

Meaning in the Margins:
Boutique Distribution and the Contemporary Art House Film Market

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Abstract

This dissertation examines the historical emergence, business strategies, and cultural impact of “boutique” film distributors, defined as small, financially independent companies that cater to the “art house” market by releasing international, repertory, and/or documentary cinema. The author finds that boutique distributors, despite their marginal size, perform key functions within the conglomerated film industry today. This project focuses primarily on U.S.-based companies operating between 1980 and 2024, with principal subjects including Milestone Films, Janus Films, The Criterion Collection, Kino Lorber, Cohen Media Group, and New Yorker Films. The author argues that boutique distributors have remained independent, solvent, and relevant by exploiting ancillary markets, such as home video and streaming; by collaborating with other institutions, including major studios, nonprofits, and other boutique firms; and by catalyzing cultural discourse through the promotion of new ideas concerning history, authorship, nation, and representation. As a work of historical-analytical research, this dissertation draws evidence from archival documents, trade press, financial data, promotional paratexts, and original interviews. The resulting qualitative analysis attends to questions of film aesthetics, cultural studies, and political economy, specifically engaging with current scholarship in media industry studies, digital distribution, transnational cinema, and global art cinema.

This dissertation dedicates each chapter to a foundational practice in contemporary boutique distribution. Chapter 1 historicizes the emergence of boutique distribution companies through the phenomenon of corporate branding. Chapter 2 examines the pragmatics of releasing subtitled, international cinema today, considering how boutique distributors, on one hand, persist in promoting national (as opposed to transnational) categories and, on the other, collaborate and compromise with other film institutions. Chapter 3 maps the contemporary market for repertory film, rationalizing the release strategies of major studio libraries and boutique distributors alike

through the “evergreen” to “discovery” analytical heuristic. Chapter 4 draws attention to how boutique distributors work together in the streaming economy, distinguishing the supply-side logics of The Criterion Channel, OVID, MUBI, and myriad TVOD platforms through the concept of “licensing coalitions.” Throughout, the project compares boutique firms like Milestone Films to specialty divisions like Sony Pictures Classics and new American indie distributors like A24 and Neon.

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Introduction

The Stakes of Boutique Film Distribution

In 2005, publicist Sharon Kahn pitched *Variety* with a story. The story would highlight the fifteenth anniversary of her client, Milestone Films, the independent, “mom-and-pop” distribution company co-founded in 1990 by Amy Heller and Dennis Doros.¹ With only one other full-time employee at the time, and having never exceeded five full-time workers total over its entire history, Milestone Films epitomizes, then and now, the *boutique* distribution model of art house film distribution: it is small, financially independent, and, without the capital to finance or produce films of its own, caters to the “art house” market through a bespoke distribution profile that invariably includes international, repertory, and/or documentary cinema.² Despite its size, by 2005, Milestone Films had steadily released critically acclaimed restorations and contemporary acquisitions from the film festival circuit, developing a distinct brand profile in the process. Some of its more high-profile and stylish titles by this time included the Cuban-Soviet propaganda film *I Am Cuba* (1964, Mikhail Kalatozov), which Milestone salvaged from Western obscurity, and the Golden Lion-winning Japanese crime drama *Fireworks* (1997, Takeshi Kitano). Milestone had furthermore collected numerous awards over its previous decade and a half of championing artistically bold and historically marginalized cinema. Just between December 2004 and January 2005, Milestone had collected three prestigious citations, including

¹ Though referenced in official documents and on company letterhead as “Milestone Film & Video,” this dissertation will refer to this company by the more frequently invoked, public-facing name, “Milestone Films.” Devon Jackson, “How to Make a Specialty of Obscurity,” *The New York Times*, May 26, 1996, Section 2, 14.

² In 2005, Nadja Tennstedt served as VP of International Sales and Acquisitions at Milestone Films. Amy Heller, email message to the author, April 25, 2024.

a Special Award from the New York Film Critics Circle.³ When asked about Doros and Heller, director Martin Scorsese told *The New York Times*, “They care and they love movies.”⁴

All the same, Kahn relayed to Heller and Doros the *Variety* editor’s terse response. Doros recalls it read as follows: “We won’t cover them until one of their films grosses one million.”⁵ As of 2005 and as of present, Milestone has not cleared that bar; its most successful theatrical release, *Fireworks*, got halfway there in 1998, with an approximately \$500,000 U.S. gross.⁶ On one hand, any seasoned art house film distributor will attest to the difficulty of soliciting favorable and frequent press attention.⁷ Yet, the *Variety* editor’s dismissiveness toward Milestone Films betrays the deeper stratifications that structure what the trade press refers to as the “art house,” “specialty,” or “indie” distribution market.⁸ Since the late 20th century, as conglomeration has restructured every major film studio, the line separating Hollywood and independent distribution has been hazy at best. For instance, the term “Indiewood” took off in the mid-1990s precisely to describe this industrial phenomenon, of Hollywood-owned companies distributing and often producing nominally “indie” film.⁹ Miramax, Sony Pictures Classics, and Focus Features ruled the “indie” box office circa 2005, yet their corporate parentage in The Walt

³ Eugene Hernandez, “Milestone Celebrates Trio of Prizes and Deals for Ophuls’ ‘Troubles,’” *IndieWire*, January 11, 2005, <https://www.indiewire.com/news/general-news/milestone-celebrates-trio-of-prizes-and-deal-for-ophuls-troubles-78449/>.

⁴ Jackson 14.

⁵ Dennis Doros, email message to author, February 4, 2023.

⁶ “Fireworks,” *Box Office Mojo*, accessed on April 24, 2024, https://www.boxofficemojo.com/title/tt0119250/credits/?ref=bo_tt_tab.

⁷ Bill Thompson, interview with author, February 15, 2022.

Daniel Talbot, *In Love With Movies: From New Yorker Films to Lincoln Plaza Cinemas* (New York: Columbia University Press, 2022), 150-151.

⁸ Gabriel Snyder, “Specialty pix jump off platforms,” *Variety*, July 10, 2005, <https://variety.com/2005/film/news/specialty-pix-jump-off-platforms-1117925655/>.

Pamela McClintock, “Art House Movies Are Having Their TikTok Moment,” *The Hollywood Reporter*, January 26, 2024, <https://www.hollywoodreporter.com/movies/movie-news/iron-claw-poor-things-tiktok-box-office-1235807962/>.

Peter Knegt, “Box Office 2.0: The Biggest Stories of the 2009 Indie Box Office,” *IndieWire*, December 29, 2009, <https://www.indiewire.com/news/general-news/box-office-2-0-the-biggest-stories-of-the-2009-indie-box-office-246072/>.

⁹ Geoff King, *Indiewood, USA: Where Hollywood Meets Independent Cinema* (London: I.B. Tauris, 2009), 1, 4.

Disney Company, Sony Pictures Entertainment, and NBC Universal respectively afforded them drastically elevated industrial standing, relative to the private boutique firms scurrying underfoot.

Put another way, *Variety* would never fail to commemorate an anniversary or report a new acquisition by Miramax or Sony Pictures Classics.¹⁰ Even though these specialty divisions focused mainly on English-language releases, they also mounted the top two highest-grossing theatrical runs for a subtitled, non-English language film in U.S. box office history.¹¹ As subsidiaries of multinational conglomerates, Miramax and Sony Pictures Classics would cease to release subtitled films if not for the expectation that at least a handful of them, on any given year, would meet *Variety*'s threshold, by clearing a one-million domestic gross. Just in 2005, five subtitled, Sony Pictures Classics releases grossed over one-million dollars: Stephen Chow's *Kung Fu Hustle* (\$17,104,669), Zhang Yimou's *House of Flying Daggers* (\$6,892,895), Pedro Almodóvar's *Bad Education* (\$3,452,654), Agnès Jaoui's *Look at Me* (\$1,736,499), and Wong Kar-wai's *2046* (\$1,442,338), which combined equals \$30,629,055 in U.S. theatrical gross.¹² By contrast, the total gross of a boutique distributor's *entire* 2005 theatrical slate looks miniscule, be it Tartan Films (\$1,584,492), Strand Releasing (\$974,498), or Rialto Pictures (\$552,433).¹³ Indeed, Milestone mounted no week-long theatrical runs in 2005, leaving its theatrical gross for

¹⁰ Lawrence Cohn, "Miramax, with more pix, execs, strides into its second decade," *Variety*, January 28, 1991, 16. Christopher Grove, "Crouching Indie," *Variety*, May 14-20, 2001, 35-36.

¹¹ *Crouching Tiger, Hidden Dragon* (2000, Sony Pictures Classics), at \$128,479,536, and *Life Is Beautiful* (1997, Miramax), at \$57,598,247, remain the U.S. box office's first and second highest-grossing, non-English language limited releases.

"All Time Domestic Highest Grossing Limited Release Movies," *The Numbers*, accessed on March 17, 2023, <https://www.the-numbers.com/box-office-records/domestic/limited-release-movies/cumulative/all-time>.

¹² "Box Office Performance for Sony Pictures Classics Movies in 2005," *The Numbers*, accessed on March 16, 2023, <https://www.the-numbers.com/market/2005/distributor/Sony-Pictures-Classics>.

¹³ "Market Share for Each Distributor in 2005," *The Numbers*, accessed on March 16, 2023. <https://www.the-numbers.com/market/2005/distributors>

the year at zero. While Milestone was and remains an exceptionally small, low-margin business, a nil or near-zero year of theatrical earnings is not unheard of for boutique distributors.¹⁴

Given these commercial challenges, how have boutique distributors managed to remain independent, solvent, and culturally relevant? Dozens of these companies—Milestone Films, Janus Films, Strand Releasing, Rialto Pictures, Icarus Films, Zeitgeist Films, Kino Lorber, and The Cinema Guild, to name just a few—have emerged since the major studios opened their own art house divisions.¹⁵ How have they endured, over decades? How has art house distribution, and by extension art house moviegoing, changed since its supposed heyday in the 1960s? Through what business models and brand identities have these independent distributors survived? What artistic developments in contemporary global cinema have these U.S. distributors publicized or, in some cases, overlooked? In what manner has the re-release (the “revival,” “retrospective,” “restoration,” etc.) become central to boutique film distribution? How do home media and now streaming, on top of theatrical, shape the acquisition and licensing criteria guiding these companies? What does competition and collaboration look like between boutique distributors, or between these small outfits and the major film studios? How do boutique distributors shape new ideas, or reinforce old ones, about the film canon, authorship, and representation? Through which analytic frameworks is the cultural and economic reach boutique distribution most comprehensively appraised?

In seeking to answer these questions, this project will map the many tributaries that extend across the contemporary global film industry. Boutique distribution provides a deep angle of view on the many meeting points between different film institutions, nations, and eras of time.

¹⁴ For an example, Film Movement (founded in 2003) had a slim 2006, only grossing \$1,365 in U.S. theatrical venues. <https://www.the-numbers.com/market/distributor/Film-Movement>

¹⁵ Yannis Tzioumakis, *Hollywood's Indies: Classics Divisions, Specialty Labels and the American Film Market* (Edinburgh: Edinburgh University Press, 2012), 14-16.

Art house film's ambiguous status in the industry today has not been researched in a systemic, historical study. This project will firstly regard boutique distribution as an interconnected economic process within the global film industry. By situating art house institutions within that larger history, this project argues that dynamics of industrial conglomeration and ballooning profit expectations in Hollywood have afforded opportunities for U.S. boutique distributors to diversify their catalogs, expand home media production, and develop publicly recognized brand identities. This project will then analyze the new inputs and outputs these distributors have handled in terms of films, from global to repertory; exhibition platforms beyond theatrical, such as home media and streaming; and ideas, especially around authorship and representation. This project will finally argue that boutique distributors have, in the age of streaming, come to offer viewers an "alternate plentitude," in contrast to Hollywood. However, the processes of branding and curation that result in this seeming plentitude pose long-term risks to boutique film distributors if they are not disrupted by a reflexive critique of the "film canon" and its absences.

This dissertation will cover the span of history between 1980 and to the present day, with the most extensive case studies chronicling 1990-1998. The year 1980 has been selected as a boundary of this periodization in order to trace the early days of home media distribution and its adoption by influential outfits such as Kino International, New Yorker Films, and The Criterion Collection. Between the 1980s and the 1990s, major and mini-major film studios had formalized their specialty distribution divisions, a historical period exhaustively researched and periodized by Yannis Tzioumakis in *Hollywood's Indies: Classics Divisions, Specialty Labels and the American Film Market*, Thomas Schatz in "The Studio System and Conglomerate Hollywood," and Alisa Perren in *Indie, Inc.: Miramax and the Transformation of Hollywood in the 1990s*.¹⁶

¹⁶ Tzioumakis iii, 1-22.

Less analyzed have been the independent distributors without any corporate oversight, such as Milestone Films and Strand Releasing, which also emerged during this time. By the mid- to late-2000s, major film studios had significantly scaled back re-releases from their libraries and focused their remaining specialty divisions on English-language productions optimized for awards recognition. During this period, the expanding global network of film festivals, the studios' disinterest in re-releases, and the relative stability of the DVD and Blu-ray market had attracted new independent distributors into the field. By the mid-2010s, the proliferation of streaming platforms and the narrowing of the home media sector permitted opportunities for acquiring and licensing films aimed at a niche cinephile market. Around the same time, new and veteran distributors started to capitalize on the possibilities of social media in order to market films to younger audiences. This has resulted in a revitalized, if ever-contested, art house market, pulled between commercial interests, canonical ideals, and voices for change. This tension has always pervaded the boutique distribution field, and this project sees this symptom as the sign of a field with a promising, if still precarious future.

Why “Boutique”?

This dissertation argues that boutique distributors perform unique industrial and cultural functions, compared to larger firms. In so doing, it also argues there exists a “boutique” distribution sector in the first place. This term, though employed specifically in this project, is not a whole cloth invention. In English parlance, “boutique” has long referred to small fashion retail establishments, before evolving in recent decades to also mean “a small company that

Thomas Schatz, “The Studio System in Conglomerate Hollywood,” *The Contemporary Hollywood Film Industry*, eds. Paul McDonald and Janet Wasko (Hoboken: Blackwell, 2008), 29-31.

Alisa Perren, *Indie, Inc.: Miramax and the Transformation of Hollywood in the 1990s* (Austin: University of Texas Press, 2012).

offers highly specialized services or products.”¹⁷ The Hollywood trade press has invoked this second definition of boutique, since at least the late 1980s, in reference to independent production and distribution companies alike. The earliest instance of the term in *Variety*’s archives is February 22, 1989, when Todd McCarthy reported “the Samuel Goldwyn Co. is signaling its intention to move more toward the major leagues and away from its image as exclusively a specialized ‘boutique’ distributor.”¹⁸ McCarthy invoked the term “boutique” as the Samuel Goldwyn Company’s former, distribution-exclusive orientation, which it sought to shed by forming a production unit and hiring Hollywood executives (such as Columbia Pictures’ Thomas Rothman) to run it. By contrast, Peter Bart penned a column three years later titled “Boutique blues,” in which he discusses the financial straits of two independent production companies, Castle Rock and Imagine.¹⁹ *Variety* has continued to deploy “boutique” in reference to small production and distribution companies, in the years since. “Chic Boutiques Click in Cannes,” read a 1996 headline over a story with quotes from acquisition executives working at small U.S. distributors, while in 1999, a story headlined, “Brit boutique brings together Milchan, FilmFour, TF1,” announced “a worldwide production and distribution partnership” partially subsidized through public funding.²⁰

Since the early 2000s, film critics and journalists have sometimes led with the term “boutique” when describing the sort of independent art house distributors this dissertation examines. For instance, in 2002, *Chicago Tribune* profiled Cowboy Films, shortly after it

¹⁷ “Boutique,” *Merriam-Webster*, accessed on May 3, 2024, <https://www.merriam-webster.com/dictionary/boutique>.

¹⁸ Todd McCarthy, “Goldwyn Co. makes move toward mainstream with Midler pic,” *Variety*, February 22, 1989, 69.

¹⁹ Peter Bart, “Boutique blues,” *Variety*, March 16, 1992, 3.

²⁰ John Brodie and Adam Dawtrey, “Chic Boutiques Click in Cannes,” *Variety*, May 20-26, 1996, 1, 51.

Adam Dawtrey and Benedict Carver, “Brit boutique brings together Milchan, FilmFour, TF1,” *Variety*, March 1-7, 1999, 9.

released *Fat Girl* (2001, Catherine Breillat), as a “boutique-distributor” alongside its “counterparts Zeitgeist Films, New Yorker Films and Strand Releasing.”²¹ *IndieWire* has referred to Zeitgeist as a “boutique brand,” as has *The Austin Chronicle* toward Milestone.²² During this time, home-media aficionados have proved especially partial to the term when discussing companies, like The Criterion Collection, that produce collectible physical media editions of classic and cult cinema.²³ But, for the purposes of this dissertation, a more transparent working definition is in order.

For this project, what makes a film distribution company “boutique”? This project locates boutique distributors at the nexus of two more commonly used industrial categories, “art house” and “independent.” What makes a film distribution company both “art house” and “independent”? These labels may initially appear synonymous, and indeed they each invoke overlapping cultural associations of artistry and authenticity. When applied to film industry institutions, however, “art house” refers more specifically to an exhibition niche, whereas “independent” distinguishes a company’s mode of production, distribution, and financing from that of a corporate studio or conglomerate subdivision. There are many financially independent film distributors that seek an exhibition market outside of the art house niche—these include companies specializing in exploitation and pornographic films; a filmmakers’ cooperative like

²¹ “Cowboy ropes in aesthetic films,” *Chicago Tribune*, May 5, 2022,

<https://www.chicagotribune.com/2002/05/05/cowboy-ropes-in-aesthetic-films/>.

²² “Zeitgeist Films at 20 Years: Building a Boutique Brand,” *IndieWire*, June 26, 2008,

<https://www.indiewire.com/news/general/zeitgeist-films-at-20-years-building-a-boutique-brand-72145/>.

Marjorie Baumgarten, “A Peek Into One Boutique’s Two Decades of Preservation,” *The Austin Chronicle*, June 4, 2010, <https://www.austinchronicle.com/screens/2010-06-04/1036817/>.

²³ See “Boutique Labels,” thread index, *Criterion Forum*, accessed on May 3, 2024,

<https://criterionforum.org/forum/viewforum.php?f=13&sid=b55561f6ee485483151d93ad0cc134ac>.

Oktaç Ege Kozak, “The Best Boutique Blu-ray Distributors (Who Aren’t Criterion),” *Paste Magazine*, December 5, 2017, <https://www.pastemagazine.com/movies/blu-ray/the-best-boutique-blu-ray-distributors-who-arent-c>.

Jim Hemphill, “Boutique Blu-ray Labels Keep Physical Media Alive—And Preserve Film History in the Process,” *IndieWire*, February 5, 2024, <https://www.indiewire.com/features/craft/blu-ray-labels-film-history-physical-media-1234950671/>.

Canyon Cinema, which exclusively books non-theatrical engagements for avant-garde film; or those studios like The Asylum that skip public exhibition altogether for direct-to-video or -streaming debuts. On the flip side, several of the most prominent distributors serving art house audiences are not financially independent, with Sony Pictures Classics being perhaps the most appropriate, present-day representative of this category. That leaves a swath of “boutique” distributors that are both financially independent and focused on the art house audience, those like Janus Films, New Yorker Films, and Milestone Films which are the focus of this dissertation. Their precarious financial position leads boutique distributors to practice more omnivorous acquisition tendencies and in the process craft distinct cultural niches, compared to the specialized distribution divisions of major corporations.

Boutique distributors invariably handle some combination of international and repertory titles. Theatrical runs for these films almost always launch in New York City art house theaters like Film Forum and Lincoln Plaza Cinemas. But beyond what they release and where, boutique distributors operate as businesses with conservative financials. For these companies, a previous year’s profits enable a present year’s releases, with any external infusion of capital (i.e., private equity or venture capital) exceedingly rare. Externally financed art house distributors, like A24 and Neon, may cater to similar audiences as private boutiques, like Janus Films and Strand Releasing. Yet the logics of equity financing, for instance, incentivize increasingly expansionary goals and mass-market (i.e., contemporary, English-language production) targets than a traditional, subsistence-minded boutique.²⁴ This financial structure positions A24 and Neon, both paragons of the contemporary, successful art house distributor, closer to specialty divisions than to bona fide boutiques, though those two companies will nevertheless be examined and

²⁴ Umberto Gonzalez and Drew Taylor, “A24 Expands Strategy From Arthouse Gems to More Commercial Films | Exclusive,” *The Wrap*, October 11, 2023, <https://www.thewrap.com/a24-shifts-strategy-commercial-film/>.

compared to throughout this project. Indeed, as of this writing, both A24 and Neon have recently explored selling to larger conglomerates, suggesting they may follow the trajectories of Miramax, New Line Cinema, and other independent-turned-subsidary firms of yore.²⁵

This project's principle concentration on boutique distributors permits analysis of how macro-industrial trends have affected the smallest, seemingly "marginal" firms. The dissertation's early stretch explores how branding has emerged, since the 1980s, as a pragmatic necessity for specialty distributors of all sizes. For the small boutiques, a coherent, public-facing, curatorial identity plays an indispensable role in projecting an image of independence, retaining a loyal customer base, and contributing to larger cultural conversations. Later chapters respectively analyze how boutiques have dedicated more resources to releasing older films and finding new audiences in the over-the-top (OTT) streaming market. Small distributors have gravitated toward repertory film and streaming platforms not solely for their monetization potential, but also because, often, boutiques find entry into these markets through their social relations with other film institutions, be they film festivals, archives, foundations, or fellow distribution companies. Inter-firm and, indeed, interpersonal dynamics of collaboration present distributors with fresh opportunities for revenue and visibility. This relational dynamic, of boutique distributors working with other firms of similar and of vastly superior size, is a central concern over the subsequent pages.

"Art House Film," Not "Art Cinema"

²⁵ Matt Donnelly, "Indie Film and TV Studio A24 Explored Sale With \$3 Billion Asking Price (EXCLUSIVE)," *Variety*, July 13, 2021, <https://variety.com/2021/film/news/inside-a24-billion-dollar-sale-1235018988/>. Benjamin Mullin and Nicole Sperling, "Neon, Film Distributor of Indie Darlings Like 'Parasite,' Ponders Sale," *The New York Times*, August 2, 2022, <https://www.nytimes.com/2022/08/02/business/neon-films-explores-sale.html>.

With the meaning of “boutique” settled, this dissertation’s intelligibility also hinges on an understanding of the term “art house film,” which this section will elucidate. “Art house film” is a separate category from “art cinema,” though it also overlaps with it. David Bordwell has defined art cinema as a “mode of film practice” and “historical mode of narration” working against Hollywood conventions.²⁶ Rosalind Galt and Karl Schoonover have advocated for a looser, more “impure” definition of art cinema, one that understands the filmmakers working in this mode as displaying an active if ambivalent relationship to genre, the star system, and other foundations of Hollywood film culture.²⁷ “Art house film” encompasses “art cinema,” however one defines it, but it includes more than the modernist, contemplative, and consciously aesthetic films that typically fit under this category.

“Art house film” provides a more capacious category befitting an analysis that seeks to accommodate ideological and sociological inquiry. “Art *house* film” privileges the alternate screening spaces, and the cultural discourses that circulate between them, more than the formal or thematic makeup of the films that screen there.²⁸ This definition takes cues from Steve Neale, who defined art cinema as an “institution” comprised of public and private bodies in Europe, working in concert to counter Hollywood influence.²⁹ The distinction of “art house film” makes a larger point, which is that, through their choices, art house film distribution and exhibition agents can reframe even “popular” cinemas (such as classical Hollywood or Bollywood) as oppositional to a prevailing idea of Hollywood’s hegemonic present. Neale’s emphasis on

²⁶ David Bordwell, “The Art Cinema as a Mode of Film Practice,” *Film Criticism*, Vol. 4, No. 1, Film Theory (Fall 1979): 56-64.

Bordwell *Narrative*, 212-213.

²⁷ Rosalind Galt and Karl Schoonover, *Global Art Cinema: New Theories and Histories* (Oxford: Oxford University Press, 2010), 6-8.

²⁸ This project uses “art house *film*” to refer to a category of film, and “art house cinema” to refer to the exhibition spaces themselves.

²⁹ Steve Neale, “Art Cinema as Institution,” *Screen*, Volume 22, Issue 1 (May 1981): 11-40.

institution further underscores how many different agents have to interact, with both capital and cultural incentives, in order to keep an alternate mode of cinema alive, visible, and fresh. Even Daniel Talbot, one of America’s critical champions of international cinema in the 20th century, sought not to call everything that played at his art house cinema, The New Yorker Theater, with the label of “art film.” “As to Russian cinema,” Talbot later reflected, “‘art film’ also seems off. Classic Russian cinema—Pudovkin, Dovzhenko, Eisenstein—was more in the vein of action cinema, urgent news of the history and state of the Soviet Revolution.”³⁰ When discussing the category of film boutique distributors handle, this dissertation uses the more flexible term “art house film,” because it is above all determined institutionally—by distributors, exhibitors, and audiences—rather than textually.

Literature Review

In its subject, periodization, and root methodology, this dissertation draws considerable inspiration from Tino Balio’s foundational 2010 study on U.S. art house distribution, *The Foreign Film Renaissance on American Screens, 1946-1973*. Balio’s book covers the 1940s through the 1970s; my project picks up the story starting in 1980. Balio’s institutional history focuses on distributors (often referred to as “importers”), theaters, nontheatrical venues, censorship boards, awards bodies, and the influence of film critics.³¹ This project focuses on many of the same agents, but it extends from Balio’s focus by also examining non-U.S. film studios; a broader selection of film-related discourse, including magazines, blogs, and social media; film archives and preservationists; publicists and trailer houses; and the brand identities

³⁰ Daniel Talbot, *In Love With Movies: From New Yorker Films to Lincoln Plaza Cinemas* (New York: Columbia University Press, 2022), 45.

³¹ Balio 79-99.

of distribution companies themselves. Balio's work on Janus Films, specifically the company's construction of the Ingmar Bergman "brand" for the American market, inspires this project's understanding of the importance of branding and its intricate links to the discursive construction of auteurs. This project further illuminates new mechanisms of contemporary art house film branding made possible through digital marketing and exhibition.

That said, starting a research project around the period where Balio's book ends will necessitate some course correction, for he ends his history on a pessimistic note. His book's concluding paragraph begins, "The prospects for foreign films in the U.S. theatrical market are dire, and nothing on the horizon suggests that conditions will improve."³² While not disputing these real and enduring challenges, this project identifies boutique strategies for theatrical success and, even more consistently, stresses the lifeblood of ancillary markets.³³ An impetus for Balio's book appears to be that "the foreign film renaissance" was a period of genuine commercial success, and thus industrial importance. But, as his "Market Dynamics" chapter explains, the "art film market" has always been riddled with precariousness and sunk costs.³⁴ Thorough attention to forms of cultural and social capital, as opposed to just economic capital, will help clarify how art house film distributors have weathered rough times, benefitted from goodwill, and continued to connect with audiences. Home media plays an important role in these processes, as the growth of Janus Films into The Criterion Collection ably demonstrates.

This project also departs from Balio's assertions regarding viewers' role in the downturn in art house attendance. In the book's final paragraph, Balio writes, "Drawn to foreign films with

³² Balio 307.

³³ Douglas Gomery alluded to this in 1992, by attributing the decline of art house cinemas in part to home video, saying, "Home video made it too easy to see foreign films at home." See Douglas Gomery, *Shared Pleasures: A History of Movie Presentation in the United States* (Madison: University of Wisconsin Press, 1992), 195.

³⁴ Balio 79, 85, 99.

humanistic impulses, this group will attend local film festivals and the occasional museum film retrospective but cannot be relied on to sustain a local art house. These people are not frequent filmgoers. Their needs are met mostly by DVDs.”³⁵ In addition to seemingly contradicting his earlier dismissal of home video sales, Balio burdens the individual moviegoer with too much agency in this equation. He appears to blame audience tastes for the diminishment of art house cinemas, whereas this project identifies the actual culprits as industrial shifts. These shifts include the formation of “independent” film labels within major film studios, the proliferation of multiplexes, and the relentless pursuit of corporate growth by conglomerates. The financial logics outlined here tend to devalue “niche” art house markets or else book their screens with only the surest of bets. This project seeks to demonstrate how boutique distributors attracted audiences even in rough years, and how Hollywood’s tentpole production model has actually redirected—not all, but some—attention to distributors that offer something different.

This study of contemporary boutique distribution will furthermore fill gaps found in scholarship related to Hollywood’s adoption of home video. Though he saves this discussion for the epilogue of his book *Hollywood Vault*, Eric Hoyt reconsiders the shift to home video from the perspective of film libraries. Taking a cue from media industry studies scholarship, Hoyt outlines his methodology as aspiring to account for the “diverse range of participants, who have frequently disagreed about the best and appropriate uses for film libraries.”³⁶ Due likely to his book’s pre-1970s historical focus, however, Hoyt does not mention boutique film distributors in his study. In *A New Pot of Gold*, Stephen Prince covers Hollywood’s expansion into “ancillary markets” like cable television and home video in the 1980s. He argues home video stimulated a

³⁵ Balio 307.

³⁶ Eric Hoyt, *Hollywood Vault: Film Libraries before Home Video* (Berkeley: University of California Press, 2014), 5.

boom in independent film production and distribution in the mid-to-late 1980s, while simultaneously producing aesthetic conundrums for cinephiles accustomed to celluloid.³⁷ Here, too, the relationship between Hollywood institutions and boutique distributors goes unacknowledged.

James Kendrick has addressed some of these gaps in his oft-cited 2001 article, “What Is the Criterion? The Criterion Collection as an Archive of Film As Culture.” Kendrick observes how Criterion legitimized home media for many discerning cinephiles, by honoring a film’s intended presentation (e.g., original aspect ratios instead of “pan and scan”) and including valuable supplements like director’s commentary.³⁸ Criterion’s pioneering efforts in LaserDisc production enabled it to establish “working relationships with a number of Hollywood film studios,” yet Kendrick also notes how studios withdrew from Criterion once they developed their own internal DVD production houses.³⁹ As this dissertation will note, this dynamic has flipped once again, with the declining production of Blu-ray and the attendant rise of streaming. Industrial factors and acquisition priorities have also changed sufficiently to revive the potency of Kendrick’s ultimate thesis, that Criterion “opens an archival space that positions ‘film as culture,’ rather than just ‘the film as art.’”⁴⁰ Kendrick cites Criterion’s 1999 DVD release of a critically maligned mass entertainment like *Armageddon* (1998, Michael Bay) as proof that Criterion removes “restraints of politics [and] taste.”⁴¹ While this analysis disputes Kendrick’s elevation of *Armageddon* as emblematic of a contemporary trend rather than an anomaly, Criterion’s acquisition trends deserve more extensive analysis, as do the factors shaping them.

³⁷ Stephen Prince, *A New Pot of Gold: Hollywood Under the Electronic Rainbow, 1980-1989* (New York: Charles Scribner’s Sons, 2000), 117, 124.

³⁸ James Kendrick, “What Is the Criterion?: The Criterion Collection as an Archive of Film as Culture,” *Journal of Film and Video*, Vol. 53, No 2-3 (Summer-Fall 2001), 128-129.

³⁹ Kendrick 130-131.

⁴⁰ Kendrick 137-138.

⁴¹ Kendrick 137.

Daniel Herbert's 2014 monograph, *Videoland: Movie Culture at the American Video Store*, extends the conversation on art house distribution, branding, and physical media. Herbert describes the distribution models of three boutique distributors: Kino International, Facets Multimedia, and Zeitgeist Film. He astutely notes how "the stability of each firm's mission assisted them in creating and maintaining additional business endeavors, including theatrical distribution and exhibition."⁴² Herbert demonstrates that further research could illuminate the programming ideologies unique to each boutique film distributor: the set of aesthetic, economic, and political criteria guiding a distributor's acquisitions, which of course also might overlap with other distributors and fluctuate over time. This project seeks to extend Herbert's findings by looking more closely at these types of companies and by studying the profiles, operations, and relations between additional actors in global art house distribution, in the process creating a fuller model for the analysis of boutique distribution.

Unlike Balio, Herbert weaves cultural theory throughout his industry analysis, and his frequent invocation of sociologist Pierre Bourdieu merits brief appraisal here, to clarify the applicability of Bourdieu's thought to this project. This dissertation will occasionally invoke some of Bourdieu's most prominent ideas, such as social capital, when sketching an overview on how a boutique distributor like Milestone Films develops relationships with influential filmmakers (e.g., Martin Scorsese). This project finds more mixed utility in Bourdieu's distinction between "large-scale" and "restricted production" models, which Herbert uses often when drawing cultural-industrial distinctions between, respectively, Hollywood studios and boutique distributors like Kino, Facets, and Zeitgeist. On the one hand, Bourdieu's basic assertion that "the field of restricted production tends to develop its own criteria for the

⁴² Daniel Herbert, *Videoland: Movie Culture at the American Video Store* (Berkeley: University of California Press, 2014), 169.

evaluation of its products,” as opposed to submitting “to the laws of competition for the conquest of the largest possible market” as large-scale producers do, is an insightful summation of how this dissertation analyzes boutique distributors.⁴³ This introduction’s opening anecdote, about *Variety*’s “one-million” dollar bar for coverage, speaks to the stakes, and with them the disagreements, that can emerge when “restricted” intermediaries like Milestone Films navigate their industrial field.

That being said, these invocations of Bourdieu can sometimes flatten some of Herbert’s more interesting, on-the-ground findings. After designating Kino, Facets, Zeitgeist, and Criterion into this “restricted” model, Herbert associates this category with exclusivity, cosmopolitanism, and intellectualism.⁴⁴ There is much truth to this argument, as one considers the accrued cultural capital (e.g., higher education) of those who work in “quality” film distribution and the social capital they amass in the process of acquiring films at prestigious festivals like Cannes. But in Herbert’s analysis, this “rarefied” structure of class distinction determines a boutique distributor’s decisions more than economic realities. Herbert does acknowledge that a lack of financing prohibits the boutique distributor from acquiring “‘big’ films or even art house crossover hits,” but he can overlook the diversity of output these distributors have achieved with the limited resources they do have. For one, his characterization of Kino Lorber notes that the company’s library is diverse, in mixing classical Hollywood and American independent cinema with international art films, and initially concedes that “this range of titles and genres could convey a sense of inclusiveness rather than exclusivity,” before nevertheless concluding, “Yet these companies’ releases nevertheless fall within strict parameters: non-Hollywood fare with

⁴³ Pierre Bourdieu, *The Field of Cultural Production* (New York: Columbia University Press, 1993), 115.

⁴⁴ Herbert 171.

pretensions of refinement.”⁴⁵ Kino International, under head Donald Krim, distributed many crowd-pleasing classical Hollywood films from Charlie Chaplin, David O. Selznick, and Buster Keaton, while Kino Lorber, Richard Lorber’s iteration of company, has invested heavily in acquiring a large volume of genre and cult cinema since.⁴⁶ The application of Bourdieu here ends up drawing a fine, seemingly impermeable line between “the popular” and “the refined,” and so overlooks how arbiters of the latter often champion and revivify, for new audiences, older iterations of the former.

In her book *Beyond the Multiplex: Cinema, New Technologies, and the Home*, Barbara Klinger argues that certain boutique film distributors do, in fact, seek to distinguish themselves from “large-scale” production models through the packaging of their home media goods. “Within the rerelease market, irrespective of format, any film is potentially a collectible,” she says. Through labels (e.g., collector’s edition, director’s cut) and “elaborate” packaging, certain pieces of home media assume an “elite position in the flow of movie goods.” In Klinger’s view, The Criterion Collection was “influential in propagating this marketing strategy.”⁴⁷ My firsthand experience with producing DVDs for Milestone Films has also informed me of the immense costs involved in physical media production. Future research can assess how boutique film distributors prioritize home media production, or choose to direct their limited funds toward other initiatives. Such analysis of Milestone and other small firms would undoubtedly clarify the unequal power relations and financial resources between boutique film distributors. Even if they

⁴⁵ Herber 171-172.

⁴⁶ Herbert 172.

Peter M. Nichols, “An Eye for the Small, the Old, the Out of the Way,” *The New York Times*, August 17, 1997, <https://www.nytimes.com/1997/08/17/arts/an-eye-for-the-small-the-old-the-out-of-the-way.html>.

⁴⁷ Barbara Klinger, *Beyond the Multiplex: Cinema, New Technologies, and the Home* (Berkeley: University of California Press, 2006), 60.

wanted to, smaller companies cannot afford to follow Criterion's physical media production and distribution model.

Klinger's book serves as a model for future research, not just because it attends well to the facts of home media distribution but because those facts support a larger, suitably rich theoretical framework. In each chapter, Klinger asks questions about how home media has reorganized conceptions of space and time. The second chapter ponders sociocultural forces, such as gender norms that produce certain DVD archiving strategies. In her third chapter on the "robust afterlife" of classical Hollywood films as they air on U.S. cable television, Klinger concludes that the channel AMC "consecrates" classic films. AMC uses old American films "as material for a revisionist history that celebrates the state of the nation in the face of complex contemporary times."⁴⁸ If we take this finding at face value, then in what ways do contemporary boutique distributors appeal to nostalgia, or challenge it? After all, most of these distributors, unlike AMC, release both new and old films from around the globe. How does the coexistence of classical Hollywood and new Iranian films in The Criterion Collection inform future histories, not just of film but of culture? What nostalgia traps might these distributors nevertheless fall into, either by ignorance or commercial pragmatism? Klinger's fourth chapter on rewatching old films provides sociological ballast for some of this inquiry. How, Klinger asks, do viewer identities correlate to viewing habits? What kinds of new cultural rituals form around the rewatching films on home media? Future research can reexamine these questions from the perspective of the boutique distributor: How do these companies differently view theatrical distribution, physical media, and now streaming platforms as a means for the viewer to "rewatch" or, on the other hand, "discover" certain films?

⁴⁸ Klinger 15.

In her book *After Uniqueness: A History of Film and Video Art in Circulation*, Erika Balsom synthesizes many of the dangling questions asked so far throughout this literature review into her analysis of alternative media distribution. Balsom's book examines experimental film, video art, and what the U.K. art world defines as "artists' moving image," and she outlines outlining her book's key research questions and subjects as follows:

If moving images are now consumed on more platforms and in more exhibition situations than ever before, what networks do they traverse in order to reach their audiences? What factors intervene to enable or restrict these passages? Answering these questions means examining the repercussions of the fact that film and video are reproducible media, founded in an economy of the copy. It means exploring the domains of distribution and circulation, where distribution designates the infrastructures (whether formal or informal) that make work available to be seen, and circulation designates the trajectories particular works can take through one or more distribution models.⁴⁹

The underlying tension identified by Balsom concerns the reproducibility of moving images in the world of "legitimate," "gallery," or what Walter Benjamin would refer to as "aura" art. "The financial and symbolic economies of art" prize authenticity and "uniqueness," according to Balsom, which poses problems for the reproducible moving image's place in these economies.⁵⁰ For the rest of the book, Balsom teases out these problems by defining the art world's "copy rites." Unlike legal copyright, "copy rites" are "extralegal social and historical conventions that shape the possibilities and meanings of image reproduction."⁵¹ To Balsom, "copy rites" structure the social and technological networks of moving image distribution, and these networks straddle the line between formal and informal as a result.

Balsom's book presents numerous useful points of departure for a project on boutique film distribution. For one, she begins with a theoretical understanding of the power vested in

⁴⁹ Erika Balsom, *After Uniqueness: A History of Film and Video Art in Circulation* (New York: Columbia University Press, 2017), 3.

⁵⁰ Balsom 7.

⁵¹ Balsom 9.

even the most minor of mediating institutions: “Distribution participates in the generation of value and canon formation, as particular works may be made widely available to be seen and written about, while other remains inaccessible. Equally, distribution can be a site of advocacy and a way of remedying a lack of visibility.”⁵² A company like Milestone Films embodies these ideals, while other boutique distributors may only appeal to this potential as an occasional marketing strategy. Following from this, Balsom perceives how the field of cultural production is itself highly socialized and interconnected, “as a network of heterogeneous and interlocking agents rather than as an activity undertaken by a single individual.”⁵³ Virtually all scholarship on art house distribution “siloes” the companies operating within this field, ignoring the frequent communication and collaboration between them. Some forms of collaboration that warrant further study include transnational circuits (e.g., contact between the U.S. and France distributor of the same film) and licensing coalitions for streaming (e.g., The Criterion Channel licensing films from other art house distributors). Furthermore, Balsom’s research on unofficial streaming platforms like UbuWeb spotlights how some artists and filmmakers sanction the free dissemination of their work, which in the field of boutique distribution often occurs when official channels have left certain films undistributed or failed to cover enough territory. Finally, the following mandate from Balsom’s book aligns with the guiding principle of this dissertation: “to render visible and interrogate the specificity of particular distribution infrastructures.”⁵⁴

⁵² Balsom 8.

⁵³ Balsom 8.

⁵⁴ Balsom 17.

Sources and Methodology

This dissertation is, first and foremost, a work of historical research. As such, primary documents guide its findings. These materials include archived correspondence, distribution agreements, financial statements, production documents, and distributor catalogs. While this dissertation incorporates some of this material through online sources, most of it was sourced from the manuscript collections of various archives. These include the Milestone Films papers, housed at the Wisconsin Center for Film and Theater Research (WCFTR); the Daniel Talbot papers, at Columbia University's Rare Book & Manuscript Library; the Ira Deutchman papers, at the University of Michigan Special Collections Research Center; and the Kino International papers, at the Museum of Modern Art's Film Study Center. These collections all contain inter-office memos, multiple drafts of publicity material, and extensive correspondence that illuminate the day-to-day reality of operating a distribution outfit such as Milestone, New Yorker Films, Cinecom, or Kino International, respectively.

A challenge shared between researching small institutions and documenting the very recent past is the overall scarcity of archival material. Most boutique distributors have not bequeathed their papers to archives at all, while those listed above are incomplete. Some material, such as video catalogs and press clippings, can be found online, while more embedded institutional records, such as correspondence and financial paperwork, is often lost or inaccessible for independent companies of this size. My relationship with the founders of Milestone permits access to some recent documentation not housed in the WCFTR. Interviews with boutique distributors will also provide ballast to the dedicated case studies. Given the scope of this dissertation, a critical reading of public-facing material will accompany archival documents and original interviews.

This dissertation will also extensively cite trade press; box office data; film reviews; marketing paratexts, such as trailers; and the distributed films themselves. As this introduction has no doubt already made clear, *Variety* is one such trade press outlet cited, but given that publication's less-than-thorough coverage of boutique institutions, this dissertation also frequently cites newer periodicals that are more devoted to the sector, such as *IndieWire*, *Deadline*, and *The Independent*. Given how quantitative the journalistic coverage of industry institutions tends to be, box office data informs this dissertation's analysis throughout. This quantitative dimension stems from this dissertation's larger intervention to view the boutique distribution sector as a commercial field, replete with companies of dissimilar sizes appealing to individuated market segments. Useful though it is, quantitative analysis nevertheless encounters limits when applied to the boutique distribution sector. Simply put, the utility of box office data declines the smaller a distribution company is. This is not simply because art house films, especially international films and retrospective screenings, make less money than Hollywood films. More pertinently, most "niche" film releases depend on nontheatrical circuits and home media sales, distribution channels with notoriously incomplete and private data.

For these reasons, a multimodal form of qualitative analysis is needed to distinguish boutique distributors from one another and, most crucially, to make clear their effects on film culture. Extensive attention will be devoted to the types of films a company distributes; the distribution the marketing strategies employed, and through what platforms; the distributor's place within a possible larger corporate structure, which might also include production, exhibition, or financing bodies; how traditional theatrical exhibition balances with film festival exposure, home media releases, and streaming or television licensing; the prestige the distributor enjoys in the popular press, and many other factors. These variables and more bolster this

methodology from a quantitative analysis into a critical, qualitative discourse attentive to questions of film aesthetics, cultural studies, and political economy.

Describing, analyzing, and comparing a distribution company's approach to "branding," for instance, escapes quantitative methods, but it can still be undertaken in a rigorous manner with attention to consistent variables. Assessing a distributor's branding strategies requires simultaneous attention to a company's publicity material, its modes of outreach, the multilayered reception context for any given film, and the comparable brands of other likeminded distributors. Careful attention to branding strategies reveals more than just the prominence of this or that distributor, but also tells us about an outfit's aspirations for growth and its relationship with other companies. Most crucially, for film and media scholars, branding and publicity strategies reveal how concepts of authorship, value, and style are perceived at a given moment of time, by a global industry and a sprawling, increasingly atomized audience.

While this dissertation does not foreground stylistic analysis, a qualitative discussion of distribution requires more than just a passing acquaintance with the films in question. Throughout this dissertation, the analysis describes the art house films themselves, with attention to their salient formal qualities as much as their narratives. Granular attention is paid to the marketing paratexts these boutique distributors create, such as trailers, posters, and press kits. Boutique distributors have a reputation as ardent cinephiles, well aware of films outside of their strict distribution purview. For many companies, aesthetic inclinations guide the acquisition process more than surefire commercial prospects. As a result, accounting for film style, subject matter, and genre becomes crucial to understanding individual distributors, their relationships with other companies, and their impact on U.S. audiences. The art house sector's synonymy

with modernist cinema from Europe, for instance, has led to distribution oversights and opportunities for canny distributors in recent years.

