest possible audience and to give the media free access to all the images of the race.**

### 7.1 Image banks

7.1.1 Image banks belonging to the organisation: That is, images produced by the organisation before, during and after the race:

These images include all generic images filmed by consultants, banks of images created by the organisation, interviews, reports, images filmed at the Sables d'Olonne village, at the Race Control Centre in Paris, the departure, the finishes, and other images filmed during the races (e.g. passage points etc.)

7.1.2 Image banks belonging to the competitors: That is, the images produced by the competitor before and during the race (except those filmed by the skipper)

These images include banks of aerial images and on-board images, images of preparations.

7.2 The images filmed by the competitors during the race transmitted to the Race PC as defined in article 5.3, or which are not transmitted and preserved on board.

## 8) Rights over the images for exploitation by the organisation:

8.1 Uses linked to the audiovisual coverage of the 2008-2009 event and for promotion of the race excluding uses for any commercial or publicity purposes:

The competitors, their sponsors and owners assign to SAEM Vendée and to its partners, free of charge, the exploitation rights over:

- their image bank
- the images filmed by the competitor during the race.

These rights are assigned for the purposes of:

- royalty free broadcast of news, magazines, reports
- internal use by the organisation, its partners and official suppliers
- promotion of the race by the organisation (official film, official documentary, official DVD, VOD, publicity trailer, clips) – all external communications contributing to race promotion.

However, the competitor may, within 30 days after his arrival, prohibit the use of one or several of these images, by e-mail or letter. After this time, the organiser may use the images sent during the race for 4 years for the promotion of the race (DVD of the race in particular) without potential income.

All exploitation rights assignments defined in this Article 8.1 are understood to apply to any medium, worldwide and for a duration of 4 years from the publication of the audio-visual appendix excluding all uses for commercial or publicity purposes.

## 8.2 Use related to promotion of the race with potential income :

The competitors, their sponsors and ship owners grant the exploitation rights of their image bank to the SAEM Vendée free of charge.

These rights are granted for all the uses involved in the promotion of the race (DVD, VOD) with potential income.

If the organisation wishes to use images filmed on board by the skippers during the race in uses which might generate potential income, they will be subject to a transfer of rights between the transferring participants and the SAEM Vendée transferee at a fixed rate of 500 € before tax per minute of actually used images. This transfer will occur in compliance with the rule stated in article 8.1 allowing a competitor to prohibit the use of one or several of these images within 30 days after his arrival. After this time, the organiser may use the images sent during the race for 4 years from the publication of the audio-visual appendix.

## 8.3 Other uses by the organisation, its partners and suppliers, for commercial and advertising purposes in particular :

Any other use by the organisation, its partners and suppliers will be subject to a negotiation with the competitors, both at financial level and the duration of the rights transfer.

## 9) Rights of exploitation of the images by the competitors:

The use of interior or exterior images filmed by the organisation by a competitor and/or his official sponsor, is subject to the applicable legislation on image rights of the other competitors. Use of images representing other competitors by a competitor and/or his sponsor, will therefore suppose the authorisation of the other represented competitors and the organisation may not supersede this request of authorisation.

### 9.1 Internal uses by the competitors, their sponsors and owners

SAEM Vendée concedes, free of charge, to the sponsors and owners, [exploitation rights over] all images filmed by the organisation. This cession is understood to mean on any medium, worldwide and for a duration of 4 years from the date of publication of the audio-visual appendix, excluding any use for commercial or publicity purposes.

### 9.2 External use by the competitor and his main partner without potential income

The SAEM Vendée assigns all the images filmed by the organisation for any external use without potential income to the competitor and his main partner, free of charge. This assignment applies to all media, all territories and for a duration of 4 years from the publication date of the audio-visual appendix excluding any use for commercial or advertising purposes.

However, if the competitor uses his right to prohibit the use of one or several images filmed on board, within 30 days after his arrival, the SAEM Vendée may decide not assigning all the images filmed by the organisation to the competitor and his main partner free of charge.

9.3 Other uses by the competitors, their sponsors and ship owners.

Any other use by the competitors, their sponsors and ship owners, will be subject to a negotiation with the organisation or another competitor, both at financial level and the duration of rights' assignment.

## 10) PENALTIES:

Any non-observance on the part of a competitor of the obligations described in points 5.2, 5.3, 5.5 and 8 will incur an automatic penalty of €20,000 inclusive of tax for each infringement recorded.

## B) – PHOTO:

### 1) PREAMBLE:

To promote both the Vendée Globe and its partners and official and private suppliers, SAEM VENDEE must have available aerial and on-board photographs of the competitors and their yachts. To do this, SAEM VENDEE has appointed the photographic agency DPPI to take these photographs. The rights granted to the SAEM VENDEE include any use needed to advertise the Vendée Globe, and especially exemption from press royalties, but does not include uses linked to publicity with the purchase of advertising space.

### 2) COMPETITORS' OBLIGATIONS:

2.1 As soon as possible, each competitor will provide a bank of 10 photos taken before the start of the Vendée Globe with the yacht showing the race markings as described in paragraph 10.6.5 of the rider number 2 to the Race Information, published on 31 March 2008.

2.2 Digital photos provided by the competitors, in 300 DPI high definition, A4 format, will be partly portraits of the competitor, partly on-board photos and partly photos taken from a launch or helicopter. These photos will be used solely on the Vendée Globe website for illustration and for distributing with exemption from press royalties, for royalty free press distribution and for presentations made to the press (PowerPoint, conference etc.).

2.3 When aerial photos are being taken, all competitors (and their representatives) undertake to allow one of the organiser's official photographers into the helicopter so that pictures of the yacht can be taken. These will be used by the Organisers of the Vendée Globe, its partners and official suppliers, and the press.

2.4 All competitors undertake to allow on board one of the organiser's official photographers so that pictures can be taken to advertise the race.

2.5 It is recommended for the competitors to have one or several digital cameras with a minimum resolution of 5 MegaPixels on board during the race.

2.6 During the race, each competitor will transmit two photos per week, **exclusively to Press Control for the Vendée Globe in Paris**. These photos must be of such a quality to allow accurate printing, i.e. at least 10X15 cm at 300 dpi. Rights over these images will be released by the competitors to the SAEM VENDEE for a period of 4 years from the start for any advertising associated with the promotion of the race, and especially exemption from press royalties, but does not include publicity with the purchase of advertising space or any commercial use except for the race's official book and DVD.

The competitors, their sponsors and communication services will retain the broadcast and exploitation rights over these images.

The use of the photos by the SAEM VENDEE and its partners or suppliers, will be carried out in compliance with the applicable regulations, i.e. after authorisation by the skipper

2.7 If a partnership contract is concluded before the race between a competitor and a daily newspaper, magazine or news website for the broadcast of a regular daily, weekly or monthly column, the competitor will be able to send photographs direct to this media, which will hold the exclusive rights to the first publication. These photographs must be sent at the same time to the Race Control Centre and SAEM Vendée will be able to broadcast them 24 hours after their publication by the competitor's partner media.

### 3) ORGANISER'S OBLIGATIONS:

3.1 Being aware of the constraints imposed by point 2.2, the Vendée Globe's Organisers will pay for **one additional hour of helicopter rental per competitor for a maximum of 1 150 € before taxes.**

3.2 Rule 6.2 of the audiovisual appendix concerning approval by competitors' audiovisual referral agents applies in full to photographs.

Done in La Roche sur Yon, on 31 August 2008