

June 15, 2016

Bunee Tomlinson
12601 Corjil Lane
Edmond, OK 73013

Re: “Bunee: The Boy from Constanta” Third-Party Materials

Dear Bunee,

This letter is in response to your request for our review of your short documentary motion picture, “Bunee: The Boy from Constanta” (the “Work”), with respect to fair use claims pursuant to Section 107 of the United States Copyright Act.

After viewing the Work and thoroughly discussing with you the circumstances surrounding the selection and incorporation of the various photos, video clips, and/or other third-party materials contained in the Work (the “Materials”), we believe the use of the Materials would qualify as fair use under Section 107 of the U.S. Copyright Act. Additionally, we feel that the Materials as currently placed in the Work comply with principles of the “Documentary Filmmakers’ Statement of Best Practices in Fair Use” (the “Statement”) promulgated by the Association of Independent Video Filmmakers, Independent Feature Project, et al. Specifically our interpretation of the Materials on your clip log is that they employ the following categories of the Statement: One (employing copyrighted material as the object of social, political, or cultural critique), Two (quoting copyrighted works of popular culture to illustrate an argument or point), and Four (using copyrighted material in a historical sequence).

Please be advised that for the purpose of this letter, we evaluated only the items contained in your clip log and are under the impression that the Materials are not subject to any contractual limitations that might apply to content supplied by a third party. Otherwise, as stated above we are of the opinion that the Materials fall within fair use.¹

Please let us know if you have any questions about the above.

Yours very truly,



Deena Kalai

¹ We respectfully reserve the right to modify or amend the foregoing letter based on information that may become available to us at a later time or due to any material change in the relevant legal standards or applicable precedents after the date of this letter. bh