Speaking of canny distributors, while this dissertation analyzes 14 boutique distributors at length, Milestone Films is its undeniable protagonist. The reasons for Milestone's central role in this project are several, from the wealth of recently archived Milestone documents at the WCFTR, to my personal experience working for the company and my relationship with its founders to this day. Most of all, this dissertation dedicates a case study to Milestone in each chapter because the company offers an underexamined and illuminating perspective on the business strategies, relational dynamics, and cultural identity representative of boutique distributors, writ large. Milestone has also evolved since its 1990 founding, in marked and subtle ways. Today, Milestone Films is arguably most well-known for restoring historically neglected, independently produced films by and about people with marginalized identities, with the L.A. Rebellion masterwork *Killer of Sheep* (1977, Charles Burnett) being the crown jewel in Milestone's catalog. But across the nearly two decades before *Killer of Sheep*'s 2007 theatrical run, Milestone targeted a range of audience segments, including fans of Japanese genre cinema. A dedicated analysis of Milestone Films shares insights into larger industrial and cultural shifts related to corporate branding, international film releasing, repertory film distribution, and the politics of film history.

In addition to Milestone Films, this dissertation dedicates case studies to boutique distributors Janus Films, The Criterion Collection, New Yorker Films, Cinema 5, Kino Lorber, Cinecom, Strand Releasing, Cohen Media Group, The Cinema Guild, Grasshopper Film, Tartan Films, Arrow Video, and Oscilloscope Pictures. The streaming platforms The Criterion Channel, OVID, and MUBI are analyzed in the final chapter, while brief analyses appear of Zeitgeist

Films, Metrograph Pictures, Arbelos Films, Emerging Pictures, Variance Films, and Film Movement. This dissertation also examines the inter-firm relationships between boutique distributors and other agents/institutions. This latter group includes major studio libraries, such as Warner Bros.; specialty divisions, such as Miramax; film archives, such as the UCLA Film & Television Archive; filmmakers and filmmaker estates, such as the Mary Pickford Foundation; and the press. Lastly, this project compares these aforementioned boutique distributors to current successful art house distributors A24 and Neon, respectively in the first chapter and conclusion.

Chapter Summary

Though this dissertation relates a historical narrative, the chapters are not divided by eras but rather by discrete distribution practices. That said, each chapter includes a Milestone case study, and these progress across the dissertation in roughly chronological order, with the first chapter chronicling the six years after the company's founding, the second its pivotal years 1997-1998, the third this same time span into 1999, and the fourth its digital presence over the last decade. Overall, each chapter balances a macro- and micro-view toward the given distribution practice. Each chapter begins with a literature review, followed by a synoptic, historicized analysis of a contemporary boutique distribution practice. These initial sections of each chapter launch specific historical claims, which are then evidenced in detail through case studies, many of which involve Milestone Films.

Chapter 1:

Distributing Authorship:

Boutique Identity and the Evolution of the "Distributor Brand"

The first chapter interrogates the impact of art house film distribution on discourses of corporate branding and film authorship. Using Balio's chapter on Ingmar Bergman as a jumping off point, this chapter will highlight the thin line between auteurism and branding, as practiced by U.S. art house distributors. A number of film industrial and late capitalist logics have pushed branding to the forefront of the contemporary film distributor's responsibilities. With Milestone Films as its central case study, the first chapter historicizes the emergence of boutique distribution companies through the cultural performance of corporate branding. The chapter builds its argument—that the contemporary industry of art house film distribution can be best understood as a field of distinct brands—over five sections. The first two sections situate the phenomenon of corporate branding within contemporary scholarship of media industry studies and authorship theory, respectively. The third section historicizes the emergence and proliferation of the “boutique” distributor by analyzing the three core brand categories that structure this field, which are “self-effacing,” “conspicuous,” or “mission-driven” brand postures.

The final two sections offer a more fine-grained breakdown of how one company's brand identity materializes and evolves over time. In the fourth section, attention turns to Milestone Films' first seven years of operation, with archival evidence offered to demonstrate how company founders Amy Heller and Dennis Doros acquired films, fueled publicity, and leveraged social capital to create the “Milestone brand.” The last section reflects on how Milestone Films has been perceived by the wider industry, through an analysis of the “anniversary” trade genre. By comparing coverage of the company's 10th, 15th, 20th, and 25th anniversaries, this analysis reveals how Milestone Films has publicly curated, qualified, and reflected on its own brand image. While still stressing the authorial moves and operative practices that set Milestone apart,

the first chapter ultimately posits Milestone Films as representative of the “distribution culture” unique to boutique firms. Boutique distributors form these brand identities not solely around one executive’s taste, but through a negotiation of other factors as well, ranging from economic pragmatism to market competitors to the lessons, and lacunae, of historical precedent.

Chapter 2:

Boutique Power Plays:

Inter-Firm Dynamics and National Categories
in the U.S. Distribution of Subtitled Films

The second chapter focuses on what has historically been the primary endeavor of art house distributors in the United States: the acquiring, marketing, and releasing of contemporary, subtitled, international cinema. This chapter argues that contemporary boutique distributors, from Janus Films to Milestone, have generally pivoted away from the expectation that any given subtitled film release will break even through theatrical box office alone. Instead, boutiques expect subtitled films to generate returns through the robust exploitation of ancillary markets, following a limited theatrical release. The first two sections of this chapter analyze the market dynamics of contemporary subtitled film distribution through the lens of media industries studies and transnational cinema scholarship, respectively. This chapter furthermore argues that the discursive category of “national cinema” persists most acutely in the field of subtitled film distribution, in contrast to the transnational logics of circulation which guide mass-market commercial cinema releasing around the globe. This claim is unpacked in the chapter’s third section, which offers a comparative analysis of how boutique distributors approach two previously marginal national cinemas in U.S. art houses, the contemporary cinema of India and Romania. The challenges boutique distributors face in releasing Indian and Romanian cinema

attests to the challenges the category of “national cinema” poses to the negotiation of genre and audience.

Finally, in its fourth section, this chapter considers how, and where, economic realities, cultural ideals, and social dynamics meet in the everyday operation of a boutique distribution company, through a historical case study chronicling Milestone Films’ 1998 theatrical release of *Fireworks* (1997, Takeshi Kitano). As the highest-profile contemporary release in the company’s history, *Fireworks* (often referred to by its original Japanese title, *Hana-Bi*) was a huge bet for Milestone, and the film’s only moderately successful box office performance effectively set into motion the evolution of Milestone’s identity since. The release history of *Fireworks* captures, in microcosm, the strategies employed and challenges faced by a boutique distributor when striving to make an impact in a market dominated by conglomerate-backed divisions, as represented by Miramax and its parallel release of *Sonatine* (1993, Takeshi Kitano).

Chapter 3:

Classic Evergreens and New Discoveries:

The Contemporary U.S. Market for Repertory Films

The acquisition and release of repertory film is a bedrock of contemporary boutique distributors’ business models and cultural identities. The first section of this chapter will contrast how the “evergreen” to “discovery” continuum guides decision-making, at the point of acquisition and re-release, within both major studios (here, typified by Columbia/Sony, Disney, Universal, and Warner Bros. Discovery) and boutique distributors (here, represented by The Criterion Collection, Kino Lorber, Milestone Films, and Grasshopper Film). The second section of this chapter will exclusively focus on boutique distributors, by defining and analyzing a set of marketing strategies these companies apply to the distribution of archival discoveries. The

chapter's final section offers an extended case study of Milestone's late 1990s re-release of Mary Pickford films. Archival material sheds a light on Milestone's decision-making process in finding an audience for these films, and weighing which textual or contextual qualities to highlight for contemporary appreciation. Overall, this chapter locates the re-release of older films as a primary site where boutique distributors join the pragmatics of business operation, guided as it is by risk mitigation and brand differentiation, with the ideals of cultural contribution and conservation.

Chapter 4:

Licensing Coalitions and Art House Film Streaming Platforms

The final chapter draws attention to how art house distributors work together in the streaming economy. Against Netflix or Disney, the entire field of art house distribution may appear economically insignificant. Yet these distributors have demonstrated an ability to monetize their catalogs through a variety of streaming models. This chapter will first contrast these disparate models. While most distributors engage in some form of transactional video-on-demand (TVOD), their subscription-based (SVOD) platforms will prove key to the long-term stability of these institutions. As of late 2020, art house SVOD platforms stand distinct from Netflix, Disney+, et al due to their collective, resource-pooling strategies, which this analysis argues constitute "licensing coalitions." Citing The Criterion Channel and OVID, this chapter argues that art house distributors collaborate within the streaming economy in a manner the studios have long abandoned. While the sustainability of these business models remains an open question, this resource-pooling strategy has only accelerated since the COVID-19 pandemic, as art house "Virtual Cinemas" share TVOD profits with independent movie theaters. Drawing on

controversies over The Criterion Collection's lack of inclusion, this chapter lastly argues that the economics of streaming may prove more hospitable to promoting a diversified, fluid film canon than a business model dependent on theatrical exhibition and home video.

Summary of Findings

Three historical-analytical claims undergird much of this dissertation's argument. First, this project argues that contemporary boutique distributors survive only through a robust exploitation of ancillary markets, such as home-video, nontheatrical, and streaming. For nearly all boutique distributors operating today, theatrical box office carries limited profit potential. This argument recurs across all chapters. Second, this dissertation posits that boutique distributors must successfully navigate inter-firm dynamics, mainly through collaborating and compromising with other distributors, to succeed over the long-term. This relational dynamic is evidenced in all chapters, but most methodically in the second and fourth. Lastly, this analysis contends that the longest-lived boutique distributors catalyze cultural discourse and become discursive entities themselves, by promoting new ideas and images concerning history, authorship, nation, and art. This argument, too, recurs across all chapters.

This dissertation aims to leave the reader with an analytic framework to grasp the totality of contemporary boutique film distribution. In between the worlds of commercial and avant-garde art, the boutique distributor has developed a range of strategies for acquiring film and collaborating with other firms to reach the widest audience. This form of inter-firm collaboration has developed in large part since the "foreign film renaissance" of the 1960s, as the industry has consolidated and exhibition options have multiplied. The boutique distributor's embrace of brand identities, strategic coalitions, and new technologies of circulation has in large part enabled new

forms of risk-taking in the acquisition of international and repertory film. A close look at boutique film distribution reveals not just how imbricated these small firms are in the flows of the global media economy, but also how their purview has actually widened against a backdrop of conglomeration. In a digital media ecosystem increasingly divided between four-quadrant and niche programming, boutique distributors maintain just enough connections to old ideals, histories, and films to cultivate the next generation of viewers.

Chapter 1

Distributing Authorship:

Boutique Identity and the Evolution of the “Distributor Brand”

“I’ve actually pissed off a lot of people by saying this, but the French New Wave was one of the greatest marketing schemes that anybody ever cooked up.”
— Ira Deutchman, founder of Fine Line Features⁵⁵

“Everyone says, ‘I know what an A24 film is, but no A24 film is like any other.’”
— Barry Jenkins, director of *Moonlight* (2016)⁵⁶

“We’re a corporate entity, but we’re also Amy and Dennis.”
— Amy Heller, co-founder of Milestone Films⁵⁷

This chapter will interrogate the impact of art house film distribution on discourses of corporate branding and film authorship. Its central claim is as follows: Since the 1980s, art house distributors have increasingly distinguished themselves, against other firms and in the eyes of film enthusiasts, through the cultivation of distinct brand identities. This historical development contrasts with the functional, even esoteric role art house distributors played before this time. During the “foreign film renaissance” of the 1940s through the 1970s, art house distribution was more or less synonymous with the importation and marketing of non-Hollywood, foreign language films. Distributors served an intermediary function over these years, connecting films to exhibitors, and with rare exceptions, did not prioritize the development of discrete, public-facing brand identities themselves. These distributors did, however, work in concert with critics

⁵⁵ Kevin Lally, “Tales of Manhattan: Ira Deutchman Chronicles the Rise and Fall of Cinema 5 Mogul Donald Rugoff,” *Box Office Pro*, August 10, 2021, <https://www.boxofficepro.com/tales-of-manhattan-ira-deutchman-chronicles-the-rise-and-fall-of-cinema-5-mogul-donald-rugoff/>.

⁵⁶ Sonia Rao, “How the indie studio behind ‘Moonlight,’ ‘Lady Bird’ and ‘Hereditary’ flourished while breaking Hollywood rules,” *The Washington Post*, August 5, 2019, https://www.washingtonpost.com/lifestyle/style/how-the-indie-studio-behind-moonlight-lady-bird-and-hereditary-flourished-while-breaking-hollywood-rules/2019/08/01/47094878-a4dc-11e9-bd56-eac6bb02d01d_story.html.

⁵⁷ Clare O’Shea, “Milestone Distribution Sets Up Shop,” *The Independent*, December 1990, 12.

and exhibitors in minting the art house sector's most valuable currency: the auteur. As Tino Balio has demonstrated, the auteur brand was not primarily an artistic essence, but an "image" created in large part by film distributors through marketing and release strategies.⁵⁸ For as long as art house films have been a discursive category, the marks of authorship have belonged to the auteur—or, more accurately, the image of the auteur.

This chapter charts the development of another, competing authorial image, that of the film distributor. A number of film industrial and late capitalist logics have pushed branding to the forefront of the contemporary film distributor's responsibilities. The advent of home media, for instance, increased the visibility of art house distributors through consumer-facing catalogs and direct marketing strategies. In the larger context of contemporary business practice, branding has emerged as a primary means of accruing capital, attracting talent, and building a customer base. The need for distributors to promulgate distinct brand identities has shaped discourses of authorship in unexpected ways. For one, a young distributor like A24 has so successfully communicated its brand identity to audiences that many critics and moviegoers refer to a film A24 solely acquired as "an A24 film," despite the company's lack of involvement in the film's development and production.⁵⁹ At the opposite end of the spectrum, veteran boutique distributors like Kino Lorber maintain an auteur-first marketing strategy that might also direct attention to earlier films and directorial influences available for purchase in their home media back catalogs. Upon Kino Lorber's 3D theatrical rollout of *Goodbye to Language* (2014, Jean-Luc Godard), David Bordwell commended the distributor—which committed theatrical and home media releases to many experimental "Late Godard" films—along these lines, as "a bold company that

⁵⁸ Tino Balio, *The Foreign Film Renaissance on American Screens: 1946-1973* (Madison: University of Wisconsin Press, 2010), 144.

⁵⁹ Rao.

still believes in art films.”⁶⁰ Somewhere in the middle, a mission-driven boutique like Milestone Films releases films and the auteurs who made them from previous neglect. The subsequent critical rehabilitation of such Milestone projects as *Killer of Sheep* (1977, Charles Burnett), *Portrait of Jason* (1967, Shirley Clarke), and *The Exiles* (1961, Kent Mackenzie) not only affords these films entry into the intangible construct of tastemaking consensus that is “the canon,” but also bolsters Milestone’s public profile as an authorial force of its own.

With Milestone Films as its central case study, this chapter historicizes the emergence of boutique distribution companies through the cultural performance of corporate branding. Two scholarly precedents for this work include John Thornton Caldwell, whose concept of “industrial identity theory” provides a theoretical point of departure, and Daniel Herbert, whose recent scholarship on New Line Cinema “as a discursive entity, a legend, that the company itself took a hand in constructing,” supplies a historiographic model to emulate.⁶¹ For evidence, this chapter cites trade press, archived correspondence, original interviews, social media discourse, and assorted paratexts (i.e., posters, promotional copy, film catalogs, merchandise) by or concerning boutique film distributors. The chapter builds its argument—that the contemporary industry of art house film distribution can be best understood as a field of distinct brands—over five sections. The first two sections situate the phenomenon of corporate branding within contemporary scholarship of media industry studies and authorship theory, respectively. The third section historicizes the emergence and proliferation of the “boutique” distributor by

⁶⁰ David Bordwell, “Adieu au Language: 2 X 2 + 3D,” *Observations on Film Art*, September 7, 2014, <http://www.davidbordwell.net/blog/2014/09/07/adieu-au-langage-2-2-x-3d/>.

Gregg Kilday, “Cannes: Jean-Luc Godard’s ‘The Image Book’ Goes to Kino Lorber for North America,” *The Hollywood Reporter*, May 14, 2018, <https://www.hollywoodreporter.com/movies/movie-news/cannes-jean-luc-godards-image-book-goes-kino-lorber-north-america-1111563/>.

⁶¹ John Thornton Caldwell, *Production Culture: Industrial Reflexivity and Critical Practice in Film and Television* (Durham: Duke University Press, 2008), 234.

Daniel Herbert, *Maverick Movies: New Line Cinema and the Transformation of American Film* (Berkeley: University of California Press, 2023), 6.

analyzing the three core brand categories that structure this field. This section argues that boutique distributors form their public identity and their image of authorship around “self-effacing,” “conspicuous,” or “mission-driven” brand postures. This institutional history of the “distributor brand” progresses through a chronological series of brief case studies discussing Janus Films, Cinema 5, New Yorker Films, Cohen Media Group, Strand Releasing, The Cinema Guild, The Criterion Collection, and Milestone Films.

The final two sections turn from an examination of how brand categories structure an entire distribution sector to a more fine-grained breakdown of how one company’s brand identity materializes and evolves over time. In the fourth section, attention turns to Milestone Films’ first seven years of operation, with archival evidence offered to demonstrate how company founders Amy Heller and Dennis Doros acquired films, fueled publicity, and leveraged social capital to create the “Milestone brand.” The last section reflects on how Milestone Films has been perceived by the wider industry, through an analysis of the “anniversary” trade genre. By comparing coverage of the company’s 10th, 15th, 20th, and 25th anniversaries, this analysis reveals how Milestone Films has publicly curated, qualified, and reflected on its own brand image.

While still stressing the authorial moves and operative practices that set Milestone apart, this chapter ultimately posits Milestone Films as representative of the “distribution culture” unique to boutique firms. As small, independent companies serving art house audiences, boutique distributors like Milestone, Janus, and Cohen Media Group link mid-20th century ideals of “art house film” to its updated image in the present. Each boutique distributor communicates its own view on this linkage—on how consistent, or contrary, their concerns should be from the art house film distributors before them—through a bespoke cultural performance of brand identity. Boutique distributors form these brand identities not solely around one executive’s taste,

but through a negotiation of other factors as well, ranging from economic pragmatism to market competitors to the lessons, and lacunae, of historical precedent.

Corporate Branding and Institutional Authorship

The notion that corporate branding plays a role in art house film distribution strikes some sects of cinephiles, shockingly, as sacrilegious. At the time of this writing, A24, the independent distributor which has “built a strong reputation as a youth-oriented, edgy distributor of elevated genre films,” attracts ire from cinephiles of a certain age or sensibility due the overpowering cultural salience of its brand.⁶² In addition to earning recognition from Hollywood insiders—as of this writing, two A24-financed and -distributed films, *Moonlight* (2016, Barry Jenkins) and *Everything Everywhere All at Once* (2022, Daniel Kwan and Daniel Scheinert), have won the Academy Award for Best Picture—A24 has been discussed by culture and style writers as a “lifestyle brand” with “its very own fanbase.”⁶³ After speaking with Jenkins and browsing the company’s “online shop, where you can buy a vast assortment of clothing and merchandise related to its films,” film critic Guy Lodge distilled A24’s strategic choices accordingly:

Such [branding] developments foster demonstrative loyalty from its still predominantly young acolytes: on film Twitter or the social media site Letterboxd, student-age film lovers speak of A24 releases as a kind of formative syllabus. On the flipside, from more sceptical cinephiles, such branding invites accusations of selling out. The film-makers are not so precious. “You look at a film like *The Farewell* [2019, Lulu Wang] and think: ‘Oh, is it OK to sell stuffed animals associated with this piece of art?’” says [Barry] Jenkins. “And maybe in a purist sense, that’s not auteurism, that’s not cinema, and there’s something

⁶² Ryan David Briggs, “A Tale of Two Indies: Amazon Studios and A24 in the Streaming Age,” *The Velvet Light Trap*, No. 90 (Fall 2022): 3.

⁶³ Nate Jones, “The Cult of A24,” *Vulture*, August 24, 2022, <https://www.vulture.com/article/a24-movies-cult.html>
Chloe Mac Donnell, “How film distributor and studio A24 became the hottest name in merch,” *The Guardian*, January 8, 2024, <https://www.theguardian.com/fashion/2024/jan/04/believe-the-hype-priscilla-and-the-rise-of-film-merch-fashion>.

uncouth about it. Yet I think that in order for the company to remain robust, opening up the art to these commercial opportunities is part of that.”⁶⁴

This chapter will not render a verdict on whether A24 has “sold out,” or if their merchandise is worth the retail price, but it will situate the contemporary hand-wringing over that company’s branding strategies within a larger context, both theoretical and historical. These first two sections will consider the former context, focusing on how scholars in film and media studies have approached the “cultural-economic” work of branding, and how theories of branding and authorship more broadly can inform our understanding of the contemporary market for non-mainstream film.⁶⁵ For within the field of art house film, specifically, the emergence of discrete, marketable distributor brands clashes directly with the historic role this field has served, and continues to serve, in disseminating the mystique of the auteur. These first two sections seek to untangle this problematic, by insisting on the discursive commonalities between auteurism and corporate branding, just as the remainder of the chapter stresses the historical coexistence of auteurism and branding within the art house sector.

Before proceeding too far into the literature, a moment for clarification: What is a “brand” or “branding,” for that matter? In the contemporary media industries, awash as they are in late capitalist logics, a “brand” is less commonly scrutinized as simply an economic category—per Merriam-Webster, “a class of goods identified by name as the product of a single firm or manufacturer.” In other words, a brand is *not* something determined by the supplier alone. Instead, a brand is more often conceived of as an ideational construct—“a public image, reputation, or identity conceived of as something to be marketed or promoted”—shaped by the

⁶⁴ Guy Lodge, “‘A24 finds the zeitgeist and sets the trend’: how a small indie producer came to dominate the Oscars,” *The Guardian*, March 11, 2023, <https://www.theguardian.com/film/2023/mar/11/a24-oscars-indie-producer-everything-everywhere-all-at-once>.

⁶⁵ Paul Grainge, *Brand Hollywood: Selling Entertainment in a Global Media Age* (New York: Routledge, 2008), 23.

supplier and public discourse alike.⁶⁶ In *Brand Hollywood*, Paul Grainge elaborates on this definition by situating the term “branding” (a gerund and, ergo, a process) within modern economic history, and by assigning it a set of universal functions:

In itself, branding cannot be defined neatly in ‘cultural’ or ‘economic’ terms; it consists inescapably of both elements and has done so from advertising’s earliest history. In the late nineteenth century, branding emerged as a practice for differentiating goods. With the rise of mass production, advertising became a means of creating difference between standardized manufactured products. By establishing a brand identity around a given product or service, consumers were made less susceptible to appeal from competitors. ... From its origins in the 1880s, branding has maintained a deliberate economic function easing the flow of goods into the market. This has been achieved by investing commodities with meaning through symbolic processes. Branding is an integral feature of modern consumer capitalism, a specific form of economic and cultural activity that has shaped the structure of market relations.⁶⁷

This chapter’s subsequent analysis operates with Grainge’s definition in mind, particularly branding’s utility to ease cultural commodities into market and to invest said commodities “with meaning through symbolic processes.”

Some brands achieve cultural ubiquity, like Disney or the Lone Ranger. Scholars tend to analyze such pervasive icons symptomatically, as vehicles for hegemonic ideology. Avi Santo applied this lens to the Lone Ranger in *Selling the Silver Bullet*, for instance.⁶⁸ As this chapter deals with a niche market within the film industry (more accurately, boutique distributors constitute a niche within a niche), it eschews such symptomatic analysis in favor of mid-level research, a methodology “which accounts for the complex interactions among cultural and economic forces, and is drawn from [the] review of media industry scholarship as well as [original] research.”⁶⁹ For evidence, this argument primarily examines a) the actions taken by a

⁶⁶ “Brand,” *Merriam-Webster*, accessed on March 30, 2024, <https://www.merriam-webster.com/dictionary/brand>.

⁶⁷ Grainge 23.

⁶⁸ Avi Santo, *Selling the Silver Bullet: The Lone Ranger and Transmedia Brand Licensing* (Austin: University of Texas Press, 2015), 117.

⁶⁹ Timothy Havens, Amanda D. Lotz, and Serra Tinic, “Critical Media Industry Studies: A Research

film distributor in creating a public image (i.e., acquisition decisions, strategic partnerships, the creation of promotional materials, etc.), and b) the resulting, public-facing discourse making sense of this image (e.g., the trade and popular press, scholarship). As with Grainge’s book, “the questions that emerge” from this chapter “are less obviously concerned with the machinations and cynicism of brand marketing (without denying that such exist) than with the scope and nuances of ... [the] *promotional culture of production*” that undergirds the art house sector.⁷⁰ Though familiar only to specialized audiences, art house film distributors enact many of the same rituals of public image upkeep as multimedia conglomerates.⁷¹

Whether wielding a methodology of primary-source historiography, cultural studies, or critical media industry studies, film and media studies scholars have long converged on concepts of corporate branding (e.g., a film studio’s promoted identity) and institutional authorship (e.g., a studio’s authorial imprint), in the process observing the thin line between the two. For starters, film history courses routinely dispense with the lesson that studios in the classical Hollywood era gravitated toward specific genres—for instance, that Warner Bros. was known for crime and gangster films in the early 1930s. Independent film distributor Ira Deutchman has distilled the import of this history as follows: “Back in the day, in the heyday of the studios, there was branding in that every studio had their own personality, and they created certain kinds of movies and audience expectations.”⁷² For instance, in *The Classical Hollywood Cinema*, Janet Staiger

Approach,” *Communication, Culture & Critique* Vol. 2 (2009): 237.

⁷⁰ Grainge 7.

⁷¹ This project does not examine the makeup of contemporary U.S. “specialized audiences.” In lieu of this work, I decline to make any sweeping assumptions by deferring, in fact, to Pierre Bourdieu. In examining 1960s France, Bourdieu found unexpected correlations between demographics and cinematic taste: e.g., “By contrast [with industrial and commercial employers], the secondary teachers, who can almost always name the directors and actors of the films they have seen, systematically exclude popular comedies and big commercial successes, and give their preference to ‘classic’ films (almost all consecrated in histories of the cinema) such as Buñuel’s *Exterminating Angel*...”

Pierre Bourdieu, *Distinction: A Social Critique of the Judgement of Taste* (London: Routledge, 2012), 268.

⁷² Ira Deutchman, interview with the author, July 14, 2023.

builds on this understanding with her employment of the term “differentiation of the product.” Whereas, in business and marketing literature, this term describes “the practice in which the firm stresses how its goods or services are different from other ones,” Staiger applies it toward a more nuanced model of how cultural institutions can assume unique authorial profiles.⁷³ In short, product differentiation can only diverge from what is already known, or, in Staiger’s words: “innovations ... often played off conceptions of the standards.” Elaborating on Warner’s well-known association with the crime genre, Staiger writes, “For example, Warner Bros in the early 1930s wanted to make a film within the horror genre, but its head of studio production wanted it different from the then-standard films of Universal. The producers intentionally varied the design of the product by switching characteristic elements in the genre; the indefinite time and place settings in Universal films were transformed into present-day urban United States, and the peasants became the lower class.”⁷⁴ In this instance, a cost-effective series of modifications from an already-proven norm yielded an updated genre, which would serve as both an authorial studio signature and, in obedience to the cyclical nature of business, a template for competitors in short time.

The challenge for the art house distributor, then, is to craft a curatorial identity that is sustainable, cost-effective, and not easily imitated. “You see that now with A24,” according to Ira Deutchman: “The minute [an independent distributor] is clearly working on some level, then everyone either wants to emulate it or to buy it out.”⁷⁵ In sum, corporate branding and institutional authorship are both intangible constructs, with the former contingent on promotional

⁷³ David Bordwell, Janet Staiger, and Kristin Thompson, *The Classical Hollywood Cinema: Film Style & Mode of Production to 1960* (New York: Columbia University Press, 1985), 97.

⁷⁴ *The Classical Hollywood Cinema* 111.

⁷⁵ Deutchman.

discourse and the latter on perceived affinities across a media corpus. Warner Bros. nurtured both with its 1930s crime film cycle, before vastly expanding its production slate. It stands to reason that maintaining an attractive brand and an authorial presence, as an independent distributor, poses significant challenges in the long term.

The production culture methodology conceived by John Thornton Caldwell, specifically his “industrial identity theory,” provides a useful means to connect material evidence of brand construction to more theoretical questions of authorial attribution and identity. Like Grainge, Caldwell views corporate branding as a process of “difference” cultivation, trading not so much in “self-evident *categories*” as “something more slippery and transitory involving cultural *performance*.”⁷⁶ In his elaboration of “industrial identity theory,” Caldwell argues the following:

Media scholarship has been slow to recognize that media’s approach to corporate identity can be similarly as contingent, slippery, volatile, changing, tactical, and theatricalized as the resistant human subject favored in cultural studies. Contemporary media conglomerates have, in effect, commercially ‘mainstreamed’ difference, hijacking the very issue around which critical scholars once developed feminist or race studies as progressive, culturally resistant forms of identity-based criticism and activism. This trend is sobering given the consumerist (rather than truly resistant) goals of the modern conglomerates. It is therefore important to recognize the fundamental ways in which the next flexible conglomerates have been indexed to and triggered by constant permutations of identity as part of their brand posture. As Richard Florida has said of the new creative economy: “Everything interesting happens at the margins.”⁷⁷

For one, Caldwell’s invocation of Richard Florida echoes a firmly held belief from Ira Deutchman, that “all innovation in the film business has always come from the independent sector.”⁷⁸ Considered further, Caldwell conceives of a problematic corporate paradigm that art house distributors—as capitalist, taste-driven businesses—both borrow from and differentiate against. While they may offer audiences alternative or even challenging viewing options, art

⁷⁶ Caldwell 234.

⁷⁷ Caldwell 234-235.

⁷⁸ Deutchman.

house film distributors are fundamentally enmeshed within this “brand posture” paradigm—evidence for this assertion includes Hollywood’s cyclical entries into and exits from the art house market and the ubiquity of online retail storefronts among even the most boutique distributors.⁷⁹

Short of symptomatic reading, this analysis will critically deconstruct how an art house film distributor’s brand identity came to be, how it evolved over time, and what internal and external causal factors contributed to this process. In his chapter on corporate branding, Caldwell summarized his prevailing research questions as follows:

What I hope to do here, however, is push beyond the idea that social presentation, self-concept, and identity performance are limited to the activities and relationships of works in order to show that they are also at work at a level on a higher order — specifically in the marketing and business strategies of the companies that employ those workers. ... While such things have their own literature in management studies and in the business trades, I want to ask different questions of each of these practices. Specifically, how do organizational identity goals drive these activities; what kinds of cultural metaphors and tropes are deployed to achieve these ends; and, finally, what kind of economic logic does each identity activity fulfill in film and television?⁸⁰

The extent to which even the smallest boutique distributor, like Milestone, participates in this sort of cultural performance will be examined henceforth. But, beyond this, this chapter poses questions toward what a larger “distribution culture” framework might look like. How do distributors blur or collapse the division of labor, a hallmark of film production? How do boutique distributors, specifically, assess their role in authoring new possibilities relating to film aesthetics, culture, and history? To what extent is a boutique distributor’s survival not merely contingent on the formation of a distinct brand identity, but on the adaptive performance of this brand—through acquisition trends, promotional campaigns, retrospective interviews—over time? To what extent *must* boutique distributors stake authorial claims?

⁷⁹ Balio 227, 279.

This dissertation’s fourth chapter details TVOD and SVOD streaming platforms operated by boutique distributors.

⁸⁰ Caldwell 236-237.

Pertinent Problems in Authorship Theory

The literature review will conclude by connecting its discussion of corporate branding to applicable theoretical debates surrounding authorship, in both literary criticism and film and media studies. While the third chapter will weigh the discursive effects of “recuperative auteurism,” as it has been appropriated by boutique distributors, this section seeks to position industrial performances of authorial attribution and brand construction within the philosophical school of thought that dislocated the site(s) of the author in the first place. While this tradition is long and much-studied, this chapter traces its roots to the poststructuralist turn of the 1960s.

Roland Barthes attempted to dismantle the concept of the auteur altogether in his 1967 essay “The Death of the Author,” in which he famously declared, “the birth of the reader must be at the cost of the death of the Author.”⁸¹ His argument essentially claims that an author’s intentions are irrelevant to the reader, for the text constitutes “a multi-dimensional space in which a variety of writings, none of them original, blend and clash.”⁸² Two years later, Michel Foucault, for his part, scaled back Barthes’s argument slightly by arguing that the “author-function,” as opposed to the author, exists. In “What Is An Author?,” Foucault embeds the author-function in discourse; as he summarizes, “the function of an author is to characterize the existence, circulation, and operation of certain discourses within a society.”⁸³ The author-function distinguishes types of discourse from one another (e.g., literature from correspondence, marketing, and legal contracts), due to the prevailing norms with which the title of “author” is

⁸¹ Roland Barthes, “The Death of the Author,” *Theories of Authorship: A Reader*, ed. John Caughie (London: Routledge, 2005), 213.

⁸² Barthes 211.

⁸³ Michel Foucault, “What Is An Author?” *Modernity and Its Discontents*, eds. James L. Marsh, John D. Caputo, and Merold Westphal (New York: Fordham University Press, 1992), 305.

applied. For instance, with the following quote, Foucault observes how the author-function separates the hard sciences from the humanities:

The rediscovery of an unknown text by Newton or Cantor will not modify classical cosmology or group theory; at most, it will change our appreciation of their historical genesis. Bringing to light, however, *An Outline of Psychoanalysis*, to the extent that we recognize it as a book by Freud, can transform not only our historical knowledge, but the field of psychoanalytic theory—if only through a shift of accent or of the center of gravity.⁸⁴

The way Foucault tells it, the author is not dead but has for too long been uncritically assumed and attributed to be, “purely and simply ... an actual individual.” Instead, the author-function “gives rise to a variety of egos and to a series a subjective positions,” leaving the “actual individual” a virtual nonentity.⁸⁵

Foucault and Barthes’s ideas provide a theoretical point of departure for an examination of how art house distributors have leveraged the performance of authorship, first around the figure of the auteur and later around their own company brands. In his 1990 article “The Commerce of Auteurism,” Timothy Corrigan cited Foucault in his argument that the auteur “has rematerialized in the eighties as a commercial performance of *the business of being an auteur*.” Critical of orthodox auteurism’s insistence on “intentional causality” and “textual transcendence,” Corrigan followed the post-structural turn to inscribe contemporary auteurs in “wider material strategies of social agency.” Essentially, the popularity of the auteur theory and structural changes across the film industry made the practice of auteurism, for Corrigan, no longer a covert aesthetic to be decoded but rather a public-facing “social interaction.”⁸⁶ In Corrigan’s post-structural update of auteurism, unity can no longer be found across the

⁸⁴ Foucault 312.

⁸⁵ Foucault 309.

⁸⁶ Timothy Corrigan, “The Commerce of Auteurism: A Voice Without Authority,” *New German Critique*, No. 49, Special Issue on Alexander Kluge (Winter 1990): 47.

filmographies of many contemporary directors; instead, what unites an auteur is their “public image,” performed as it is by a self-aware, commercial-minded agent.⁸⁷ While critical of orthodox auteurism, Corrigan’s auteur-as-performance model has further spurred academics to examine individual auteurs in their economic and social contexts.⁸⁸ Balio’s historical argument regarding Janus Films and Ingmar Bergman—that the former strategically crafted the latter’s stateside persona—is crucial accompanying work, in this respect.⁸⁹

By expanding our temporal understanding for how authorship works, Jonathan Gray has clarified both auteurism’s shortcomings and its persistence, at least through certain available texts. In his 2013 article, “When Is An Author?,” Gray follows Barthes and Foucault to interrogate the temporal dimension of media authorship: “Namely, that acts of authorship cannot be located in any one time or place, as instead they are always a process that occurs over time and across space.”⁹⁰ As long as they exist, media texts “continue to become.”⁹¹ In the case of a perpetually re-released and re-cut film like *Blade Runner* (1982, Ridley Scott), Gray argues, “the rights holders, the fans who campaigned for the ‘final cut,’ the critics who hailed the film and called for yet more versions of it, the DVD/Blu-ray production team, and others played just as much of a role in authoring the text as did Ridley Scott.”⁹² Gray’s focus on “external,” “authorial” processes does not privilege the auteur, but it can help explain why certain auteurist texts rise and fall in esteem and material quality over time.

⁸⁷ Corrigan 51.

⁸⁸ See Matt Connolly, “Underground Exploiteer: John Waters and the Development of a Directorial Brand, 1964-1981,” Order No. 10932959, The University of Wisconsin - Madison, 2018.

⁸⁹ Balio 130-144.

⁹⁰ Jonathan Gray, “When Is An Author?” *A Companion to Media Authorship*, eds. Derek Johnson and Jonathan Gray (Oxford: Wiley-Blackwell, 2013), 93.

⁹¹ “When Is An Author?” 95.

⁹² “When Is An Author?” 96.

The 1945 film noir *Detour*, directed by Edgar G. Ulmer and produced by Poverty Row studio Producers Releasing Corporation, offers a clear example of how Gray’s “clusters of authorship” applies to discourses around auteurism. Auteurists have long valued *Detour* for the expressivity Ulmer squeezed out of a bare-bones plot and scant budget; critic Dave Kehr considers it “one of the most daring and thoroughly perverse works of art ever to come out of Hollywood.”⁹³ Since its release, however, *Detour* lapsed into public domain. Like many public domain titles, *Detour* circulated on poor duplicate (“dupe”) prints, and so available DVD and TV versions of the film were also scans of these inferior 16mm prints. External processes determined by technology, audience demand, and above all time continued to “author” *Detour* during this time, usually to the detriment of its audiovisual presentation. However, in 2018, a large network of actors and institutions—including, but not limited to, the Academy Film Archive, The Film Foundation, Cinémathèque Royale de Belgique, the Museum of Modern Art, and the Cinémathèque Française—restored *Detour* in 4K, using the best possible materials from multiple archives and time-intensive, digital clean-up techniques. The subsequent theatrical re-release by Janus Films and the Blu-ray edition by The Criterion Collection have rendered the once-battered *Detour* into a pristine digital movie file.⁹⁴ “For those of us, who first watched *Detour* on tawdry, scratched-up 16mm prints ... or on pockmarked VHS cassettes, the thought of a 4K restoration, available in Blu-ray format, could almost seem sacrilegious,” wrote Ulmer scholar Noah Isenberg in 2019, before viewing the restoration and concluding, “*Detour* has never looked so good and has never had such potential to reach a new audience who may now be even more

⁹³ Dave Kehr, “Detour,” *Chicago Reader*, September 13, 1985, <https://www.chicagoreader.com/chicago/detour/Film?oid=1052592>.

⁹⁴ “A New Restoration Brings Detour Back to the Big Screen,” *The Criterion Collection*, November 29, 2018, <https://www.criterion.com/current/posts/6055-a-new-restoration-brings-detour-back-to-the-big-screen>.

inclined than Sarris was in 1968 to assert, ‘Yes, Virginia, there is an Edgar G. Ulmer!’”⁹⁵ Many people and institutions—Janus and Criterion among them—labored to reverse the effects of time on *Detour*, in the process authoring a new roster of digital texts (digital cinema package, Blu-ray disc, streaming video file) that constitute this “new” *Detour*—which merely aspires to emulate the “old,” celluloid *Detour*. The industrial dynamics of film restoration and re-release often depend on auteurist narratives, though many agents continue to author and mark the auteurist text.

Gray’s theory of authorship thus helps clarify why certain films rise and fall in auteurist discourse over time, and how distributors intervene on these trajectories. Auteurist works like *Detour* “must perform their identities, and must be performed by others, with these performances proving constitutive of who and what they are.”⁹⁶ Of course, just because film—like any industrial art form—relies on a network of agents to continually perform does not preclude auteurist narratives from taking hold. In fact, an Academy Film Archive preservationist toiling on *Detour*’s restoration would likely disavow any potential “author-function” they may have. Discursive and institutional norms establish certain kinds of labor as authorial and others not, after all. Boutique distributors can throw their weight at the boundaries of these norms—for instance, through a “before-and-after” restoration video, included in the special features for *Detour*’s Criterion Blu-ray; or, more forcefully, through the promotion of marginalized and forgotten artists, as Milestone did in 2015 when it booked the first theatrical run of Kathleen Collins’s *Losing Ground* (1982), reviving its reputation as one of the first feature-length films

⁹⁵ Noah Isenberg, “The Return of *Detour*,” *University of California Press Blog*, April 1, 2019, <https://www.ucpress.edu/blog/42457/the-return-of-detour/>.

⁹⁶ “When Is An Author?” 95.

directed by an African American woman.⁹⁷ Add to this the cognitive shortcut auteurism provides, in how it streamlines the complexity of collaborative authorship, and it is clear that the auteur remains a potent force within industrial and cultural discourse to this day. As for contemporary theories of media authorship in academia, auteurism persists more as a structuring absence, to be appropriated when textual unity is sought. Yet, as the next section will demonstrate, auteurism assumes a central role in the institutional history of art house film distribution and in the manufacture of discrete “distributor brands.”

The Evolution of the Distributor Brand, from Cinema 5 to A24

As this chapter shifts into historiographic gear, the central questions animating this section are as follows: How have art house film distributors asserted their own brand identities when releasing films made by marketable auteurs? How have these strategies of institutional brand construction evolved over time, from the postwar era of foreign film imports to the present? Since the years after World War II, films on the American art house circuit have been uniquely marketed through the auteur brands of their individual directors. Scholars and critics have written extensively on this point, from Douglas Gomery’s assertion that Alain Resnais, François Truffaut, Jean-Luc Godard, and other “names-above-the-title” became a sort of social currency for art house spectators in the 1960s, to Fernando Solanas and Octavio Getino’s disavowal of art cinema’s revolutionary potential on the grounds of its status as “author’s

⁹⁷ The third chapter will elaborate on this “recuperative auteurism” strain in both contemporary film criticism and boutique distribution; suffice to say, for now, that auteurism has evolved in the art house sector to not only reify the already-canonized, but to advocate for marginalized artists, and in the process expand ‘the canon,’ as well. “Historical Timeline of Feature Films Directed by African American Women,” *Sisters in Cinema*, accessed on April 2, 2024, <https://sistersincinema.com/feature-films-directed-by-african-american-women/>.

cinema.”⁹⁸ How do art house distributors present themselves, conspicuously or not, within this auteur-centric world?

This historical analysis finds three primary options for how an art house distributor might “brand” itself. Most commonly, an art house distributor brands itself in *self-effacing* fashion—as a mere purveyor of “quality” cinema, though what constitutes quality is nevertheless guided by executive taste and other factors. Second, an art house distributor may achieve a highly *conspicuous* brand, one that is recognized and discussed by a relatively wide public. The conspicuous brand profile is the least common option among boutique firms, given the expense required to achieve and maintain such brand recognition. Third, a distributor may pursue what Ira Deutchman calls a “*mission-driven*” brand profile, targeting pre-constituted niche audiences and/or cultural discourse.⁹⁹ Milestone Films epitomizes this brand category, which is virtually exclusive to boutique firms (as opposed to specialty divisions). The historical trajectories of these brand categories, specifically among boutique distributors, are each distinct, with the self-effacing brand having persisted since the postwar era; the conspicuous mode having emerged, sporadically, in short-lived bursts; and the mission-driven profile having grown in frequency in the era of home media and streaming. This section will review the historical trends and overlapping boundaries of these brand categories through a series of brief case studies profiling Janus Films, Cinema 5, New Yorker Films, Cohen Media Group, Strand Releasing, The Cinema Guild, The Criterion Collection, and Milestone Films.

⁹⁸ Douglas Gomery, *Shared Pleasures: A History of Movie Presentation in the United States* (Madison: University of Wisconsin Press, 1992), 180-181.

Fernando Solanas and Octavio Getino, “Toward a Third Cinema,” *Cinéaste* Vol. 4, No. 3 (Winter 1970–71): 4. Also, see David E. James, “Alternative Cinemas,” *Contemporary American Independent Film: From the Margins to the Mainstream*, eds. Chris Holmlund and Justin Wyatt (New York: Routledge, 2005), 55: “The most convenient point of entry into these alternative cinemas is through the concept of authorship.”

⁹⁹ Deutchman.

Naturally, distributors may straddle or drift over time between these brand categories.

Since the home video boom of the 1980s, the proliferation of direct-to-consumer ancillary markets has increased the need for art house distributors to construct identifiable brands. By contrast, in the heyday of “the foreign film renaissance on American screens,” art house distributors built comparatively limited public-facing profiles. For instance, only commercial and nontheatrical exhibitors knew to call Thomas J. Brandon’s Brandon Films to book *Grand Illusion* (1937, Jean Renoir) or *I Live in Fear* (1955, Akira Kurosawa).¹⁰⁰ As Barbara Wilinsky has demonstrated, art house *theaters*, more so than distributors, “helped to support and shape the emerging art film culture” of this postwar era, as independent exhibitors provided the access point to alternative cinematic fare.¹⁰¹ Through the mid-1960s, the art house film market was divided among small, oftentimes one-person distributors, many of whom catered to a specific national cinema (as Sam and Rosa Madell did with Soviet cinema) or director (as Ed Harrison did with Satyajit Ray).¹⁰² Among these distributors, Tino Balio credits Janus Films with innovating in the branding of marquee directors. He specifically explores the case of Ingmar Bergman, whose U.S. reputation skyrocketed after Janus co-founder Cy Harvey hired the public relations firm Blowitz & Maskel to help craft the “Bergman image.” As Balio convincingly argues, Janus’ enigmatic marketing, corralling of press, and cyclical release schedule generated outsize audience interest and domestic box office revenue for Bergman’s films between 1958 and 1963.¹⁰³ During this period, Janus exemplified the degree of care a self-

¹⁰⁰ Tino Balio, *The Foreign Film Renaissance on American Screens: 1946-1973* (Madison: University of Wisconsin Press, 2010), 98.

