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Pop Culture Business Handbook for Cons and Festivals: Introduction and Table of Contents

Jon M. Garon
Pop Culture Business Handbook for Cons and Festivals

The business, strategy, and legal reference guide for fan conventions, film festivals, musical festivals, and cultural events

Jon M. Garon

The science fiction convention, comic convention, film festival, and music festival worlds reflect labyrinths without rules or manuals. The Pop Culture Business Handbook for Cons and Festivals provides a real-world guide and reference for these exhilarating experiences, providing rules, strategies, and insights for the people who attend, work, and develop these fantastical worlds.

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Preface

This book highlights a strategic approach to the science fiction convention, comic convention, film festival, book fair, and music festival worlds, providing a player’s manual, map, rulebook, and strategy guide to the user experience and promoter toolbox. Many of the strategies should also extend well past the Con itself into entrepreneurial business practices and social engagement for members of the Con community. With few exceptions, the book chapters apply equally to all public events whether they are film festivals, gaming conventions, art shows, or music festivals. For convenience, therefore, the term “Con” includes the entire range of interactive, open public programs. The applicable laws and regulations are largely the same for all of these programs.

The strategies for attending, promoting, and booking do vary, however, depending on the audience and genre, so those distinctions are highlighted where appropriate. Permanent theme parks share much in common with Cons, as do professional conventions and trade shows. This book, however, focuses on pop culture and the temporary events that bring professional creators together with their fans for a unique and shared experience.

This book provides more than a description of a Con. Each section of the book serves to provide a strategy guide to the Con community, including the promoters, panelists, artists, vendors, fans, and general public. This guidebook lays out the common management strategies taken to properly structure and execute these types of events. In each chapter, the book illustrates the context of common issues and identifies key business decisions and legal parameters involved in forming and managing a successful Con. While no single chapter can provide everything one needs to know about a topic, these will serve as a key reference guide for participants.

Even for the experienced attendee, Con attendance at the largest panels can be overwhelming. Events involving crowds in excess of one hundred thousand people make access to hotels, event tickets, transportation, and even food something of a battle. Regular attendees know the hidden tricks to make the event memorable, while first-time attendees often find themselves hot, tired, confused, and outside the major events. By providing a guidebook, first-time attendees can better
understand the rules of the game and improve their experience at these massive and sometimes overwhelming festivities.

For entrepreneurs and artists seeking to use a Con as a business promotion strategy, understanding the theory and structure driving the Con experience is essential to success. Increasingly, businesses of all sizes have started to see the attention given to Cons and festivals as a way to promote their brands, creating a sometimes uneasy alliance between commerce, culture, and art. Municipalities seize on these events as financial engines but often fail to understand the management that must accompany the introduction of these events into a local economy.

At their heart, all Cons must provide an entertainment experience to the audience that is engaging, unique, fun, and safe. Like the role-playing worlds these Cons sometimes emulate and the fan communities they support, the operational rules must be understandable, transparent, and supportive of an effective “in-world” economy so that participants and organizers both succeed. This guide will help all organizers and participants navigate in this world.
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Introduction

A. Why This Book

To fully understand the purpose of this book, it is helpful to put it into the context of my other writings and professional activities. I am currently Dean of Nova Southeastern University Shepard Broad College of Law. I have taught at many law schools and served for a short time as Interim Dean of the Hamline University Graduate School of Management. I am also a law professor and an attorney practicing in the areas of intellectual property and business law. As a law dean and professor, I am committed to the lawyer’s obligation to make the law more accessible to the public. My goal with this book is to demystify the legal “secrets” of starting a business and to create new opportunities for anyone with the creativity and tenacity necessary to become an entrepreneur. This helps explain why I write books for non-lawyers, but not why I chose this topic.

In 2002, I published my first book, The Independent Filmmaker’s Law & Business Guide. That book has been a hit among filmmakers and has assisted them to make films, create film companies, and participate in social discourse through entertainment. My second book for non-lawyers is Own It—The Law & Business Guide to Launching a New Business through Innovation, Exclusivity and Relevance. Own It explains the mysterious but critical relationship between intellectual property and innovation in simple, business language to provide advice on the financing, planning, legal structures, and corporate strategies used by successful start-up companies. In many ways, this was a sequel to The Independent Filmmaker’s Law & Business Guide, serving to expand the lessons to a much broader audience of business entrepreneurs.

This book builds on the same themes as the others, helping entrepreneurs create high quality events in a manner that creates a compelling experience for the attendees, offers a safe experience for everyone, provides the Con organizers an economically sound business plan, and extends the authors, artists, musicians, and creators an opportunity to create and explore their passions.

This book is somewhat more personal than the others. I created my first business while still in high school, dedicated to wholesaling board games, D&D publications, and fan merchandise to the local hobby shops.
Introduction

that had yet to understand these products. My efforts helped build awareness of these games so that players would not need to drive three hours to buy an extra set of 20-sided dice.

My decades of experience with community theatre and non-union professional theatre also informed my thoughts about the chapters on fan culture. The thousands of small theatre groups throughout the United States serve to enable tens of thousands of people to sing, act, direct, build sets, create props, and run lights and sound. Many original works are shared in these communities, but more often, these groups reinterpret and reimagine the plays of Shakespeare, Off-Broadway, and the West End.