Daniel Talbot, *In Love With Movies: From New Yorker Films to Lincoln Plaza Cinemas* (New York: Columbia University Press, 2022), 45-47.

Bowsley Crowther, “Screen: A '55 Kurosawa: ‘I Live in Fear’ Is at the 5th Avenue Cinema,” *The New York Times*, Jan 26, 1967, <https://www.nytimes.com/1967/01/26/archives/screen-a-55-kurosawai-live-in-fear-is-at-the-5th-avenue-cinema.html>.

¹⁰¹ Barbara Wilinsky, *Sure Seaters: The Emergence of Art House Cinema* (Minneapolis: University of Minnesota Press, 2001), 138.

¹⁰² Talbot 45, 47.

¹⁰³ Balio 133, 144.

effacing distributor could bring to constructing the public brand images of acquired directors. Today, Janus Films is the longest-lived of all boutique distributors, having become an iconic brand in its own right.¹⁰⁴

Shortly after Janus' "Bergman image" project, Cinema 5 entered the distribution market, becoming by the late 1960s not only a publicly traded company, but also a prototype among boutique distributors of the exceedingly rare, conspicuous brand profile.¹⁰⁵ To become a highly conspicuous brand, a boutique distributor must meet both quantitative and qualitative criteria. On the one hand, the company should penetrate a significantly greater range of markets relative to its peers and achieve measurable brand recognition among desired audiences. On a qualitative level, the company should attract consistent intra-industry discourse and comparison—essentially, it becomes a model to envy and emulate. In his perceptive analysis of founder Donald Rugoff's idiosyncratic and expensive commercial strategies, Justin Wyatt identifies three main elements motivating Cinema 5's outsize success: Rugoff's "development of strong visual branding for the company's features, his ability to engineer 'media moments' around controversies and issues using clever publicity, and his leveraging of his exhibition houses in support of both independent and mainstream film."¹⁰⁶ Elaborating on that first pillar, Wyatt explains, "Cinema V evolved art cinema marketing strategies to rely increasingly on visual images to brand each film individually, creating an immediate visual identity for it in the cluttered urban atmosphere of the art cinema."¹⁰⁷ Lastly, Wyatt describes Cinema 5's consistent brand image, beginning with its novel

¹⁰⁴ Recent evidence for Janus' iconic status includes Anus Films, a sub-label created in 2021 by boutique distributor Altered Innocence that specializes in the restoration of queer cinema. In addition to its parodic name, Anus Films features a logo depicting two nude male buttocks drawn in the style of ancient Greek coinage—cheeky tribute to Janus' two-faced logo. See "Anus Films," Altered Innocence, accessed on April 8, 2024, <https://www.alteredinnocence.net/anusfilms>.

¹⁰⁵ Byron, Stuart. "Don Rugoff: Ballyhoo With a Harvard Education." *Film Comment* (May-June 1975). 21.

¹⁰⁶ Justin Wyatt, "Donald Rugoff, Cinema V, and Commercial Strategies of 1960s–1970s Art Cinema," *Media Industries*, Vol. 4, Issue 1 (2017): 16.

¹⁰⁷ Wyatt 3.

middle-finger poster for *Putney Swope* (1969, Robert Downey), as integrating “two types of visual advertising: a simple photo, often bold in imagery and meaning, or, echoing his original line drawing approach, a graphic/illustration suggesting the theme of the film quickly and without elaboration.” Examples of the former include Cinema 5’s poster for *Trash* (1970, Paul Morrissey), with its “naked torso of star Joe Dallesandro” providing “ample appeal to gay men” and predating similarly-staged ads by Calvin Klein. The latter type of visual advertising can be seen in the Cinema 5 one-sheet for *The Sorrow and the Pity* (1969, Marcel Ophuls), with its illustration of a single tear falling from a swastika-covered eye, symbolizing the film’s exploration of French complicity under the Nazi regime.¹⁰⁸

The salient distinction in branding that separates Cinema 5 from Janus, and furthermore anticipates A24 today, is the refusal to *lead* promotional efforts with the image of the auteur. An auteur-centric promotional strategy—which is the preferred, cost-effective method among boutique distributors targeting the “foreign language” market—operates with a relatively low floor and low ceiling for audience reach. The conspicuous distributor brand aims higher than its local competitors, aiming to activate new audiences through promotional strategies that are at once film-specific and cohesive with the company’s distinct brand image. These appeals may be subcultural (i.e., *Trash*), or serious-minded (i.e., *The Sorrow and the Pity*), but they all strive to deemphasize a film’s status as an art film or pedagogical tool, and instead amplify the work’s immediate cultural and emotional resonance. A 1973 program advertising Cinema 5’s 16mm library includes advertisements for 21 titles, and only one, *The Sorrow and the Pity*, features a possessory credit (“Marcel Ophul’s”) or mention of the director’s name within the primary visual advertisement.¹⁰⁹ The visual language of these discrete advertisements must also cohere into a

¹⁰⁸ Wyatt 5.

¹⁰⁹ Cinema 5 16mm program, WCFTR, Amos Vogel Papers, M84-307, Box 4, Folder 7.

company-wide aesthetic, which can command considerable expense; Rugoff hired advertising agency Diener, Hauser, Greenthal Co. for this purpose.

The extreme rarity of the conspicuous brand profile, at least among boutique distributors, can be attributed to the challenges of maintaining this level of ingenuity over the long-term. By the late 1970s, Cinema 5's distribution arm proved unprofitable, while the exhibition venues that sustained Rugoff's operation attracted a hostile takeover that resulted in Rugoff relinquishing his company stake.¹¹⁰ Rugoff's mentee Ira Deutchman assesses this phenomenon among independent distributors, bluntly: "It either stays niche, or ... it flames out."¹¹¹ Wyatt shares Deutchman's view, closing his article as follows: "Ironically, those distributors (e.g., Zeitgeist Films, Milestone Film & Video, Strand Releasing) on the far outer fringes of the independent world are often capable of existing in a more sustained manner—if they are able to stay solvent."¹¹² While boutique distributors have emulated Cinema 5's commercial strategies since, the conspicuous brand profile is most applicable to art house distributors under corporate ownership (e.g., Fox Searchlight), those seeking to be acquired (e.g., pre-Disney Miramax), or those financed externally (e.g., A24 and Mubi).¹¹³

If there exists a default branding profile for contemporary boutique distributors, particularly those just entering the market, then it is not the conspicuous expense of Cinema 5 but rather the self-effacing, usually auteur-focused category exemplified by Bergman-era Janus Films. For these companies, branding initiatives generate coherent narratives and media attention for the films and artists within their purview, while the brand profile for the company at large can

¹¹⁰ Wyatt 12.

¹¹¹ Deutchman.

¹¹² Wyatt 16.

¹¹³ Stemming from a successful brick-and-mortar art house theater may also elevate the brand profile of a distributor, as Cinema 5 and New Yorker Films both demonstrate. But such joint ventures in distribution-exhibition tend to stay niche-oriented, unless a distributor proves able to extend effective promotional strategies on a national scale.

be generally described, as Daniel Herbert identified, as one of “cosmopolitanism.”¹¹⁴ New Yorker Films, with its stable of revered yet ‘risky’ directors (Jacques Rivette, Ousmane Sembene, Straub-Huillet, Chantal Akerman), serves alongside Janus Films as a historical prototype for the self-effacing boutique brand. Daniel Talbot incorporated the company in 1965, upon paying \$500 to acquire his first film, *Before the Revolution* (1965, Bernardo Bertolucci).¹¹⁵ In addition to Talbot’s taste-driven modus operandi (“The only audience I have in mind is myself,” he once said.¹¹⁶), New Yorker Films benefitted from two rarer, material attributes: his “excellent relationships and loyalty from his directors” and his influential Manhattan art house theaters, the New Yorker Theater and Lincoln Plaza Cinemas, which he operated with his wife, Toby Talbot.¹¹⁷ Expanding on the former point, New Yorker Films held exclusive U.S. rights for Sembène’s entire film catalog from *Black Girl* (1968) through *Moolaadé* (2004).¹¹⁸ With his filmography represented by one distributor, exhibitors could more seamlessly book Sembène and Senegalese cinema retrospectives, boosting the director’s U.S. reputation in the process.¹¹⁹ As for the exhibitor’s advantage, the Talbots’ cinemas enabled Daniel to pilot strategies in programming

¹¹⁴ Daniel Herbert, *Videoland: Movie Culture at the American Video Store* (Berkeley: University of California Press, 2014), 171.

¹¹⁵ Talbot 44.

¹¹⁶ Letter from Daniel Talbot to Nathalie Ramiere, March 14, 2005, Daniel Talbot Papers, Box 241, Folder “Correspondence 1997-2005,” Rare Book and Manuscript Library, Columbia University Library.

¹¹⁷ Anthony Kaufman, “Talbot paved way for indie industry,” *Variety*, April 21, 2009, <https://variety.com/2009/film/news/talbot-paved-way-for-indie-industry-1118002686/>.

New Yorker Theater manager and New Yorker Films office manager Jose Lopez also deserves mention as a pivotal figure behind both companies’ success. See Amy Heller, “Memories of New Yorker Films ... And Two Unforgettable Mentors,” Milestone Films, March 31, 2017, <https://milestonefilms.com/blogs/news/memories-of-new-yorker-films-and-two-unforgettable-men>.

¹¹⁸ See Daniel Talbot Papers, Box 246, “Contracts - Black Girl, 1968-1997” Folder, Rare Book and Manuscript Library, Columbia University Library.

¹¹⁹ Film catalog, pages 55-56, Box 98, “New Yorker Films 1995” Folder, University of Michigan Library, Ira Deutchman Papers.

Museum of Modern Art press release, 1978, Daniel Talbot Papers, Box 134 “Correspondence-Sembene Ousmane 1978” Folder, Rare Book and Manuscript Library, Columbia University Library.

Film Forum press release, March 6, 2001, Daniel Talbot Papers, Box 241, “Sembene Ousmane 2000-2001” Folder, Rare Book and Manuscript Library, Columbia University Library.

and publicity—to essentially think like an exhibitor when distributing, and vice versa.¹²⁰ New Yorker Films closed in 2009, as a result of Talbot’s decision to sell the film library to Madstone Films and Madstone’s subsequent financial problems.¹²¹ That said, its 44-year lifespan marks New Yorker Films as among the longest-lived of boutique distributors. Today, a number of boutique distributors have sprouted from art house cinemas, among them Music Box Films in Chicago and Metrograph Pictures in New York, perpetuating the New Yorker Films model at smaller scale.

In the 21st century, Cohen Media Group demonstrates the staying power of the self-effacing brand, specifically its fitness for boutique distributors with vast libraries. Founded in 2008 by real estate billionaire Charles S. Cohen, Cohen Media Group specializes in two kinds of film: contemporary international features acquired from film festivals and, through its separate Cohen Film Collection label, restorations of classic titles.¹²² In general, the former first-run category consists of titles directed by established or rising auteurs, including *Timbuktu* (2014, Abderrahmane Sissako), *The Last of the Unjust* (2013, Claude Lanzmann), *Mustang* (2015, Deniz Gamze Ergüven), and the Academy Award-winning *The Salesman* (2016, Asghar Farhadi). Meanwhile, Cohen acquired most of the repertory titles through his 2011 purchase of the Rohauer Library, a collection of 700-plus titles that includes Buster Keaton’s silent features, *Intolerance* (1916, D.W. Griffith), and lesser-known films by Frank Borzage, Allan Dwan, Frank Capra, and other early studio directors. “If the Janus Collection is world cinema’s greatest hits,” wrote critic Donald Liebenson upon the founding of Cohen Film Collection, “the Rohauer

¹²⁰ Talbot 150.

¹²¹ Ben Sisario, “44-Year-Old Indie Film Distributor Is Closing,” *The New York Times*, February 23, 2009, <https://www.nytimes.com/2009/02/24/movies/24film.html>.

¹²² In 2021, Cohen was accused of creating a hostile workplace. See Gene Maddus, “Charles S. Cohen, Billionaire Landmark Theatres Owner, Accused of Workplace Abuses: ‘It Was Appalling,’” *Variety*, January 19, 2021, <https://variety.com/2021/film/news/charles-s-cohen-lawsuit-bullying-hostile-environment-1234887992/>.

Library comprises its deep cuts.”¹²³ Both Cohen Film Collection and its parent Cohen Media Group have expanded over the past decade, notably when the latter purchased sales company HanWay Films in 2021, adding 350 titles, such as *Merry Christmas*, *Mr. Lawrence* (1983, Nagisa Ōshima) and Best Picture winner *The Last Emperor* (1987, Bernardo Bertolucci) under its purview.¹²⁴ Ultimately, neither Cohen Film Collection nor Cohen Media Group brand their sprawling library into a cohesive mission statement, nor do they spend on the publicity necessary to be considered a conspicuous brand. Instead, like many boutique distributors, Cohen Media Group lets its vast library speak for itself as, in its own words, “quality, thought provoking, and timeless entertainment.”¹²⁵

Though it is seemingly the ‘default’ option among boutique distributors serving the art house market, the self-effacing branding strategy is nevertheless the product of intentional and recurring executive choice. The cultural performance of corporate branding becomes easier to discern when examining companies that straddle brand categories or otherwise transform over time. The maintenance of a self-effacing, “quality”-forward brand posture often hinges on a noticeable ambivalence toward other, proximate categories of film, as evidenced by the histories of Strand Releasing and The Cinema Guild. Strand Releasing deserves note for its *ars gratia artis* branding of queer cinema, while The Cinema Guild’s acquisition focus over its half-century of operation has shifted from issues-oriented documentaries to borderline-experimental art films directed by international auteurs. Both companies reveal two different scenarios where a

¹²³ Donald Liebenson, “Cohen Media Group Brings Classic and Vintage Films to a 21st Century Audience,” *RogerEbert.com*, January 15, 2014, <https://www.rogerebert.com/features/cohen-media-group-brings-classic-and-vintage-films-to-a-21st-century-audience>.

¹²⁴ Andreas Wiseman, “Cohen Media Group Makes a Splash With the Acquisition of International Sales Stalwart HanWay Films,” *Deadline*, August 25, 2022, <https://deadline.com/2022/08/hanway-films-cohen-media-group-jeremy-thomas-acquisition-1235097253/>.

¹²⁵ “Cohen Media Collection,” *Barnes & Noble*, accessed on April 4, 2024, <https://www.barnesandnoble.com/b/cohen-media-collection/ /N-2cqv>.

boutique distributor curates a self-effacing brand image, in contrast with a “mission-driven” profile.

In this regard, Strand Releasing proves illuminating due to its arms-length approach to the LGBT label, despite the plurality of LGBT-related film titles in its library from founding to present. In his analysis of LGBT distributors, Bryan Wuest astutely evidences Strand Releasing’s “longstanding ambivalence toward the [LGBT] label,” in direct contrast to a mission-driven independent distributor like Wolfe Video, which “worked deliberately to popularize and enact” the discrete category of “LGBT film.”¹²⁶ Founded in 1989 by Marcus Hu, Mike Thomas, and Jon Gerrans, the California-based Strand Releasing quickly earned an association with LGBT film: its first acquired title, *Macho Dancer* (1988, Lino Brocka), became a hit with gay male audiences at San Francisco’s Strand Theater, where Hu and Thomas worked; and its first co-production was the New Queer Cinema milestone *The Living End* (1992, Gregg Araki).¹²⁷ Despite consistently releasing films by and about queer people since, including *The Delta* (1996, Ira Sachs), *Stranger by the Lake* (2013, Alain Guiraudie), and *Sorry Angel* (2018, Christophe Honoré), Strand Releasing seeks, according to Wuest, “to avoid being ‘pigeonholed’ as LGBT and prefers to create alternate centers of gravity for meanings to gather around, such as auteurism, foreignness, or arthouse prestige.”¹²⁸ Wuest cites company descriptions on the distributor’s website, circa 2002 and 2003, which foregrounded “the company’s expertise in ‘handling foreign films’ ... [and] rerelease of art and independent films such as *Contempt* and *The Graduate*” before making brief mention of “its commitment to lesbian and gay cinema.”¹²⁹ As of

¹²⁶ Bryan Wuest, “A Shelf of One’s Own: A Queer Production Studies Approach to LGBT Film Distribution and Categorization,” *Journal of Film & Video*, Vol. 70, No. 3-4 (Fall/Winter 2018): 31.

¹²⁷ Wuest 37.

¹²⁸ Wuest 31.

To clarify, while this analysis uses the terms “LGBT” and “queer” more-or-less interchangeably, Strand Releasing’s historic focus in LGBT/queer cinema acquisition has been films by and about cisgender gay men.

¹²⁹ Wuest 38.

2024, the company description on Strand Releasing’s website omits mention of LGBT cinema altogether, stating simply: “Founded in 1989, Strand Releasing is one of the leading U.S. distributors of foreign language, American independent, and documentary films in the U.S. in theaters, on DVD/Blu-Ray and via Video-On-Demand.”¹³⁰ At the same time, its website’s “Library” page includes the ability to filter Strand’s catalog by labels of genre, language, country, and “interests.” After selecting the “LGBT” sub-category under the “interests” filter, the search yields 10 pages (approximately 100 titles) of currently licensed LGBT-related films. This LGBT category considerably surpasses the volume of any other genre, language, country, and interest filter one can currently apply, with the exception of the “Drama” genre tag (which results in 21 pages, or approximately 200 titles).¹³¹ Ultimately, the plurality of LGBT-related films in Strand Releasing’s library belies the company’s reluctance to advertise this expertise. This tension reveals the contradictory decisions often required to maintain a self-effacing, verging on apolitical, brand posture.

In contrast with Strand Releasing’s consistency, The Cinema Guild has since the early 21st century undergone an evolution in its brand, with its present focus on international, festival-circuit auteurs a marked change from its specialization in issues-oriented documentaries across its first three decades. Founded in 1972 by Philip and Mary-Ann Hobel, The Cinema Guild amassed into the 21st century a diverse library of independent and international films, the majority of them being documentaries.¹³² Until the early 2000s, The Cinema Guild solely served the nontheatrical market, with a particular focus from (former high-school teacher) Mary-Ann Hobel on supplying libraries and educational institutions. In an article commemorating The

¹³⁰ “About Strand Releasing,” Strand Releasing, accessed on April 5, 2024, <https://strandreleasing.com/about/>.

¹³¹ “LGBT,” Strand Releasing, accessed on April 5, 2024, https://strandreleasing.com/portfolio_category/lgbt/.

¹³² Lissa Gibbs, “The Cinema Guild,” *The Independent*, August 1, 1999, <https://independent-magazine.org/1999/08/01/cinema-guild/>.

Cinema Guild's 40th anniversary, *Library Journal* editor Raya Kuzyk distilled the company's acquisition priorities in a manner befitting a "mission-driven" distributor: "In its 40 years, Cinema Guild has trained its klieg lights on various injustices and realities of the national and international stage, from the perils of illegal immigration (*Crossing Arizona*) to child labor in the developing world (*Journey of a Red Fridge*)."¹³³ While the company represented many titles with pedagogical value and/or leftist politics, The Cinema Guild's library was simply too voluminous and heterogenous during this time to convey, through its library and brand image, a coherent message, à la 21st century Milestone Films.¹³⁴ What is clear is how distinct The Cinema Guild's brand profile from 1972 to the early 2000s is from the version of the same company since the early 2010s. The Cinema Guild's film and video catalog from 2004 makes no mention of auteurs, foreign language options, or "art films." Instead, it frames its library in broad terms: "Our collection of award-winning, critically acclaimed films and videos features a diverse range of titles, including documentaries, educational films, feature films, short fiction, television programs, animation, 'how-to' videos, and children's and young adult programs."¹³⁵ In The Cinema Guild's nontheatrical era, documentaries about poetry, LGBT issues, and U.S. naval history—*SlamNation* (1998, Paul Devlin), *The Man Who Drove with Mandela* (1998, Greta Schiller), and *U.S.S. Constitution: Living the Legend* (1997, Terry Moyemont)—coexist with African American romantic comedies like *How I Spent My Summer Vacation* (1997, John Fisher) and educational children's animation like *The History Book* (1974, Jannik Hastrup and Li

¹³³ Raya Kuzyk, "Happy 40th Cinema Guild," *Library Journal* (August 2008): 45.

¹³⁴ Along with Cohen Media Group and Kino Lorber (if accounting for the latter's home-media-exclusive releases), The Cinema Guild deserves further consideration as a "big tent" boutique distributor, a potential sub-category under the self-effacing brand profile known for large, heterogenous libraries. This label could be fruitfully compared with Herbert's "large-scale" vs. "restricted" distributor dichotomy; see *Videoland* 157-159.

¹³⁵ The Cinema Guild Film & Video Catalog, Box 98, "The Cinema Guild 2004" Folder, University of Michigan Library, Ira Deutchman Papers.

Vilstrup). To wit, a company representative was asked, circa 1999, “Is there such a thing as ‘a Cinema Guild film?’” They responded, “Not really.”¹³⁶

The Cinema Guild began building its present reputation as a distributor of auteur-directed, often-challenging art films after a crucial leadership hire and initial entry into theatrical markets. In the early 2000s, Ryan Krivoshey joined the company as Director of Theatrical Distribution and, by 2002, The Cinema Guild shifted its releasing priority to full theatrical runs.¹³⁷ Publicly, Krivoshey attributed this rebrand to a gap in the distribution market, describing the before-and-after acquisition criteria as follows:

A pretty big part of what we do and have done is selling documentaries to universities, educational institutions, and libraries across the country. ... Universities will buy films more on subject and content as opposed to foreign language. But in theatrical, it’s interesting—we tend to focus more on foreign movies. I think maybe because the [commercial theatrical] market has shifted away from [international films], which has opened up an opportunity for smaller companies to get good quality foreign movies. Bigger companies are going for documentaries and American independents, and a lot of good foreign movies are getting overlooked now. So we try to find the gems that fall through the cracks.¹³⁸

One early example of this pivot toward international narrative is *Right Now/À Tout de Suite* (2004, Benoît Jacquot), which grossed \$248,565 U.S. domestic, a relative success given that, in its widest week of release, the film reached six theaters.¹³⁹ Representative art films and experimental documentaries acquired during Krivoshey’s tenure at The Cinema Guild include *Los Angeles Plays Itself* (2003, Thom Anderson), *35 Shots of Rum* (2009, Claire Denis), *The Beaches of Agnès* (2009, Agnès Varda), *Once Upon a Time in Anatolia* (2011, Nuri Bilge Ceylan), *The Turin Horse* (2011, Béla Tarr), *Jauja* (2015, Lisandro Alonso), *Leviathan* (2012,

¹³⁶ “The Cinema Guild.”

¹³⁷ Kuzyk 45.

¹³⁸ Margaret Coble, “Foreign Film Distributors: A roundup from full-service to start-up,” *The Independent* (July/August 2005): 50.

¹³⁹ “À Tout de Suite,” Box Office Mojo, accessed on April 7, 2024, <https://www.boxofficemojo.com/release/r11870104065/weekend/>.

Lucien Castaing-Taylor and Verena Paravel) along with other documentaries by Harvard’s Sensory Ethnography Lab, and several films by Hong Sang-soo. The auteurs behind these selections have all won awards at prestigious international film festivals like Berlin, Cannes, and Locarno. Some of these films, such as those by current and former affiliates of the Sensory Ethnography Lab, have been discussed as “avant-docs,” given that their formal properties resemble avant-garde cinema more than mainstream documentaries.¹⁴⁰ The Cinema Guild’s Krivoshey era exemplifies the self-effacing, 21st century boutique distributor, though its embrace of avant-garde cinema is nevertheless unusual in the context of theatrical distribution.

As notable as these shifts were, The Cinema Guild did not disavow its Hobel-era identity completely, or dedicate its attention solely to borderline-experimental work. Even as it sought theatrical rights for the latest works by critically acclaimed directors, The Cinema Guild maintained and, as of 2024, still manages a robust nontheatrical library aimed at the educational market. In 2014, Krivoshey spoke of the lucrative opportunities for a distributor of its size to send its catalogs to “cinema studies departments and anthropology departments.”¹⁴¹ In addition, The Cinema Guild inaugurated its line of Blu-rays with a documentary, *Marwencol* (2010, Jeff Malmberg), with more conventional appeal.¹⁴² Without reinventing itself completely, The Cinema Guild nevertheless pivoted toward, in Krivoshey’s words, “new work from both emerging and renowned directors,” becoming one of the more esteemed, self-effacing boutique distributors in the process.¹⁴³ Upon a change of ownership at The Cinema Guild, Krivoshey left

¹⁴⁰ Scott MacDonald, *Avant-Doc: Intersections of Documentary and Avant-Garde Cinema* (London: Oxford University Press, 2015), 24.

¹⁴¹ Courtney Sheehan, “TIFF 2014: The Cinema Guild is Evolving with Cinephiles On and Offline,” *The Independent*, September 14, 2014, <https://independent-magazine.org/2014/09/14/tiff-2014-the-cinema-guild-is-evolving-with-cinephiles-on-and-offline/>.

¹⁴² In 2018, Robert Zemeckis adapted the story that inspired *Marwencol* into the Steve Carell-starring, CGI-showcase *Welcome to Marwen*, for Universal Pictures. This narrative feature is arguably stranger than *Marwencol*.

¹⁴³ “About Us,” *Grasshopper Film*, accessed on April 5, 2024, <https://grasshopperfilm.com/ryan-krivoshey/>.

the company in 2015 to start Grasshopper Film.¹⁴⁴ Grasshopper shares with The Cinema Guild a similar taste-driven acquisition philosophy, balancing challenging fare (e.g., Hong Sang-soo, Sensory Ethnography Lab, Straub-Huillet restorations, slow cinema by Pedro Costa and Albert Serra, etc.) with the occasional issues-oriented documentary (e.g., *Angels are Made of Light*, James Longley’s 2018 portrait of schoolchildren in Afghanistan). Since founding Grasshopper Film, Krivoshey has placed continued emphasis on issues-oriented documentaries by founding an affiliated production company, Grasshopper + Marks Production. This company produces documentary and narrative features aspiring for social impact in concert with non-profit clients, though in its initial press release, Krivoshey was careful to note, “There has to be the filmmaker’s imprint. Brands realize that it’s a win-win situation if they concede a bit of the control of the project itself and let the filmmaker carry the story.”¹⁴⁵ These issues-oriented works activate different types of audiences than the art films The Cinema Guild or Grasshopper’s specialize in, and their coexistence within one library speaks to how even taste-driven boutiques almost never release just one “kind” of film.

To which brand category does The Criterion Collection belong? Due to its long history, its unique partnership with Janus Films, and its exclusive focus on home media, The Criterion Collection cannot be seamlessly compared to other “full-service” boutiques. Of all contemporary distributors of repertory cinema, The Criterion Collection is the only one with a brand profile that rises to the level of true conspicuousness. Criterion’s high perch above the boutique world

¹⁴⁴ Steve Erickson, “Spotlight on Grasshopper Film, an Adventurous Film Distributor,” *KinoScope*, September 7, 2018, <https://read.kinoscope.org/2018/09/07/spotlight-on-grasshopper-film-an-adventurous-film-distributor/>. After Krivoshey’s departure, Tom Sveen became The Cinema Guild’s head of theatrical distribution. Further research in the style of this chapter’s Milestone case study could illuminate the most proximate causes for The Cinema Guild’s evolution and Grasshopper Film’s emergence.

¹⁴⁵ Graham Winfrey, “Why Indie Distributor Ryan Krivoshey Is Moving Into Issue-Based Film Production,” *IndieWire*, August 3, 2016, <https://www.indiewire.com/news/general-news/indie-distributor-ryan-krivoshey-issue-based-film-production-grasshopper-marks-productions-1201712691/>.

has been a line of faith among cinephiles since shortly after its 1984 founding, as James Kendrick has documented.¹⁴⁶ Criterion's early entry into the Laserdisc market, its commitment to audiovisual fidelity, and its licensing of contemporary, marquee Hollywood titles like *Blade Runner* (1982, Ridley Scott) and *The Silence of the Lambs* (1991, Jonathan Demme) established it, "among videodisc collectors ... [as] the standard by which all other releases are judged."¹⁴⁷ Since launching its Laserdisc line in 1984 with *Citizen Kane* (1941, Orson Welles), Criterion has secured licensing deals with most major studios, from Columbia/Tri-Star Pictures and Warner Bros. in its early years, to Amazon, Apple, Netflix, and Walt Disney Pictures today.¹⁴⁸ Criterion has long balanced mainstream titles, licensed from Hollywood, with art house films licensed from Janus Films or non-affiliated boutique libraries. Unusually for a boutique distributor, Criterion's business model maintains perpetual "in print" runs for its published discs, barring the occasional failure to relicense.¹⁴⁹ CEO Jonathan Turell has pointed to the upfront and long-term expenses of authoring a high volume of discs, when asked to explain for the company's belated production of 4K Blu-rays in 2021, five years after the format's launch.¹⁵⁰ Criterion's delayed embrace of new formats has a long history, as it waited three years in both cases to issue its first DVDs in 1999 and its first Blu-rays in 2008.¹⁵¹ At present, this model has ensured the long-term

¹⁴⁶ James Kendrick, "What Is the Criterion?: The Criterion Collection as an Archive of Film as Culture," *Journal of Film and Video*, Vol. 53, No 2-3 (Summer-Fall 2001): 125.

¹⁴⁷ Kendrick 125, 130.

¹⁴⁸ Kendrick 130.

For a database of Criterion licensors since its DVD era, see "Licensors," Criterion Forum, accessed on April 10, 2024, <https://criterionforum.org/Licensors>.

¹⁴⁹ "Out of Print Sale," The Criterion Collection, February 2, 2010, <https://www.criterion.com/current/posts/1366-out-of-print-sale>.

¹⁵⁰ Jonathan Turell, interview with the author, November 9, 2021.

¹⁵¹ Peter Cowie, "Grand Illusion," The Criterion Collection, November 22, 1999,

<https://www.criterion.com/current/posts/15-grand-illusion>.

Ben Williams, "The Criterion Collection Announces First Blu-ray Titles," Blu-ray.com, May 7, 2008, <https://www.blu-ray.com/news/?id=1278>.

availability, and in some cases the memetic appropriation, of best-selling discs (e.g., its Wes Anderson releases) and cult objects (e.g., *Salò, or the 120 Days of Sodom*) alike.¹⁵²

Since the new millennium, The Criterion Collection has become shorthand for cinephilia within the vernacular of American pop culture. For example, Criterion discs, real or fake, have appeared or been mentioned in numerous network and cable television shows. An abridged list of Criterion references includes *The O.C.* (2007), where Ryan Atwood is seen holding a DVD of *Solaris* (1972, Andrei Tarkovsky); *Gossip Girl* (2008), where Vanessa Abrams discusses her plans to rent a DVD of *Berlin Alexanderplatz* (1980, Rainer Werner Fassbinder), and *Gossip Girl*'s 2021 HBO reboot, where a chic bit character visits New York City “to interview for an internship at The Criterion Collection”; *Eastbound & Down* (2012), where Kenny Powers gifts someone a *Friends* DVD, claiming it belongs to “Criterion Collections”; and recent visual gags in *The Simpsons* (2021) and *Bob’s Burgers* (2023).¹⁵³ In a 2012 episode of Fox’s science-fiction series *Fringe* (2012), Dr. Walter Bishop must scrap a Laserdisc player to retrieve the laser inside, out of plot necessity. Hammer held aloft, Walter intones, “Criterion Collection, forgive me.”¹⁵⁴ Criterion has further fueled this cultural visibility by offering, since 2007, wearable merchandise such as T-shirts and tote bags for purchase from its website store.¹⁵⁵ Moreover, since 2010, Criterion’s social media platforms have shared the company’s “Closet Picks” videos, to a devoted fanbase. In 2024, *The New York Times* described these “Closet Picks” videos as “a popular online video series in which actors and filmmakers — Nathan Lane, Aubrey Plaza and

¹⁵² Zach Schonfeld, “The Unlikely Revival of *Salò*, Cinema’s Most Sadistic Experience,” *MEL Magazine*, April 6, 2020, <https://melmagazine.com/en-us/story/salo-movie-memes-120-days-sodom>.

¹⁵³ For more crowd-sourced references, see “Criterion References, TV, and You,” Criterion Forum thread, August 23, 2013 to May 26, 2023, <https://www.criterionforum.org/forum/viewtopic.php?t=12755>.

¹⁵⁴ Fringefan1990, “Fringe loves The Criterion Collection,” YouTube video, October 9, 2012, <https://www.youtube.com/watch?v=DsK47LAJq90>.

¹⁵⁵ Matt, post to “Criterion Collection Store,” Criterion Forum, September 4, 2007, 5:00pm, <https://criterionforum.org/forum/viewtopic.php?p=138195&sid=b61f5df63a1ec563b4f971321556bce6#p138195>.

Ethan Hawke among them — pick out their favorite Criterion titles to take home.”¹⁵⁶ Among the earliest public figures to be recorded raiding Criterion’s closet were filmmaker Masahiro Shinoda (2010), actor Michael Kenneth Williams (2011), and filmmaker Guy Maddin (2011).¹⁵⁷ As of April 2024, the “Closet Picks” video series has grown to encompass 234 individual videos, with Paul Dano, Michael Cera, and Gaspar Noé’s videos each surpassing one-million views.¹⁵⁸ The sum of all this internal branding and “earned media” publicity is The Criterion Collection’s present, uncontested status as the most discussed—and ergo, most scrutinized—boutique home media distributor in North America.

Ultimately, The Criterion Collection’s lofty status among boutique distributors has presented other boutiques the opportunity to situate their “mission-driven” brand identities against Criterion’s own perceived limitations. Some boutiques have won the respect of devoted collectors by catering to the types of genre cinema Criterion typically ignores. Formed in 2009 as a sub-label of the UK-based distribution company Arrow Films, Arrow Video epitomizes the type of boutique which has emerged since the 2010s to produce eye-catching, supplements-laden box sets of cult, often ultra-violent favorites, with popular releases including *Battle Royale* (2000, Kinji Fukasaku), *Re-Animator* (1985, Stuart Gordon), and its Shawscope series, the latter featuring classic kung fu films from Shaw Brothers Studios.¹⁵⁹ With its motto, “The Art of Cult

¹⁵⁶ Joshua Hunt, “Sure, It Won an Oscar. But Is It Criterion?” *The New York Times*, February 29, 2024, <https://www.nytimes.com/2024/02/29/magazine/criterion-collection.html>.

¹⁵⁷ The Criterion Collection, “Masahiro Shinoda’s DVD picks,” Facebook video, 1:54, September 24, 2010, <https://www.facebook.com/watch/?v=628628850586>.

Criterioncollection, “Michael K. Williams’ DVD Picks,” YouTube video, 1:00, March 10, 2011, <https://youtu.be/JJiL6ps8hZQ?si=65Q3zrzAXDekPxB>.

Criterioncollection, “Guy Maddin’s DVD Picks,” YouTube video, 3:03, April 18, 2011, <https://www.youtube.com/watch?v=TowINv3Oq8E>.

¹⁵⁸ Criterion Closet Picks, “All Time Top Criterion Picks,” Letterboxd list, updated April 9, 2024, <https://letterboxd.com/closetpicks/list/all-time-top-criterion-closet-picks/>.

¹⁵⁹ “Arrow Brands,” Arrow Video, accessed on April 10, 2024, <https://www.arrowvideo.com/brands.list>.

Films Is Back!” Arrow Video applies the Criterion model (though with limited, rather than perpetual, print runs) to a wide swath of cinema that Dwight Macdonald would consign to the status of lowbrow. That said, Arrow Video simultaneously dedicates its smaller imprint Arrow Academy to highbrow, art film releases like *Ludwig* (1973, Luchino Visconti), *Cosmos* (2015, Andrzej Zulawski), and Rainer Werner Fassbinder box sets.¹⁶⁰ Other contemporary, genre-focused, home-media boutiques similar to Arrow Video include Vinegar Syndrome, Shout Factory, Blue Underground, Indicator, and Radiance Films. With their exclusive focus on catalog titles and home media releasing, these boutiques have branded their libraries as proudly disreputable alternatives to Criterion’s canon.

Milestone Films represents an uncommon breed of the “mission-driven” distributor, one that seeks to intervene on the ‘accepted facts’ of film culture. For Milestone, each new release targets the prevailing assumptions of what film history look like, and to whom it belongs. Though this branding strategy grew more coherent in the 21st century, Milestone’s founders have differentiated their goals, discursively, from those of their peers since the company’s early years. Reflecting on his former employer Kino International, helmed by Donald Krim, Dennis Doros said, in 1996, “Where Kino wants to do the best and the most beautiful version of *Cabinet of Dr. Caligari* or *Metropolis*, the standards of cinema history, we want to find those little closets that films had been lost in, films that nobody has seen Most of our films have never been released.”¹⁶¹ In the years since, Milestone has clarified its oppositional posture toward fellow tastemakers and distributors through its blunt company motto, to “fuck with the canon.”¹⁶² Over

¹⁶⁰ Christopher Bickel, “The Criterion of shit movies’: Arrow Video’s lionization of lowbrow,” *Dangerous Minds*, April 22, 2016,

https://dangerousminds.net/comments/the_criterion_of_shit_movies_arrow_videos_lionization_of_lowbrow.

¹⁶¹ Kevin Lally, “Finding Movie Treasures,” *Film Journal International* (December 1996): 133.

¹⁶² Eugene Hernandez, “Searching for Jason,” *FilmLinc Daily*, April 19, 2013,

<https://www.filmlinc.org/daily/portrait-of-jason-shirley-clarke-dennis-doros-amy-heller-milestone-films/>.

the past two decades, Milestone almost exclusively releases older films *without* pre-packaged genre or auteur appeal. These repertory titles are often critically neglected, previously difficult to access, and made by/about people with marginalized identities. By restoring and releasing these films with “full-service” trappings (i.e., theatrical runs, posters, press kits, trailers, etc.), Milestone constructs a brand image that, while niche, often supersedes in recognition the films it rediscovers. Success for Milestone is thus measured by not simply attracting audiences across disparate releases, but by generating critical appreciation and, ideally, canonization for the films and filmmakers it retrieves from disrepair. As the remainder of the chapter will demonstrate, Milestone Films began with these principles in its bedrock, but it took years of experimental effort to hone this brand image and arrive at a business model that could sustain it.

Building the Milestone Brand, 1990-1997

“Milestone has pix old and new,” read the *Variety* headline on September 17, 1990, shortly after the founding of Milestone Films.¹⁶³ The remaining sections narrow this chapter’s historical perspective, from surveying the entirety of the art house boutique distribution sector to chronicling one company’s trajectory within it. The distributor in question, Milestone Films, has distinguished itself from other boutique firms with its unique acquisition focus. Today, Milestone Films opens its official company biography with the following language:

Milestone was started in 1990 by Amy Heller and Dennis Doros out of their New York City one-bedroom apartment and has since gained an international reputation for releasing classic cinema masterpieces, groundbreaking documentaries, and American independent features. Since 2007, Milestone has concentrated on the restoration and worldwide distribution of films outside the Hollywood mainstream featuring “lost” films by and about African Americans,

On its website, Milestone rephrases its motto: “Milestone’s motto (in polite company) is ‘We like to *mess* with the canon.’” See “About Us,” Milestone Films, accessed on April 15, 2024, <https://milestonefilms.com/pages/about-us>.

¹⁶³ “Milestone has pix new and old,” *Variety*, September 17, 1990, 19.

Native Americans, LGBTQ and women. Milestone's motto (in polite company) is “We like to *mess* with the canon.”¹⁶⁴

In this one paragraph, Milestone periodizes its own history, from 1990 to 2007 and from 2007 to present, suggesting an intentional shift since 2007 (the year it released a restored version of *Killer of Sheep*) toward distributing, scare-quotes, “‘lost’ films by and about African Americans, Native Americans, LGBTQ and women.” How did Milestone Films construct this brand identity, across these two, roughly equal halves of company history? What material decisions did Milestone make in its earliest years to differentiate its product from its peers and to create a reputation with audiences? How did this boutique distributor—among the smallest, having operated most of its life with Doros and Heller as its sole full-time employees—leverage its expertise and social capital to compensate for limited resources and achieve visibility in the market? How did Milestone adjust to setbacks, internal and external? In short, what kind of pragmatic decisions shaped Milestone’s brand identity, as it pitched itself upon its founding and over subsequent years? With exclusive focus on the first seven years of Milestone Films’ operation, this section tracks how Milestone negotiated practical obstacles to invent and hone its brand image, paying attention to said image’s continuities and changes over time. This section argues that Milestone Films arrived at its mission-driven brand image through a series of pragmatic incentives and setbacks. Ultimately, Milestone typifies the ever-adaptive manner in which art house boutiques, with their limited resources and demand for critical praise, sell alternative cinema.

Like so many boutique distributors, Milestone Films was founded by veterans of the sector. Before incorporating the company in 1990, Amy Heller served four years as director of educational video and print sales at New Yorker Films, where she worked under Daniel Talbot

¹⁶⁴ “About Us,” Milestone Films.

and Jose Lopez. Meanwhile, Dennis Doros had worked six years at Kino International under Donald Krim, as director of restoration and nontheatrical sales.¹⁶⁵ Neither left their former employer on bad terms; in fact, Heller would reliably call Lopez for advice as both steered companies that were nominal rivals.¹⁶⁶ Unlike most other boutiques, however, Milestone was also a family affair. Doros and Heller married in June 1990, having met in 1988 at a Midtown Manhattan party of independent film professionals.¹⁶⁷ Doros and Heller directed wedding gifts, along with bar mitzvah savings, toward Milestone's initial \$20,000 in start-up money.¹⁶⁸ One cannot find a profile of the company since that fails to mention the founders' marital status, so intrinsic this romantic backdrop is to Milestone's public image.¹⁶⁹ Doros and Heller have also acknowledged their marriage's positive knock-on effects on their business—namely, low overhead costs.¹⁷⁰ Historically, Milestone Films has shared an office address with Doros and Heller's residence: initially an Upper West Side apartment, then after 1999, a suburban New Jersey home that afforded the couple two stories, above Milestone's basement office, to raise their young daughter.¹⁷¹ By the mid-1990s, Milestone had earned its tongue-in-cheek reputation

¹⁶⁵ O'Shea 11.

Harry Haun, "Nanookie-Nookie," *New York Daily News*, July 8, 1992, 38.

¹⁶⁶ "Memories of New Yorker Films ..."

¹⁶⁷ "Amy A. Heller Is Bride," *The New York Times*, June 11, 1990, C18.

Melissa Starker, "Passion Project: Dennis Doros & Amy Heller on working together to save film," *Wex*, February 14, 2017, <https://wexarts.org/blog/passion-project-milestone-films-dennis-doros-amy-heller-working-together-save-film>.

¹⁶⁸ Haun 38.

O'Shea 12.

¹⁶⁹ That said, Heller is particularly fond of cracking jokes like, "I have no words of wisdom, but we haven't killed each other, so there you go." See Starker.

¹⁷⁰ O'Shea 12.

Phil Hall, "Dennis Doros: A Milestone Decade," *Film Threat*, September 19, 2000, <https://filmthreat.com/uncategorized/dennis-doros-a-milestone-decade/>.

¹⁷¹ Amy Heller, "Stuff," Milestone Films, May 2, 2012, https://milestonefilms.com/blogs/news/6012708-stuff?_pos=10&_sid=2c66b61f0&_ss=r

as a “mom-and-pop organization,” born from both biographical reality and organizational austerity.¹⁷²

Across Milestone’s first few years, Doros and Heller previewed the mission-driven brand identity associated with the company today, while still publicly insisting on “quality” above all other acquisition criteria, not unlike their self-effacing boutique peers. From the outset, however, Milestone envisioned itself as an intervening force upon film culture, without the typical self-effacing appeals to auteurist narratives and festival plaudits. This logic extends to the company’s name, whose meaning Doros discerns as follows: “Milestone sort of represented what we wanted to do — to find films that will be as important to the next generation as they are to this one. Twenty-five years from now, audiences will want to see these pictures.”¹⁷³ Contemporaneously, Heller also emphasized Milestone’s ‘long game’ strategy: “What we’re doing is going to change people’s interpretations of film history. Film historians will get to see films they otherwise wouldn’t get a chance to see, and they’ll include these when they write about the progression of film.”¹⁷⁴ Months after Milestone’s founding, Heller cast this revisionist impulse toward film history in explicitly inclusive terms, saying, “We’re very excited to be able to offer films from different perspectives. ... We would like to have films by women and minorities.”¹⁷⁵ From its earliest interviews, Milestone’s co-founders signaled the canon-busting brand image the company is known for today.

Yet in these same interviews, Doros and Heller still foregrounded their taste, through the lens of “quality,” as the guiding principle for acquisitions. In 1990, they distilled their acquisition

¹⁷² Devon Jackson, “How to Make a Specialty of Obscurity,” *The New York Times*, May 26, 1996, Section 2, 14. Anthony Kaufman, “Landmark decade,” *Time Out New York*, August 2000, https://cdn.shopify.com/s/files/1/0150/7896/files/Milestone_profile_in_Time_Out_NY_Augusts_2000.pdf?v=1674840044.

¹⁷³ Haun 38.

¹⁷⁴ Haun 38.

¹⁷⁵ O’Shea 11.

criteria as follows: “We think it’s a great film, we think it will fit into our collection, and we think we can do a great job.”¹⁷⁶ As late as 1998, Milestone continued to frame their library in these terms. When asked to explain “what drives the acquisition decisions at Milestone,” Doros and Heller responded:

We’re most interested in films that strike us as extraordinary and which we can release in a feature-length format. We’re very open to looking at different films. The quality of the films is really the most important thing: films that are provocative, beautiful, interesting, shocking, and use the language of cinema in different ways. We’re looking for films that are works of art in their own right. And with that, we figure out how to make the business side of things work for the film.¹⁷⁷

Through the 1990s, Milestone Films still acquired international premieres from the festival circuit, as the following chapter, which details Milestone’s release of *Fireworks* (1997, Takeshi Kitano), will explore in depth. With its focus split between new films and repertory “discoveries,” Milestone could not pitch its entire library as a coherent redress of film history—it only began doing this in the 21st century, after the company pivoted toward a near-exclusive focus on “first-run” repertory releasing. Milestone’s bifurcated goals throughout the 1990s serve as a preview of the mission-driven distributor it would later become, as well as an indication of how it aspired to compete within the larger, premiere-oriented independent distribution sector.

Of course, Milestone’s public image primarily emerged not through interviews with its founders but through the films they released. Milestone spearheaded its initial 1990 slate with its “The Age of Exploration” package, consisting of eight adventure and exploration films, four of them silent, made between 1910 and 1935. The films to comprise the 1991 theatrical package were a reconstructed version of *Tabu: A Story of the South Seas* (1931, F.W. Murnau); Merian C. Cooper and Ernest B. Schoedsack’s ethnographic films *Chang: A Drama of the Wilderness*

¹⁷⁶ O’Shea 11.

¹⁷⁷ Lissa Gibbs, “Milestone Film & Video,” *The Independent* (April 1998): 8.

(1927) and *Grass: A Nation's Battle for Life* (1925); Martin and Osa Johnson's Kenyan travelogue *Simba: The King of the Beasts* (1928); the early Native American dramas *In the Land of the War Canoes* (1914, Edward S. Curtis, also known as *In the Land of the Head Hunters*) and *The Silent Enemy* (1930, H.P. Carver); and the Antarctic part-talkie documentaries *With Byrd at the South Pole* (1930, Julian Johnson) and *90° South: With Scott to the Antarctic* (1933, Herbert G. Ponting).¹⁷⁸ "If we'd had a moment of clarity," Heller has since reflected, "we would've stopped and thought that, you know, obscure documentaries and films on location in the early sound and silent period were not really a great launching place for a distribution company. As a business plan, not so much. But we did have a plan so that saved us."¹⁷⁹

To start, the pursuit of "The Age of Exploration" titles precipitated Milestone Films' formation, in idea and institution. In the late 1980s, Doros and Heller, with the assistance of film historian David Pierce, had begun tracking down the elements and rights to such films as *Chang* and *The Silent Enemy*, as a side project to their respective day jobs at Kino International and New Yorker Films.¹⁸⁰ Heller has recounted how these efforts led to the formation of Milestone Films: "We'd been doing some work on our own, restoring silent films and combining them into packages."¹⁸¹ We assumed that Kino would distribute them, but one morning we woke up and realized that the timing was right for us to start our own company—we had the films and I was

¹⁷⁸ The Age of Exploration press kit, 1991, WCFTR, Milestone Films Papers, Box 39, Folder 4.

¹⁷⁹ Starker.

¹⁸⁰ Letter from Dennis Doros to Enno and Frieda Patalas, July 12, 1989, Milestone Films Papers, WCFTR, Box 39, Folder 35.

Haun 38.

¹⁸¹ Further research is necessary to determine how common (and frequently booked) packaged programs like "The Age of Exploration" were among independent distributors circa 1990, and in the years after. At present, theatrical boutique distributors rarely pursue package programs centered around a theme. However, auteur-centered theatrical packages persist among art house boutiques to this day. See "The Films of Márta Mészáros," Janus Films, accessed on April 15, 2024, <https://www.janusfilms.com/film-sets/8>, and "The Films of Kinuyo Tanaka," Janus Films, accessed on April 15, 2024, <https://www.janusfilms.com/film-sets/9>.

looking for a change in my career.”¹⁸² During this period before Milestone’s incorporation, Doros envisioned the company’s goals more narrowly, as when he told a colleague that “Milestone will distribute and promote the films of the silent and early sound era.”¹⁸³ However, by 1990, Milestone’s library had already grown more diverse and eclectic. Over lunch, Philip Haas, artist, filmmaker, and friend of Doros and Heller, offered his contemporary documentary output (such as the 1988 film *The World of Gilbert & George*) to Heller, on the condition that she start her own distribution company.¹⁸⁴ Though headlined by the Age of Exploration package, Milestone’s initial 1990 slate spanned a range of eras and styles, opening the door for novel acquisition possibilities going forward.

The financial challenges of entering and subsequently surviving in a deteriorating theatrical market forced Doros and Heller to think strategically about the roll-out of their initial titles across theatrical, nontheatrical, and home video markets. By 1996, with the benefit of hindsight, Doros reflected publicly and self-critically on this initial period by saying, “We were naïve and thought we could make money instantly, and we discovered that with any new business it takes four, five, six years.”¹⁸⁵ While the Age of Exploration titles were relatively inexpensive to acquire (e.g., Doros offered a \$3000 advance plus 50% of gross after recoupment of costs to the rightsholders of *Tabu*, the package’s most valuable title), Heller has estimated the combined production and internal restoration costs of the series at \$100,000.¹⁸⁶ Further complicating this investment was the proliferation of pirated home-video copies of certain Age

¹⁸² Gibbs 8.

¹⁸³ Letter from Dennis Doros to Enno and Frieda Patalas.

¹⁸⁴ Gibbs 8.

“Finding Movie Treasures” 24.

¹⁸⁵ “Finding Movie Treasures” 24.

¹⁸⁶ Letter from Dennis Doros to Eva and Rudolf Diekmann, August 17, 1989, Milestone Films Papers, WCFTR, Box 39, Folder 35.

“Finding Movie Treasures” 24.

of Exploration titles, such as *Tabu*. Doros explained the contemporary crisis in the repertory film market, and the most cost-effective ways for Milestone to counter piracy, in the following letter to *Tabu* rightsholder and Murnau niece, Eva Diekmann:

As you may be aware, the United States has suffered a collapse of the “repertory” film market over the last few years. Where there were once 150 theatres across the country that would show classic films, there are now only about twenty. Much of the illegal distribution of TABU was done over three years ago (the statute of limitations for income we can sue for) when the market was still strong and those still involved in distributing the film have recognized little or no income lately. As the distributors of TABU, we will do everything in our power to protect the film’s copyright. Most times, due to exorbitant legal fees, it is more cost effective and less time consuming to get these companies to cease distribution through letters and phone calls.¹⁸⁷

In addition to lamenting the decline of repertory cinemas that would book theatrical runs, Doros isolates a particularly vexing issue for repertory distributors, namely video piracy.

Despite the weakness of the repertory theatrical exhibition market, financial and logistic as well as promotional pressures led Milestone to prioritize theatrical bookings of the entire Age of Exploration package, rather than one-off showings of its most popular titles. Primary motivations included the aforementioned production costs of the series, as well as the limitation of only two restored 35mm prints of *Tabu* for theaters to screen. For instance, Cinematheque Ontario (now TIFF Cinematheque) programmer James Quandt expressed particular interest in screening *Tabu* over the other titles, presumably due to the film’s reputation and its fresh, reconstructed shape. In response, Doros denied Quandt in apologetic yet candid terms: “I’m sorry, but the prints (2) of TABU are quickly being tied up this year for theatrical premieres around the country. We can only take bookings for a) huge amounts of money or b) as part of our AGE OF EXPLORATION series. ... The money, unfortunately, is very important since the series

¹⁸⁷ Letter from Dennis Doros to Eva Diekmann, March 1, 1990, Milestone Films Papers, WCFTR, Box 39, Folder 35.

has been very expensive to mount and we're still trying to dig our way out from under the bills."¹⁸⁸ To an English distributor interested in acquiring *Tabu's* restoration for the UK market, Doros negotiated terms before disclosing, "It was a large expense to come out with 8 restored films at once, but the theatrical and nontheatrical market should get us near break-even late this year."¹⁸⁹ Doros and Heller could have launched Milestone with *Tabu* alone, as peer interest in the marquee title indicates; given the expense of producing the entire package, it is worth speculating on the financial performance of this counterfactual. But *Tabu* alone would not have brought the same enunciative power as the Age of Exploration package, which functioned as a louder opening statement in announcing Milestone as an ambitious, even authorial distributor.

The Age of Exploration's promotional campaign allowed Milestone to demonstrate what Doros and Heller regard as their company's greatest strength: "We're able to take films that nobody else wants and convince people why they should see them."¹⁹⁰ For context, the promotional challenges of re-releasing silent cinema in 1991 may be self-evident, but even in New York, the U.S. capital of art house cinemas, no silent film had booked a theatrical run since 1987.¹⁹¹ To generate interest in the Age of Exploration series, Doros and Heller leveraged their connections with public figures in

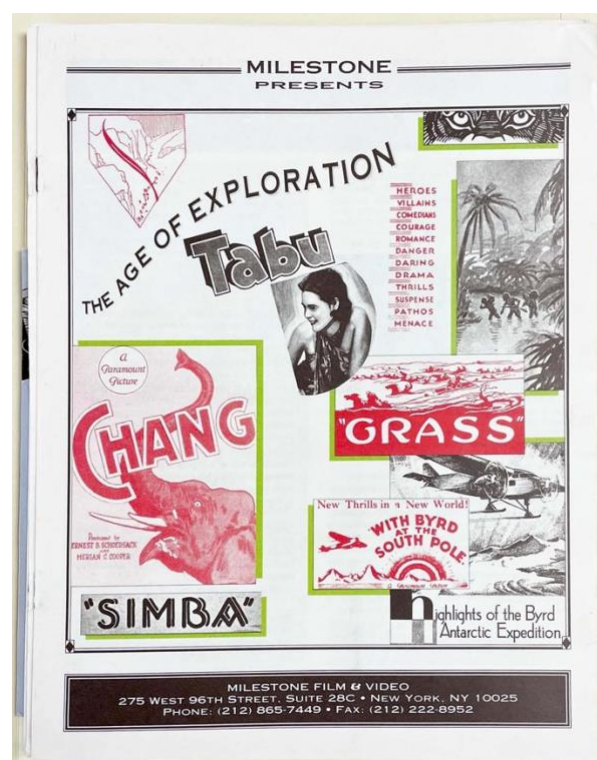


Figure 1 - The Age of Exploration press kit, WCFTR, Milestone Papers, Box 39, Folder 4.

¹⁸⁸ Letter from Dennis Doros to James Quandt, June 24, 1991, Milestone Films Papers, WCFTR, Box 39, Folder 29.

¹⁸⁹ Letter from Dennis Doros to Eric Liknaitzky, July 5, 1991, Milestone Films Papers, WCFTR, Box 39, Folder 29.

¹⁹⁰ "Finding Movie Treasures" 24.

¹⁹¹ Letter from Dennis Doros to Eva Diekmann, April 22, 1991, Milestone Film Papers, WCFTR, Box 39, Folder 29.

entertainment. This included contacting Martin Scorsese, who replied with his first of several pull quotes for a Milestone press kit (see Figure 1 for press kit's cover) and poster.¹⁹² Doros and Heller also began a felicitous correspondence with Betty Crosby, the widow of *Tabu* cinematographer Floyd Crosby. In turn, Betty cajoled her stepson, the famous rock musician David Crosby, to speak with Leonard Maltin on *Entertainment Tonight* about *Tabu*.¹⁹³

By the time the Age of Exploration made its way to VHS, Milestone pitched Leonard Maltin for an *Entertainment Tonight* segment dedicated to the series. In a breathless letter to Maltin, Doros included a list of 11 reasons why the segment should run, as follows:

- 1) The films should be covered. All four are wonderful! and some are even masterpieces.
- 2) They're after all, films that have never before been released on video or seen anywhere in the U.S. in their complete versions since their original release.
- 3) It the Columbus 500th anniversary, and wouldn't The Age of Exploration be the perfect tie-in? (well, we hope so, anyway)
- 4) We could use the plug.
- 5) GRASS is a rarely seen film by the makers of KING KONG. I think it's their best film.
- 6) You could use the David Crosby clips from the TABU piece.
- 7) We're getting a lot of coverage so it won't be completely unknown to your viewers, including the Philadelphia Inquirer ... Washington Post, New York Times, Los Angeles Times, Playboy, USA Today, Entertainment Weekly, Film Comment, Premiere, many of the wire services, and ...
- 8) Rob Edelman. He loves them - does that count?
- 9) Robert Falcon Scott is one of those great legends that the public has never seen.
- 10) The footage of the Kwakiutl war canoes is amazing, and Curtis is one of the great photographers of the 20th century. He also worked for DeMille.
- 11) Why not? It's better than doing a piece on Yugoslavian mud-bathing films (one was actually just made and will be released by another distributor this year or next so you just may be asked one day).¹⁹⁴

¹⁹² Letter from Martin Scorsese to Milestone Film & Video, January 31, 1991, Milestone Films Papers, WCFTR, Box 39, Folder 29. Scorsese's pull quote specifically extolled *Tabu* and reads as follows: "Murnau is one of the great masters in the history of cinema. The beautiful restoration of a silent classic like TABU will enable future generations to enjoy and appreciate his inspiring talent."

¹⁹³ Letter from Amy Heller and Dennis Doros to Eva Diekmann, December 13, 1990, Milestone Films Papers, WCFTR, Box 34, Folder 21.

¹⁹⁴ Letter from Dennis Doros to Leonard Maltin, May 5, 1992, WCFTR, Milestone Films Papers, Box 39, Folder 2.

The pitch succeeded, as *Entertainment Tonight* aired a three-minute segment about the series, featuring on-camera interviews with Doros and Heller, on October 31, 1992.¹⁹⁵ With quarter-profile, well-lit cutaways to Doros and Heller, the segment is threaded by Maltin's enthusiastic voiceover and clips from *With Byrd at the South Pole*, *90° South*, and *Chang*. While Maltin makes erudite observations (he notes that *Chang* "is not strictly speaking a documentary, as it tells a story about a family's struggle to survive in the jungles of Siam"), the segment emphasizes the films' sensational aspects: Heller relates how Admiral Richard Byrd "was a real, bigger-than-life hero," while Doros details how *90° South* director Herbert Ponting "couldn't touch the camera, it was so cold that if his hands touched, it would stick to the camera, it would freeze." Before the segment's end, the producers cut to Heller, who issues a unifying vision for the series: "It was very much in the thoughts of all these filmmakers that somehow they needed to find frontiers that had not been conquered, either in images or in places, and bring back things no one had seen before." Before handing off back to *Entertainment Tonight's* anchors, Maltin concludes, "There are eight feature films altogether in this Age of Exploration series from Milestone Film and Video—worth seeking out, worth watching, and a lot of surprises in these films." After the special aired, Heller wrote Maltin an effusive note of gratitude, thanking him for the kind editing and "for not showing us walking in the park or drooling on our fancy clothes." Most pertinent for this analysis, Heller stated, "Without your help, it is hard to justify the commercial viability of many of these films and we are eternally grateful."¹⁹⁶

Accordingly, home-video revenue presented the only opportunity for Milestone to actually turn a profit on its initial investments, which necessitated a coordinated release schedule

¹⁹⁵ Leonard Maltin interview of Milestone Film & Video's Amy Heller and Dennis Doros, *Entertainment Tonight*, aired October 31, 1992, accessed May 26, 2023, <https://vimeo.com/780894443/591f51f4d2>.

¹⁹⁶ Letter from Amy Heller to Leonard Maltin, November 2, 1992, WCFTR, Milestone Films Papers, Box 39, Folder 2.

for the company's entry into that lucrative market. While in the middle of the series' theatrical run, Doros confided to a colleague, "We're coming out with [the eight Age of Exploration titles] on video next year in the U.S. and Canada and expect to make most of our money in this market."¹⁹⁷ But, in 1992, Milestone skipped a theatrical run altogether for its first VHS release, the contemporary, colorful, educational, and overall more sellable documentary, *A Day on the Grand Canal with the Emperor of China* (1988, Philip Haas). Acquired through Heller's handshake deal with Haas, *A Day on the Grand Canal* stars English artist David Hockney, who analyzes a 17th century Chinese scroll, *The Kangxi Emperor's Southern Inspection Tour*, with dry humor and art-historical precision. This 46-minute featurette has endured as one of Milestone's best-selling titles, selling 2000 copies by 1995.¹⁹⁸ Shortly after *A Day on the Grand Canal*, Milestone released the Age of Exploration titles in VHS format, in addition to Laserdisc editions of *Tabu*, *Grass*, *90° South*, and *In the Land of the War Canoes* through a distribution partnership with Lumivision. By 1995, VHS editions of *Grass*, *90° South*, and *Chang* sold around 1000 copies each, the highest total for a silent Milestone title at the time.¹⁹⁹ In 1996, Heller summarized Milestone's journey with the Age of Exploration project by saying, "We made money on all those films, but it took a long time."²⁰⁰

The last of this initial wave of home-video releases was the "Early Russian Cinema: Films Before the Revolution Now on Video" set, which was assembled in partnership with larger film institutions. "Early Russian Cinema" consisted of 10 VHS tapes, together containing 28

¹⁹⁷ Letter from Dennis Doros to Eric Liknaitzky.

¹⁹⁸ Letter from Dennis Doros to Adrienne Furnis, October 24, 1995, WCFTR, Milestone Films Papers, Box 1, Folder 11.

¹⁹⁹ Letter from Dennis Doros to Matthias Knop, May 20, 1997, Milestone Films Papers, WCFTR, Box 30, Folder 29.

²⁰⁰ "Finding Movie Treasures" 24.

films (features and shorts) made in Tsarist Russia.²⁰¹ Milestone only had to handle publicity and retail responsibilities for the “Early Russian Cinema” set, as the films were already chosen and restored by the British Film Institute and its Russian counterpart, Gosfilmofond. The earlier premiere of these restorations at the 1989 Pordenone Silent Film Festival had furthermore publicized their existence to select, interested audiences.²⁰² This model of partnership, between boutique distributor and non-profit archive, has recurred throughout Milestone’s existence, most recently with its 2013 theatrical and home-media release, “Martin Scorsese Presents: Masterpieces of Polish Cinema,” produced in partnership with The Film Foundation.²⁰³ These partnerships typically incur limited production costs for the distributor, in exchange for limited control over the product—in correspondence with the Museum of Modern Art’s film department, Doros shared Milestone’s plans for “Early Russian Cinema” and quipped, “They [the BFI] really know how to come up with a catchy title, don’t they?”²⁰⁴ Though Milestone only sold about 250 copies by 1995, the high asking price for the 10-VHS edition (\$250) ensured a profit.²⁰⁵ Throughout this time, Milestone pursued retail partnerships with Blockbuster and various home-video catalogs, but could not shoulder the costs of such a deal. Doros summarized Milestone’s home-video retail strategy, circa 1995, as follows: “It’s mostly to individuals and libraries since we have a great mailing list and good publicity, but there’s little time and advertising money to get to the video stores, catalogs and chains. It’s a lot more work, but on the other hand, our

²⁰¹ Richard Stites, “Dusky Images of Tsarist Russia: Prerevolutionary Cinema,” *The Russian Review*, Vol. 53, No. 2 (April 1994): 285.

²⁰² Letter from Dennis Doros to Tony Zaza, May 19, 1992, WCFTR, Milestone Films Papers, Box 1, Folder 3.

²⁰³ “21-film retrospective Martin Scorsese Presents: Masterpieces of Polish Cinema at FSLC,” Film at Lincoln Center, December 5, 2013, <https://www.filmlinc.org/press/21-film-retrospective-martin-scorsese-presents-masterpieces-of-polish-cinem/>.

²⁰⁴ Letter from Dennis Doros to Anne Morra, October 20, 1992, WCFTR, Milestone Films Papers, Box 1, Folder 5.

²⁰⁵ Letter from Dennis Doros to Adrienne Furnis.

average sale price is higher.”²⁰⁶ Like The Cinema Guild before it, Milestone Films had targeted the lucrative academic market at minimal cost.

Beyond revenue, how was Milestone’s first marquee project, *The Age of Exploration*, critically received? *The New York Times* positively reviewed the VHS box set, with the note, “Often the action is fast and furious.”²⁰⁷ *Video Magazine* bestowed the box set a VIVA Gold Award, honoring it as one of the top 10 home-video releases of 1992; this marked Milestone’s first official award.²⁰⁸ More thorough reception eventually arrived from academic and cinephile publications, and it was here that critics addressed the problematic politics of these films. Milestone’s re-release of *Simba: The King of the Beasts* motivated a 1993 *Film Comment* article by Robert Horton, examining the complicated legacy of white American travelogue filmmakers Martin and Osa Johnson.²⁰⁹ For *American Anthropologist*, visual anthropologist Jay Ruby praised the VHS set for offering “an invaluable service to those of us interested in the history of ethnofilm.” After comparing series titles like *Chang* to Hollywood sound productions like *Tarzan*, Ruby concluded his review as follows: “The 15-year period in which the Milestone films were made could have been the beginning of a serious attempt to portray culture by anthropologists. One can only speculate about what would have happened if anthropologists had become involved. Unfortunately, the efforts of these pioneers went unnoticed by the academy.”²¹⁰ Of all the Age of Exploration titles, *Grass* has attracted numerous scholarly analyses in recent years. For instance, Hamid Naficy critiques the film’s depiction of the nomadic Bakhtiari tribes, which in the film’s telling “are included in the line of human progress

²⁰⁶ Letter from Dennis Doros to Adrienne Furnis.

²⁰⁷ Peter M. Nichols, “Home Video,” *The New York Times*, June 18, 1992, C18.

²⁰⁸ Letter from Dennis Doros to James Barry, December 30, 1992, Milestone Films Papers, WCFTR, Box 1, Folder 5.

²⁰⁹ Robert Horton, “Across the World with Mr. and Mrs. Johnson,” *Film Comment* (May 1993): 32.

²¹⁰ Jay Ruby, “Film Reviews,” *American Anthropologist*, Vol. 96, Issue 1 (March 1994), 221-222.

but are kept safely sealed in their time capsule in the earlier evolutionary stages.”²¹¹ However, in 2022, scholar Babak Elahi argued that the score Milestone commissioned for the 1992 re-release, as composed and performed by Amir Vahab, Gholamhosain Janati-Ataie, and Kavous Shirzadian, elegantly “challenges the Aryan race theory expressed in the intertitles.”²¹² “The music for the first third of the film, during which the filmmakers travel through Anatolia to Kurdish and Arab territories,” Elahi argues, “includes modes and melodies from Kurdish, Turkish, and Arab performance practices, thus drawing attention to the ethnic plurality and complexity of the region.”²¹³ Milestone’s commissioned score for *Grass* can attest to the careful touch Milestone brings to its restorations, preserving the original film elements while pursuing authenticity (as opposed to fidelity) in the production of any additional materials.²¹⁴

After concluding its Age of Exploration release, Milestone found itself at a crossroads on how to position its public profile going forward. Would it continue with more themed, package, and/or silent film projects in the vein of the Age of Exploration series? Or would it pursue more auteur, isolated, and/or contemporary titles? In July 1992, before home-video income arrived, Doros expressed skepticism to a colleague about continuing with restorations altogether: “We have a lot of projects coming up, though I’m afraid not too much in the restoration field since the costs and the limits of the American market are prohibitive.”²¹⁵ Though it would continue

²¹¹ Hamid Naficy, “Lured by the East: Ethnographic Expedition Films about Nomadic Tribes—The Case of *Grass* (1925),” *Virtual Voyages: Cinema and Travel*, ed. Jeffrey Ruoff (Durham, NC: Duke University Press, 2006), 130. For consideration of the film’s racial politics, see Amy Malek, “‘If you’re going to educate ‘em, you’ve got to entertain ‘em too’: An Examination of Representation and Ethnography in *Grass* and *People of the Wind*,” *International Society of Iranian Studies*, Vol. 44, No. 3 (2011): 313–25.

²¹² Babak Elahi, “Reorienting *Grass*: How a Musical Score Transforms an Orientalist Documentary,” *Afterimage*, Vol. 49, No. 3 (2022): 52.

²¹³ Elahi 59.

²¹⁴ Heller’s written comments on a potential 1999 *Tabu* DVD design, featuring a tiki-style font, indicate this sensitivity: “This font is not appropriate for a film from the South Seas — this is an extremely ‘oriental’ face.” See Annotated home video mock-ups, October 26, 1999, Milestone Films Papers, WCFTR, Box 39, Folder 32.

²¹⁵ Letter from Dennis Doros to Enno Patalas, July 21, 1992, WCFTR, Milestone Films Papers, Box 39, Folder 2.

restoring films, as it pushed from the early- to mid-1990s, Milestone attempted to avoid the same set of risks associated with its Age of Exploration series—namely, inordinate expenses in restoration and promotion. Strategies Milestone pursued to accomplish this included partnering with other film distributors, typically for auteur-helmed titles, and investing in singular feature film projects that, if successful, could sustain interest and ensure ancillary income years after initial investment. As the case of *I Am Cuba/Soy Cuba* (1964, Mikhail Kalatozov) illustrates, each new project presented both potential and pitfalls.

Costs, technological limitations, and legal quagmires constrained how much Milestone could do with arguably its first signature title, *I Am Cuba*. Acclaimed today for its acrobatic tracking shots and galvanizing portrait of Havana on the precipice of revolution, *I Am Cuba* had not been officially screened in the United States until Tom Luddy and Bill Pence organized a tribute to director Mikhail Kalatozov at the 1992 Telluride Film Festival. The subtitled print won over influential fans in the audience, such as French director Bertrand Tavernier, and it subsequently showed to a sold-out audience at the 1993 San Francisco International Film Festival. Friends who attended the latter screening recommended the film to Doros and Heller, who after viewing a VHS copy, entered into negotiations with Mosfilm for the rights.²¹⁶ Milestone's initial agreement with Mosfilm was subsequently complicated by conflicting ownership claims from Cuba's state-run film institute, ICAIC, which led to unexpected legal fees for Milestone.²¹⁷ At no point in archived correspondence did Doros or Heller suggest cleaning up the available print's audiovisual flaws, likely due to prohibitive cost and the limitations of restoration technology from that time. The problems of the circulating print were twofold: the

²¹⁶ I Am Cuba press kit, 1995, Milestone Films, https://cdn.shopify.com/s/files/1/0150/7896/files/1995_I_Am_Cuba_press_kit_optimized.pdf?10.

²¹⁷ Letter from Dennis Doros to Nicolai Filatov, September 19, 1997, WCFTR, Milestone Films Papers, Box 43, Folder 9.

audio track overlaid a Russian dub atop the original Spanish soundtrack, while the image track suffered from splices and flicker.²¹⁸ (These core problems would not be rectified until Milestone's 2019 4K digital restoration of the film, which Criterion licensed for its 2024 Ultra HD Blu-ray.²¹⁹) Rather, Milestone's restoration efforts mainly involved commissioning an English-language subtitles track and striking new prints.

More time-consuming for Doris and Heller was *I Am Cuba*'s promotional campaign, which sought to bestow this 30-year-old Cuban-Soviet propaganda film with the ballyhoo becoming for a first-run release. After being contacted by Milestone, Martin Scorsese and Francis Ford Coppola agreed to jointly "present" the film, as announced on the new posters and trailer.²²⁰ With its 17-page press kit for the film, Milestone inaugurated its tradition of exhaustively researched promotional materials, a practice that film critics have noted since.²²¹ *I Am Cuba*'s press kit includes lyrical plot synopsis, detailed production history, cast and crew biographies, and a historical primer on the Cuban Revolution. To compile the document, Heller collected 25 books on Cuban history and interviewed co-writer Enrique Pineda Barnet and camera operator Alexander Calzatti.²²² In the press kit, Calzatti details the engineering tricks that enabled one of the film's most famous long takes, which begins on a Havana rooftop and ends immersed in a pool.²²³ Taken together, Milestone's promotion of *I Am Cuba* helped usher the film into Hollywood's purview and into the larger history of cinematographic style. Unusually

²¹⁸ Maggie Sivit, "I Am Cuba, Restored and Reimagined," *Hyperallergic*, February 21, 2019, <https://hyperallergic.com/486052/i-am-cuba-restored-and-reimagined/>.

²¹⁹ "I Am Cuba," The Criterion Collection, January 17, 2024, <https://www.criterion.com/films/33466-i-am-cuba>.

²²⁰ Letter from Dennis Doros to Jill Ornitz, October 11, 1994, WCFTR, Milestone Films Papers, Box 43, Folder 9.

²²¹ E.g., Richard Brody praised *Portrait of Jason*'s "ample and lovingly assembled press kit." See Richard Brody, "'Portrait of Jason' and the Life of Movies," *The New Yorker*, April 17, 2013, <https://www.newyorker.com/culture/richard-brody/portrait-of-jason-and-the-life-of-movies>.

The press kits prior to *I Am Cuba*, such as the aforementioned "The Age of Exploration" flyer, do not include the same wealth of detail.

²²² "Finding Movie Treasures" 133.

²²³ *I Am Cuba* press kit.

for an older “discovery,” *I Am Cuba* received a nomination for Best Foreign Film at the 1996 Independent Spirit Awards, alongside the new productions *Exotica* (1994, Atom Egoyan), *The City of Lost Children* (1995, Marc Caro and Jean-Pierre Jeunet), *Through the Olive Trees* (1994, Abbas Kiarostami), and eventual winner *Before the Rain* (1994, Milcho Manchevski).²²⁴ In 2019, the American Society of Cinematographers (ASC) selected *I Am Cuba* as, coincidentally, one of the “100 milestone films in the art and craft of cinematography.”²²⁵ In his essay on *I Am Cuba*, published in concert with the ASC list, George E. Turner quotes lengthily from a 1965 essay by the film’s cinematographer Sergei Urusevsky. Milestone translated this essay, originally published in the Russian-language *Iskusstvo kino* magazine, for its 1995 press kit, suggesting the long afterlives these useful paratexts can have.²²⁶ Lastly, *I Am Cuba* firmly raised Milestone’s own profile within the industry, as evidenced by the National Society of Film Critics creating a new honor, the “Special Archival Award,” to bestow Milestone for its restoration and release of the film.²²⁷

How did *I Am Cuba* financially perform, over its belated U.S. debut? *I Am Cuba* premiered March 8, 1995, at New York’s Film Forum, where it grossed \$46,225 over its single-screen theatrical run.²²⁸ By April 1996, just over a year later, *I Am Cuba* had grossed \$177,383 across its nationwide theatrical release.²²⁹ Around this time, Doros estimated that *I Am Cuba*’s

²²⁴ “Film Independent Spirit Awards, 1996 Awards,” *IMDb*, accessed April 19, 2024, <https://www.imdb.com/event/ev0000349/1996/1>.

²²⁵ ASC Staff, “ASC List of 100 Milestone Films in Cinematography of the 20th Century,” *American Cinematographer*, January 8, 2019, <https://theasc.com/news/asc-unveils-list-of-100-milestone-films-in-cinematography-of-the-20th-century>.

²²⁶ George E. Turner, “The Astonishing Images of I Am Cuba,” *American Cinematographer*, May 17, 2019, <https://theasc.com/articles/flashback-soy-cuba>.

²²⁷ “About Us,” Milestone Films.

²²⁸ Letter from Dennis Doros to Jill Ornitz.

I Am Cuba grosses, April 15, 1996, WCFTR, Milestone Films Papers, Box 43, Folder 9.

²²⁹ *I Am Cuba* grosses.

theatrical release cost Milestone \$30,000 and returned \$80,000.²³⁰ Even with this return on investment, Doros cited these numbers disapprovingly in a May 1996 letter to Janus Films President Peter Becker, as they negotiated a joint distribution partnership between Milestone and Janus Films for *The*



Figure 2 – Milestone’s 2007 *I Am Cuba* DVD, in Cuban cigar box packaging. Image courtesy of eBay user [kidronin](#).

Life of Oharu (1952, Kenji Mizoguchi). “What [these records] basically show you is that there is little money to be made in theatrical,” Doros wrote. “This is what we wanted to tell you upfront, and of course, emphasize why the home video rights would be important to us.”²³¹ Here, Doros invokes a central pillar of this dissertation’s argument—that boutique distributors have survived through strategic exploitation of ancillary revenue streams, as the art house theatrical market has declined.²³² By 2005, internal Milestone documents reported \$247,061 net income for *I Am Cuba*, suggesting the film’s continued strength in home-video sales and nontheatrical engagements.²³³ This data does not include revenue from Milestone’s 2007 “Ultimate Edition” DVD of the film, encased in Cuban cigar box packaging (see Figure 2). Published by New Yorker Video, Milestone’s 2007 DVD issued a corrected Spanish-only soundtrack option and restored some of the image track’s flaws, but what made it into a collector’s item was the

²³⁰ Letter from Peter Becker to Dennis Doros, October 2, 1996, WCFTR, Milestone Films Papers, Box 35, Folder 1.

²³¹ Letter from Peter Becker to Dennis Doros.

²³² This dynamic is essentially the strategic inverse (and historical effect) of Hollywood’s dependence on four-quadrant, theatrically released tentpoles, over this same period.

²³³ Fireworks internal accounting, 1998-2005, WCFTR, Milestone Films Papers, Box 35, Folder 1.

humidor-like packaging, evoking Havana kitsch. For *Slant Magazine*, Ed Gonzalez said the set “may be the DVD release of the year,” while Dave Kehr at *The New York Times* referred to the packaging as “an inventive formalist gesture in itself.”²³⁴

As the Janus Films/*The Life of Oharu* agreement and New Yorker Video-published DVDs indicate, Milestone has collaborated with other labels throughout its history.²³⁵ During the early- to mid-1990s, Milestone effectively defrayed in-house production costs by signing distribution partnerships with other labels, which in turn increased the number of auteur-helmed titles in its library. By 1991, Milestone entered a partnership with L.A.-based distribution company Connoisseur Video, handling theatrical and nontheatrical releasing for certain films in their catalog. These included contemporary international festival titles such as the South Korean drama *Why Has Bodhi-Dharma Left for the East?* (1989, Bae Yong-Kyun), as well as classic, auteurist films with extant (if imperfect) print elements such as *Rocco and His Brothers* (1960, Luchino Visconti).²³⁶ In a similar vein, Milestone handled distribution duties for Audie Bock’s East-West Collection, which added to its catalog postwar Japanese classics like *Pigs and Battleships* (1961, Shōhei Imamura) and *When a Woman Ascends the Stairs* (1960, Mikio Naruse).²³⁷ During this time, Milestone also unsuccessfully sought the rights for auteurist titles,

²³⁴ Ed Gonzalez, “DVD Review: Mikhail Kalatozov’s *I Am Cuba* on Milestone Film & Video,” *Slant Magazine*, November 17, 2007, <https://www.slantmagazine.com/dvd/i-am-cuba-dvd/>.

Dave Kehr, “New DVDs,” *The New York Times*, November 20, 2007, <https://www.nytimes.com/2007/11/20/movies/homevideo/20dvd.html>.

²³⁵ That this form of inter-institutional collaboration is, in and of itself, commonplace among studios and distributors of various size attests to the impossibility of distilling the fundamental essence of “a Milestone film”—ergo, branding being, per Caldwell, a cultural performance.

²³⁶ Letter from Amy Heller and Dennis Doros to Peter Marai, December 16, 1991, WCFTR, Milestone Films Papers, Box 2, Folder 10.

Rocco and His Brothers press kit, 2015, Milestone Films,

https://cdn.shopify.com/s/files/1/0150/7896/files/RoccoandHisBrothersrestorationpresskit_V4.pdf?15761976718978144472.

²³⁷ Letter from Amy Heller to Masayuki Takazawa, August 10, 1993, WCFTR, Milestone Films Papers, Box 1, Folder 6.

Letter from Amy Heller to Sophie Gluck, October 8, 1993, WCFTR, Milestone Films Papers, Box 1, Folder 6.

new and old, such as Yasujiro Ozu's sound films and *The Puppetmaster* (1993, Hou Hsiao-hsien).²³⁸ Direct-to-video releases also tilted in this auteur-friendly direction: Milestone's top VHS seller of 1995 was its self-assembled package of Alfred Hitchcock's long-buried WWII propaganda films, *Bon Voyage* (1944) and *Aventure Malgache* (1944).²³⁹ While still excavating the past to uncover the shock of the new, Milestone nevertheless balanced its library in the mid-1990s with director names likely familiar to cinephile viewers already. Not only did this strategy demand less promotional effort, but it also unloaded costs and duties to other film companies and facilitated greater revenue streams. If it came at the cost of sole ownership over the company's library, Milestone continued to place outsize focus on its self-originating projects and on actively courting its own publicity.

By the mid-1990s, Milestone sought to nurture a public brand profile for itself, at minimal cost. Again, finances weighed on Doros and Heller throughout this decade. In January 1994, Doros confided to friend and historian, Enno Patalas, "It's been very hectic here as we try to find better and better ways to make Milestone more profitable. We're doing fine, but we'd like to do even better."²⁴⁰ In light of this, Milestone had drawn certain lines about what Milestone was and aimed to become. One crucial distinction was that Milestone would remain solely focused on distribution and not enter the field of production. Heller stated this plainly to an inquiring English film executive in February 1994: "At this time, we are not set up so that we can offer any production or completion financing for any films. We are simply not capitalized for that kind of investment and the attendant risk involved."²⁴¹ Remaining a distribution-exclusive

²³⁸ Letter from Amy Heller to Sophie Gluck.

Letter from Amy Heller to Masayuki Takazawa.

²³⁹ Letter from Dennis Doros to Adrienne Furnis. The Hitchcock VHS sold 4000 VHS copies by October 1995.

²⁴⁰ Letter from Dennis Doros to Enno Patalas, January 7, 1994, WCFTR, Milestone Films Papers, Box 1, Folder 7.

²⁴¹ Letter from Amy Heller to Adrian C. Laing, February 21, 1994, Milestone Films Papers, WCFTR, Box 1, Folder 7.

business allowed Milestone to, naturally, further nurture its existing audiences, to hone its specialty. For instance, in a January 1994 letter to archivist Rick Prelinger, Doros reiterated his passion for the academic market: “We have a fantastic mailing list of cinema professors who I think will discover a whole new way of teaching by incorporating your titles into their curricula (I *love* changing their perceptions of cinema and cinema history!)”²⁴² As evidenced by this quote, Milestone valued nontheatrical markets like academia not simply as a revenue stream but, in keeping with the company’s larger mission, as an discursive arena in which Milestone could also intervene.

At the same time, Milestone sought to expand its audiences. It did so through strategic acquisitions, like Jane Campion’s first feature *Two Friends* (1986). Milestone arranged for the film’s belated U.S. premiere in 1996, 10 years after its Cannes Film Festival premiere and three years after Campion’s Miramax-distributed hit, *The Piano* (1993).²⁴³ Moreover, Milestone’s desire for growth spurred two fateful hires. First, in 1995, Milestone added its first full-time staff member, Fumiko Takagi. Having interned with the company in summer of 1993, Takagi officially joined Milestone in 1995, first as an assistant and later as Vice President of International Sales. Takagi’s responsibilities included writing royalty reports, overseeing promotional designs, and assisting in acquisitions.²⁴⁴ Doros attributes Takagi with discovering *Maborosi* (1995, Hirokazu Kore-eda) at the 1995 Toronto Film Festival and setting into motion Milestone’s eventual acquisition of the film, Kore-eda’s first narrative feature.²⁴⁵ In addition, Milestone hired its first publicist, on a retainer basis, in March 1994. For a modest monthly

²⁴² Letter from Dennis Doros to Rick Prelinger, January 10, 1994, WCFTR, Milestone Films Papers, Box 1, Folder 7.

²⁴³ Zachary Zahos, “*Two Friends*: Circumstances of a Historic Feminist Collaboration,” *ReFocus: The Films of Jane Campion* (Edinburgh: EUP, 2023), 39, 51.

²⁴⁴ Fumiko Takagi, interview with the author, September 10, 2022.

²⁴⁵ Dennis Doros, interview with the author, August 16, 2022.

retainer of \$1,500, Phil Hall of Open City Communications would conduct press outreach on behalf of Milestone. Hall pitched his services to Milestone with a five-point plan outlining his plan to grow new and existing audiences:

My goal is to raise awareness of Milestone as a company, its principals as both business folks and film historians, and the releases as new products. This will be achieved by targeting both new and existing media to pitch the following story lines:

1. NEW RELEASES. The Hitchcock films, “I am Cuba,” etc.
2. SILENTS ARE GOLDEN. Alerting the media on the current offerings, with an emphasis on targeting new media outlets (i.e, travel magazines for the Age of Exploration series).
3. AN INDIE SCORES IN VIDEO. Emphasizing the positive on Milestone’s niche in the video industry.
4. A MOST UNIQUE HOME BUSINESS. Aimed at business publications and local media.
5. PROFILE OF THE FILM RESTORATION PROCESS. Self-explanatory.²⁴⁶

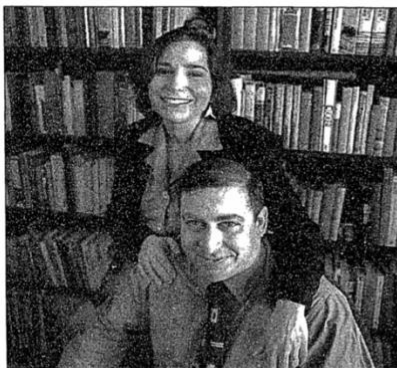
According to Heller, Hall was a personal fan of and published writer on silent cinema, which could explain the high placement of “Silents Are Golden” in the aforementioned pitch.²⁴⁷ In fact, in a blurring of his roles as publicist and writer, Hall penned a column in *Wired* magazine a few months later extolling Milestone’s recent home-video releases of silent film.²⁴⁸ Milestone retained Hall as a publicist from early 1994 through late 1997, when the company replaced Hall’s representation with New York firm Wang & Gluck during the promotional campaign for *Fireworks*, as the next chapter will discuss further.²⁴⁹

²⁴⁶ Letter from Phil Hall to Amy Heller and Dennis Doros, March 11, 1994, Milestone Films Papers, WCFTTR, Box 1, Folder 7.

²⁴⁷ Amy Heller, interview with the author, August 17, 2022.

²⁴⁸ Phil Hall, “A New Look at Silent Cinema,” *Wired* (July 1994), <https://www.wired.com/1994/07/a-new-look-at-silent-cinema/>.

²⁴⁹ Heller, interview with the author.



Dennis Doros and Amy Heller of Milestone Film and Video.

How to Make a Specialty of Obscurity

By DEVON JACKSON

AMY HELLER AND DENNIS Doros are film distributors whose livelihood revolves around that most ancient of philosophical koans, albeit with a cinematic twist: If a film is made but no one distributes it, does it exist?

As president and vice president, respectively, of Milestone Film and Video, a mom-and-pop distribution company they founded in 1990 in a two-bedroom apartment on the Upper West Side of Manhattan, the husband-and-wife team have made it their job to address this paradox. They do it by ferreting out the lost and the weird, the classic and the neglected, and introducing or re-introducing them to audiences with an appetite for the arcane.

"We're filling a niche that nobody else can really afford to do," Ms. Heller says. "We're small enough and resilient enough that we can try to take on things that are a little more out there." Their first release of this year was Jane Campion's 1986

feature, her first, "Two Friends," about the disintegrating friendship between two 15-year-old girls, which played last month at Film Forum.

Last year, the couple released "I Am Cuba," a 1964 film directed by Mikhail Kalozov, whose World War II love story "The Cranes Are Flying" won best film at Cannes in 1958. "I Am Cuba," a passionate documentary made with Yevgeny Yevtushenko at the height of the Cuban revolution, was presented jointly by Francis Ford Coppola and Martin Scorsese. It won a nomination for best foreign film from the Independent Feature Project/West 1996 Independent Spirit Awards.

In 1994, Milestone struck a chord among Buddhists with the premiere of Baek Yang-Kyun's 1989 film "Why Has Bodhi-Dharma Left for the East?" which explored the Zen koan embodied in the title. That same year they unearthed "Bon Voyage" and "Adventure Malgache," two shorts about the French Resistance made in 1944 by Alfred Hitchcock for the British Ministry of Information and then banned.

Milestone even managed to make a profit on these movies, though not one grossed more than \$250,000. So how have Ms. Heller and Mr. Doros managed to survive? Through hard work and tender loving care, say theater owners and film critics.

"They're dyed-in-the-wool cinephiles who are also good businesspeople," says Richard Peña, program director of the New York Film Festival. And Leonard Maltin, the author and film critic for "Entertainment Tonight," adds, "They know what their limitations are, and they're not overly ambitious, which has been the downfall of many independent distributors in the past."

Ms. Heller and Mr. Doros, both 38-year-old natives of New Jersey, met in 1988. "I was a rat in college," says Mr. Doros, whose encyclopedic knowledge of silent and early sound films has led to many of their acquisitions. "Amy went into this business by accident."

After abandoning the Ph.D. track in history at Yale, Ms. Heller worked for five years at New Yorker Films. Mr. Doros, after graduating from Ohio University and overseeing its

Robert Flaherty, which hadn't been seen since its original release even though it won an Oscar for cinematography) or alive (like the Japanese film maker Hirokazu Kore-Eda, whose "Maborosi," a film about a Japanese woman's recovery from the shock of her husband's suicide, will be released this fall).

Other issues include who owns the rights to the film (a spouse, an archive, a defunct company?) and whether the film needs restoration. Mr. Doros's first acquisition, the 1927

Mom-and-pop film distributors with a feel for the arcane.

exploration film "Chang: A Drama of the Wilderness," took a year to acquire, then two years of expensive restoration. Negotiations with the

Figure 3 - Devon Jackson, "How to Make a Specialty of Obscurity," *The New York Times*, May 26, 1996, Section 2, 14.