Ultimately, this book is intended as a “Players Handbook,” similar to that of the Advanced D&D Players Handbook sitting on the shelf near my desk. It is a reference tool and starting point. I hope you find it useful.

Enjoy your quest.

B. The Role of the Book

This book is a guide to the fascinating world of comic book conventions, music festivals, book fairs, film festivals, and similar experiences. It provides legal and business fundamentals. The entrepreneur must supply the business knowledge to make the book’s principles useful, and the business experience to know when to take risks and when to avoid them. The book provides a look behind the curtain for the fans, patrons, attendees, vendors, facility managers, and municipalities who may wonder what drives these events and the people who live for them.

Some of the book chapters focus more heavily on the attendees, vendors, or organizers. The reader can move from section to section and focus on those sections of greatest interest, but whether written from the perspective of the Con organizer or the customer, many of the discussion apply equally to both. Like the Con itself, the reader should be free to roam through the pages, sections, and chapters to discover the most interesting path.

THIS BOOK DOES NOT CONSTITUTE THE PRACTICE OF LAW OR PROVIDE LEGAL ADVICE THAT CAN BE RELIED UPON AS AUTHORITATIVE. THIS INFORMATION IS GENERAL IN NATURE AND SHOULD ONLY BE USED IN CONJUNCTION
WITH A LICENSED ATTORNEY, PROPERLY FAMILIAR WITH THE SPECIFIC LEGAL MATTER IN QUESTION.

THIS BOOK IDENTIFIES PARTICULAR INDIVIDUALS, FIRMS, AND COMPANIES. NOTHING HEREIN CONSTITUTES AN ENDORSEMENT OF THESE ENTITIES OR OF THEIR SERVICES AND CANNOT BE RELIED UPON AS THE LEGAL BASIS FOR ENGAGING SUCH SERVICES. Although many of the companies listed are the largest or most visible in their respective fields, their names are used either for illustrative purposes or to provide a starting point for the reader’s own research. Conversely, the failure to appear in the book should not be deemed a negative assessment of any particular product, service, or organization.

C. Acknowledgements

This book was inspired by a trip to San Diego Comic-Con with my eldest son, an avid Magic: The Gathering player, and by my youngest son, who created his first board game at the age of twelve. Through them, I have learned to play Magic, watched Supernatural, and rekindled my interest in Doctor Who that began with Jon Pertwee as my favorite Doctor. This project is the result of the work supported by my colleagues at Nova Southeastern University Shepard Broad College of Law, my students, and my family. Special thanks to my Research Assistant on this project, Jordan Goldman, and Alison Rosenberg, Assistant Director and Reference Librarian from the Shepard Broad College of Law, Panza Maurer Law Library along with her fellow Reference Librarian, Michelle Murray and my executive assistant, Dr. Tracey-Ann Spencer.

I appreciate the efforts of many business professionals, lawyers, and other colleagues who reviewed the manuscript for this book to assure that I never ran too far off course. In particular, I want to thank Dan Satorious, chairperson of the Minnesota Film and Television Board and noted independent film producer and lawyer for his invaluable insights. Despite my network of support, all responsibility for the information in the text is solely my own. In particular, I would like to thank members of my family who read drafts of the book and provided thoughtful guidance, including my wife, Stacy Blumberg Garon, my partner in all things, for her candid analysis and exceptional editing. I wish to thank my sons, who remain a constant source of inspiration, for their help on this project. Editorial
assistance came from Avery Garon and the cover artwork was developed with the help of Noah Garon.

To my sons, Avery, Noah, and Alec “Sasha” (z”l): this book is for you.
Part 1 – Cons and Festivals

1. The Theories Underlying the Con Environment

A. Origins and Culture

Music and theatrical festivals likely have their origins in humanity’s earliest history and are often entwined with religious rituals. Although the Greek god Apollo was associated with music, being the conductor of the heavenly choir, his brother Dionysus was the god of wine, revelry, and theatre. The modern festival extends this tradition of revelry and finds its roots in the Dionysian side of the family.

These revels were significant parts of Western culture and have remained so to this day. Community fairs and celebratory fêtes brought travelers and tradesfolk together for commerce and community throughout history. Today, modern music festivals can range from a small event in a public park to a multi-day, multi-stage live broadcast event reaching global audiences.

The modern comic book convention had very humble origins, as did other fringe cultural movements. Comic book conventions date their origin to the New York gathering “Comicon ‘64” of fewer than 100 people. Those in attendance realized the gathering addressed a powerful need and the movement grew. George R.R. Martin likes to boast that he is the “first comic book fan” because he received badge number 1 at Comicon ‘64.

Today, these fringe events have moved to the center of the cultural universe. Comic-Con International’s San Diego Comic-Con (the site at which I began this book) boasts over 130,000 attendees. South by Southwest (or SXSW) was directly or indirectly responsible for injecting over $325 million into the Austin economy in the year 2016 alone, with music, interactive, film, and education programs.

Comic book conventions were preceded by science fiction conventions. Among the first of science fiction conventions was the World Science Fiction Convention, which began privately in 1936 and took on its

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