During Hall's 1994-1997 tenure, Milestone received press coverage across, essentially, the five storylines outlined in his opening letter. For example, a brief 1995 profile of the couple in *Independent Business*, "America's Small Business Magazine," fulfills Hall's fourth story angle, "A Most Unique Home Business."²⁵⁰ More meaningful for Milestone was a *New York Times* profile of the company, in the May 26, 1996, Sunday edition. Devon Jackson's "Arts & Leisure" article identified, to a wide and amenable readership, Milestone's idiosyncratic position within the industry. The headline, "How to Make a Specialty of Obscurity," foregrounded the company's expertise in distributing "discoveries," as does the article's lede: "Amy Heller and Dennis Doros are film distributors whose livelihood revolves around that most ancient of philosophical koans, albeit with a cinematic twist: If a film is made but no one distributes it, does it exist?"²⁵¹ The article's other most salient elements introduce that "A Most Unique Home Business" angle: the subhead reads, "Mom-and-pop film distributors with a feel for the arcane," while the accompanying, black-and-white photo shows Heller and Doros, her arms draped over

²⁵⁰ Echo Montgomery Garrett, "Picture Perfect," *Independent Business*, Vol. 6, No. 4 (July/August 1995): page N/A.

²⁵¹ Jackson 14.

his shoulders, against a bookshelf in Milestone's office (see Figure 3). Most validating for Doros and Heller are the complimentary, grounded testimonials from respected film industry peers:

“They're dyed-in-the-wool cinephiles who are also good businesspeople, says Richard Peña, program director of the New York Film Festival. And Leonard Maltin, the author and film critic for “Entertainment Tonight,” adds, “They know what their limitations are, and they're not overly ambitious, which has been the downfall of many independent distributors in the past.” ... “They care and they love movies,” [Martin] Scorsese says of Milestone. “Their clientele is anyone who cares about movies, and maybe people who are just learning about movies.”²⁵²

Reporter Devon Jackson clinches the article with a quote from Doros, who underscores Milestone's revisionist mission in wondrous, rather than didactic, terms: “‘We like to change people's misconceptions,’ says Mr. Doros, who adds that he would love to find an outlet for some 1930's Stalinist musicals from Russia in the Astaire-and-Rogers-style. ‘Film history is very fluid. There's no reason why there shouldn't be constant discoveries.’”²⁵³ Milestone Films was not the first nor last art house boutique to receive *The New York Times* Sunday edition treatment: 15 years prior, the paper ran a profile of Daniel Talbot, while in 1997—one year after the Milestone feature—a report on Doros' former employer Kino International featured the remarkably similar headline, “An Eye for the Small, the Old, the Out of the Way.”²⁵⁴ But ultimately, given the historical, unrivaled significance of *The New York Times* for art house audiences and professionals (as argued by Balio, the paper “was in a class by itself”), the profile marked a watershed of recognition for Milestone.²⁵⁵

²⁵² Jackson 14.

²⁵³ Jackson 14.

²⁵⁴ Dan Yakir, “The Man Behind Manhattan's Art Theater Boom,” *The New York Times*, April 12, 1981, Section 2, 23.

Peter M. Nichols, “An Eye for the Small, the Old, the Out of the Way,” *The New York Times*, August 17, 1997, Section 2, 26.

²⁵⁵ Balio 16.

That said, one cannot directly tie this mainstream recognition to positive financial outcomes for Milestone. Financial pressures may shape the public profile of a boutique distributor like Milestone, yet the ascent of that profile does not per se alleviate those financial pressures. The following, abridged comparative profit and loss table quantifies Milestone's financial state in the years leading up to *Fireworks*, which this section has examined:²⁵⁶

	1992	1993	1994	1995	1996	1997	Total
Total revenue	\$259,862	268,055	349,462	323,149	306,889	305,108	1,812,545
Cost of sales	--	--	(13,564)	31,397	99,731	67,099	184,663
Total expenses	231,918	252,332	360,393	285,575	216,710	266,931	1,613,859
Net income (loss)	27,944	15,723	2,653	6,177	(9,552)	(28,922)	14,023

In conjunction with the historical narrative presented so far, one can glean meaningful trends from these figures: a jump in total revenue between 1993 and 1994, coinciding with Milestone's mid-1990s designs for growth; mounting costs at this same point; an overall decline in reported income, leading to net losses in 1996 and 1997. These figures clearly signal Milestone's overall financial precariousness, and they specifically telegraph how the company's nearly \$100,000 bid for *Fireworks* in 1997 represented a huge risk.

Financial data can supplement cultural history, but offers limited explanatory power when assessing the cause and effect of a boutique distributor's brand identity. Put simply, a boutique firm's reputation quite literally precedes it.²⁵⁷ Without shareholders and stock market analysts to contend with, private boutique firms like Milestone face greater flexibility when branding

²⁵⁶ "Milestone Film & Video Comparative Profit & Loss, 1992 through 1997," WCFTR, Milestone Films Papers, Box 2, Folder 1.

Note: The blank entries under "Cost of sales" for 1992 and 1993 and the negative figure for 1994 can be explained by different tabulation methods for "Total expenses" during those same years. For that reason, the "Cost of sales" and "Total expenses" values are best understood together, as their sum.

²⁵⁷ Publicly traded independent distributors like Cinema 5 are the rare exceptions to this rule.

themselves in a market, at the cost of steeper hurdles of exposure. Continued exposure over time, through any and all resourceful methods at their disposal, can suffice to build a boutique distributor's legend in the public. This discursive reputation does not itself generate revenue, but it can be disproportionate in size or reach against these fundamentals. Milestone demonstrates how effective, long-term brand construction for boutique distributors requires supplying just enough unique elements, to critics, programmers, and audiences, so that they may assemble, discuss, and value this image for themselves.

While this section has not exactly progressed in linear chronological order, it has ultimately argued that Milestone's public image—in other words, its brand—reached audiences not simply through executive foresight, but through deliberate negotiation with and more often impromptu reaction to financial, logistic, and discursive forces. As a result, the brand identity of Milestone Films cannot be neatly, definitively periodized, beyond its co-founders' own proclaimed pre- and post-2007 orientations—itsself an act of rebranding. Instead, this historical analysis shows an adaptive process whereby the image of Milestone that reaches the public is filtered through layers of mediation, collaboration, and compromise. Milestone's trajectory from “The Age of Exploration” to *I Am Cuba* to *Fireworks* runs parallel to its ebb-and-flow of distribution partnerships, home-video editions, and internal victories and setbacks.

Measuring Milestone's Milestones

In this chapter's final section, the analysis will now shift from Milestone's early years to the company's own milestones, 10, 15, 20, and 25 years after its founding. Beginning with its tenth, Milestone Films commemorated each of these anniversaries with fanfare, screening series, and interviews. Taken together, this ritual deserves critical attention as a recurring press

narrative, or what Caldwell calls a “trade genre.” In his words, trade genres “can be usefully examined as recurring tendencies” in public-facing discourse that allow industry practitioners “to make sense of their specific work worlds and their creative or managerial task at hand.”²⁵⁸ In his examination of the “symptomatic” narratives that course through Hollywood, Caldwell observed that production personnel, when asked to make sense of their career in public talks and retrospective interviews, tend to fall back on certain tropes. These recurring trade genres also correlate with work sectors. For instance, below-the-line workers (e.g., editors, grips, etc.) commonly narrate their experience through “war stories,” or “against-all-odds allegories,” while above-the-line personnel (e.g., directors, producers, writers) turn to “genesis myths,” or “paths-not-taken parables.” Those outside of this above-/below-the-line dichotomy altogether—those working in “unregulated and nonsignatory sectors,” like assistants and agents—often frame their experience in the form of “making-it sagas” or “cautionary tales.” These trade genres all serve cultural functions, from “establishing craft mastery” (i.e., the war story), to proclaiming “professional legitimacy” (i.e., the genesis myth), to salvaging past mistakes (i.e., the cautionary tale).²⁵⁹ Though they do not exactly operate within Caldwell’s above-/below-/unregulated work sector framework, boutique distributors regularly court the press to commemorate their companies’ anniversaries. But, as with any industrial sector, one can detect salient distinctions in standing through the manner in which these companies celebrate these occasions.

As the oldest art house film distributors in theatrical and home media, respectively, Janus Films and The Criterion Collection mark only their most major milestones, albeit in typically lavish fashion. For its 50th anniversary, in 2006, Janus Films struck 30 new film prints for a North American tour of its catalog and, in collaboration with The Criterion Collection, released

²⁵⁸ Caldwell 38.

²⁵⁹ Caldwell 38.

the 50-DVD box set, “Essential Art House: 50 Years of Janus Films.”²⁶⁰ The scope and literal size (weighing 7.5 pounds) of the DVD set asserted the dominant place in repertory distribution and canon formation shared by Janus and Criterion. Just as Jonathan Gray described how *The Lord of the Rings: The Two Towers* (2002, Peter Jackson) Extended Edition DVD elevated the fantasy blockbuster, the Essential Art House box set wraps the Janus Films catalog “in aura; housed in an attractive, high-quality box, the discs are filled with explicit and implicit grabs at the title of ‘Work of Art.’”²⁶¹ Yet, in his contemporary interview with *The New York Times*, Janus Films and Criterion Collection President Peter Becker tempered this axiomatic authority with a note of humility: “We felt that we needed to create an appropriate and substantial milestone for this legacy. There aren’t a lot of small, independent companies, especially in the media business, that get to be 50 years old at all.”²⁶² Eight years later, when Criterion celebrated its 30th anniversary, the company released no special home video release for the occasion, but rather a 300-page, \$125 coffee table book entitled *Criterion Designs*.²⁶³ This limited-run volume includes selected artwork commissioned by Criterion across its Laserdisc, DVD, and Blu-ray eras. In addition to stressing Criterion’s impact on contemporary film marketing and graphic design, the book effectively showcases the evolution of the company’s design philosophy over the decades. The standardized, functional covers of its initial Laserdisc releases (the covers for *Citizen Kane*, *King Kong*, *Blade Runner*, and *Notorious* all arrange a cropped film still atop a solid color background) attest to the discs’ uptake in the academic market, in contrast the increasingly bold

²⁶⁰ Andrea Shea, “Janus Films, the Face of Art and Foreign Film,” *NPR*, November 3, 2006, <https://www.npr.org/2006/11/03/6430428/janus-films-the-face-of-art-and-foreign-film>.

²⁶¹ Jonathan Gray, *Show Sold Separately: Promos, Spoilers, and Other Media Paratexts* (New York: New York University Press, 2010), 97.

²⁶² Dave Kehr, “New DVDs: Formidable 50: A DVD Collection Drawn From the Janus Vaults,” *The New York Times*, November 7, 2006, <https://www.nytimes.com/2006/11/07/movies/homevideo/07dvd.html>.

²⁶³ “Take a Look at the Criterion Collection’s New Cover Art Coffee Table Book,” *Vulture*, November 26, 2014, <https://www.vulture.com/2014/11/criterion-collection-new-cover-art-book-criterion-designs.html>.

stylization of Criterion's later commissioned art, which has generated cultural interest in its own right. With its blinding orange hue and screaming kitten maw, Sam Smith's 2009 poster for *House* (1977, Nobuhiko Obayashi) is among Criterion's most iconic designs, as evidenced by the ample merchandise it has inspired.²⁶⁴ In sum, The Criterion Collection and Janus Films have marked their own significant anniversaries with the release of premium, limited-run paratexts that attest to their discursive impact on culture writ large.

By contrast, boutique distributors not named Criterion or Janus have neither the resources nor the relatively wide recognition to commemorate their anniversaries in similar fashion. Yet, most of them, often at considerable expense, do publicly mark the occasion in both art house cinemas and the press.²⁶⁵ Why go through the effort? By analyzing and contrasting the discourse surrounding Milestone's anniversaries, one can appreciate the cultural function the "anniversary" trade genre serves within the small world of boutique distribution. Milestone offers a representative and revealing case study in this instance, for it does not eclipse the stature of its distribution peers, as Criterion does, nor are its leaders reluctant to share challenges it may face. As Dennis Doros summarized, on the occasion of Milestone's 10th anniversary: "We squeak by sometimes, and sometimes we're very successful."²⁶⁶ At the same time, Milestone's identity is so synonymous with that of the married couple at its center that attributing the vision of Amy Heller or the candor of Dennis Doros to the enactment of the company's public brand is, more or less, a clean inference. By examining how art house theaters, film journalists, and Milestone itself

²⁶⁴ Sam Smith, "The Story of House," Sam's Myth Blog, October 25, 2010, <http://samsmyth.blogspot.com/2010/10/story-of-house.html>.

"House T-Shirt," *The Criterion Collection*, accessed March 29, 2024, <https://www.criterion.com/shop/product/69-house-t-shirt>.

²⁶⁵ Jillian Morgan, "'It's been a great ride': Looking back on 10 years of Kino Lorber," *RealScreen*, November 27, 2019, <https://realscreen.com/2019/11/27/its-been-a-great-ride-looking-back-on-10-years-of-kino-lorber/>.

G. Allen Johnson, "'Fearless: Strand Releasing Turns 10,'" *SFGate*, February 26, 2009, <https://www.sfgate.com/thingstodo/article/fearless-strand-releasing-turns-20-3249759.php>.

²⁶⁶ "Landmark decade"

described the company between its 10th and 25th anniversaries, one can witness Milestone's brand evolving as its critical reputation grows, its institutional connections multiply, and its curatorial identity gains focus. Furthermore, Milestone's example throws the function(s) of the "anniversary" trade genre into sharper relief, as it not only attests to a distributor's staying power, but somehow combines all of Caldwell's aforementioned categories, from the "genesis myth" to the "against-all-odds allegory" to the "making-it saga." The up-and-down narrative proffered by Milestone and the press speaks to the precarious place of the boutique distributor within the industry, and to the peculiar skill set, consisting of intuition, collaboration, and grit, worn by its longest-serving leaders.

For its 10th anniversary, Milestone Films coordinated a promotional campaign that connected the three sets of institutions it depended on most: art house exhibitors, critics, and archives. The centerpiece of this campaign was a large theatrical package of the company's catalog, which Milestone divided into two distinct blocks. The first block spotlighted the company's four latest projects, all of them restorations that entailed substantial cost and legwork to track down original materials and rights. One of these was *Chac: The Rain God* (1976, Rolando Klein), a Tzotzil/Mayan-language drama filmed in southern Mexico, which Milestone restored from the original camera negative.²⁶⁷ For the other three restorations, Milestone acquired "Presents by" endorsements from notable film icons: actor Dustin Hoffman and director Jonathan Demme presented *The Wide Blue Road* (1957, Gillo Pontecorvo), Woody Allen endorsed *The Sorrow and the Pity*, while Martin Scorsese backed *The Edge of the World* (1937), the feature debut of Michael Powell.²⁶⁸ These restorations attracted fresh critical attention to

²⁶⁷ Chac press kit, 2011, Milestone Films, accessed on April 20, 2024, <https://cdn.shopify.com/s/files/1/0150/7896/files/ChacPressKit.pdf?1009>

²⁶⁸ Milestone Films 10th Anniversary Tour press release, December 17, 1999, Daniel Talbot Papers, Box 241, Folder 27, Rare Book and Manuscript Library, Columbia University Library.

these films, which had either fallen out of U.S. availability or, in the case of *The Wide Blue Road*, had never received an official domestic release.²⁶⁹

Milestone's other theatrical package, its "10th Anniversary Tour," reinforced the company's connections to art house exhibitors and film archivists. The tour premiered at the Film Society of Lincoln Center (FSLC) in August 2000 before travelling to about 30 other U.S. cities.²⁷⁰ Milestone offered programmers license to select from its retrospective (i.e., non-premiere titles by 2000, such as *I Am Cuba* and *Fireworks*, and excluding the aforementioned four restorations) catalog, resulting in different lineups as the package travelled.²⁷¹ FSLC opened its description of the "10th Anniversary Tribute: Milestone Film & Video" series with an admiring distillation of the company's mission statement:

Ten years ago, Amy Heller and Dennis Doros started a distribution company based on a simple, elegant idea: there's always a market for good films, new or old, silent or sound, and that each of those films deserves to be seen in a state that's as close as possible to its original pristine form. Their integrity, their sense of invention, and their tireless devotion to their task have made them one of the most highly regarded independent distributors in America.²⁷²

As mentioned in the same FSLC copy, Milestone's twist on the usual touring package was its promise to donate all income from its retrospective screenings "to film archives ... to benefit

²⁶⁹ Wesley Morris, "Beauty restored to obscure '70s film," *SFGate*, July 7, 2000,

<https://www.sfgate.com/news/article/beauty-restored-to-obscure-70s-film-3054625.php>.

Stephen Holden, "As a Comrade, He could Have Been a Contender," *The New York Times*, June 6, 2001,

<https://www.nytimes.com/2001/06/06/movies/film-review-as-a-comrade-he-could-have-been-a-contender.html>.

Bill Desowitz, "the Long Shadow of 'The Sorrow and the Pity,'" *The New York Times*, May 7, 2000,

<https://www.nytimes.com/2000/05/07/movies/film-the-long-shadow-of-the-sorrow-and-the-pity.html>.

Stephen Holden, "In the Man-Versus-Nature Battle, This One Went to Nature," *The New York Times*, September 25, 1999, <https://www.nytimes.com/1999/09/25/movies/new-york-film-festival-reviews-man-versus-nature-battle-this-one-went-nature.html>.

²⁷⁰ Letter from Dennis Doros to Bob Ivry, May 16, 2000, WCFTR, Milestone Films Papers, Box 2, Folder 3.

Letter from Dennis Doros to David Francis, October 20, 1999, WCFTR, Milestone Films, Papers, Box 2, Folder 3.

²⁷¹ The Cleveland Museum of Art program clipping, November 2000, WCFTR, Milestone Films, Papers, Box 2, Folder 3.

²⁷² "10th Anniversary Tribute: Milestone Film & Video" Film Society of Lincoln Center press release, July 12, 2000, WCFTR, Milestone Films Papers, Box 2, Folder 3.

archival restoration and preservation.”²⁷³ These five institutions were the Library of Congress, the George Eastman House, the UCLA Film & Television Archive, the British Film Institute, and the Museum of Modern Art.²⁷⁴ In correspondence with “the five primary archives who have helped support [Milestone] in the past ten years,” Doros explained Milestone’s rationale: “It’s our way to say thank you, help establish a precedent that other companies might adopt, promote a cause that we strongly believe in, and have a chance to showcase our own films (and filmmakers) which we love.”²⁷⁵ This philanthropic gesture also clarified Milestone’s place within the world of film preservation, which uniquely overlaps with academia, art museums, and media industries. Doros and Heller’s leadership in film and media preservation would become a more central concern in the 21st century, as exemplified by Doros’ tenure as President of the Association of Moving Image Archivists (AMIA) from 2017 to 2021.

Beyond the reviews for Milestone’s latest premieres, the 10th anniversary package motivated several glowing profiles of the company in notable outlets throughout late 2000. For *The New York Times*, critic Stephen Holden called Milestone “an art-film distributor that has released some of the most distinguished new movies (along with seldom-seen vintage movie treasures) of the past decade.”²⁷⁶ A reported feature for *Time Out New York* explained the company’s unique place chiefly through the lens of the couple’s work ethic: “Heller and Doros pride themselves on their persistence. It took 12 years to obtain British auteur Michael Powell’s little-known 1937 masterpiece, *Edge of the World*. ... ‘Each one is a challenge,’ says Doros.

²⁷³ “10th Anniversary Tribute: Milestone Film & Video” Film Society of Lincoln Center press release.

In correspondence, Doros estimated “income” to range between 35% to 50% of the exhibitor’s gross. See Email from Dennis Doros to Mary Lea Bandy, October 20, 1999, WCFTR, Milestone Films Papers, Box 2, Folder 3.

²⁷⁴ Letter from Dennis Doros to David Francis, November 26, 1999, WCFTR, Milestone Films, Papers, Box 2, Folder 3.

²⁷⁵ Letter from Dennis Doros to Paolo Cherchi-Usai, November 26, 1999, WCFTR, Milestone Films, Papers, Box 2, Folder 3.

²⁷⁶ Stephen Holden, “Milestone for Milestone: 10 Years of Gems,” *The New York Times*, August 11, 2000, <https://www.nytimes.com/2000/08/11/movies/critic-s-choice-film-milestone-for-milestone-10-years-of-gems.html>.

‘We’re willing to wait, and we’re willing to work hard.’” The article’s clincher drove home this point in jocular terms: “‘Everybody likes money, but it’s not necessarily our number one priority,’ continues Heller. ‘We live in the suburbs because we can’t afford to live in New York; we have a leased Subaru wagon, and we’re perfectly happy with that.’ Adds Doros, ‘I’d rather have *The Sorrow and The Pity* than a new car.’”²⁷⁷ By contrast, a *LA Weekly* feature, headlined “The True Believers,” makes a point of framing Milestone principally through the lens of its mission-driven philosophy. Paul Malcolm opens the piece by downplaying Doros and Heller’s gestures toward self-effacement and instead articulating the company’s coherent brand identity:

Dennis Doros and Amy Heller, the husband-and-wife team behind Milestone Film & Video, will tell you that the movies they’re passionate about place an overwhelming emphasis on visual storytelling, and furnish insights into the past and other cultures. But such fairly standard cineaste preoccupations are only the start of what has made the four-person company, currently celebrating its 10th anniversary, one of the more respected, and eclectic, microdistributors around. Informing the couple’s keen taste is a most unique and galvanizing acquisitions philosophy. As Doros devilishly puts it, “We like to screw with film history.” To that end, the Milestone catalog is loaded with cinematic curveballs, overlooked or re-discovered films from the silent era and onward that challenge both the traditional canon and current distribution trends.²⁷⁸

For its time, the article offers a novel and prescient takeaway about Milestone—namely, that Doros and Heller, *even with* their “fairly standard cineaste preoccupations,” break the mold of an art house boutique or “microdistributor” by viewing themselves as intervening agents on film history. This framing runs the risk of consigning Milestone to ivory-tower curio, yet Malcolm closes the article by stressing the company’s impact on contemporary Hollywood: “...there’s no small sense of vindication in Heller’s voice when she notes that in his commentary on the DVD release of *Boogie Nights*, director Paul Thomas Anderson refers to the film’s bravura poolside

²⁷⁷ “Landmark decade”

²⁷⁸ Paul Malcolm, “The True Believers,” *LA Weekly*, October 13, 2000, https://cdn.shopify.com/s/files/1/0150/7896/files/Milestone_LA_Weekly_10.13-19.2000.pdf?v=1674840043.

tracking shot as his ‘I Am Cuba shot.’ ‘It’s like dropping a little pebble in the water,’ says Heller, ‘and watching the ripples spread.’”²⁷⁹ In commemorating its 10th anniversary, the arts press proposed various rationales for Milestone’s unique place in the film industry and culture.

Five years later, coverage of Milestone’s 15th anniversary foregrounded the company’s critical respect and activist politics. Milestone and FSLC organized another retrospective for this occasion, this one entitled, “Dedication and Discovery: 15 Years of Milestone Films.”²⁸⁰ This series provided a pretext for the press to discuss two other recent Milestone developments. The first was Milestone’s honorary awards streak, having receiving three in a month’s span December 2004 and January 2005: the Flaherty/International Film Seminars’ “Leo Award,” a National Society of Film Critics “Film Heritage Award,” and, most prestigious of all, a New York Film Critics Circle “Special Award” “in honor of 15 years of restoring classic films.”²⁸¹ Before listing these plaudits, Michael Atkinson opened a 2005 *Village Voice* feature on the company with the following lede: “If Milestone isn’t quite the runaway winner of stateside art-film/retro theatrical and video distribution (Kino, First Run, Wellspring, and Facets vie for the top shelf on a quarterly basis), it’s not for lack of kudos.”²⁸²

Meanwhile, Doros and Heller’s left-wing, anti-war politics were clearly expressed through their release of the Vietnam War documentary *Winter Soldier* (1972, Michael Lesser), and their creation of a new distribution company, Milliarium Zero, for this express purpose. The Iraq War and the 2004 reelection of President George W. Bush had galvanized Doros and Heller

²⁷⁹ Malcolm

²⁸⁰ Film Society of Lincoln Center press release, 2005, WCFTR, Milestone Films Papers, Box 2, Folder 2.

²⁸¹ “About Us,” Milestone Films.

Press release, December 14, 2004, WCFTR, Milestone Films Papers, Box 2, Folder 2.

Eugene Hernandez, “Milestone Celebrates Trio of Prizes and Deals for Ophuls’ ‘Troubles,’” *IndieWire*, January 11, 2005, <https://www.indiewire.com/news/general-news/milestone-celebrates-trio-of-prizes-and-deal-for-ophuls-troubles-78449/>.

²⁸² Michael Atkinson, “Romancing the Milestone,” *The Village Voice*, August 10, 2005, C62.

to use their platform for a more direct form of political expression. With assistance from Film Forum Director Karen Cooper, they acquired the rights to *Winter Soldier*, which documented Vietnam War atrocities, ranging from mutilation to rape, as recounted by American veterans at the 1971 Winter Soldier Investigation. The film had not received theatrical distribution after 1972 appearances at Cannes and Berlin, and Doros and Heller saw obvious parallels between the crimes recounted in *Winter Soldier* and those occurring presently in the prisons of Abu Ghraib and Guantanamo Bay.²⁸³ While Doros and Heller initially intended to distribute the film through Milestone, Heller recounts the decision to form a separate company as being spurred by the 2004 political climate: “Because the right is well funded and very litigious, it became clear that the best way to release it was to have a separate corporation that would protect the assets of Milestone just in case the Swift Boat Veterans want to make trouble.”²⁸⁴ The first press release from Millarium Zero (which translates from Latin to “Milestone Zero”) described it as “a film distribution company specifically created to acquire and distribute films of strong political and social content.”²⁸⁵ Alternative publications like *The Village Voice* and *IndieWire* folded admiration of this newfound militancy into discussions of Milestone’s 15th anniversary.²⁸⁶ “Milestone and Millarium exec Heller is not shy about her own political views, either,” Anthony Kaufman reported in an accompanying feature of the film, before quoting Heller as follows: “Ideally, what I would really like is that people will think about the film and consider what’s happening in the present, especially in terms of the tremendous civilian casualties and the

²⁸³ “Winter Soldier press kit,” 2005, Milestone Films, accessed on April 20, 2024, <https://cdn.shopify.com/s/files/1/0150/7896/files/WinterSoldierPK.pdf?1009>.

²⁸⁴ Anthony Kaufman, “Indie distributors celebrate 15th birthday with a new Milestone,” *The Village Voice*, August 10, 2005, C62.

²⁸⁵ “Millarium Zero,” Milestone Films, accessed on April 20, 2024, <https://milestonefilms.com/collections/millarium-zero>.

²⁸⁶ Atkinson 62.

“Romancing the Milestone”

treatment of POWs.”²⁸⁷ Even after creating a separate corporation to distribute *Winter Soldier*, Doros and Heller underlined the personal and political values behind Milestone Films.

By its 20th anniversary, Milestone had continued to attract press attention for its brand identity’s atypical degree of cohesion and personality. By 2010, Milestone had executed what Doros and Heller have since regarded as a pivot toward “post-war American independent films,” as signaled by the 2007 release of *Killer of Sheep*.²⁸⁸ Interestingly, no press accounts from 2010 recognize this change, likely because this orientation did not become apparent to audiences, critics, or even to Doros and Heller until they could discern the trend of multiple, likeminded projects in a row.²⁸⁹ In its place, Milestone once again solicited press coverage for its anniversary through another touring retrospective series, this one organized and launched by New York’s IFC Center. IFC Center billed its “Milestone Films: 20 for 20” series, which ran from November 2010 through March 2011, as “a 20-week tribute for the 20th anniversary of the famed independent distributor.”²⁹⁰ The IFC series did not receive press attention outside of specialized film periodicals, but once it began to travel the country, some local newspapers took notice. As the retrospective reached the Austin Film Society, *The Austin Chronicle* critic Marjorie Baumgarten penned a story headlined, “A Peek Into One Boutique’s Two Decades of Preservation.” The story’s lede testifies not just to Milestone’s continued recognition, but to the remarkable salience and cohesion of its identity, as well [bold emphasis added]:

²⁸⁷ Anthony Kaufman, “Winter Soldier and The Century of the Self,” *IndieWire*, August 11, 2005, <https://www.indiewire.com/2005/08/winter-soldier-and-the-century-of-the-self-135164/>.

²⁸⁸ Kyle Westphal, “The Anti-Restoration of Portrait of Jason: A Conversation with Dennis Doros,” *Chicago Film Society*, May 28, 2013, <https://www.chicagofilmsociety.org/2013/05/28/the-anti-restoration-of-portrait-of-jason-a-conversation-with-dennis-doros/>.

²⁸⁹ “Project Shirley,” Milestone’s endeavor to restore the work of Shirley Clarke, arguably made this brand pivot apparent by 2012. See Manohla Dargis, “The Shirley Clarke Project by Milestone Films,” *The New York Times*, April 27, 2012, <https://www.nytimes.com/2012/04/29/movies/the-shirley-clarke-project-by-milestone-films.html>

²⁹⁰ “Milestone Films: 20 for 20,” *IFC Center*, accessed on March 27, 2024, <https://www.ifccenter.com/series/milestone-films-20-for-20/>.

Movies unspool before us, but rarely do we think about where they come from. We may talk about the directors who made them, swoon over certain actors, even note the occasional composer or producer. But the distributor? Really, how often do we notice (and remember) the name of the company responsible for getting the movie out to viewers? More important, how frequently do we consider these companies as **identifiable characters** in the scheme of things, as entities with personalities and not just invisible behemoths peddling film products to make a buck? ... Yet, sometimes, a company's identity shines clearly, even while others around them are in flux. One of those companies is Milestone Films, which was founded in 1990 and is now celebrating its 20th anniversary with a national touring exhibition of films from its catalog.²⁹¹

The frequency of press coverage of this kind, attributing agency and personality to a corporate entity, separates Milestone from its self-effacing boutique peers. Yet Baumgarten's article does not argue what that central brand identity is, besides quoting the mission statement from Milestone's website ("Discovering and distributing films of enduring artistry from both yesterday and today"). The article's multiple mentions of "Doros and Heller," and its conflation of the pair with "Milestone," attests to where the core of Milestone's brand ultimately resides—in the character of its co-founders.²⁹²

Milestone's 25th anniversary in 2015 broadcast the synonymy of "Doros and Heller" and "Milestone" to its widest national audience yet, as Turner Classic Movies (TCM) commemorated the company's quarter-century mark. Cable television channel TCM dedicated an evening of programming to Milestone. In addition to showing five Milestone acquisitions in their entirety—*In the Land of the Head Hunters*, *I Am Cuba*, *The Exiles*, *The Connection* (1961, Shirley Clarke), and *On the Bowery* (1956, Lionel Rogosin)—TCM aired 30 minutes of interstitial introductions and interviews between TCM host Ben Mankiewicz and Doros and Heller. Recorded at TCM's Atlanta studio, the segment begins with Mankiewicz, framed in a tight single, familiarizing the

²⁹¹ Marjorie Baumgarten, "A Peek Into One Boutique's Two Decades of Preservation," *The Austin Chronicle*, June 4, 2010, <https://www.austinchronicle.com/screens/2010-06-04/1036817/>.

²⁹² Baumgarten

company to this general audience: “They’re known for, as they say, ‘messing with the canon,’ by releasing and distributing obscure cinematic masterpieces from all over the world to audiences in the United States and beyond.”²⁹³ He tees up the first cut to Doros and Heller, seated on a couch across from Mankiewicz, by introducing them as “two Milestone founders” and congratulating them on the occasion. The interview proceeds with Mankiewicz prompting Doros and Heller to share illuminating details behind the original production and subsequent rediscovery of each programmed film. In a statement published on *IndieWire* prior to the TCM special, Milestone defined its principal mission as the “rediscovery, restoration, and release of ‘forgotten’ films by and about people traditionally outside the mainstream of Hollywood Cinema, including the work of black, gay, and women filmmakers.”²⁹⁴ Doros and Heller take care to speak of the representational interest for Native Americans in *In the Land of the Head Hunters* and *The Exiles*, or the curtailed career of feminist filmmaker Shirley Clarke. When asked to speak generally about their company, Doros stresses the continuities between Milestone and TCM: “A lot of what we do is exactly what Turner Classic Movies does. We don’t treat them as ancient artifacts, or things to be laughed at—that they should be treated with real respect and admiration for the talents that were involved in creating these films.”

In most major respects, Doros and Heller assert Milestone’s identity no differently here than they did 25 years earlier. Throughout, they have cast themselves as champions of great work. Throughout, they allude to financial uncertainty—toward the end of the interview, Heller says, “It’s a great vocation, it’s not much of a business.” Yet their exclusive focus on film history,

²⁹³ Milestone Channel, “Amy and Dennis on TCM 2015,” Vimeo video, uploaded April 1, 2021, <https://vimeo.com/531885975>.

²⁹⁴ Elle Leonsis, “Turner Classic Movies to Celebrate the 25th Anniversary of Milestone Film Distributors,” *IndieWire*, 6 November 2015. <https://www.indiewire.com/2015/11/turner-classic-movies-to-celebrate-the-25th-anniversary-of-milestone-film-distributors-54774/>

having abandoned contemporary acquisitions over a decade prior, and their nuanced navigation of cultural and political context represent two signs of maturation over the company's earliest years. Furthermore, these are qualities that only a personality-led boutique can afford. Milestone arrived in this form, on the TCM stage, by understanding these limits, often through trial-and-error, and by making innumerable, strategic choices, including the choice to be "also Amy and Dennis."²⁹⁵

Conclusion

The model of boutique distributor offered by Milestone Films is extreme in the way its small size and brand posture encourage viewing its co-founders as personifications of their creation. Yet this model is not historically anomalous: the early history of art house film distribution in the United States was run by single individuals, married couples, and business partners who specialized in acquisition niches, as the start of this chapter's third section discussed. What sets Milestone apart is the public's recognition of this relationship, between acquisitions, company brand, and the person(s) running said company. The fact of and desire for this public recognition motivates Milestone to pursue a suite of branding practices, such as anniversary rituals and rebranding declarations, that historically coincided with the late 20th century proliferation of ancillary markets. Furthermore, these practices fundamentally affect the public's reception of and access to alternative cinemas, especially films from earlier eras and films by and about people from marginalized cultures. The cultural performance of brand construction epitomized by Milestone Films broadly applies to the art house and independent distribution as a whole, yet the personalized, mission-driven orientation of that company holds

²⁹⁵ O'Shea 12.

more than a superficial distinction from most self-effacing boutiques or even multinational studios. The personal, personable touch of a boutique like Milestone Films facilitates not simply a connection from distributor to audience, but to other cultural institutions, as well. Milestone's dedication to nurturing relationships with other institutions, through the exchange of not only money but also of gestures of mutual respect, can explain how it has persevered through financial straits.

As for the Milestone case study, the brand history sketched here could conceivably continue, past the 2000s and into the present day, with access to additional archival materials and time. As is, this chapter does not directly address Milestone's 2007 turning point, as proposed by Doros and Heller. However, the order of the subsequent chapters, with case studies that together form a rough chronology, aims to impart the cultural and industrial significance of Milestone Films across its three decades and counting.

Chapter 2

Boutique Power Plays:

Inter-Firm Dynamics and National Categories in the U.S. Distribution of Subtitled Films

In contrast to the previous and subsequent chapters, which contextualize relatively new distribution strategies, this chapter focuses on what has historically been the primary endeavor of art house distributors in the United States: the acquiring, marketing, and releasing of contemporary, subtitled, international cinema. Today, the importing of non-English language films remains the bedrock enterprise of many boutique distributors. However, much has changed since the U.S.'s postwar boom of subtitled imports, as the previous chapter discussed in its historical analysis of self-effacing, conspicuous, and mission-driven branding models. This chapter departs from the basic understanding that capital, whether allocated through a corporate parent structure or through external financing, rules the U.S. market for international film distribution today. This paradigm has effectively been in place since the mid-1960s, when the major studios entered the “foreign film” market en masse.²⁹⁶ Across numerous cycles of boom and bust since, the market for international cinema remains dominated by well-capitalized firms.²⁹⁷ Conglomerate specialty divisions like Sony Pictures Classics (SPC) and externally financed outfits like Neon almost exclusively acquire the most commercially attractive imports—those films with larger budgets, bankable stars, and a genre hook.²⁹⁸ That leaves the

²⁹⁶ Tino Balio, *The Foreign Film Renaissance on American Screens, 1946-1973* (Madison: University of Wisconsin Press, 2010), 227.

²⁹⁷ Balio 295.

Justin Wyatt, “Donald Rugoff, Cinema V, and Commercial Strategies of 1960s–1970s Art Cinema,” *Media Industries*, Vol. 4, Issue 1 (2017): 15-16.

²⁹⁸ Anthony D’Alessandro, “Neon Closes Revolving Credit Facility With MUFG Union Bank,” *Deadline*, May 13, 2020, <https://deadline.com/2020/05/neon-closes-revolving-credit-facility-with-mufg-union-bank-1202933658/>.

smallest boutique distributors with a choice: do they compete with the specialty divisions, or do they exclusively serve niche audiences?

This chapter argues that boutique distributors, from Janus Films to Milestone, have routinely attempted to do both. On the one hand, a splashy, subtitled theatrical release (that is, with a sellable star, genre hook, and/or chance at an Academy Award) provides boutiques with the opportunity to reach wider markets and enter intra-industry discourse, through trade press coverage and relationships with larger firms. On the other hand, any theatrical release of this magnitude presents titanic, potentially fatal costs to a boutique distributor, which, as institutions, are defined by conservative financials. As a result, while they periodically take strategic and conspicuous risks, boutique distributors in the 21st century have generally pivoted away from the expectation that any given film release will break even through theatrical box office alone. Instead, boutiques expect subtitled films to generate returns through the robust exploitation of ancillary markets, following a limited theatrical release. Theatrical runs in New York City and select urban markets remain a fixture of boutique distribution, and a source of considerable operating expense, but a subtitled film's theatrical box office gross alone is no longer indicative of its ultimate commercial performance. In other words, whereas media conglomerates stake their futures on bigger tentpoles and cornering the market, boutique distributors in the 21st century have staked their survival on a "long tail" model of low-margin, but steady, revenue.²⁹⁹

The first two sections of this chapter analyze the market dynamics of contemporary subtitled film distribution through the lens of media industries studies and transnational cinema scholarship, respectively. Extending the previous chapter's findings, these sections argue that boutique distributors have used the terrain of international film releasing to cultivate brands of

²⁹⁹ Chris Anderson, "The Long Tail," *Wired*, October 4, 2004, <https://www.wired.com/2004/10/tail/>.

distinction. To sow long-term interest in their acquisitions, these distributors primarily serve cinephile audiences by marketing films on the appeal of their auteurs, festival laurels, and artistic innovation. As this chapter will explore, the discursive category of “national cinema” persists most acutely in the field of subtitled film distribution, in contrast to the transnational logics of circulation which guide mass-market commercial cinema releasing around the globe. Boutique distributors continue to employ the category of national cinema for myriad reasons, chief among them the ability to maintain storied traditions and mint “emergent” cinemas. Beyond preserving this industrial sector’s central tenets, boutique distributors rely on international film releasing to attract new audiences.

The third section offers a comparative analysis of how boutique distributors approach two such national cinemas, those of India and Romania. Both have been marginal cinemas in U.S. art house history, yet they operate differently from one another and so offer contrasting case studies. In the case of Indian cinema, contemporary U.S. boutiques have entered an acquisition market crowded by India-based distributors and, to a lesser extent, by Hollywood-supported specialty divisions. Art house boutique distributors thus find themselves between two poles of the national/transnational continuum of contemporary industrial logic. On one hand, Indian distributors market mass-market, Indian-produced cinema (i.e., a national, “pan-Indian” address) to Indian-American diaspora audiences (i.e., transnational circulation). On the other hand, Hollywood specialty divisions will intermittently release transnational productions set in India and starring Indian casts, so long as they can be marketed to non-Indian, largely white audiences.³⁰⁰ Boutiques intervene on this market by perpetuating the coherence of an Indian

³⁰⁰ As of 2016, the MPAA reported 51% of “frequent moviegoers” to be Caucasian/white, compared to 15% African Americans, 23% Hispanics, and 11% Asian/other. See “Theatrical Market Statistics 2016,” Motion Picture Association of America, March 2017, https://www.motionpictures.org/wp-content/uploads/2017/03/MPAA-Theatrical-Market-Statistics-2016_Final-1.pdf.

“national cinema,” usually by acquiring art film titles produced outside of India’s commercial filmmaking hubs, while marketing them to art house, white-majority audiences. By contrast, contemporary Romanian cinema proves an illuminating case study due to its lack of an existing U.S. market, as it emerged in the mid-2000s, almost overnight, through consistent festival awards and critical praise. Given this New Romanian Cinema/Romanian New Wave’s blend of gritty realism and black humor, art house boutique distributors applied various marketing strategies to these titles, declaring them either as art films or comedies. The challenges boutique distributors face in releasing Indian and Romanian cinema attests to the challenges the category of “national cinema” poses to the negotiation of genre and audience.

Finally, in its fourth section, this chapter considers how, and where, economic realities, cultural ideals, and social dynamics meet in the everyday operation of a boutique distribution company. Milestone Films’ theatrical release of *Fireworks* (1997, Takeshi Kitano), in 1998, offers a rich case study to consider the competing forces between art and commerce, between boutique distributors and specialty divisions, between critical acclaim and the mass-market publicity apparatus. As the highest-profile contemporary release in the company’s history, *Fireworks* (often referred to by its original Japanese title, *Hana-Bi*) was a huge bet for Milestone, and the film’s only moderately successful box office performance effectively set into motion the evolution of Milestone’s identity since. The release history of *Fireworks* captures, in microcosm, the strategies employed and challenges faced by a boutique distributor when striving to make an impact in a market dominated by conglomerate-backed divisions, as represented by Miramax and its parallel release of *Sonatine* (1993, Takeshi Kitano). The particular inter-firm and interpersonal dynamics that shaped the U.S. release of *Fireworks* further problematize any bigger-fish-eats-smaller-fish, food chain model of industry power. Intangible assets and forces,

like social capital and personal relationships, play an essential role in the media industry, and they have specifically facilitated Milestone’s survival over the long term.

The Contemporary Industrial Context for Subtitled Films

The stakes of *Fireworks*—why it matters—only become evident after placing the release in its contemporary context. This section will historicize how subtitled film distribution has changed since the postwar period documented in Tino Balio’s *The Foreign Film Renaissance on American Screens* (2010), specifically how boutique distributors have developed new acquisition and releasing priorities as the market for non-English language, art films has contracted. The second section intervenes on prevailing literature on transnational cinema, to examine how and why “the national” remains a viable, essential industry category within the sector of art house film distribution. Together, these two sections inform the stakes of the *Fireworks* case study, offering context as to why a boutique distributor’s release of a star-driven Japanese crime film reflects broader shifts in the industry.

How has the market for subtitled films changed in recent decades? As of 2010s, conglomerate divisions, such as SPC, IFC Films, and formerly Miramax, categorically dominate the market for imported, subtitled films. This state of affairs is a historical continuation of Hollywood’s entry into the foreign film market between the late 1950s and the mid-1960s. One can identify a less capitalized, prelapsarian period, after WWII and through the mid-1950s, when eccentric, independent importers like Joseph Burstyn and Ilya Lopert, of Lopert Films, handled virtually all the subtitled films screening in New York City.³⁰¹ But by 1957, when Columbia Pictures hired Kingsley-International Pictures to distribute Brigitte Bardot’s breakout film *And*

³⁰¹ Daniel Talbot, *In Love With Movies: From New Yorker Films to Lincoln Plaza Cinemas* (New York: Columbia University Press, 2022), 45-47.

God Created Woman (1956), Hollywood studios had begun to fully exploit this market.³⁰² By the mid-1960s, all of the former Little Three studios, including Universal Pictures, had committed deeper investments in the subtitled film distribution.³⁰³ Faced with this competition, some prominent independent distributors, like Embassy Pictures, folded or stepped away from distributing subtitled imports, leaving Continental Distributing and Cinema V as the only remaining legacy independent firms in New York.³⁰⁴ By the late 1960s, New Hollywood cinema sated audience interest for interesting, risqué fare and the demand for subtitled cinema declined commensurately, leading Columbia, Universal, and United Artists to close their art film divisions in 1970.³⁰⁵ But viewed from today's vantage point, these studio exits from the import market are, like their entries, not final but cyclical. Though United Artists shuttered its subsidiary Lopert Pictures in 1970, for example, it reentered the market in 1981 with the formation of United Artists Classics.³⁰⁶ Since the 1960s, the U.S. theatrical market for subtitled films has overall contracted and endured cycles of boom-and-bust, but all the while, Hollywood-owned distributors have remained the dominant force within this sector.

In this environment, new independent, boutique distributors nevertheless emerged, acquiring less outwardly commercial fare overlooked by studio divisions and the more well-capitalized independents. Daniel Talbot founded New Yorker Films in 1965 and soon amassed a catalog of subtitled imports. In addition to screening these films at his Manhattan art house cinema, the New Yorker Theater, Talbot targeted the nontheatrical circuit of universities,

³⁰² Balio 229.

In 1958, United Artists acquired Lopert Films, renamed it to Lopert Pictures, and began releasing imports like the Portuguese-language *Black Orpheus* (1958).

³⁰³ Balio 227, 239, 241.

³⁰⁴ Balio 247.

³⁰⁵ Balio 295.

³⁰⁶ Kevin Lally, "United Artists Classics: Short Run, Enduring Legacy," *Box Office Pro*, August 19, 2019, <https://www.boxofficepro.com/united-artists-classics-short-run-enduring-legacy/>.

societies, and museums.³⁰⁷ Talbot's exploitation of the emerging nontheatrical market presents a prototypical instance of a boutique distributor finding new sources for revenue and cultural influence. Given the studios' ability to outbid for the most attractive imports, boutique distributors had to cultivate more rarefied, and renewable, alternatives to mainstream cinema.

Since the 1980s, an echelon of conglomerate divisions has dominated the market for imported, subtitled films, but there also exists a constellation of smaller boutiques with considerable range and reach. In *Hollywood's Indies: Classics Divisions, Specialty Labels and the American Film Market*, Yannis Tzioumakis has outlined the business structures, brand identities, and larger coherent ecosystem of this top level of specialty, conglomerate-owned distributors. As the monograph's title suggests, these companies primarily handle "indie" (read: English language) cinema, yet many of them at least dabble in the periodic distribution of marketable, non-English language titles: United Artists Classics competed to acquire Francois Truffaut's *The Last Metro* (1980), Orion Classics turned Gabriel Axel's *Babette's Feast* (1987) into a box-office sensation, while SPC forged a longstanding relationship with Pedro Almodóvar.³⁰⁸ That said, these examples are unrepresentative of specialty distributors' commitment to art cinema more generally, as these conglomerate-owned divisions grew more reluctant to release subtitled films, especially when they lack a recognizable star or a generic, usually action, hook. The disinterest in subtitled art films from specialty distributors afforded some boutiques the ability to grow and carve out marketable niches of their own. The previous chapter explored several such instances such as Strand Releasing, which has balanced art film

³⁰⁷ Talbot 65.

Balio 248.

³⁰⁸ Yannis Tzioumakis, *Hollywood's Indies: Classics Divisions, Specialty Labels and the American Film Market* (Edinburgh: Edinburgh University Press, 2012), 27, 73, 120.

and LGBTQ+ audiences with relative hits like *Wild Reeds* (1994, André Téchiné).³⁰⁹ Film Movement and the UK-based Tartan Films both specialized in European art cinema and East Asian genre cinema in the 2000s. In 2002, Kino International scored \$1,012,069 at the domestic box office with the perverse, Isabelle Huppert-starring art film *The Piano Teacher* (2001, Michael Haneke), while Janus Films reentered the contemporary acquisition market in 2009 and soon after struck the biggest theatrical gross of the company's long history, with \$2,852,400 from the Fellini-inspired *The Great Beauty* (2013, Paolo Sorrentino).

The endurance of boutique distributors not only provides evidence of a viable commercial marketplace, but also telegraphs that a desire for cinematic alternatives—for global art cinema, for languages other than English, for political conviction, for formal complexity—continues to persist across sectors of the U.S. moviegoing public. The problem, then, comes in converting this interest into income. In sum, if there is a universal struggle among boutique distributors, it comes not in receiving respect or attention, but in exchanging money with a paying audience. To historicize this phenomenon further, the divide between “indie” specialty distributors and financially independent boutiques has grown more salient for cultural commentary since the late 1990s especially. In a 1999 *Village Voice* article entitled, “Autonomy Lessons: Paying the Price of Independence,” Michael Atkinson drew a line down the middle of the “indie” film landscape:

How misleading is the phrase “independent film”? Now that Kevin Smith's Christian-doctrine satire, *Dogma*, has scared the pants off the Disney executive board and has thus been expelled from the Miramax lineup, any remaining suspicions that corporate ownership and “independent film” distribution do not and by definition cannot be in the same bed are summarily confirmed. Clearly, the minor-league farm system comprising studio arms (Sony Classics, Fox Searchlight, Paramount Classics, Gramercy, et cetera) and acquired cash cows (Miramax, October, et cetera) can no longer be defined as “indie”—if we must

³⁰⁹ *Wild Reeds* grossed \$807,775 in domestic markets. See “Wild Reeds,” *Box Office Mojo*, accessed on April 27, 2024, https://www.boxofficemojo.com/title/tt0111019/?ref=bo_se_r_1.

call these companies something, let's call them "dependencies." This clarifies what has been for some time irritatingly muddy waters, irritating particularly for the forgotten staff-of-three niche shops, the real indies who, it would strangely seem, are less interested in pure profit than in being proud of the movies they've bought. In the business of the business, they might be the last movie lovers.³¹⁰

Atkinson focuses here on the fact of conglomerate ownership, as a specter precluding acquisitional autonomy and pride. His defense of the label "indie" must necessarily exclude studio-born and -acquired distributors, for the mutually reinforcing reasons of finances and ethos. Atkinson continues by defining "indie" in a positive sense: "To be an authentic indie, ranging from heavy hitters like Lions Gate to boutiques like Strand, New Yorker, Zeitgeist, Milestone, Kino, Artisan, First Run, the Shooting Gallery, and so on, is to struggle financially and ethically with a marketplace that doesn't particularly crave what you offer. It's a small pond of desperate fish, with casualties."³¹¹ However, Atkinson's article further gestures to the viability of the boutique sector, by his chosen examples alone. Of the eight boutiques listed, only two, New Yorker Films and Shooting Gallery, have gone out of business since.³¹² The "heavy hitter" mentioned, Lions Gate, bought Artisan Entertainment in 2003, but otherwise, five of the eight boutiques remain much the same, releasing subtitled imports, challenging documentaries, and restorations.³¹³ This longevity would indicate that boutiques have adapted to market conditions and paved reliable-enough paths toward profit to continue acquiring new films on a yearly basis.

Given the fickle nature and high stakes of theatrical box office, nontheatrical and ancillary market revenue remain the most logical source of recurring, sustainable income. Of

³¹⁰ Michael Atkinson, "Autonomy Lessons: Paying the Price of Independence," *The Village Voice*, April 13, 1999, <https://www.villagevoice.com/1999/04/13/autonomy-lessons/>.

³¹¹ Atkinson

³¹² Ben Sisario, "44-Year-Old Indie Film Distributor Is Closing," *New York Times*, February 23, 2009, <https://www.nytimes.com/2009/02/24/movies/24film.html>.

Terry Pristin, "Deep in the Red, Indie Film Force Fades to Black," *New York Times*, July 9, 2001, B1. <https://www.nytimes.com/2001/07/09/nyregion/deep-in-the-red-indie-film-force-fades-to-black.html>

³¹³ Sharon Waxman, "With Acquisition, Lions Gate Is Now Largest Indie," *The New York Times*, December 16, 2003, <https://www.nytimes.com/2003/12/16/movies/with-acquisition-lions-gate-is-now-largest-indie.html>.

course, exploiting ancillary markets like home media introduces to the theatrical distributor an additional suite of overhead costs, from authoring and printing discs to investing in a low-friction retail infrastructure. As the final chapter will explore, boutique distributors have sought to reduce these overhead costs by forming partnerships with their peers, and as a consequence have introduced dynamics of quasi-consolidation to the boutique sector. For one recent example, Kino Lorber has emerged over the past decade as a boutique home media powerhouse, with CEO Richard Lorber reporting a “growing market share” in “the packaged media world” as of 2019.³¹⁴ Like its predecessor Kino International, Kino Lorber acquires international art films from the festival circuit. In addition to packaging these acquired films for physical media retail, Kino Lorber formed a label, Kino Lorber Studio Classics, in 2014 dedicated to the high-volume output of studio-produced catalog titles on Blu-ray and DVD.³¹⁵ Within this studio-facilitated retail infrastructure, Kino Lorber has formed distribution arrangements with other boutiques, the most prominent labels as of 2024 being Milestone Films, Zeitgeist Films, Cohen Media Group, and Metrograph Pictures. Through these arrangements, Kino Lorber distributes and in some cases co-produces the home-video titles of these fellow boutiques.³¹⁶ Essentially, Hollywood licensing fueled Kino Lorber’s growth in packaged media sales, which in turn facilitated Kino’s

³¹⁴ Jillian Morgan, “‘It’s been a great ride’: Looking back on 10 years of Kino Lorber,” *Real Screen*, November 27, 2019, <https://realscreen.com/2019/11/27/its-been-a-great-ride-looking-back-on-10-years-of-kino-lorber/>.

³¹⁵ “Kino Lorber Officially Launches the Kino Lorber Studio Classics Label,” *Blu-ray.com*, June 23, 2014, <https://www.blu-ray.com/news/?id=14307>.

As of 2019, film and television studios that have licensed to Kino Lorber Studio Classics include MGM, Fox, Paramount/Republic, Disney, Universal, Studio Canal, CBS, and Gaumont. See “Kino Lorber Studio Classics,” *CriterionForum.org*, last edited by user Kino Insider on October 14, 2019, <https://www.criterionforum.org/forum/viewtopic.php?t=13215>.

³¹⁶ Jeremy Kay, “Kino Lorber, film preservationist Milestone Films strike multi-year pact,” *ScreenDaily*, June 2, 2021, <https://www.screendaily.com/news/kino-lorber-film-preservationist-milestone-films-strike-multi-year-pact-exclusive/5160172.article>.

Anthony D’Alessandro, “New York Indie Distributors Kino Lorber & Zeitgeist Films Enter Multi-Year Partnership,” *Deadline*, June 22, 2017, <https://deadline.com/2017/06/kino-lorber-zeitgeist-multi-year-partnership-new-york-indie-cinema-1202118681/>.

partnerships with smaller, art film-focused boutiques and broadened the potential customer base for their home-video releases.

Symbiotic agreements such as these, where boutiques coordinate resources to target discrete segments of the distribution pipeline, have grown increasingly common as the theatrical market for international cinema has declined. Without ‘big dollars’ at stake, and with personal connections legion, boutique distributors frequently collaborate with other likeminded firms. As documentary director Eugene Jarecki shared to *The New York Times*, “it is less than six degrees of separation between all of us, so we tend to depend on each other as opposed to seeing each other as competitors.”³¹⁷ But as the specifics of Milestone and Miramax’s relationship circa *Fireworks* will illustrate, cooperation and competition are by no means mutually exclusive.

The Persistence of the National

Next to auteurs and film festival awards, the category of national cinema, itself, endures as a dominant currency in contemporary boutique distribution. In fact, of all sectors of the media industry today, U.S. boutique distributors remain remarkably steadfast on promoting international titles and art film culture through the lens of national cinema. To frame the last point in the inverse: the concept of transnational cinema, as discussed by scholars in relation to global industrial flows, applies more productively to the distribution strategies of multi-national conglomerates, than it does to the norms of U.S.-based boutiques catering to art house audiences.³¹⁸

³¹⁷ David Carr, “New York: ‘Little’ Films Grow Big,” *The New York Times*, May 12, 2005, <https://www.nytimes.com/2005/05/12/movies/new-york-little-films-grow-big.html>.

³¹⁸ As this section will suggest, transnational cinema theory can nevertheless *symptomatically* reveal much about contemporary boutique distribution practices.

For boutique distributors that only acquire North American rights to an international film, national specificity has long been, and remains, an essential component of a subtitled film's appeal. Since the 1980s, boutique distributors have been the first to embrace emergent national cinemas in Iran, Romania, South Korea, and elsewhere. These national cinemas bring with them new auteurs and stars, as well as new formal strategies that critics identify and, depending on the national cinema's size and reputational standing, essentialize to the nation at large. The seeming authenticity of "foreign" national cinemas, for U.S. art house audiences, hinges more or less on a fantasy of the nation's essence and stability, which is abstracted further by the personification of the nation through a narrow stable of respected auteurs.³¹⁹ This and the following sections will unpack the distribution practices of international cinema by both boutique firms and conglomerate subsidiaries, paying attention to how these dissimilar types of companies foreground or obscure "the national" in the process. Though these two sections will note the reductive and essentialist consequences of these practices, they nevertheless will document how boutique distributors typically sell international cinema, particularly that of developing nations, through sincere attempts to balance cultural universality and difference. In "Art Cinema as Institution," Steve Neale wrote, "Art is thus the space in which an indigenous cinema can develop and make its critical and economic mark."³²⁰ As if internalizing this notion, boutique distributors of international cinema tend to operate with a belief in the authenticity, and marketability, of this national address.

³¹⁹ Thomas Elsaesser argued the concept of "national cinema" constitutes a "paradigm of autonomy" for non-U.S./non-Hollywood cinemas, as captured in the following quote: "National cinema (the choice of making an auteur cinema represent the nation, rather than the stars-and-genre commercial cinema of a given country)." See Thomas Elsaesser, *European Cinema: Face to Face With Hollywood* (Amsterdam: Amsterdam University Press, 2005), 23.

³²⁰ Steve Neale, "Art Cinema as Institution," *Screen*, Vol. 22, No. 1 (1981): 14.

Scholarship on transnational cinema, hailing largely from outside of U.S. academic institutions, has problematized many discursive axioms of art cinema as traditionally conceived in North American film culture. In his foundational 1989 article “The Concept of National Cinema,” Andrew Higson proposed “moving towards an argument that the parameters of a national cinema should be drawn at the site of consumption as much as at the site of production of films; an argument, in other words, that focuses on the activity of national audiences and the conditions under which they make sense of and use the films they watch.”³²¹ Beyond reassessing the concept of the national, this work often seeks to expose foundational assumptions surrounding art film circulation. Rosalind Galt and Karl Schoonover summarized a strain of this inquiry as follows: “If the label ‘art film’ frequently signifies simply a foreign film at the box office, then it is clear that we are already speaking not only of geography but of the politics of geographical difference. Foreign to whom? Traveling to and from which cultures and audiences?”³²² More specifically, the disparity between the Western film festival’s view toward a non-Western cinema, and the indigenous view per se, has come under particular scrutiny. Azadeh Farahmand interrogated this phenomenon in her comparative analysis of Iranian cinema’s reception cultures:

...what defines the national cinema from one perspective (say, global) can challenge how the cinema is viewed and valued from another (i.e., local) angle. Filmmakers from nations or regions that become festival darlings are often criticized for attempts to adjust the look and narratives of their films to offer selectable and prizeworthy products to festivals. Local journalists occasionally cite this qualitative shift—often in a negative tone—and express qualms about films of indigenous directors that are regularly sponsored at festivals. This critical discourse (usually voiced by the filmmaker’s countrymen and in many cases less internationally exposed because of language barriers) concerns the textual address

³²¹ Andrew Higson, “The Concept of National Cinema,” *The European Cinema Reader*, ed. Catherine Fowler (London: Routledge, 2002), 36.

³²² Rosalind Galt and Karl Schoonover, “Introduction: The Impurity of Art Cinema,” *Global Art Cinema: New Theories and Histories* (Oxford: Oxford University Press, 2010), 9.

of films that are seen as directed toward nonnational viewers mediated by international film festivals.³²³

The indeterminate shape of “Iranian cinema,” as contingent on one’s positionality, offers a clear instance of the stakes animating this line of scholarship. For the Western academic, should Abbas Kiarostami, Mohsen Makhmalbaf, and Jafar Panahi represent Iranian cinema when none of their films have approached the Iranian box office of the nation’s mainstream product, such as the record-breaking comedy *Motreb* (2019, Mostafa Kiai)?³²⁴ In one sentence, Higson encapsulated this current of debate as follows: “For what is a national cinema if it doesn’t have a national audience?”³²⁵

Yet the consequences this field of research should have on distribution, as practiced by the leading importers and discursive perpetuators of “national cinema,” remain less clear. For both an art house film distributor and spectator, national cinemas tend to announce their sites of origin based on linguistic difference alone. Just as “sound bolstered the cinema’s nationalist turn by immediately anchoring every film to a linguistic community,” as Dudley Andrew concluded, boutique distributors began codifying a distribution practice of subtitling, which in turn nurtured a moviegoing culture predicated on the transcendence and examination of national difference.³²⁶ Boutique distribution remains structurally wed to categories of national and linguistic difference, and this fact has only been further reinforced through the reams of metadata guiding viewers through contemporary film festivals, streaming platforms, and online movie databases. Indeed,

³²³ Azadeh Farahmand, “Disentangling the International Festival Circuit: Genre and Iranian Cinema,” *Global Art Cinema: New Theories and Histories* (Oxford: Oxford University Press, 2010), 276.

³²⁴ “Comedy film ‘Motreb’ leads Iran’s box office hits of the year,” *Tehran Times*, March 14, 2020, <https://www.tehrantimes.com/news/446095/Comedy-film-Motreb-leads-Iran-s-box-office-hits-of-the-year>.

³²⁵ Andrew Higson, “The Concept of National Cinema,” *The European Cinema Reader*, ed. Catherine Fowler (London: Routledge, 2002), 46

³²⁶ Dudley Andrew, “Time Zones and Jet Lag: The Flows and Phases of World Cinema,” *World Cinemas, Transnational Perspectives*, eds. Natasa Durovicova and Kathleen Newman, (New York and London: Routledge, 2010), 65.

scholars like Andrew have acknowledged these facts on the ground: “Let me not be coy. We still parse the world by nations. Film festivals identify entries by country, college courses are labeled ‘Japanese Cinema,’ ‘French Film,’ and textbooks are coming off the presses with titles such as *Screening Ireland*, *Screening China*, *Italian National Cinema*.” Arguing in its place for a “centrifugal dynamic of images ... without surrendering the special cohesion that films bring to specific cultures,” Andrew predicted in 2004 “a wider conception of national image culture is around the corner, [as] prophesied by phrases like ‘rooted cosmopolitanism’ and ‘critical regionalism.’”³²⁷ Twenty years later, it is worth investigating how centrifugal and multifaceted the U.S. view toward global cinemas has become at their industrial point of entry—i.e., distribution.

If global cinema still arrives in the U.S. slotted in “national” packaging, then boutique distributors deserve analysis not as the root cause for this persistence, but rather as a small node in a much larger network of industrial, cultural, and political agents. For his part, JungBong Choi has wrestled not only with the limitations of national cinema categories, but with the path dependence that keeps them in place: “National Cinema, in this respect, is a compound of subject-constituting ideologies, institutional embodiments of those ideologies, and a host of organized practices enacted by the conceptual and institutional establishments. Thus perceived, it does not seem that National Cinema would simply bow off the historical stage as a tenuous concept devoid of human and material infrastructures.”³²⁸ The circulation of emergent, “small nation cinemas,” hailing from Iceland, Singapore, Tunisia, and the like, has only been possible through such infrastructures, as Mette Hjort and Duncan Petrie have argued: “While

³²⁷ Dudley Andrew, “An Atlas of World Cinema,” *Framework: The Journal of Cinema and Media*, Vol. 45, No. 2 (Fall 2004): 19.

³²⁸ JungBong Choi, “National Cinema: An Anachronistic Delirium?” *The Journal of Korean Studies*, Vol. 16, No. 2 (Fall 2011): 184.

globalisation and internationalisation may have impacted negatively on some small national cinemas, they have created opportunities that others have grasped, with some enjoying unprecedented international visibility as a result.”³²⁹ In line with this, Thomas Elsaesser mapped additional transnational dynamics that effectively reify “the national.” For one, Elsaesser isolated the “small but culturally highly significant number of American spectators” of “European art films” that have affected the art film’s global distribution and reception, saying, “In fact, it was the US distribution practice of the ‘art-house’ circuit, which gave the term ‘art cinema’ its currently accepted meaning.”³³⁰ Elsaesser furthermore stressed that international film festivals plays arguably the central role in perpetuating global art cinema: “[The film festival phenomenon] first and foremost sets the terms for distribution, marketing and exhibition, yet to an increasing extent it regulates production as well, determined as this is in the non-Hollywood sector by the global outlets it can find, rather than by the single domestic market of its ‘country of origin’.”³³¹ “The country of origin” remains a central component of a non-Hollywood film’s sales pitch, even when, as Elsaesser notes, the distributors acquiring and the theaters screening it lie outside of the United States entirely.

This analysis does not aim to prescribe clear answers to these vexing, aforementioned questions, but at minimum attempts to connect transnational scholarship with the contemporary practices and idiosyncrasies of boutique distribution, which by and large continue to divide non-English language cinema into distinct national cultures. In sum, the argument is not that boutique distributors impose, themselves, a national cinema framework on global film imports. Rather, it is to say that boutiques inherit, from other cultural intermediaries and from their own historical

³²⁹ Mette Hjort and Duncan Petrie, “Introduction,” *The Cinema of Small Nations*, eds. Mette Hjort and Duncan Petrie (Bloomington and Indianapolis: Indiana UP, 2007), 18.

³³⁰ Elsaesser 45.

³³¹ Elsaesser 88.

norms of practice, the national category as a ideational construct, alongside national cinema's intertwined personification, the auteur.³³² Boutique distributors promote international titles to U.S. art house audiences through this nation-auteur lens, promoting cultural difference that is ultimately sublimated, and thus inverted, through the humanist vision of the auteur. In ironic fashion, national cinema categories refract through transnational positionalities, in that "Indian cinema" looks vastly different to mid-century Manhattan art house patron watching *Pather Panchali* (1955, Satyajit Ray) than it does to a Soviet spectator of Bollywood imports at the same time.³³³ To unpack these ideas further, the subsequent section consists of brief, comparative case studies of boutique marketing practices toward contemporary Indian and Romanian cinema, before concluding with final consideration of how some boutiques have attempted to market the transnational.

Marketing the National, Through Contemporary Indian and Romanian Cinema

Indian cinema provides a useful point of departure for an analysis of contemporary distribution practices, as U.S.-based art house boutiques have largely ignored the nation's output across its history. Besides Satyajit Ray, U.S. boutiques have rarely developed long-term relationships with Indian auteurs, preferring instead to market the occasional, one-off title.³³⁴ India's multitude of regional film industries and screen languages, not to mention the commercial strength of its own diversified domestic market, complicates the marketable essence

³³² For elaboration on this auteur-as-national personification tendency, see Elsaesser 14, with its description of Pedro Almodóvar as "a one-man national cinema."

³³³ Alexander Lipkov, "India's Bollywood in Russia," *India International Centre Quarterly*, Vol. 21, No. 2/3 (Summer-Monsoon 1994): 185-194.

³³⁴ Balio 206, 209.

of national cinema that art house distributors and audiences seek.³³⁵ Yet, as Jyotika Virdi has argued, “Indian cinema’s bounded appeal makes the generally ungainly ‘national’ rubric apposite, as it productively negotiates and straddles transnational and intra/extra-regional competition, omnivorously embracing these influences in its ongoing reinvention.”³³⁶ For contemporary Indian cinema, the national category deserves further appreciation in this regard, given India’s unique ability to sustain its own popular and “parallel” film industries.

As a paradigmatic transnational work, *Slumdog Millionaire* (2008, Danny Boyle) represents a singular case study when analyzing how U.S. distributors market international cinema today. British, not Indian, production companies Celador Films and Film4 incubated the project, and it received partial production and full distribution financing, respectively, from Hollywood firms Warner Independent and Fox Searchlight.³³⁷ Furthermore, most of the film’s dialogue is spoken in British English, with only the first act predominantly in a non-English language (i.e., Hindi) and accordingly subtitled. Based off its production coordinates alone, *Slumdog Millionaire* epitomizes the contemporary transnational film, and, depending on one’s perspective, it represents all the cross-cultural connections or representational pitfalls to which this borderless cinema can lead. Despite having filmed on location in Mumbai and drawn from Indian cinema’s masala film tradition, with its mix of action, musical, and melodrama genres, *Slumdog Millionaire* received extensive criticism from viewers in India and the diaspora for its

³³⁵ Liz Shackleton, “India Recorded Second-Biggest Box Office Year Ever In 2022 With \$1.28B, But Admissions Still Down On Pre-Pandemic Levels,” *Deadline*, February 15, 2023, <https://deadline.com/2023/02/india-box-office-second-biggest-year-kgf-chapter-2-rrr-avatar-1235261274/>.

³³⁶ Jyotika Virdi, “A national cinema’s transnational aspirations? Considerations on ‘Bollywood,’” *South Asian Popular Culture*, Vol. 15, No. 1 (2017): 2.

³³⁷ Tom Roston, “‘Slumdog Millionaire’ shoot was rags to riches,” *The Hollywood Reporter*, November 4, 2008, <https://www.hollywoodreporter.com/business/business-news/slumdog-millionaire-shoot-was-rags-122290/>.

Western production and depiction of poverty, among myriad other issues.³³⁸ These critical responses from Indian viewers followed the near-universal acclaim the film met in the United States, where it grossed \$141,319,928 and eventually won the Academy Award for Best Picture.³³⁹ Specialty division Fox Searchlight distributed the film in the United States, and its promotional materials aimed for a wide, crossover audience by tempering the specificity of its Indian setting and cast with universal humanism, praise from North American tastemakers, and Western cultural signifiers.

The Fox Searchlight trailer of *Slumdog Millionaire*, released prior to the film's November 2008 theatrical release, displaces the cultural specificity of its Indian setting in favor of a succession of transnational, Western-friendly appeals.³⁴⁰ It opens with a title card emblazoned, "Winner / People's Choice Award / Toronto International Film Festival," flanked by "Official Selection" laurels from the Telluride, Austin, AFI, and Chicago International Film Festivals—all North American awards season stations of note. The next title card quotes *Chicago Sun-Times* film critic Roger Ebert, with the British director's name in all-caps: "DANNY BOYLE'S 'Slumdog Millionaire' / is a TRIUMPH!" The segue into the actual narrative tease begins with Dev Patel's protagonist in silhouette and Anil Kapoor's voice announcing, "Welcome to 'Who Wants to Be a Millionaire!'" The ABC version of this game show was a

³³⁸ For scholarship on *Slumdog Millionaire*'s domestic controversy, see Ajay Gehlawat, "Slumdog Comprador: Coming to Terms with the Slumdog Phenomenon," *The Slumdog Phenomenon: A Critical Anthology*, ed. Ajay Gehlawat (New York, NY: Anthem Press, 2013), 163-178. For representative critical commentary among Indian film critics, see Subhash K. Jha, "Subhash K. Jha speaks about Slumdog Millionaire," *Bollywood Hungama*, January 22, 2009,

<https://web.archive.org/web/20090615083117/http://www.bollywoodhungama.com/features/2009/01/22/4762/>.

That said, this analysis does not wish to overstate the uniformity of dissent toward the film in India, where it grossed \$7,380,960 and had notable defenders. See "Shah Rukh Khan slams Slumdog Millionaire critics," *DNA India*, November 21, 2013, <https://www.dnaindia.com/entertainment/report-shah-ruk-khan-slams-slumdog-millionaire-critics-1229053>.

³³⁹ "Slumdog Millionaire," *Box Office Mojo*, accessed on April 28, 2024, https://www.boxofficemojo.com/title/tt1010048/?ref=bo_se_r_1.

³⁴⁰ SearchlightPictures, "SLUMDOG MILLIONAIRE – Trailer," *YouTube* video, uploaded on October 30, 2008, <https://www.youtube.com/watch?v=A1zbuV7on6Q>.

genuine monocultural phenomenon of the previous ten years, leaving the opening stakes of the trailer instantly discernible to the average American viewer.³⁴¹ The tease builds with brief shots of Patel's character running in flashback and under the spotlight in the game show studio, plus a wide screen full of rupee banknotes, some of them raining down from a gliding hand above. Superimposed onto these alluring visuals of untold riches, on-screen text poses a *Who Wants to Be a Millionaire*-style question which asks, "Jamal Malik is one question away from winning 20 million rupees. How did he do it?" The trailer flashes the following options "A: He cheated / B: He's lucky / C: He's a genius," before clearing all the aforementioned text and holding on the winning answer, "D: It is destiny." The remainder of the trailer seeks to connect the many threads of the film's story—youthful crime, fraternal strife, game show stakes, and above all the romance between Patel and Freida Pinto's characters—through the uplifting aura of destiny. The triumphant orchestration of "Hoppípolla," by Icelandic post-rock band Sigur Rós, accompanies the trailer's last half, lending gravity and sentiment to the on-screen images. For certain viewers, this European art rock hit perhaps even links *Slumdog Millionaire* to BBC's *Planet Earth* nature documentary, which used the same song in its trailers two years earlier.³⁴² All told, Fox Searchlight's trailer for *Slumdog Millionaire* is meticulously designed to obscure the cultural specificity of its India-set narrative in favor of palpable sentiment, generic tropes, and immediately legible signifiers of Western culture and taste.

Compare that trailer to the promotional materials of two Indian art films distributed by U.S. boutiques before and around the same time as *Slumdog Millionaire*'s release, and which both balanced national and transnational appeals in similar ways. In 1988, Cinecom Pictures

³⁴¹ Lisa de Moraes, "ABC Wins With 'Millionaire,'" December 1, 1999, <https://www.washingtonpost.com/archive/lifestyle/1999/12/01/abc-wins-with-millionaire/9abf43f7-44c6-4a4c-a988-184d9eb96050/>

³⁴² "Hoppípolla 're-release,'" Sigur Rós, July 4, 2006, <https://sigurros.com/news/2006/hoppipolla-re-release/>.

distributed *Salaam Bombay!* (1988), the first feature by *Mississippi Masala* (1991) director Mira Nair. On its face, this Hindi-language drama bears a similar plot to *Slumdog Millionaire*'s first act, with its coming-of-age tale about young boy Krishna (Shafiq Syed), who navigates the criminal elements of Bombay. In its marketing to art house cinemas, Cinecom pitched the film by deliberately distinguishing it from popular Bollywood cinema: "Unique among Indian movies, it eschews studios and sets, using the streets, railway, brothels and alleys of Bombay's hidden underworld as its canvas."³⁴³ Cinecom's theatrical trailer further stresses the film's claim to reality, with its fast-edited montage of Krishna running through bustling Bombay streets, jumping across roofs, and nearly getting hit by a passing train.³⁴⁴ Cinecom promoted *Salaam Bombay!* as 'authentic' Indian cinema, and it avoided explicit Western cultural signifiers in the process.³⁴⁵ But the film's neorealist aesthetic, honed through Mira Nair's Harvard education and mentorship under D.A. Pennebaker, reflects a more subtle transnational influence.³⁴⁶ In 2007, the year before *Slumdog Millionaire*, another Ira Deutchman-founded boutique firm, Emerging Pictures, distributed the Telugu-language *Vanaja* (2006, Rajnesh Domalpalli).³⁴⁷ Like *Salaam Bombay!*, *Vanaja* tells a realistic story shaped by social class, centered on the eponymous, 15-year-old protagonist (Mamatha Bhukya). Throughout the film, Vanaja trains in the classical Indian dance form, Kuchipudi, seen in long takes with painterly, chiaroscuro lighting. The U.S. trailer for sells *Vanaja* as authentic Indian cinema by balancing the social realism of its rural

³⁴³ Cinecom 1989 film catalog, page 2, Ira Deutchman Papers, University of Michigan Library (Special Collections Library), Box 98, "Cinecom 1989" Folder.

³⁴⁴ Rotten Tomatoes Classic Trailers, "Salaam Bombay! Official Trailer #1 - Raghuvir Yadav Movie (1988) HD," YouTube video, uploaded on October 5, 2012, <https://www.youtube.com/watch?v=XYciGm4tziI>.

³⁴⁵ This analysis invokes authenticity as a discursive, in this case promotional, construct, not an actual value.

³⁴⁶ Amardeep Singh, *The Films of Mira Nair: Diaspora Verite* (Jackson: University of Mississippi Press, 2018), 7. Bilal Qureshi, "Mississippi Masala: The Ocean of Comings and Goings," *The Criterion Collection*, May 25, 2022, <https://www.criterion.com/current/posts/7805-mississippi-masala-the-ocean-of-comings-and-goings>.

³⁴⁷ Laura Kern, "A Fairy Tale from India," *The New York Times*, August 30, 2007, <https://www.nytimes.com/2007/08/30/movies/31vana.html>.

setting (Andhra Pradesh) with its respectful depiction of Indian music and dance.³⁴⁸ The trailer opens with white-text-on-black intertitles, “In a World / Where Social Barriers Dominate,” in between shots of Vanaja walking along the beach, cleaning her landlady’s house, and viewing a group of men in prayer. “Few Dare Dream,” the trailer continues, as Vanaja is seen dancing for the first time, and the trailer continues by threading glimpses of her artistic development with those of personal hardship (e.g., a shot of an older man towering above Vanaja alludes to her sexual assault and pregnancy in the film’s second half). The trailer makes no mention that *Vanaja* is in fact an Indian-American co-production, having been completed as Domalpalli’s MFA thesis film while studying at Columbia University.³⁴⁹ Both *Salaam Bombay!* and *Vanaja* originated through transnational, specifically Indian-American production contexts, but their boutique marketing does not seek to broadcast this fact. Instead, their marketing promises intimate access to the subaltern lives of India through the stylistic cues of art cinema.

Slumdog Millionaire’s form and circulation also provide a useful contrast when examining how distributors of disparate size position commercial Indian cinema to U.S. audiences. Formally, *Slumdog Millionaire* conforms to a “melodramatic rags-to-riches narrative arc” so “quintessential [to] popular Hindi film,” albeit through Western codes of realism and structure.³⁵⁰ Though *Slumdog Millionaire*’s crossover success in the U.S. remains unmatched, dozens of Indian-produced, mass audience-aimed films with similar plots have also grossed millions in the United States. Some commercial Indian films to find success in the U.S. market around *Slumdog Millionaire*’s time include *Om Shanti Om* (2007, Farah Khan), at \$3,597,372

³⁴⁸ Rajnesh Domalpalli, “VANAJA Trailer Rev 3.0,” *YouTube* video, uploaded on October 7, 2016, <https://www.youtube.com/watch?v=f3y8-kB ckE>.

³⁴⁹ “indieWIRE INTERVIEW | ‘Vanaja’ Director Rajnesh Domalpalli,” *IndieWire*, August 29, 2007, <https://www.indiewire.com/features/general/indiewire-interview-vanaja-director-rajnesh-domalpalli-74002/>.

³⁵⁰ Viridi 1.

domestic gross and *3 Idiots* (2009, Rajkumar Hirani), at \$6,532,874. More recently, the action epics of Tollywood director S. S. Rajamouli have broken domestic box office records related to Indian cinema, with *Baahubali 2: The Conclusion* (2017, S.S. Rajamouli) collecting \$20,186,659, the highest U.S. domestic gross for an Indian production at present. The notable difference in U.S. circulation between *Slumdog Millionaire* and these three films is that they were distributed not by U.S. boutiques but rather by distributors based in India: *Om Shanti Om* via Eros Worldwide, *3 Idiots* via Reliance Big Pictures, *RRR* via Sarigama Cinemas, and *Baahubali 2* via Great India Films.³⁵¹ These distributors furthermore targeted an Indian diaspora audience through multiplexes like AMC Theatres, rather than a white-skewing audience through art house cinemas.³⁵² In so doing, these mass-market Indian films achieved theatrical grosses in the upper echelons of U.S. box office performance for non-English language films.³⁵³

The U.S. theatrical success of *RRR* (2022, S. S. Rajamouli), Rajamouli's latest film as of this writing, deserves note for how it synthesized these U.S. distribution strategies of Indian cinema while, within its originating national context, aspiring to a "pan-Indian" address. To address the latter point first, this action epic set during 1920s British Raj tells a heavily fictionalized story about two historical revolutionary figures, Alluri Sitarama Raju (Ram Charan) and Komaram Bheem (N. T. Rama Rao Jr.). The plot follows the duo through friendship,

³⁵¹ "Om Shanti Om," *Box Office Mojo*, accessed on April 29, 2024, https://www.boxofficemojo.com/title/tt1024943/?ref=bo_ser_1.

"3 Idiots," *Box Office Mojo*, accessed on April 29, 2024, https://www.boxofficemojo.com/title/tt1187043/?ref=bo_ser_1.

"Baahubali 2: The Conclusion," *Box Office Mojo*, accessed on April 29, 2024, https://www.boxofficemojo.com/title/tt4849438/?ref=bo_gtable_13

³⁵² Art House Convergence's 2018 National Audience Survey reported 88% of the "art house patron population" to be white (non-Hispanic), "less diverse compared to the country as a whole" considering the U.S. census reported 61% of the U.S. population to be white (non-Hispanic) at the same time. See "AHC 2018 National Audience Survey," *Art House Convergence*, January 22, 2019, <https://www.arthouseconvergence.org/wp-content/uploads/2019/05/AHC-2018-National-Audience-Study-FINAL-REPORT.pdf>.

³⁵³ "Genre Keyword: Foreign Language," *Box Office Mojo*, accessed on April 29, 2024, https://www.boxofficemojo.com/genre/sg4208980225/?ref=bo_gtable_195

betrayal, and eventually righteous reconciliation, with the final act employing CGI animals and explosive, speed-ramped action as Raju and Bheem fight to overthrow colonial rule. While the action heroics have been likened to contemporary superhero films by some American critics, the Telugu-language *RRR* is nevertheless culturally specific in ways that modern Hollywood tentpoles and previous quasi-Indian hits like *Slumdog Millionaire* tend not to be, with its unapologetic vilification of all white, British characters (save for Bheem’s love interest, Jenny), for one.³⁵⁴ The film furthermore typifies the contemporary “pan-Indian” cinema, which aspires to surpass its originating regional industry audience and instead speak to all corners of the subcontinent.³⁵⁵ In addition to being released in multiple dubbed languages (Hindi, Tamil, Kannada, et al) for Indian markets, the film aims for a national address through its triumphant narrative of fighting imperialism and its variety of locations. For instance, most of the film is set in a modern, multifaceted Delhi—unlike *Slumdog Millionaire*’s Mumbai, which is seemingly stuck in an apolitical stasis of poverty, the Delhi of *RRR* (filmed mostly at Tollywood studios in Hyderabad) attracts the protagonists due to the Indian Independence Movement taking hold there.³⁵⁶ Furthermore, both protagonists strive to protect the rural villages (filmed in southeastern Andhra Pradesh) from which they hail, and Bheem specifically seeks to defend the lower caste Gond people there.³⁵⁷ At the same time, *RRR*’s pan-Indian address has drawn extensive criticism from Indian critics for incorporating right-wing Hindutva iconography, at a time when Prime

³⁵⁴ Katie Rife, “India’s wild action movie *RRR* re-imagines real-life revolt as an epic superhero battle,” *Polygon*, March 25, 2022, <https://www.polygon.com/22996870/rrr-review-rise-roar-revolt>.

³⁵⁵ For more on the concept of “pan-Indian film” and how streaming distribution accelerated the shift of this practice from Bollywood to other industries like Tollywood, see Ishita Tiwary, “Streaming and India’s film-centred video culture: Linguistic and formal diversity,” *International Journal of Cultural Studies*, Vol. 27, No. 1 (2024): 75-77.

³⁵⁶ Iain Marcks, “Shooting Stars for *RRR*,” *American Cinematographer*, October 31, 2022, <https://theasc.com/articles/shooting-stars-for-rrr>

In a transnational wrinkle of production, the filmmakers shot the *RRR*’s most famous sequence, the “Naatu Naatu” dance, at Ukraine’s presidential residence, Mariinskyi Palace.

³⁵⁷ “*RRR*: NTR Araku shoot pics go viral,” *Telugu Cinema*, December 11, 2019, <https://archive.telugucinema.com/news/rrr-ntr-araku-shoot-pics-go-viral>.

Minister Narendra Modi has stoked a rise in Hindu nationalism in the country. In fact, the transnational success of *RRR* has spurred the publication of *RRR* critiques in American outlets, to inform viewers uninformed about India's domestic politics or religious iconography.³⁵⁸ More than previous Indian blockbusters to arrive in U.S. theaters, *RRR* found scores of eager non-Indian viewers who lacked the cultural bearings to parse the specifics of the film's national address.

The trajectory of *RRR*'s U.S. release combined all the distribution variables mentioned prior (Indian distributors vs. American boutiques, diaspora vs. non-diaspora audiences, multiplex vs. art houses) to become a record-breaking, crossover hit. *RRR* began its theatrical life in the United States similar to Rajamouli's *Baahubali 2*, albeit at even greater scale. Indian-based distributors Sarigama Cinemas and Raftar Creations booked *RRR* across 1,040 locations and 5,000-plus screens, a record wide U.S. release for an Indian film, over its opening weekend on March 25-27, 2022.³⁵⁹ This huge opening platform can be attributed to *Baahubali 2*'s historic U.S. box office precedent, and to *RRR*'s status as the second most expensive Indian film to date.³⁶⁰ Most, if not all, of these screens were furthermore designated as "multiplex."³⁶¹ Across its initial two-week theatrical run in U.S. multiplexes, *RRR* grossed \$14,500,000, with press

³⁵⁸ Nitish Pahwa, "A Wild Indian Blockbuster Is Ravishing Movie Fans, but They're Missing Its Troubling Subtext," *Slate*, June 8, 2022, <https://slate.com/culture/2022/06/rrr-review-indian-blockbuster-netflix-hindu-nationalism.html>.

Ritesh Babu, "RRR is an incredible action movie with seriously troubling politics," *Vox*, July 20, 2022, <https://www.vox.com/23220275/rrr-netflix-tollywood-hindutva-caste-system-oscars-2023>.

³⁵⁹ Jill Goldsmith, "'RRR' Has Blowout U.S. Opening For Indian Film, Eyes \$12M-\$15M Weekend," *Deadline*, March 25, 2022, <https://deadline.com/2022/03/rrr-box-office-bollywood-indian-ss-ramajouli-1234986981/>. "RRR," *Box Office Mojo*, accessed on April 30, 2024, https://www.boxofficemojo.com/release/rl641303297/?ref=bo_gr_rls.

³⁶⁰ "Highest Budget Movies of All Time," *Box Office India*, accessed on April 30, 2024, <https://boxofficeindia.com/budget.php>.

³⁶¹ Ians, "S S Rajamouli 'RRR' to release in nearly 1,000 multiplexes in US," *Deccan Herald*, December 5, 2021, <https://www.deccanherald.com/entertainment/s-s-rajamoulis-rrr-to-release-in-nearly-1000-multiplexes-in-us-1057895.html>.

attributing this performance to the “diaspora market.”³⁶² In late May 2022, a Hindi-language dub of *RRR* arrived on U.S. Netflix streaming, where it vaulted to the Top 10 most-watched movies in June.³⁶³ Though the scale and success of *RRR*’s release to this point was abnormal, it was not structurally dissimilar to Rajamouli’s own previous Indian blockbuster releases in the U.S., such as *Baahubali 2*.

This changed when *RRR* returned to U.S. theaters on June 1 for a series of what was branded as “encoRRRe” screenings. Two distribution variables (distribution company and booked exhibition venue) changed, which in turn inverted the demographics of the attending audience. According to *The New York Times* and *Deadline*, the American boutique distributor Variance Films, “in conjunction with an independent consultant, Josh Hurtado ... contacted Sarigama Cinemas to collaborate on a one-night-only theatrical revival” of *RRR* on June 1, “at 123 theaters across the country including arthouse chains.”³⁶⁴ While box office data from these presumably four-walled June 1 bookings is not public, the “encoRRRe” screenings’ success spurred further week runs at U.S. art house cinemas, where *Deadline* reported “some 90% to 95% of the audience has been non-Indian.”³⁶⁵ Accordingly, Josh Hurtado attributed his motivation for bringing *RRR* to art house cinemas, like IFC Center and Laemmle Glendale, to the film’s “universal appeal.”³⁶⁶ While being available on Netflix undoubtedly contributed to *RRR*’s popularity, its successful art house rerelease accelerated the extensive coverage *RRR* began

³⁶² “RRR,” *Box Office Mojo*.

Aseem Chhabra, “Why There’s So Much Global Love For RRR,” *Rediff*, January 10, 2023, <https://www.rediff.com/movies/column/why-theres-so-much-global-love-for-rrr/20230110.htm>.

³⁶³ Sakshi Venkatraman, “Indian blockbuster ‘RRR’ rockets to top of Netflix charts,” *NBC News*, June 9, 2022, <https://www.nbcnews.com/news/asian-america/indian-blockbuster-rrr-rockets-top-netflix-charts-rcna32820>.

³⁶⁴ Simon Abrams, “How the Indian Action Spectacular ‘RRR’ Became a Smash in America,” *The New York Times*, August 3, 2022, <https://www.nytimes.com/2022/08/03/movies/rrr-ss-rajamouli.html>.

Jill Goldsmith, “Blockbuster ‘RRR’ Is Back, This Time In Arthouses In A New Move For Indian Film – Specialty Preview,” *Deadline*, June 10, 2022, <https://deadline.com/2022/06/rrr-indian-film-specialty-preview-1235042579/>.

³⁶⁵ “Blockbuster ‘RRR’ Is Back...”

³⁶⁶ Abrams

receiving beyond trade press like *Deadline* and *IndieWire* and in mainstream U.S. outlets such as *NPR* and *The New York Times*.³⁶⁷ *RRR*'s media attention persisted over the subsequent nine months as it transformed into Hollywood adoration and eventually into an Academy Award win for Best Original Song, for “Naatu Naatu”; *RRR* would be the second Indian film to win this award, after *Slumdog Millionaire* in 2009.³⁶⁸ The distribution trajectory of *RRR* demonstrates how theatrical box office data alone can paint an incomplete portrait of a film's success. *RRR* made only a fraction of its domestic gross through these “encoRRRe” screenings, but because its American distributors reached “crossover” audiences—including viewers oblivious to the film's relation to Indian cinematic norms or political ideology—*RRR* became a U.S. phenomenon unlike diaspora-aimed Indian cinema before it.³⁶⁹

This section will now turn its attention to the U.S. boutique distribution of Romanian cinema, specifically director Cristi Puiu's output as part of the Romanian New Wave, to examine how genre can define and at times distort national cinemas to U.S. audiences. The Romanian New Wave, alternately referred to as the New Romanian Cinema, has attracted sustained critical and scholarly discussion since 2005. That year, *The Death of Mr. Lăzărescu* (2005, Cristi Puiu) won the Prix Un Certain Regard at the 2005 Cannes Film Festival, making Puiu the first

³⁶⁷ Abrams

Glen Weldon, “‘RRR’ is an inteRRRnational phenomenon,” *NPR*, July 11, 2022, <https://www.npr.org/2022/06/24/1107301440/rrr-is-an-interrnational-phenomenon>.

³⁶⁸ Surbhi Gupta, “Decoding Indian film ‘RRR’s’ Popularity in the West,” *New Lines Magazine*, January 18, 2023, <https://newlinesmag.com/spotlight/decoding-indian-film-rrrs-popularity-in-the-west/>.

Skyler Caruso, “What Is ‘RRR’? All About the Award-Winning Film Generating Oscar Buzz,” *People*, March 10, 2023, <https://people.com/movies/rrr-movie-everything-to-know/>.

Nancy Tartaglione, “‘RRR’ Helped Jump-Start A Global Expansion For South Indian Cinema. How It Happened And What’s Next,” *Deadline*, May 17, 2023, <https://deadline.com/2023/05/rrr-south-indian-film-expansion-pathaan-shah-rukh-kahn-ss-rajamouli-1235362858/>.

³⁶⁹ Box Office Mojo reports *RRR*'s Variance Films-distributed re-release grossed \$399,485 over 82 weeks (compared to its initial \$14,500,000 over two weeks). Due to the unique distribution arrangements behind the “encoRRRe” screenings, this figure may be an undercount, but even so, the re-release gross remains a fraction of the film's initial U.S. multiplex gross. See “RRR (2022 Re-Release),” *Box Office Mojo*, accessed on May 1, 2024, https://www.boxofficemojo.com/release/r11422099201/?ref=bo_gr_rls.

Romanian filmmaker to win an international film festival prize.³⁷⁰ In 2006, Corneliu Porumboiu won Cannes' Camera d'Or for *12:08 East of Bucharest* (2006). At the 2007 Cannes Film Festival, Cristian Nemescu won the Prix Un Certain Regard for *California Dreamin'* (2007) and, most triumphant of all, Cristian Mungiu became the first Romanian filmmaker to win the Palme d'Or for *4 Months, 3 Weeks and 2 Days* (2007). All of these films share an unvarnished, realist film style, and all save but the abortion drama *4 Months, 3 Weeks and 2 Days* were promoted by boutique distributors like Tartan Films and IFC Films to North American audiences as black comedies.



Figure 4 – Romanian (left) and U.S. (right) theatrical posters for *The Death of Mr. Lazărescu* (2005, Cristi Puiu)

To what extent do these films conform to the conventions of comedy? A brief plot synopsis of *The Death of Mr. Lazărescu*, while devoid of Puiu's stylistic nuance, can provide a sense of the film's overall effect: An old man named Mr. Lazărescu (Ion Fiscuteanu) suffers

³⁷⁰ Doru Pop, *Romanian New Wave Cinema: An Introduction* (Jefferson, N.C.: McFarland, 2014), 42.

from a terrible headache and decides to call an ambulance. Except the ambulance takes forever to arrive, and when it does, no hospital will take in the man, because the doctors are operating on the few survivors of a horrific bus crash. Whisked from one hospital to another, the old man loses his ability to speak and move because, it turns out, he has late-stage liver cancer and an untreatable subdural hematoma. Paramedic Mioara (Luminița Gheorghiu) pities the man as she shepherds his passage and watches his symptoms worsen, but even she must leave him by the end, when Lăzărescu, naked and alone on a hospital bed, dies sometime before dawn. Read flat, this rough plot synopsis arguably fails as humor. But does watching *The Death of Mr. Lăzărescu* prove to be a funny experience? The film's long takes of phone calls, car rides, and waiting rooms, lit with available, usually fluorescent lighting, do not underline their gags, which exist (e.g., one doctor says, "His liver is as big as the Parliament House") but are infrequent. The resulting two-hour, 33-minute film resembles the theatre of the absurd in its overall shape, but its unadorned performance style does not cue the viewer to absurdist punchlines to the same transparent degree as, say, *The Discreet Charm of the Bourgeoisie* (1972, Luis Buñuel).

The Death of Mr. Lăzărescu's marketing materials, in both the U.S. and Romania, deserve further scrutiny due to the way they promote the film as a comedy. Romanian distributor Mandragora issued a poster for the Romanian theatrical market featuring the film's actors grinning and waving to the camera under high-key, sitcom lighting (see Figure 4, left). Three nurses stretch the slack face of Lăzărescu, lifeless on a stretcher, into a smile, leaving no character without one. As the distributor to reach the film's first theatrical market, Mandragora set a bold template from which the U.S. distributor, Tartan Films, borrowed.³⁷¹ The U.S. theatrical poster declares, in all caps, "The Most Acclaimed Comedy of the Year," with the

³⁷¹ "The Death of Mr. Lazarescu – Release Info," *IMDb*, accessed on May 1, 2024, https://www.imdb.com/title/tt0456149/releaseinfo/?ref=tt_dt_rdat.

tagline, “A Black Comedy With Serious Side Effects” (see Figure 4, right). The Tartan Films trailer casts Lăzărescu as a bumbling drunk, by opening on a shot of him calling the ambulance to report a headache, followed by a quick cut to his neighbor berating him, “You don’t drink the right way, you’re mixing the drinks.”³⁷² Scoring the trailer throughout is Romanian pop singer Margareta Paslaru’s 1963 recording of “Cum e oare? (Telling it like it really is),” a brassy, anachronistic choice not unlike the carnivalesque theme song, “Frolic” by Luciano Michelini, that Larry David appropriated for his HBO sitcom *Curb Your Enthusiasm* (2000-2024). The trailer includes an intertitle announcing “The Most Acclaimed Comedy of the Year,” before showing a couple pratfalls, of Lăzărescu slipping off a stretcher and hospital bed. Pull quotes from film critics (e.g., “...Biting Humor...” – Manhola Dargis, *The New York Times*) further bolster the film’s comedic classification. The trailer ends with a nurse telling Mioara, “If you want, I can take him straight to the crematorium. He keeps saying he’s cold, anyway,” accenting the punchline with a reaction shot of Lăzărescu averting his eyes. Both the Tartan Films poster and trailer also prominently display the film’s many laurels, marking the film’s prestigious reputation.

Yet the comedic emphasis across these promotional materials marks the case of an emergent national cinema forming its identity for U.S. art house audiences in real time. Tartan Films took a cue from *Mandragora* on how to market this acclaimed yet challenging film, leaning into an abject, often bleak sense of Romanian humor. This classification as comedy is furthermore justified by the form of many New Romanian Cinema films. Through their ironic and incongruous use of music and deadpan performance styles, these films cue the viewer to notice comedic moments within a realist diegesis. Under this veneer of realism, New Romanian

³⁷² International Film Festival Rotterdam, “The Death of Mr. Lazarescu – trailer – IFFR 2006,” *YouTube* video, uploaded on December 6, 2017, <https://www.youtube.com/watch?v=TyUkn1aMMDs>.

Cinema comedy fuses tragic with comic, slow with entropic, and deadpan with manic qualities to be tonally multivalent and unstable. The hyperbolic marketing practices employed by distributors thus stabilize audience expectations for Romanian and international art house audiences alike in the easy footing of genre—that is, comedy. However, it is not clear if this marketing tactic worked. On the occasion of its 2006 American theatrical release, *The Death of Mr. Lăzărescu* affected some critics so sincerely that they viewed with skepticism Tartan Films’ marketing of the film as a comedy. For *The Boston Globe*, Wesley Morris called the film “a watchful, winding-down tragedy of a movie that delivers what it promises.” “From the outset,” he wrote, “it’s difficult to tell whether this is being played for comedy – it’s certainly being played for truth.”³⁷³ Reflecting on his own recent hospitalization, Roger Ebert failed to even mention the potential for humor when watching *Lăzărescu*.³⁷⁴ These marketing tactics met divergent results in their respective markets. Across its spring 2006 U.S. theatrical run, *The Death of Mr. Lăzărescu* grossed \$80,301, a mediocre performance.³⁷⁵ Meanwhile, in Romania, the film recorded 25,222 tickets sold at 206,698 RON, or \$69,445.³⁷⁶ This impressive box office performance is just over one-sixth of the Romanian market’s top-grossing release of that year, *Star Wars: Episode III - Revenge of the Sith* (2005, George Lucas), and it comes above the \$62,185 of the market’s 27th ranked film, *xXx: State of the Union* (2005, Lee Tamahori).³⁷⁷

³⁷³ Wesley Morris, “A deeply disturbing journey through Bucharest hospitals,” *The Boston Globe*, July 28, 2016, http://archive.boston.com/ae/movies/articles/2006/07/28/a_deeply_disturbing_journey_through_bucharest_hospitals.

³⁷⁴ Roger Ebert, “The Death of Mr. Lazarescu,” *Chicago Sun-Times*, May 11, 2006, <https://www.rogerebert.com/reviews/the-death-of-mr-lazarescu-2006>.

³⁷⁵ “The Death of Mr. Lazarescu,” *Box Office Mojo*, accessed on May 1, 2024, https://www.boxofficemojo.com/title/tt0456149/?ref=bo_ser_l.

³⁷⁶ “Moartea domnului Lăzărescu,” *Cinemagia*, accessed on May 1, 2024, <https://www.cinemagia.ro/filme/moartea-domnului-lazarescu-11273/>.

³⁷⁷ “Romanian Box Office for 2005,” *Box Office Mojo*, accessed on May 1, 2024, https://www.boxofficemojo.com/year/2005/?area=RO&grossesOption=totalGrosses&sort=rank&sortDir=asc&ref=bo_yld_resort#table.

As a tonal inverse to *Lăzărescu*'s promotional materials, The Cinema Guild's somber marketing campaign for *Aurora* (2010, Cristi Puiu) helps draw the agency of boutique distributors into further relief. This three-hour film follows a divorced man, played by Cristi Puiu himself, as he drives around Bucharest, lingers outside buildings, and assembles a shotgun in his apartment. He eventually uses the shotgun to murder four people—the notary who signed his divorce papers, a bystander, and his former in-laws—and in the last scene, surrenders himself to the police. The narrative could not be described as a comedy in the slightest, though *The Death of Mr. Lăzărescu*'s narrative also defies this genre. Yet *Lăzărescu*'s U.S. and Romanian posters highlighted its comedic qualities, while The Cinema Guild's U.S. poster for *Aurora* announces a serious, austere work, through its nocturnal color scheme and the isolation of Puiu's protagonist in an abandoned industrial setting. While slow and disturbing, the film features several moments of absurdist or awkward humor (e.g., the man's desperate interaction with three saleswomen at a clothing store) and an ironic and incongruous end credits music cue. As films, *Aurora* and *The Death of Mr. Lăzărescu* share more tonal similarities than differences.

Tartan Films' decision to promote *The Death of Mr. Lăzărescu* as a comedy stems in part from its formal properties, but more deeply, it derives from an earlier historical, transnational context in which Puiu's unadorned style demanded a cognitive schema. *Lăzărescu*'s "anti-expressionist and anti-pictorial" form necessitated a paratextual nudge for even seasoned art house viewers to decipher Puiu's intentions.³⁷⁸ Tartan Films and Mandragora's hyperbolic marketing, of framing *Lăzărescu* as a clear-cut comedy, does play on stereotypes concerning Romanian gallows humor, though these tropes extend to popular conceptions of Eastern European ethnic humor as a whole. While these marketing strategies say little about Romania's

³⁷⁸ Andrei Gorzo, "In the Name of 'The Ambiguity of the Real': Romanian Cinematic Realism after the 2000s," *Film Criticism*, Vol. 41, Issue 2: *New Romanian Cinema* (October 2017).

essential national qualities or character, they nevertheless brand *Lăzărescu* as a “Romanian comedy,” however palpable said humor may be in the film to the art house spectator. Notably, The Cinema Guild’s later disavowal of humor resulted in diminished returns, for *Aurora* only collected \$5,677 through the U.S. box office.³⁷⁹ These sums may help explain why Puiu’s three features since, *Three Exercises of Interpretation* (2013), *Sieranevada* (2016) and *Malmkrog* (2020), have not received North American distribution. In general, the U.S. marketing of the Romanian films has relied primarily on appeals to genre, with superficial connections between genre and nation serving to both advertise and bridge cultural difference. By contrast, U.S. distributors of Indian films trade in common assumptions about India as a nation, in both culturally nuanced and deeply stereotypical ways.

To conclude this section, U.S. boutique distributors continue to filter international film into discrete, marketable national cinemas, especially when said national cinema lacks a robust history of art house patronage. The contemporary cinemas of India and Romania furthermore both demonstrate how U.S. boutiques take promotional cues from distributors in originating nations, suggesting that the marketing of “the national” is, indeed, a transnational exchange. This is not to suggest that boutique distributors have not attempted to market “the transnational,” as opposed to the strictly national, at all. Contemporary global art cinema includes many such films that dramatize transnational crossing or cross-cultural connection. *The Edge of Heaven* (2007, Fatih Akin) and *The Human Surge* (2016, Eduardo Williams), for example, have attracted critical attention for how they both displace any stable national identity through their respective treatment of melodrama and experimental slow cinema.³⁸⁰ Further research on Strand Releasing

³⁷⁹ “Aurora (2010),” *Box Office Mojo*, accessed April 9, 2023, https://www.boxofficemojo.com/title/tt1403047/?ref=bo_se_r_2.

³⁸⁰ Tiago De Luca, *Planetary Cinema: Film, Media, and the Earth* (Amsterdam: Amsterdam University Press, 2022), 251-258.

and Grasshopper Film's respective promotional campaigns for *The Edge of Heaven* and *The Human Surge* could reveal the strategies behind a "transnational address," and their efficacy. Such transnational promotional categories not only exist, they are in fact commonly deployed across conglomerate film releasing today. By contrast, the world of boutique film distribution stands apart, in this current landscape, for preserving and perpetuating the categories of national cinema.

Facing Miramax: Milestone's Distribution of *Fireworks* (1997-1998)

This chapter culminates in a case study illustrating this project's central concerns. For Milestone's 1998 release of Takeshi Kitano's *Fireworks*, several competing forces had to find balance: aesthetic integrity and commercial appeal, personality and industry, Milestone and Miramax. Through its distinct peculiarities, the U.S. distribution of *Fireworks* captures both the challenge and necessity of inter-firm collaboration, for boutique and conglomerate-owned distributors alike. Using archived correspondence housed at the WCFTR alongside original interviews, this section chronicles Milestone's acquisition, marketing, trans-Pacific press tour, and theatrical release of *Fireworks*. For Milestone specifically, *Fireworks* represented the peak of its theatrical ambitions. The release of *Fireworks* defined, circuitously yet causally, the mission-driven brand identity and distribution activities of Milestone Films since. Furthermore, the story of *Fireworks* conveys how the private world of personal relationships and inter-firm negotiations can so deeply affect the fate of so many films and companies.

Joshua Bogatin, "The Human Surge," *Screen Slate*, July 31, 2019, <https://www.screenslate.com/articles/human-surge>.

Claudia Breger, "Configuring Affect: Complex World Making in Fatih Akin's *Auf der anderen Seite* (The Edge of Heaven)," *Cinema Journal*, Vol. 54, No. 1 (Fall 2014): 65-87.

As a Japanese genre film starring and directed by a multi-media celebrity, *Fireworks* appeals to multiple audience segments and, so, resembled a valuable acquisition more than most subtitled films. Since RKO Pictures distributed *Rashomon* (1950, Akira Kurosawa) in 1951, Japan had served a pivotal role in U.S. foreign film market. The nation's major film studios had an unparalleled reputation for minting auteurs, genres, and even franchises that commanded international interest. Through the 1960s, Japanese cinema reached the U.S. market as the sole representative of Asian or, more broadly speaking, non-Western movie culture.³⁸¹ However, by the late 1990s, Japanese films were no longer the only, or even the principal, East Asian cinema on American screens. Hong Kong and mainland Chinese cinema had found dedicated U.S. audiences around this time: for example, the historical crime drama *Shanghai Triad* (1995, Zhang Yimou), distributed by SPC, grossed \$1,900,504, more than double the highest-grossing Japanese language domestic release, *Ghost in the Shell* (1995, Mamoru Oshii), of the same year.³⁸² Nevertheless, Japanese cinema retained strong domestic audiences during this time, particularly thanks to the nation's diverse anime output. It was during the late 1990s that Studio Ghibli and director Hayao Miyazaki began reaching mainstream American audiences, through Buena Vista Home Entertainment's dubbed VHS of *Kiki's Delivery Service* in 1998 and Miramax's theatrical release of *Princess Mononoke* (1997) in 1999.³⁸³ If exploited efficiently and widely through both theatrical and ancillary markets, a yakuza crime film represented a promising investment for a boutique distributor.

³⁸¹ Balio 118, 129.

³⁸² "Yao a yao dao waipo qiao (1995)," *The Numbers*, accessed April 8, 2023, <https://www.the-numbers.com/movie/Yao-a-yao-dao-waipo-qiao#tab=summary>.

"Kôkaku kidôtai (1995)," *The Numbers*, accessed April 8, 2023, <https://www.the-numbers.com/movie/Kokaku-kidotai#tab=summary>.

³⁸³ John Hartl, "Disney Will Distribute Animated Japanese Movie," *The Seattle Times*, September 3, 1998, <https://archive.seattletimes.com/archive/?date=19980903&slug=2769906>.

Princess Mononoke grossed \$2,375,308 in its initial 1999 U.S. theatrical run. See "Princess Mononoke (1997)," *Box Office Mojo*, accessed on April 26, 2024, https://www.boxofficemojo.com/title/tt0119698/?ref=bo_ser_1.

By contrast, the contingent nature of Takeshi Kitano's celebrity would present any distributor with a host of challenges alongside the benefits. In the 1990s, Takeshi Kitano was one of Japanese media industry's biggest stars, known by the sobriquet Beat Takeshi. He performed stand-up comedy, wrote best-selling novels, and hosted game shows like *Takeshi's Castle* (1986-1990), which received international syndication.³⁸⁴ However, American audiences around this same time had, at most, limited acquaintance with Takeshi Kitano. By 1997, U.S. audiences may have recognized Kitano from his acting roles in a pair of international co-productions: he played an antagonist in both *Merry Christmas, Mr. Lawrence* (1983, Nagisa Oshima) and *Johnny Mnemonic* (1995, Robert Longo), starring in the latter alongside Keanu Reeves. These same audiences had not yet had the chance to appreciate Kitano's work as an auteur, a growing corpus composed primarily of laconic, stylish yakuza crime films. By 1997, North American distributors had not acquired his directorial debut, *Violent Cop* (1989), or its follow-up, *Boiling Point* (1990), which he also wrote. Nor did these distributors pick up Kitano's third feature, the surfing drama *A Scene at the Sea* (1991), which departed from the yakuza genre and did not star Kitano in any on-screen role.

By 1997, *Sonatine* (1993, Takeshi Kitano) had been acquired but not yet released in theatrical or ancillary markets. Kitano's critical breakthrough film, *Sonatine* (1993) had premiered in the 1993 Cannes Film Festival's Un Certain Regard slate. Upon its premiere, the *Variety* review noted *Sonatine*'s "explosive finale" and advised, "Fest dates could translate into limited arthouse biz, with enterprising webs airing his quartet as a package."³⁸⁵ In October 1993, Milestone Films proposed a bid to acquire *Sonatine* from the film's Japanese distributor,

³⁸⁴ Nancy Tartaglione, "Prime Video to Reboot 'Takeshi's Castle', Sets Japanese Adaptation of 'Modern Love,'" *Deadline*, March 30, 2022, <https://deadline.com/2022/03/prime-video-japan-takeshis-castle-modern-love-1234990691/>

³⁸⁵ Derek Elley, "Reviews: Cannes Fest - Sonatine," *Variety*, June 7, 1993, 40.

Shochiku, but the company declined as it was finalizing an offer from another company.³⁸⁶ This company was only publicly revealed two years later to be Rolling Thunder Pictures, a distribution imprint of Miramax curated by Quentin Tarantino.³⁸⁷ After shelving the title for several years, Miramax announced fall 1996 as *Sonatine*'s theatrical premiere date, then after that season passed moved the date to spring 1997.³⁸⁸ By fall 1997, when *Fireworks* premiered at the 54th Venice Film Festival, *Sonatine* had yet to open in domestic theaters. The lack of domestic release of *Sonatine*, let alone *Violent Cop*, *Boiling Point*, or *A Scene at the Sea*, left Kitano a still relatively obscure quantity in the U.S. at this time. For a North American distributor, substantial publicity—which is to say, considerable expense—would be necessary to elevate Takeshi Kitano's profile to the celebrity status it already earned globally.

Fireworks presented both appealing intrinsic and autobiographical qualities for a shrewd distributor to market. While the eccentricity of Kitano's style blunted the film's commercial prospects against, say, a Jackie Chan action film, *Fireworks*—and in particular the existential circumstances preceding its production—aligned neatly with the humanist ideals of successful art films. *Fireworks* was Kitano's first film that he both starred and directed in after a near-fatal motorcycle accident. The 1994 incident paralyzed half of his face and left a scar under his right eye.³⁸⁹ While convalescing, Kitano taught himself to paint, and the paintings he produced in this reportedly contemplative state figure prominently in *Fireworks*.³⁹⁰ Despite Kitano's penchant for

³⁸⁶ Letter from Yuki Takazawa to Amy Heller, October 27, 1993, WCFTR, Milestone Films Papers, Box 1, Folder 6.

³⁸⁷ *Screen International*, Issue 1024 (Sep 8, 1995): 6.

"Tarantino, Bender open two shops," *Variety*, July 17, 1995, <https://variety.com/1995/film/features/tarantino-bender-open-two-shops-99129313/>.

³⁸⁸ Wayne Karrfalt, "Monster Market," *The Hollywood Reporter*, Vol. 344, No. 10 (Sep 24, 1996): T-2.

Wayne Karrfalt, "Against odds, Japan's indies crack U.S. market," *The Hollywood Reporter*, Vol. 345, Iss. 38 (Jan 14, 1997): I-8.

³⁸⁹ Richard Corliss, "The Unbeaten," *TIME*, February 12, 2001, <https://content.time.com/time/subscriber/article/0,33009,98022,00.html>

³⁹⁰ Mark Rabinowitz, "Kitano Brings Fire and Beauty to America," *Indiewire*, March 20, 1998, <https://www.indiewire.com/1998/03/kitano-brings-fire-and-beauty-to-america-82995/>

genre, none of his directed films up to *Fireworks* had found commercial success, in Japan or abroad.³⁹¹ “So with [*Fireworks*], I targeted the film for myself only, which was torture for the producers,” Kitano said in 1998.³⁹²

For an art house distributor, *Fireworks* furthermore offers ample intrinsic appeal. For one, it is unmistakably a crime film, starring Kitano as a former cop hunted by the yakuza after borrowing money for his ailing wife. Kitano punches, shoots, and stabs throughout the film. As a work of artistic distinction, *Fireworks* ticks many boxes. The film won the Golden Lion at the 1997 Venice Film Festival. Beyond that, it is stylistically unique, indebted to postwar modernist cinema with its planimetric staging, minimalist performance style, abrupt tonal shifts, off-screen violence, and slower pace. Kitano’s surreal and pointillist paintings add a romantic, expressive dimension that his previous films lack; they provide clear material “to pitch Kitano as a Japanese Renaissance man,” as Amy Heller would urge a publicist to do when contacting press.³⁹³ Furthermore, Kitano’s real-life brush with death invites critical interpretation, given how suffused the film is with melancholy and destruction. J. Hoberman described it for *The Village Voice* as, “Ozu meets Don Siegel with Kitano in *Dirty Harry* mode.”³⁹⁴ To an unusual degree, *Fireworks* represents an art/genre film hybrid, with near-parity between the two modes.

For these reasons, *Fireworks* would seem a natural fit for a well-capitalized specialty division’s slate, which makes its acquisition by the exceedingly small boutique Milestone Films especially unusual. Acquiring *Fireworks* was, to quote Dennis Doros, “a really stupid risk.”³⁹⁵

³⁹¹ Wayne Karrfalt, “Producers see Vencie win as boost to Kitano,” *The Hollywood Reporter*, Vol. 349, Iss. 17, (Sep 23, 1997): I-4.

³⁹² “Kitano Brings Fire and Beauty to America,” *Indiewire*

³⁹³ Email message from Amy Heller to Phil Hall, November 10, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 10.

³⁹⁴ J. Hoberman, “Weather Report: Mixed Sun and Storms at the NYFF,” *Village Voice*, September 30, 1997, page N/A.

³⁹⁵ Dennis Doros, email message to author, August 16, 2022.

Amy Heller saw it at the 1997 Toronto Film Festival, as did Fumiko Takagi, Milestone’s Vice President and the company’s only other full-time employee at the time. Takagi and Heller instantly loved it.³⁹⁶ That same week, *Fireworks* won the top prize at the Venice Film Festival. According to Heller, the sales agent for *Fireworks*, Celluloid Dreams, asked “a lot” for North American rights.³⁹⁷ Milestone’s three executives—Heller, Doros, and Takagi—agreed to bid high and land their biggest acquisition yet. While *Indiewire*’s contemporary article reported “a six-figure deal,” the distribution contract between Milestone and Celluloid Dreams records a \$90,000 agreement for U.S. and Canadian distribution rights, over a 10-year term, to *Fireworks*.³⁹⁸ Though the reason *Indiewire* rounded up to \$100,000 is unclear, a “six-figure” acquisition is effectively analogous to the seven-figure (\$1,000,000) theatrical gross brandished by *Variety* in this dissertation’s opening pages. In other words, these round yet vague “figures” are arbitrary thresholds that, if cleared, signal a distribution company to watch and cover seriously.

Soon after, two fortuitous events helped lessen the financial burden of this acquisition. First, Doros traveled to the Vancouver International Film Festival later that September, and found a newly formed company, called Red Sky, eager to buy Canadian theatrical rights for *Fireworks* from Milestone.³⁹⁹ Dennis would have asked \$10,000 for Canadian rights, but luckily he did not set the opening bid as Red Sky started with an offer of \$50,000. Dennis speculates that since they were a brand new company, Red Sky was “anxious to make a big splash” and

³⁹⁶ Amy Heller, email message to author, August 17, 2022.

³⁹⁷ Heller, email message to author, August 17, 2022.

³⁹⁸ *Fireworks* distribution contract, signed November 10, 1997, scanned by author from copy in possession by Milestone Films.

Mark Rabinowitz, “Milestone to Release Takeshi’s NYFF Selection ‘Hana-Bi,’” *Indiewire*, September 26, 1997, <https://www.indiewire.com/1997/09/milestone-to-release-takeshis-nyff-selection-hana-bi-83442/>.

³⁹⁹ Brendan Kelly, “Red Sky has foreign accent,” *Variety*, January 7, 1998, <https://variety.com/1998/film/news/red-sky-has-foreign-accent-1117434561/>.

somewhat naïve about the going rate for a subtitled art film in this market.⁴⁰⁰ This fortuitous infusion of \$50,000 gave Milestone a cushion to plan and finance their rollout in the most lucrative markets, above all, New York.

The other stroke of good luck involved another instance of inter-firm dealmaking, except the other distributor, Miramax, was not just established but arguably hegemonic within the art house sector. Essentially, Milestone found itself in a position able to exert material demands from Miramax, based on their shared interest in Takeshi Kitano. The core issue hinged around talent relations, specifically concerning the task of bringing Kitano to New York and Los Angeles to conduct a press tour. Given the resources at Miramax's disposal, an unappealing scenario loomed for Milestone, one dreaded by Doros and Heller, whereby The Walt Disney Company-owned Miramax could steer the press attention toward a belated theatrical run of *Sonatine* and away from *Fireworks*. As Milestone's executives learned after initiating contact with Kitano's production company, Office Kitano, Miramax's publicists had already unsuccessfully attempted to organize a Kitano U.S. press tour. In early 1997, Quentin Tarantino's press agent, Bumble Ward, had contacted Office Kitano, to solicit a U.S. visit from Kitano for *Sonatine*'s theatrical release. In the initial fax, Ward stated that "so much of what we do is contingent on Takashi Kitano's participation," and seven weeks later followed up with the ultimatum, "We are willing to hold the release of the film until Mr. Kitano is available."⁴⁰¹ As inter-office communication reveals, Miramax failed to understand how busy Takeshi Kitano's schedule truly was. On March 19, 1997, Office Kitano President Masayuki Mori declined Ward's request in the following terms:

⁴⁰⁰ Doros, email message to author, August 16, 2022.

⁴⁰¹ Bumble Ward fax to Masayuki Mori, January 30, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 2. Bumble Ward fax to Masayuki Mori, March 18, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 2.

As we had stated in our fax dated Jan. 31, we would like to remind you that it is absolutely impossible for Mr. Kitano to visit the States because his schedule is completely booked with prior obligations for next 6 to 7 months [*sic*]. As you may not already know Mr. Kitano's activities not only include directing feature films, but he appears in 7 regular programs a week, writes best selling novels and has weekly and monthly columns on the biggest selling magazines. Furthermore, we'd also like to remind you the contract of "Sonatine" had been agreed between Miramax and Shochiku, and to inform you that we have not been explained by Miramax or Shochiku how the publicity is held. Therefore, as much as we would spare no efforts to cooperate with you in regard to the film itself, we are afraid we do not have the option to do so in terms of publicity, and we can but regret if the release of the film would be held.⁴⁰²

After this response, Miramax made no material efforts to proceed with a theatrical premiere for *Sonatine*, until after Milestone acquired *Fireworks* and publicly announced an "early 1998" release via press release.⁴⁰³

Throughout this fall 1997 period, Milestone's three full-time employees focused almost exclusively on mounting the widest release and most lavish press tour the company had yet attempted. Kitano himself desired to conduct a U.S. press tour for *Fireworks*, and Milestone began scaling up its operations to organize a multi-day event worthy of Japan's biggest star.⁴⁰⁴ Milestone fired its longtime publicist, Phil Hall, in favor of a more experienced, and more expensive, New York PR firm.⁴⁰⁵ Prior to his dismissal, Hall dedicated a few of Kitano's stateside interview slots to Japanese press outlets like Kyodo News Service and Fuji-TV. This bothered Heller as outlets such as these could not promote interest in a North American release.⁴⁰⁶ According to Heller, Milestone hired veteran publicists Sophie Gluck and Norman Wang because they "were very experienced with foreign films and with international

⁴⁰² Masayuki Mori fax to Bumble Ward, March 19, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 2.

⁴⁰³ Fireworks press release, November 4, 1997, WCFTR, Milestone Films Papers, Box 41, Folder 42.

⁴⁰⁴ Amy Heller letter to Kyoko Hirano, October 21, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13.

⁴⁰⁵ Clyde Gentry III email to Dennis Doros, November 24, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13.

Heller, email message to author, August 17, 2022.

⁴⁰⁶ Amy Heller email to Phil Hall, November 10, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 10.

directors.”⁴⁰⁷ Publicity costs alone extended past the New York market and pushed Milestone into a new frontier of expense, as evidenced by a \$4,000 contract between Milestone and Los Angeles-based firm Dennis Davidson Associates Limited.⁴⁰⁸ During this same fall 1997 period, Miramax began to make internal decisions toward mounting a spring 1998 theatrical release for *Sonatine*, possibly preceding *Fireworks*.

Yet, through its personal and institutional relationships, Milestone managed to stay abreast of Miramax’s plans for *Sonatine* and maintained control over its release of *Fireworks*. In the process of changing publicists, Milestone was planning Kitano’s visit to New York’s Japan Society, the influential cultural organization located a block from the United Nations headquarters. The Japan Society agreed to host the *Fireworks* press screening and a separate screening for Society members, both with Kitano in-person.⁴⁰⁹ During these negotiations, in October 1997, Milestone received a message from the Japan Society’s film curator, Kyoko Hirano. Essentially, Hirano tipped off Doros about Miramax’s overlapping, March 1998 release plan for *Sonatine*.⁴¹⁰ Her message to Doros read as follows [emphasis added]:

Another important matter. When we did Kitano retro last fall, Cynthia [Swartz, VP of Special Projects] of Miramax contacted us and hoped to invite Mr. Kitano. I told Cynthia that we cannot invite him because he is costly, and Cynthia said they would wait until Mr. Kitano will be able to travel. A few weeks ago, I had to know when Miramax is planning to release SONATINE because they have been postponing it for a long time and their answer was March 6, 1997. Probably you can work with Miramax because they have money, and timing is good for them, too. However, if there will be more players, the whole project will become more complicated and we may not be able to keep control at reasonable level. **But, once you invite Mr. Kitano, Miramax will take advantage of it anyway, and**

⁴⁰⁷ Heller, email message to author.

⁴⁰⁸ Michael Brawley letter to Dennis Doros and Amy Heller, February 5, 1998, WCFTR, Milestone Films Papers, Box 42, Folder 12.

⁴⁰⁹ Kyoko Hirano letter to Fumiko Takagi, November 12, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13.

⁴¹⁰ *Sonatine*’s initial premiere date of March 6, 1998, would not be reported by the trades until early February 1998, see: *Boxoffice*, Vol. 134, Iss. 2 (Feb 1, 1998): 10.

“Calendar of Feature Releases,” *Film Journal International*, Vol. 101, Iss. 1 (Feb 1, 1998): 54.

probably, it will be better at this point to decide to share the cost with Miramax now, in order to avoid their free-riding.⁴¹¹

In this message, Hirano makes clear her awareness that Miramax and Milestone are companies of vastly different resources, and that Milestone would need to strategize how to best navigate this situation. This instance of cordial, inter-institutional concern was born through years of friendship between Hirano and Milestone's leaders. Less than a week after *Variety* reported Milestone's 1990 founding, Hirano had lunch with Doros and Heller and sent a letter of thanks addressed to them both.⁴¹² Doros, Heller, and Takagi had also nurtured a close working relationship with Hirano during Milestone's 1996 theatrical release of *Maborosi* (1995, Hirokazu Kore-eda).⁴¹³ In this instance, Hirano's outreach expresses both professional and personal concern.

Hirano's message readied Milestone for its delicate relationship with Miramax, which formally initiated soon after. Two weeks later, Miramax VP of Special Projects Cynthia Swartz called Milestone's office to schedule a meeting; Amy Heller recounted the call to Naoyuki Usui, Assistant of International Affairs at Office Kitano, as follows [emphasis added]:

Yesterday we also got a very interesting phone call from Miramax to set up an appointment for us to meet with Cynthia Swartz next week. According to the caller (a friend), Miramax is finally going ahead with the long-overdue release of *Sonatine* and they would like to coordinate their efforts with ours for *Hana-Bi*. We will be meeting with Ms. Swartz (VP for Special Projects) next Wednesday October 29. According to their official release info, *Sonatine* is slated to be released March 6 (although again and again they have scheduled the film's release and then pushed it back). We are doing more checking to find out information about their release plans in advance of next week's meeting.

Our position is that we are willing to cooperate with Miramax to the extent that it helps *Hana-Bi*. We are definitely concerned that Miramax, with the clout and finances of the Disney Corporation behind them, can divert attention away from our release. As the Golden Lion winner (and Mr. Kitano's

⁴¹¹ Kyoko Hirano letter to Dennis Doros, October 7, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13.

⁴¹² Kyoko Hirano letter to Amy Heller and Dennis Doros, September 23, 1990, WCFTR, Milestone Films Papers, Box 1, Folder 1.

⁴¹³ Dennis Doros, email message to author, August 16, 2022.

latest film masterpiece), we feel that Hana-Bi deserves to be the Kitano film that gets the most press and public attention in 1998.⁴¹⁴

Thankfully for Milestone, Office Kitano was on the same page: “RE: Miramax—We completely agree ... that HANA-BI should be the one of his films that gets the most press and public attention in '98. If Miramax should divert attention ... away from your release, it would be very difficult for us to put our trust on them. We would like to stress that this trip we are arranging is to promote HANA-BI not *Sonatine*.” Referring to the Miramax-Office Kitano correspondence earlier that year, Usui elaborated more bluntly, “With all due respect, we’d had to say [Miramax’s] attitude has not been very sincere to us or the film. To be honest, *Sonatine* was made 4 years ago and we hardly feel it necessary to promote *Sonatine* after all these years or to inform them that our delegation are to visit US for that matter.”⁴¹⁵ Office Kitano’s clear priorities, toward their own films and their partner institutions, would play a decisive role in shaping the U.S. release of both *Fireworks* and *Sonatine*.

The Japan Society and Office Kitano offer examples where two separate institutions voice to Milestone Films their distrust of Miramax and throw their full weight behind Milestone. Without these institutions’ support, Miramax could have proceeded with releasing *Sonatine* at an overlapping or even earlier date than *Fireworks*. But with Office Kitano’s backing, Milestone successfully negotiated from Miramax, three key conditions: 1) that *Fireworks* would be released first; 2) a three-week buffer between the theatrical premiere of *Fireworks* and that of *Sonatine*; and 3) a \$23,000 check, to pay for half of the expenses of Kitano’s US visit. In exchange, Miramax negotiated a joint press-screening, whereby critics would watch both *Fireworks* and

⁴¹⁴ Amy Heller fax to Naoyuki Usui, October 23, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 2.

⁴¹⁵ Naoyuki Usui fax to Amy Heller and Fumiko Takagi, October 27, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 2.

Sonatine, and they could also participate in the publicity campaign Milestone was organizing.⁴¹⁶

It is possible this press screening arrangement inadvertently called attention to the odd power dynamics at play, to the film critics paying attention. Manohla Dargis, then at *LA Weekly*, said as much:

A few years ago, under Quentin Tarantino's Rolling Thunder banner, Miramax bought Kitano's powerful yakuza film *Sonatine*, only to sit on it while the company busied itself with cardboard masterpieces like *Good Will Hunting*. Now Miramax has decided to open *Sonatine* just weeks after upstart distributor Milestone, a tiny New York outfit with all of four employees, releases *Fireworks*, thereby allowing the Disney company to capitalize on publicity generated by the smaller firm. Although there's a risk that Miramax could siphon off some of Milestone's business, perhaps it's better to be thankful for small favors, especially when it comes to foreign-film distribution. After all, *Fireworks* and *Sonatine* are both terrific, even if only one of the distributors gives a damn.⁴¹⁷

Dargis was not the only critic to liken Milestone and Miramax to a quasi-David vs. Goliath dynamic.⁴¹⁸ All told, the particular, proximate nature of *Fireworks* and *Sonatine*'s release spurred critical discourse that dwelled on the distinctions between boutique and specialty distributors, which this chapter has explored.

With hindsight, Heller, Doros, and Takagi have also volunteered other theories as to why Office Kitano was so firm on supporting Milestone over Miramax. The obvious explanation concerns prestige and recency—put simply, that *Fireworks* won the Golden Lion and was the latest film by the increasingly prolific Kitano. But there were also private social dynamics at play, little things that endeared Kitano to Milestone while alienating him from Miramax. For one, when Miramax initially proposed a U.S. press tour for *Sonatine* in 1993, they opened their

⁴¹⁶ Amy Heller letter to Cynthia Swartz, December 10, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13. Amy Heller fax to Naoyuki Usui, December 12, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 2. Invoice, December 30, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 12.

Amy Heller letter to Cynthia Swartz, December 9, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 12.

⁴¹⁷ Manohla Dargis, "The Man: Takeshi Kitano's work of genius," *LA Weekly*, March 20-26, 1998.

⁴¹⁸ Howard Feinstein, "'Fireworks,'" *New York Post*, March 20, 1998.

Scott Macaulay, "Killing Me Softly," *Filmmaker Magazine* (Spring 1998).
https://filmmakermagazine.com/archives/issues/spring1998/killing_me.php

letter to Kitano, “Dear Takeshi,” whereas Japanese custom would prescribe, “Kitano-san.”⁴¹⁹

Milestone VP Fumiko Takagi, who is fluent in Japanese, knew better; she opened her letter with the appropriate suffix and formal tone.

Fittingly, Takagi soon befriended Kitano and his team. She convinced Kitano to use his one week of vacation in the year, the first week of January, to visit New York and Los Angeles.⁴²⁰ She organized an itinerary heavy on Japanese-owned and -themed establishments: Kitano and his entourage flew via Japan Airlines, ate at Nobu Matsuhisa’s Beverly Hills restaurant Matsuhisa, and stayed at the Hotel Nikko, in LA, and the Kitano Hotel in Midtown Manhattan.⁴²¹ While Takeshi Kitano bears no relation to the owners of the latter hotel, the proprietor of Kitano Hotel expressed keen interest in hosting the star, writing to Heller, “We feel the tie-in with Mr. Kitano and The Kitano New York would be a natural and look forward to your favorable decision.”⁴²² Fumiko accompanied Kitano on this week-long, cross-country press tour, and described his “whimsical” spirit in the midst of back-to-back interviews: “His shoes had taps on them so he could tap dance at any time, which he did in the elevator we were riding together.”⁴²³ According to Doros, Kitano called Takagi “daughter” throughout this trip. Ultimately, here is an instance where Milestone’s boutique, familial nature converts into an asset. Having spent the previous 51 weeks immersed in the Japanese media industry, Kitano seemingly enjoyed the week where he was part of a much more quaint, human-scaled apparatus, one dedicated to treating him as an artist.

⁴¹⁹ Dennis Doros, email message to author, August 16, 2022.

⁴²⁰ Dennis Doros, email message to author, August 16, 2022.

Amy Heller letter to Kyoko Hirano, October 21, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13.

⁴²¹ Fumiko Takagi, email message to author, September 10, 2022.

⁴²² Kathleen Trippertree letter to Amy Heller, November 11, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13.

⁴²³ Fumiko Takagi, email message to author, September 10, 2022.

For all its virtues, Kitano's two-city press tour came at a steep monetary cost, which Milestone mitigated as much as possible through its connections with other institutions. Correspondence from the WCFTR's Milestone Films Papers reveals how Doros, Heller, and Takagi dedicated an inordinate amount of time and effort to securing discounted airfare and lodging. Initially, Milestone contacted Northwest Airlines and United Airlines directly, seeking to secure discounted or donated intercontinental airfare for Takeshi Kitano and three Office Kitano colleagues, in exchange for Milestone spotlighting the brand in all promotional material related to *Fireworks*. These bids did not succeed.⁴²⁴ Milestone ultimately secured half-priced airfare from Japan Airlines (JAL) through a mediating arrangement with New York's Japan Society, which had a longstanding relationship with that particular airline.⁴²⁵ Specifically, Japan Society arranged for a barter agreement between JAL and Milestone, whereby JAL Family Club members received a "special advance screening of *Fireworks*" and Milestone received \$7,000 in JAL ticket value.⁴²⁶ Furthermore, Japan Society mediated between Milestone and the Kitano Hotel to secure discounted lodging, from a normal rate of \$1095 per night to \$225 per night for Takeshi Kitano's deluxe suite.⁴²⁷ These substantial discounts in airfare and lodging, while still steep for a boutique distributor, enabled Milestone to treat Kitano and his entourage to first-class service — an often-underlined requirement for any celebrity press tour, though in this case an expectation Office Kitano left mainly tacit. In simplest terms, Milestone's relationship with Japan Society and those who work there made the press campaign for *Fireworks* possible.

⁴²⁴ Kevin Hoese letter to Amy Heller, December 9, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13.

Amy Heller letter to David Coltman, November 17, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13.

⁴²⁵ Fumiko Takagi fax to Ryokichi Tada, Japan Airlines, November 21, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13.

Kyoko Hirano fax to Fumiko Takagi, November 12, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13.

⁴²⁶ Barter agreement for Advertising Activities between Japan Airlines Co. Ltd. And Milestone Film & Video, December 26, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13.

⁴²⁷ Kyoko Hirano letter to Dennis Doros, October 7, 1997, WCFTR, Milestone Films Papers, Box 42, Folders 13.

Hosting Takeshi Kitano in Los Angeles and New York would be worth the expense only if the visit rapidly lifted his celebrity profile in the United States market. To accomplish this, Kitano sat down for a battery of interviews, with at least 29 press outlets between Los Angeles and New York. During his time in Los Angeles, between January 2 and 3, 1998, Kitano answered questions for both English-language (*Los Angeles Times*, *Associated Press*, *LA Weekly*, *NPR*, et al) and Japanese-language outlets (*Yomiuri Shimbun*, UTB Television). He additionally posed for a *Premiere Magazine* photo session and taped an interview at CNN's Los Angeles bureau. While at the Hotel Nikko, Kitano also met with Miramax representatives to provide material for a *Sonatine* press kit.⁴²⁸ Between January 4 and 6, in New York, Kitano sat down with a mix of mass media and cinephile outlets, including *The New Yorker*, *The New York Times*, *Interview Magazine*, *The Village Voice*, *Premiere*, *WNYC*, *New York Daily News*, *Newsday*, *New York Magazine*, *Paper Mag*, and *Filmmaker Magazine*. For Kitano's final evening in New York, Milestone hosted, with support from Miramax and the Film Society of Lincoln Center, a dinner feting the auteur at Gabriel's, an upscale Italian restaurant off Columbus Circle.⁴²⁹ The 30 guests included name-brand film critics, such as J Hoberman, Lisa Schwartzbaum, Dave Kehr, and Amy Taubin, side-to-side with aforementioned stakeholders in Kitano's visit, including representatives from JAL Airlines and Miramax.⁴³⁰ For the Gabriel's dinner, Milestone paid \$900, presumably half of the final bill as per its initial arrangement with Miramax.⁴³¹

Substantial press coverage emerged two months later, in the weeks before the release of *Fireworks*. On the one hand, *Fireworks* reviews in the major newspapers and magazines were

⁴²⁸ FIREWORKS (HANA-BI) Takeshi Kitano Los Angeles Interview Schedule January 2-3, 1998, 31 December 1997, WCFTR, Milestone Films Papers, Box 42, Folder 12.

⁴²⁹ Dennis Doros fax to Karen Cooper and Mike Maggiore, January 9, 1998, WCFTR, Milestone Films Papers, Box 42, Folder 12.

⁴³⁰ Amy Heller letter to Richard Peña, December 29, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13.

⁴³¹ Kitano Trip expenses, undated, WCFTR, Milestone Films Papers, Box 41, Folder 47.

almost uniformly positive, with zero outright negative reviews.⁴³² Kenneth Turan, at *The Los Angeles Times*; J. Hoberman, at *The Village Voice*; and Janet Maslin, at *The New York Times* published enthusiastic, positive reviews.⁴³³ However, a *New York Times* rave no longer had kingmaking power over subtitled releases, liked it used to in the days of Bergman, Fellini, and Kurosawa. Earned media, in the form of magazine profiles and news articles, arguably held more consequence for a subtitled film's success than positive reviews. Specialty distribution veteran Bill Thompson told Doros as much soon after Milestone acquired *Fireworks*, writing over email the following: "The *Times*, however, no longer has the authority to influence box office outcome of foreign films it once possessed when Vincent Canby was its main critic. ... Ultimately, however, I expect *Hana-Bi*'s commercial success here will be more dependent on special feature articles which might entice viewers and help to generate word of mouth than on the reviews themselves."⁴³⁴ Kitano's U.S. visit primarily served to generate this form of coverage. Ultimately, Kitano graced the cover of *Film Comment* and received profiles in *The New York Times*, *New York Daily News*, *Time Magazine*, and *Yolk*, a magazine with a young Asian-American readership.⁴³⁵ Most profiles described Kitano's art, celebrity, and figure in singular terms, though one article, for the *San Francisco Chronicle*, applied its Kitano interview to a

⁴³² Jennifer Stark memo to Amy Heller, Dennis Doros, Fumiko Takagi, Office Kitano, February 11, 1998, WCFTR, Milestone Films Papers, Box 42, Folder 12.

⁴³³ Kenneth Turan, "Unexpected Elements Spark an Intricate 'Fireworks,'" *Los Angeles Times*, March 20, 1998. <https://www.latimes.com/archives/la-xpm-1998-mar-20-ca-30677-story.html>.

J. Hoberman, "Weather Report: Mixed Sun and Storms at the NYFF," *Village Voice*, September 30, 1997.

Janet Maslin, "'Fireworks': Tough Cop, but Tender and Artistic," *The New York Times*, March 20, 1998.

<https://archive.nytimes.com/www.nytimes.com/library/film/032098firewor-film-review.html>

⁴³⁴ Bill Thompson email to Dennis Doros, September 26, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 8. Bill Thompson was an executive at Picturehouse, FilmDistrict, Cohen Media Group, and several other specialty distribution companies.

⁴³⁵ *Film Comment* (March/April 1998), 1.

Kenneth Li, "Japan's One-Man Show: 'Beat' Kitano Goes On & On," *The New York Daily News*, March 30, 1998.

Leslie Camhi, "The Serious Side of Japan's Favorite Nuisance," *The New York Times*, March 15, 1998, 13.

George Toshio Johnson, "Meet Hana-Bi's Beat," *Yolk Magazine* (Winter/Spring Issue 1998), 52-53.

Anthony Spaeth, "Faces of the Future," *Time Magazine*, April 28, 1997, Vol. 149, No. 17

wider think-piece with the subhead, “Subtitled movies have uncertain future in U.S.” The article quotes Kitano, saying that *Fireworks* “benefits from having little dialogue and therefore few subtitles.”⁴³⁶ Except in enthusiast magazines like *Film Comment* and *Yolk*, most profiles of Kitano strenuously rationalized his films’ subtitles in some way, given how stark a barrier they remained for any mass-market audience.

By extension, Milestone’s publicity material attempted a difficult balancing act, promoting it as quality Japanese cinema in one breath and a cool, post-Tarantino crime film in the next. In an October 28, 1997, press release announcing Kitano’s U.S. visit, Milestone summarizes the film as follows: “In *Fireworks* Kitano transcends the action genre, using the structure of a crime thriller to explore serious questions about life and death. ... His violence is explosive, efficient, and coolly stylish. ... The film’s denouement is harsh, beautiful and heartbreaking.”⁴³⁷ An oscillation between art (“transcends,” “stylish,” “beautiful”) and genre (“action,” “violence,” “harsh”) animates each sentence, a textbook case of “the nature of art cinema’s instability,” as explored by Rosalind Galt and Karl Schoonover.⁴³⁸

Milestone’s trailer for *Fireworks* similarly appeals to both modes, in a captivating, if still immiscible pairing of poetry and carnage. The trailer begins with violent series of images featuring Kitano’s protagonist, Yoshitaka Nishi: he shoots a yakuza hitman point-blank, he stands up with a bloody teeth, he drops a knife above a man’s face, he shoots again and blood splashes on a painting. On-screen titles flash: “Get Ready for a New Kind of Hero ... A New Kind of Filmmaker ... And an Explosive New Film.” Joe Hisaishi’s score opens in a stirring

⁴³⁶ John Horn, “Foreign Films Face Rocky Passage,” *San Francisco Chronicle Sunday Datebook*, February 1, 1998, 61.

⁴³⁷ “Takeshi Kitano, Director and Star of *FIREWORKS* (HANA-BI) to Visit Los Angeles and New York in January 1998” press release, October 28, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13.

⁴³⁸ Rosalind Galt and Karl Schoonover, “Introduction: The Impurity of Art Cinema,” *Global Art Cinema: New Theories and Histories* (Oxford: Oxford University Press, 2010), 6.

register, with pulsing strings and ascending woodwind figures. After another, even faster montage of Nishi wrecking violence, the soundtrack transitions to a plaintive register, omitting the woodwinds for delicate piano and strings. Images of Nishi beside his wife and Nishi appearing contemplative before a fire, along with an insert of fireworks in the sky, stress the film's tender side. The trailer closes by completing the action, seen earlier, of Nishi rising with a bloodied face and, now, pointing a revolver toward the camera, in the style of the famous ending of *The Great Train Robbery* (1903, Edwin S. Porter). Ultimately, Milestone's trailer aims for both the art house filmgoer and action film fan. It also notably lacks any Japanese dialogue, which the trailer's editor reported was by design. "Milestone's only demand," said David Kirchner, "was that there could be no Japanese dialog – only action, and beautiful, largely silent, moments"⁴³⁹ By contrast, Miramax's contemporaneous trailer for *Sonatine* pursues a radically different, more commercial aesthetic. Though it shares with Milestone a strategic elision of subtitles, the one-minute *Sonatine* teaser features wall-to-wall sound, between its English voice-over ("In the Land of the Rising Sun, something big is going down," "The *Philadelphia Inquirer* raves, 'It's reminiscent of Scorsese's *Goodfellas!*'") and its barrage of stabbings, explosions, and gunfire.⁴⁴⁰ Given the tonal similarity between *Fireworks* and *Sonatine*, the stylistic disparity between these trailers reinforces the agency distributors have when marketing subtitled films to American audiences.

Befitting the trailer's broad audience address, Milestone committed to the largest opening platform of its history, before or since. In addition to the metropolitan trio of New York, Los Angeles, and Chicago, Milestone also booked a simultaneous opening weekend in San

⁴³⁹ ryy79, "Hana-Bi – Trailer – (1997) – HQ," *YouTube* video, uploaded on December 22, 2008, <https://www.youtube.com/watch?v=fHpV5-pRwHU>.

⁴⁴⁰ Vhs Vcr, "Sonatine Movie trailer (1993)," *YouTube* video, uploaded on July 8, 2016, <https://www.youtube.com/watch?v=-d8MljTCd7s>.

Francisco, Berkeley, Boston, Seattle, Houston, and Denver.⁴⁴¹ Theaters across the country, such as San Francisco's Roxie Cinema, contacted Milestone for bookings, rather than the other way around, which boutique distributors take as a vote of confidence.⁴⁴² For her part, Takagi pursued the film's potential to reach Asian American audiences, judging by her correspondence with a Honolulu exhibitor.⁴⁴³ But Milestone's primary focus remained on booking prestigious, long-established art house cinemas, as evidenced by Heller's correspondence with Karen Cooper, director of New York's Film Forum. Cooper ultimately booked *Fireworks* at her theater, one of New York's most respected cultural venues.⁴⁴⁴ However all-encompassing its imagined audience for *Fireworks* was, established relationships led Milestone to primarily seek art house audiences.

Ultimately, *Fireworks* premiered on March 20, 1998. Over its opening weekend, the film grossed \$59,000, across nine screens. Its per-theater average far surpassed that weekend's number one title, *Titanic* (1997, James Cameron) — though, granted, that record-breaking blockbuster was at that point in its 13th week of release.⁴⁴⁵ *Fireworks* performed exceptionally well in New York, where it screened for nearly three months (March 20 – June 9) at the Film Forum and ultimately grossed \$133,495.⁴⁴⁶ Across its entire national theatrical run, *Fireworks* grossed approximately \$500,000.⁴⁴⁷ Though this is a commendable sum for a subtitled release, in either 1998 or 2024, this gross came up short from the one-million-plus gross for which

⁴⁴¹ "Fireworks cities to premiere," email message from Dennis Doros, March 17, 1998, <https://mailman.yale.edu/pipermail/kinejapan/1998-March/002362.html>.

⁴⁴² Elliot Lavine letter to Milestone, 14 January 1998, Milestone Films Papers, Folder "Fireworks Review Masters (1 of 2)," WCFTR

⁴⁴³ Fumiko Takagi letter to Don Brown, March 13, 1998, WCFTR, Milestone Films Papers, Box 42, Folder 13.

⁴⁴⁴ Amy Heller letter to Karen Cooper, December 11, 1997, WCFTR, Milestone Films Papers, Box 42, Folder 13.

⁴⁴⁵ Daily Variety Film Box Office Report, *Daily Variety Gotham*, March 24, 1998, WCFTR, Milestone Films Papers, Box 41, Folder 43.

⁴⁴⁶ *Fireworks* Grosses, June 21, 1998, WCFTR, Milestone Films Papers, Box 41, Folder 41.

⁴⁴⁷ "Fireworks," *Box Office Mojo*, accessed on April 24, 2024, https://www.boxofficemojo.com/title/tt0119250/credits/?ref=bo_tt_tab.

Fireworks' theatrical gross has also been reported as "more than \$600,000," but this analysis errs on the conservative estimate. See Anthony Kaufman, "Landmark decade," *Time Out New York*, August 2000, page N/A.

Milestone's executives might have hoped. In late-1998 correspondence with Celluloid Dreams, Heller conceded, "The theatrical box office for *Fireworks* was disappointing (despite widespread press coverage and a great run in New York)."⁴⁴⁸ Accordingly, it took two years for Milestone Films to break even on the project, as they waited for ancillary revenue to accrue. Accounting records from the mid-2000s state that, after exhibitor proceeds, Milestone gathered \$206,000 of theatrical income from the film. Given the film's genre profile, *Fireworks* secured Milestone television income, as well, as premium cable channel Cinemax paid \$55,000 for a two-year license for the film.⁴⁴⁹ This theatrical income combined with ancillary revenue, including home video, television rights and airline video, for a total estimated income of \$391,250. Balanced against costs, *Fireworks* ended up generating \$131,000 in total profit for Milestone before the company's acquisition rights expired.⁴⁵⁰

Viewed in its contemporary context, the commercial performance of *Fireworks* represents neither a clear-cut case of success or failure. For one, *Fireworks* notably outgrossed *Sonatine* almost tenfold. *Sonatine* premiered on April 10, three weeks after *Fireworks*, and ultimately collected \$58,834, compared to *Fireworks*' half-million total.⁴⁵¹ *Fireworks* generated more immediate public interest due to premiering first in this spring window, anchoring Kitano's North American press coverage, and simply being the newest, award-winning film from the multi-hyphenate star. That said, without the numbers to support this claim, one can only assume that *Sonatine*'s Rolling Thunder Pictures 2000 VHS release, with Tarantino's face on the cover, performed adequately on the home media market, as well. Compared against other subtitled, East

⁴⁴⁸ Letter from Amy Heller to Janine Gold, October 28, 1998, WCFTR, Milestone Films Papers, Box 2, Folder 8.

⁴⁴⁹ License fee table, March 3, 1999, WCFTR, Milestone Films Papers, Box 1, Folder 15.

⁴⁵⁰ *Fireworks* Estimated Income for 1998-1999, undated, WCFTR, Milestone Films Papers, Box 42, Folder 1. Film Activities Report, August 5, 2001, Daniel Talbot Papers, Box 241, Folder 27, Rare Book and Manuscript Library, Columbia University Library.

⁴⁵¹ "Sonatine," *Box Office Mojo*, accessed February 1, 2023
https://www.boxofficemojo.com/title/tt0108188/?ref=bo_ser_1.

Asian imports of the mid-to-late 1990s, *Fireworks* stands somewhere in the middle: higher than the \$320,319 domestic gross of Kino International's *Happy Together* (1997, Wong Kar-wai), or the \$418,480 of New Yorker Films' *The Eel* (1997, Shohei Imamura), but lower than the \$600,200 of Miramax's *Chungking Express* (1996, Wong Kar-wai), the \$801,985 of Artistic License's *After Life* (1999, Hirokazu Kore-eda), or the \$1,010,993 domestic gross of Stratosphere's *Xiu Xiu: The Sent-Down Girl* (1999, Joan Chen).⁴⁵² (See Appendix I.) In short, *Fireworks* performed as a successful art film, but not as a crossover hit. Given Milestone's preferred exhibitors and mixed marketing address, this outcome appears unsurprising in retrospect.

Interestingly, no contemporary correspondence between Milestone, Miramax, or with any exhibitors, mentions that Jackie Chan's first English-language action film, *Mr. Nice Guy* (1997, Sammo Hung), premiered on the same weekend (March 20, 1998) as *Fireworks*. Distributed by New Line Cinema, *Mr. Nice Guy* opened to \$5,250,704 and ultimately grossed \$12,716,953.⁴⁵³ (See Appendix II.) Compared to Takeshi Kitano, Jackie Chan's celebrity had been growing in North America for over a decade of home video releases, and intensified after New Line Cinema signed a distribution deal with Chan and Golden Harvest.⁴⁵⁴ Given how Miramax had shelved

⁴⁵² "Happy Together," *Box Office Mojo*, accessed April 9, 2023, https://www.boxofficemojo.com/title/tt0118845/?ref=bo_ser_l.
 "The Eel," *Box Office Mojo*, accessed February 8, 2023, https://www.boxofficemojo.com/title/tt0120408/?ref=bo_ser_l.
 "Chungking Express," *Box Office Mojo*, accessed February 1, 2023, <https://www.boxofficemojo.com/release/rl2353759745/weekend/>.
 "After Life," *Box Office Mojo*, accessed February 1, 2023, <https://www.boxofficemojo.com/release/rl3208676865/weekend/>.
 "Xiu Xiu: The Sent-Down Girl," *Box Office Mojo*, accessed February 1, 2023, <https://www.boxofficemojo.com/release/rl1568310785/weekend/>.

⁴⁵³ "Mr. Nice Guy," *Box Office Mojo*, accessed February 1, 2023, <https://www.boxofficemojo.com/release/rl2271577601/weekend/>.

⁴⁵⁴ Steve Fore, "Jackie Chan and the Cultural Dynamics of Global Entertainment," *Transnational Chinese Cinemas: Identity, Nationhood, Gender*, ed. Sheldon Hsiao-peng Lu (Honolulu: University of Hawai'i Press, 1997), 243.

Sonatine prior to 1998, Takeshi Kitano entered the U.S. market, with *Fireworks*, as a virtual unknown. The numerous press profiles laid the groundwork for Kitano's North American fame, but Milestone lacked the infrastructure or resources to catapult Kitano's profile overnight.

Ultimately, *Fireworks* ended up being both the start and end of Milestone's ambitions to become a power player in contemporary international acquisitions. With hindsight, Heller views the film's hybridity as more of a commercial liability than asset: "[*Fireworks*] fell between the genres: too arty for folks who liked violence and too violent for arthouse types. Plus it was subtitled, which meant some fans of films like *Reservoir Dogs* and *Pulp Fiction* wouldn't go to the movies to see it."⁴⁵⁵ Through the late 1990s and early 2000s, Milestone still dedicated considerable resources to acquiring new, festival-circuit titles. Toward the end of 1998, Milestone attempted to acquire Hirokazu Kore-eda's *After Life*, which premiered at the 1998 Toronto International Film Festival. Milestone's executives had reason to believe they could strike a potential deal: they had distributed Kore-eda's previous film, *Maborosi*, in 1996, and they had just worked with *After Life*'s sales agent, Celluloid Dreams, on *Fireworks*. After Celluloid Dreams turned down Milestone's initial offer of a \$5,000 advance, Milestone eventually raised the advance to match competing offers of \$15,000, but the deal fell apart following disagreements as to whether Celluloid Dreams would include Canadian rights and a "cap" on 35mm print costs in the agreement.⁴⁵⁶ The boutique distributor Artistic License Films would eventually acquire *After Life*, which grossed just over \$800,000 in U.S. theaters.⁴⁵⁷ The next international, festival-circuit title that Milestone acquired and released was the French-

⁴⁵⁵ Amy Heller, email message to author, August 17, 2022.

⁴⁵⁶ Faxed letter from Janine Gold to Fumiko Takagi, December 18, 1998, WCFTR, Milestone Films Papers, Box 2, Folder 8.

⁴⁵⁷ Lissa Gibbs, "Distributor FAQ: Artistic License Films," *The Independent*, August 1, 2000, <https://independent-magazine.org/2000/08/01/distributor-faq-artistic-license-films/>.

Portuguese production, *I'm Going Home* (2001, Manoel de Oliveira), following its premiere at the 2001 Cannes Film Festival. *I'm Going Home* ultimately grossed \$140,872 across its limited 2002 theatrical run in the U.S.⁴⁵⁸ Milestone released two other contemporary festival acquisitions—*The Big Animal* (2000, Jerzy Stuhr) from Poland, and *The Clay Bird* (Tareque Masud) from Bangladesh—in 2004, to negligible theatrical box office. After 2004, the only contemporary title Milestone has acquired and theatrically released is the feature-length “kino-essay” *Notfilm* (2015, Ross Lipman), about the making of the avant-garde short written by Samuel Beckett and starring Buster Keaton, naturally titled, *Film* (1965, Alan Schneider).⁴⁵⁹ Released in 2016, *Notfilm* represents Doros and Heller’s sole producing effort, as of present.⁴⁶⁰

As these examples indicate, Milestone began steering away from contemporary international acquisitions after *Fireworks* and toward an almost-exclusive specialty on American repertory titles of artistic and historical import. The previous chapter emphasized that this change was not a radical reorientation for Milestone, which launched in 1990 with its “Age of Exploration” package, but rather a narrowing of focus. Milestone’s success with *Killer of Sheep* (1977, Charles Burnett), beginning with its 2007 theatrical release, made concrete Milestone’s new mission of rescuing older independent cinema, most of it American, from previous neglect. Not only has *Killer of Sheep* received a complete critical rehabilitation, having jumped to the 43rd slot in the 2022 iteration of *Sight and Sound*’s “Greatest Films of All Time” poll, but it also performed handsomely upon its 2007 theatrical release, grossing \$404,508, nearly as much as

⁴⁵⁸ “I’m Going Home,” *Box Office Mojo*, accessed on April 27, 2024, <https://www.boxofficemojo.com/release/rl1398507009/weekend/>.

⁴⁵⁹ Frank Scheck, “‘Notfilm’: Film Review,” *The Hollywood Reporter*, April 5, 2016, <https://www.hollywoodreporter.com/movies/movie-reviews/notfilm-film-review-880961/>.

⁴⁶⁰ “Notfilm by Ross Lipman,” Milestone Films, accessed on April 27, 2024, <https://www.hollywoodreporter.com/movies/movie-reviews/notfilm-film-review-880961/>.

Fireworks.⁴⁶¹ But with theatrical grosses such as these few and far between, Milestone would prioritize nontheatrical and ancillary markets for its principal source of income, while still launching its restorations in theatrical venues to drum up sufficient, “first-run” publicity.

Doros has attributed Milestone’s shift in acquisitions and releasing directly to the precarious experience of releasing *Fireworks* [emphasis added]:

We learned we never wanted to be a big company. [Our daughter] Phoebe was placed in daycare around that time because we needed all hands on deck and that experience was not a happy one. We were all pretty miserable and stressed out. It also took us two years of very little income before we broke even on FIREWORKS having spent so much money on that film. We decided to stay small, not take big risks, and do what we did best -- take important films nobody else wanted and convince the world they needed those films. Well, enough of the world to keep us out of debt and allowing us the freedom to do what we loved. Of course, we spent almost as much money on KILLER OF SHEEP in 2007 which was even more frightening and ridiculous, but we came out all right on that, and led to the second phase of our company which really meant more to us. (African American films, LGBTQ+ films, women films, etc.)⁴⁶²

Milestone’s risk-taking evolved to suit a repertory-focused distribution niche for which they were uniquely fitted, due to their social connections and expertise in restorations and branding. By the mid-2000s, Milestone Films fully became a mission-driven boutique distributor, keen on expanding what quality cinema looks like and to whom it belongs. Milestone adjusted its allocation of risk, toward work only it could do. “We have incredible freedom,” said Heller in

⁴⁶¹ Ross Lipman, “Killer of Sheep Programme Notes,” *Sight and Sound* (Winter 2022-3), <https://bfdadatadigipres.github.io/sight%20and%20sound%20greatest%20films%20of%20all%20time%202022%3Cr%3E43=/2023/02/12/killer-of-sheep/>.

“Killer of Sheep,” *Box Office Mojo*, accessed on April 27, 2024, https://www.boxofficemojo.com/title/tt0076263/?ref=bo_ser_1.

Killer of Sheep premiered on Turner Classic Movies (TCM) in January 2008, and Doros joined TCM as a paid consultant the following year. See Greg Braxton, “A star turn for an indie filmmaker,” *Los Angeles Times*, January 21, 2008, <https://www.latimes.com/archives/la-xpm-2008-jan-21-et-burnett21-story.html>. Also see Stephanie Prange, “Q&A: Home Entertainment Vet and Milestone Films Co-Founder Dennis Doros Is on the Trail of Missing Movies,” *Media Play News*, May 4, 2023, <https://www.mediaplaynews.com/qa-home-entertainment-vet-and-milestone-films-co-founder-dennis-doros-is-on-the-trail-of-missing-movies/>.

⁴⁶² Dennis Doros, email message to author, August 16, 2022.

1999, “and after a while you take it as a given. But you don’t take financial stability as a given. Every time you take on a big release, you risk the whole company. We did it with *Fireworks*, and I’ll never do it again. We did all right, but with those kinds of odds, you could go to Atlantic City.”⁴⁶³

Conclusion

As the historical *raison d’être* for many boutique distributors, international film releasing endures as a cornerstone enterprise for independent art house firms today. Uniquely within the field of contemporary film industry, boutique distributors still group and advertise their catalogs by nation, in order to foreground cultural difference. This does not mean boutique distributors inherently preserve the most authentic forms of cross-cultural expression or can claim to genuinely showcase the essential qualities of a nation through their releasing strategies. Indeed, as both the case studies on Indian and Romanian film distribution in the U.S. sought to demonstrate, such appeals to national category are especially prone to stereotyping, simplicity, or otherwise incoherence. All the same, boutique distributors remain wed to such national categories, due to a mix of financial and historical factors. The *Fireworks* case study sought to convey how boutique distributors fuse nation with genre in their marketing efforts, in addition to underscoring the power of personal and institutional relationships when navigating the crowded distribution market. As the next chapter will argue, these mixed marketing appeals and disparate institutional connections extend to the releasing of older films, as well.

⁴⁶³ Michael Atkinson, “Autonomy Lessons: Paying the Price of Independence,” *The Village Voice*, April 13, 1999, <https://www.villagevoice.com/1999/04/13/autonomy-lessons/>.

Chapter 3

Classic Evergreens and New Discoveries: The Contemporary U.S. Market for Repertory Films

So far, this dissertation has historicized the emergence and analyzed the releasing strategies of contemporary “boutique” film distributors. The analysis has been careful to distinguish “boutique” from other categories of distribution company, such as conglomerate-owned “specialty” divisions and the “major” Hollywood studios themselves. But some categorical confusion naturally lingers, as the “boutique” label exists in the wild only insofar as an intra-industry term, without much external uptake or agreed-upon rules of use. This project approaches “boutique” as the industrial intersection—through branding practice and corporate structure—of two, more commonly used labels: “art house” and “independent.” These two terms are, themselves, contested, yet this project defines them simply. “Art house” refers to the type of institutions with which these distributors negotiate and audiences to which they market, while the designation of “independent” solely denotes their corporate autonomy and lack of parent company. In this regard, neither “art house” nor “independent” directly signify one kind of film (i.e., “art house” ≠ “art cinema, while “independent” ≠ “indie cinema”). Thus, “boutique” distributors are defined less by their libraries than by their industrial position.

However, there is a certain type of film in which contemporary boutique distributors specialize, leading to another metric for determining whether a distributor can be considered both art house and independent. In simplest terms: Does the company handle older films? To wit, the acquisition and release of repertory film unites virtually all boutique distributors. In addition to or sometimes instead of acquiring films through festival premieres and first-look agreements, these boutiques expand their libraries by tracking down original rightsholders and securing prints

from archives or studio libraries. This tendency became widespread with the advent of home media, which fueled the growth of boutique distributors and studio repertory subdivisions alike. The reliance on repertory releasing among boutique distributors has grown even more commonplace in the 21st century, as home media has become an increasingly niche market, and as studios have offered only a sampling of their library titles on vertically integrated streaming platforms.⁴⁶⁴ For a variety of reasons this chapter will explore, repertory releasing is a bedrock of contemporary boutique distributors' business models and cultural identities.

An analysis of the contemporary distribution of repertory film, this chapter argues, centers questions of value, access, and public knowledge. These parameters are interlinked, and subject to fluctuate and affect one another over time. Conglomerate-held studios hold the keys to many of the most well-known and profitable older films, those referred to by distributors and exhibitors as “evergreens.” Yet there is a much larger body of cinema outside of major studio control: the independent, international, and even Hollywood-produced films retained by archives, estates, small distribution companies, and sometimes no discernible entities at all. A rarefied fraction of these titles have proven popular and enduring enough to become boutique evergreens, in their own right. A boutique distributor may only achieve success within the ‘restoration circuit’ by investing in audiovisual cleanup and savvy marketing, in order to sell these underseen films to audiences as worthwhile “discoveries.” Boutique distributors function as essential, proactive intermediaries between the dust-gathering film can—whether it is housed

⁴⁶⁴ Yoeri Geutkens, “The State of Ultra HD Blu-ray,” *FlatPanelsHD.com*, April 15, 2021, <https://www.flatpanelshd.com/focus.php?subaction=showfull&id=1618485949>.

Alex Weprin, “David Zaslav’s Strategy Shift: Licensing Out Warners’ IP Treasure,” *The Hollywood Reporter*, September 16, 2022, <https://www.hollywoodreporter.com/business/business-news/david-zaslavs-strategy-shift-licensing-out-warners-ip-treasure-1235222408/>.

Matt Zoller Seitz, “Disney Is Quietly Placing Classic Fox Movies Into Its Vault, and That’s Worrying,” *Vulture*, October 24, 2019, <https://www.vulture.com/2019/10/disney-is-quietly-placing-classic-fox-movies-into-its-vault.html>.

in a major studio library or a small, non-profit archive—and new audiences. In other words, these boutique distributors wield outsized influence over the continual re-writing of film history itself. The maintenance and restoration of value guides the historical work these distributors do, which most fundamentally consists of enhancing public knowledge of and building legal lanes of access to acquired older films.

This chapter traces these interlinked parameters of value, access, and knowledge, and the effect the passage of time has on each, to offer an original framework for studying the contemporary distribution of older films. Older films (also referred to as classics, oldies, catalog or library titles, restorations, and repertory cinema) reside on a continuum of value, one that major studios and small distributors alike recognize when making day-to-day decisions in acquisitions, restoration, and marketing. This continuum positions “evergreens” such as *Casablanca* (1941, Michael Curtiz) and *Seven Samurai* (1954, Akira Kurosawa) at the most lucrative end, as they are the best-known, most accessible, and most profitable library titles. Major studios and long-lived boutique distributors both prioritize the evergreen titles in their library, exploiting them with subsequent re-releases. On the other end of the continuum lie less-known archival titles that can be optimistically labeled “discoveries,” such as *Killer of Sheep* (1977, Charles Burnett) and *A Brighter Summer Day* (1991, Edward Yang). These are films that command little in the way of pre-existing public knowledge, and so demand more original ideas and concerted labor in marketing them to potential exhibitors and audiences. Even when these efforts succeed in finding new audiences, discoveries virtually never make the distributor as much money as a successful new feature film. For these reasons, archival discoveries occupy—at best—a tertiary place in the operations of major studios, yet they play a central role in the business operations and curatorial image of most boutique distributors.

Providing a framework that places the galaxy of older films on this “evergreen” to “discovery” continuum is the first step to understanding the contemporary market for repertory film, and the crucial role boutique distributors serve within it. The logics of re-release operate according to different expectations and priorities, whether this framework is applied to a major studio library or an independent distributor. The first section of this chapter will contrast how the “evergreen” to “discovery” continuum guides decision-making, at the point of acquisition and re-release, within the major studios (here, typified by Columbia/Sony, Disney, Universal, and Warner Bros. Discovery) versus boutique distributors (here, represented by The Criterion Collection, Kino Lorber, Milestone Films, and Grasshopper Film). The second section of this chapter will exclusively focus on boutique distributors, by defining and analyzing a set of marketing strategies these companies apply to the distribution of archival discoveries. This section will examine the flexible discursive tag that is the “discovery”; how many small distributors define their brand through (re)discoveries and their family resemblances; and how the passage of time, and the concurrent evolution of taste cultures and evaluative criteria, can radically alter the “discovery” value of some modes of filmmaking more than others. This section will also extend the concept of “recuperative auteurism,” introduced in this dissertation’s first chapter, to the marketing of contemporary boutique re-releases.

The chapter’s third and final section offers an extended case study of Milestone’s late 1990s re-release of Mary Pickford films. These films have a turbulent and well-documented reception history, much fixated on by Pickford herself, that demanded an original marketing approach for a respectable re-release seven decades after their premieres. Archival material sheds a light on Milestone’s decision-making process in finding an audience for these films, and weighing which textual or contextual qualities to highlight for contemporary appreciation. The

Pickford case study ties together several threads examined in this chapter, above all the temporal trajectories of value, the partnerships between distributors and nonprofits, the rise of marketing strategies that privilege an older film's contemporary cultural context, and the increasing reliance on boutique distributors for the contemporary circulation of classical Hollywood cinema.

Overall, this chapter locates the re-release of older films as a primary site where boutique distributors join the pragmatics of business operation, guided as it is by risk mitigation and brand differentiation, with the ideals of cultural contribution and conservation. Understanding the central role older films play in the operations and identities of boutique distributors, and the evergreen-to-discovery continuum on which these films slide, clarifies the guiding logics behind both independent and conglomerate film releasing today.

Relevant Literature on Film Preservation and (Re)Circulation

Though there has not yet been a systematic study of contemporary repertory film distribution, the topic has been examined by scholars from a few, intersecting angles. The two most comprehensive research projects to touch upon the marketing and releasing of older films focus on, one, the preservation of film and, two, Hollywood's exploitation of ancillary markets. This chapter deliberately foregrounds the distribution of older films, rather than the preservation and restoration processes that precede many re-releases, as the latter subjects have received extensive attention. In the field of film preservation studies, the essential precedents can be distinguished by their historical and theoretical interventions. Published in 1992, Anthony Slide's *Nitrate Won't Wait: A History of Film Preservation* in the United States remains the integral contribution of institutional history, chronicling the libraries, archives, museums, and foundations that formalized the preservation movement. In fact, many of these agents—including

the Library of Congress, Museum of Modern Art, and UCLA Film & Television Archive—remain the key agents in this field today.⁴⁶⁵ No less historically minded, Caroline Frick’s *Saving Cinema: The Politics of Preservation* nevertheless problematizes the history of film preservation from a transnational perspective, specifically documenting the links between film preservation institutions and nationalism.⁴⁶⁶ Drawing from Lev Manovich’s media theory, Giovanna Fossati’s *From Grain to Pixel: The Archival Life of Film in Transition* explores the hybridity of the film medium as modern film production and preservation technologies increasingly straddle the analog-to-digital divide, without ever fully abandoning its celluloid heritage.⁴⁶⁷ This chapter’s intervention has been honed by the information and ideas offered by these three scholars.

The other codified strain of scholarship that dovetails with this chapter focuses on Hollywood’s exploitation of ancillary markets, and above all the home video or physical media market. Stephen Prince’s *A New Pot of Gold: Hollywood Under the Electronic Rainbow, 1980-1989* endures as the definitive historical text of the ancillary boom enabled by Hollywood’s embrace of video technology. Particularly pertinent to this chapter is Prince’s attention to the downstream effects of this new paradigm, which facilitated new funding opportunities in independent film production and spurred the printing—by studios, contracted distributors, and bootleggers—of classic library titles on video.⁴⁶⁸ The modern market for classic re-releases would not exist without that initial, cyclical investment by the major studios in direct-to-consumer technology, given how many boutique distributors today center their business models around issuing library titles on physical media and streaming platforms.

⁴⁶⁵ Anthony Slide, *Nitrate Won’t Wait: A History of Film Preservation in the United States* (Jefferson, NC: McFarland, 1992), 5-9.

⁴⁶⁶ Caroline Frick, *Saving Cinema: The Politics of Preservation* (New York: Oxford University Press, 2011), 19.

⁴⁶⁷ Giovanna Fossati, *From Grain to Pixel: The Archival Life of Film in Transition* (Amsterdam: Amsterdam University Press, 2009), 19-23.

⁴⁶⁸ Stephen Prince, *A New Pot of Gold: Hollywood Under the Electronic Rainbow, 1980-1989* (New York: Charles Scribner’s Sons, 2000), 98, 117-118, 130.

This strain of scholarship has also argued how distribution choices made in ancillary market releasing can evolve a given film’s meaning over time. Most recently, Barbara Klinger devoted a book to this question, by exploring how the countless re-releases of “popular immortal” *Casablanca* have affected the film’s reception history and appeal to diverse audience demographics.⁴⁶⁹ In *Stardust Monuments: The Saving and Selling of Hollywood*, Alison Trope draws a symbolic connection between “specialty DVDs” of classic films and the conventions of programming and supplemental material established by the pioneering institutions of “art cinema,” namely the Museum of Modern Art and the Cinémathèque Française.⁴⁷⁰ Here, Trope sketches a salient phenomenon that boutique distributors have embraced as the market for classic films has settled into a niche, whereby classic Hollywood titles are treated similarly to (and often distributed by the same companies that specialize in) modernist art films. This ‘art-cinematization’ of Golden Age Hollywood movies, one can call it, spotlights their artistic merit and historical significance, as much as if not more than their entertainment value. This chapter will explore how contemporary boutique marketing strategies participate in this process, though other factors—including programming trends at repertory cinemas and the ubiquity of classic film restorations on the contemporary film festival circuit—demand further research.

As for scholarship on the contemporary distribution of older films, there are numerous articles that analyze the business models, acquisition trends, and branding strategies of individual companies. A plurality of these scholars have written about The Criterion Collection, exploring the company’s image of quality (Herbert, McDonald), its transnational reframing of non-English

⁴⁶⁹ Barbara Klinger, *Immortal Films: Casablanca and the Afterlife of a Hollywood Classic* (Oakland: University of California Press, 2022), 24.

⁴⁷⁰ Alison Trope, *Stardust Monuments: The Saving and Selling of Hollywood* (Hanover, NH: Dartmouth College Press, 2012), 130.

films (Egan), and its comingling of high- and lowbrow acquisitions (Kendrick).⁴⁷¹ Kendrick’s characterization of “The Criterion Collection as an archive of film as culture” deserves renewed appreciation, given the company’s public commitments to diversity following a 2020 *New York Times* investigation into its lack of African-American directors.⁴⁷² Kendrick’s passing mention that Criterion pioneered the industry-wide practice of letterboxing also deserves attention, as one of the first scholarly arguments to connect the efforts of boutique distributors to subsequent changes in the conglomerate-run film industry.⁴⁷³

This dissertation is essentially dedicated to finding effects on the major studios *by* boutique distributors, as much as it also seeks to diligently trace the ways small distributors have played catch-up after the seismic shifts of conglomeration. Scholars, and even boutique distributors themselves, tend to discount the idea that independent companies devoted to international and classic fare render any sort of impact outside of their niche. This is indisputably true when comparing gross budgets and profits between major studio films and classic re-releases. “We’re the size of a flea,” according to Criterion Collection and Janus Films CEO Jonathan Turell, who describes a typical, multi-year Criterion licensing deal as “the rounding error on [a studio’s] marketing budget.”⁴⁷⁴ But when viewed as a totality, the art house distribution ecosystem remains an innovative, profitable, and necessary arm of the American

⁴⁷¹ Daniel Herbert, “From Art House to Your House: The Distribution of Quality Cinema on Home Video,” *Canadian Journal of Film Studies* Vol. 20, no. 2 (Fall 2011): 7-8.

Kate Egan, “The Criterion Collection, Cult-Art Films and Japanese Horror: DVD Labels as Transnational Mediators?” *Transnational Cinemas* Vol. 8, No. 1 (2017), 76-77.

Paul McDonald, *Video and DVD Industries* (London: British Film Institute, 2007), 63.

⁴⁷² James Kendrick, “What Is the Criterion?: The Criterion Collection as an Archive of Film as Culture,” *Journal of Film and Video*, Vol. 53, No 2-3 (Summer-Fall 2001), 138.

Kyle Buchanan and Reggie Ugwu, “How the Criterion Collection Crops Out African-American Directors,” *The New York Times*, 20 August 2020 <https://www.nytimes.com/interactive/2020/08/20/movies/criterion-collection-african-americans.html>

⁴⁷³ Kendrick 129.

⁴⁷⁴ Jonathan Turell, interview with the author, November 9, 2021.

film industry. This distinction extends to repertory distribution, specifically, as—in the words of Rialto Pictures founder Bruce Goldstein—a “low margin business” that is nevertheless sustainable due to its pre-existing audiences, comparably low costs, and near-total lack of debt financing.⁴⁷⁵ A systematic study of repertory distribution—its players, practices, audiences—not only shines light on an overlooked sector of the industry, but also offers a roadmap on how institutions of varying size interact and self-present as they monetize a most available asset: the thousands and thousands of films already made.

The “Evergreen” to “Discovery” Continuum, in Practice

To rephrase this chapter’s opening question: Why do virtually all boutique distributors handle repertory film? The plain, pragmatic answer concerns cost: In most cases, it is cheaper to acquire distribution rights to an older, undervalued film, and to even properly restore it, than it is to acquire or let alone produce a new film. In acquiring an older film, a distributor also acquires its history, its place in some grander narrative. An older film’s story may be one of widely acknowledged importance, but for a boutique distributor, the pre-existing reputation for an acquired older film is more likely in need of upkeep. Bolstering an older film’s public profile, and thus salability, demands a knowledge of film history, and a familiarity with the norms of and trends in repertory film marketing and programming. If the distributor seeks to exhibit this acquisition theatrically, the film’s limited profile essentially restricts its prospective venues to art house theaters, non-theatrical screens such as museums, and film festivals with retrospective programming. These three types of venue all share overlapping personnel, audiences, and press attention, and so, well-marketed and/or well-restored repertory titles stand a chance at building

⁴⁷⁵ Bruce Goldstein, interview with the author, February 3, 2022.

the distributor's profile within this art house community. In other words, repertory film releasing provides an independent distributor with a chance to accrue cultural and social capital, impossible-to-quantify assets that nevertheless clarify many companies' staying power more than financial, balance-sheet capital. The economic returns of independent repertory releasing, via theatrical and home media sales, tend toward low margins, yet the place for classic films remains reinforced, culturally and commercially, through dedicated, cosmopolitan cinephile audiences; popular, contemporary cineaste filmmakers; enduring consumer proclivities toward physical media collection; contemporary streaming services, as the next chapter will discuss; and a partially subsidized art house exhibition infrastructure.

The portrait above outlines the field of repertory film distribution from the perspective of a boutique distributor. With these delimitations, we can characterize the typical film handled by such a distributor as a "discovery," in need of concerted marketing and/or restoration efforts to meet a paying audience. Boutique distributors primarily traffic in discoveries. How do discoveries differ from evergreens? Do boutique distributors also handle evergreens? What does a "boutique evergreen" share in common with a 'Hollywood evergreen'? How do distribution channels and cultural status differentiate evergreens from discoveries? What lies in between these two poles? This section will proceed by first addressing, and defining, an evergreen.

Studio Evergreens

The select older films that retain outstanding value years after their initial release are known by distributors and exhibitors as "evergreens." Eric Hoyt has defined evergreens as those older films "which perform exceptionally well after the first cycle," while Barbara Klinger equates evergreens with "perennials" and her own term, "popular immortals," to mean films

“that have enjoyed a particularly sustained and visible public presence since their theatrical debuts.”⁴⁷⁶ Evergreens produce disproportionate value for the rights-holder compared to the average library title, which in the eyes of a studio accountant is more or less considered a depreciated asset. The term “evergreen” recurs often in industry discourse, particularly whenever media executives discuss strategies in asset management, ancillary markets, and windowing. For instance, TimeWarner CEO Jeff Bewkes told investors in 2011 that his company’s TNT and TBS networks would focus on licensing “certain evergreen titles and genres that are essentially in the sweet spot,” contrasting “evergreen” titles with “really expensive, giant movies.”⁴⁷⁷ Bewkes’ use of “evergreen” here implies films with reliable, time-proven value; in other words, evergreens generate profit at economies of scale comparable to or exceeding those produced by licensing the newest, hottest titles.

Though the term “evergreen” itself is ubiquitous, there exists no uniform metric or public database for cross-checking which films qualify as evergreen. This is due to a number of factors, including the lack of detailed sales figures for home media releases, but it also speaks to the relative nature of the evergreen distinction. Put simply, the parameters for what constitutes an evergreen are different for a smaller distributor than for a major studio. To wit, *Singin’ in the Rain* (1952), *Seven Samurai* (1954), and *Daughters of the Dust* (1991) all meet very distinct benchmarks for profit, even though Warner Bros., Janus Films, and Cohen Media Group all consider these respective titles evergreens.⁴⁷⁸ Moreover, the parameters for what qualifies as an

⁴⁷⁶ Eric Hoyt, *Hollywood Vault: Film Libraries before Home Video* (Berkeley: University of California Press, 2014), 2.

Klinger 2.

⁴⁷⁷ Marich, Robert. "Should Studios Fret Over Online Crack in Cable Window?" *Variety*, November 6, 2011, 1, 10.

⁴⁷⁸ Regarding *Daughters of the Dust*, Cohen Film Collection VP Tim Lanza has said, “The film has done well in North America and is an evergreen title for us.” See Tim Lanza, email interview with the author, February 10, 2022.

evergreen are all subject to change over time, whether due to macro industry trends or the whims of a new cost-cutting executive.

The re-issuing of evergreens, and the term itself, have a long history in Hollywood. The term migrated from the discussion of repertory mainstays in legitimate theatre to film industry shorthand for well-performing pictures like epic western *The Iron Horse* (1924, John Ford), one of the highest grossing films of the silent era.⁴⁷⁹ As the cornerstone of a profit-generating strategy, the evergreen increased in importance after World War II. As demonstrated in Hoyt's *Hollywood Vault*, studios have systematically exploited their libraries since the postwar era, leveraging new technological innovations and marketplace demands to reintroduce and monetize otherwise depreciated assets.⁴⁸⁰ MGM and Universal Studios led the push toward theatrical reissues during this time, though they employed varying approaches. Universal overloaded the market with sheer quantity, including 16mm prints for non-theatrical screens, while MGM limited its reissues to the most profitable "quality" titles. MGM's strategy led to modest revenue but exceptional profit. Hoyt identifies a turning point when *Rage in Heaven* (1941, W.S. Van Dyke) was reissued in 1946. This thriller underperformed on its initial 1941 release, but MGM saw potential for a lucrative second life after hits like *Casablanca* and *Gaslight* (1944, George Cukor) cemented the star status of its lead, Ingrid Bergman. The 1946 issue earned MGM \$1.3 million, "more than three times the picture's initial gross."⁴⁸¹ MGM would repeat this special, "quality" re-issue strategy to continued success, most notably with its periodic re-releases of *Gone With the Wind*.⁴⁸² It bears mention that *Rage in Heaven* has not minted profit or persisted

⁴⁷⁹ "Paris," *Variety*, September 8, 1926, 18. https://lantern.mediahist.org/catalog/variety84-1926-09_0071
William R. Weaver, "The Facts Behind 'The Informer,'" *Motion Picture Herald*, February 15, 1936, 17. https://lantern.mediahist.org/catalog/motionpictureher122unse_0647

⁴⁸⁰ Hoyt 109.

⁴⁸¹ Hoyt 110, 124-125.

⁴⁸² "Gone With the Wind," *TCM.com*, accessed on May 2, 2024, <https://www.tcm.com/tcmdb/title/414427/gone-with-the-wind/#notes>.

in popular culture like *Gone With the Wind*, or like any older film a studio asset manager would today identify as an evergreen. MGM's "quality" approach to re-releasing prioritized short-term benefits, by selecting older titles that could be advertised in connection with some popular, contemporary phenomena. All the same, MGM's selective strategy in re-issuing the most profitable library titles could be seen as a prototype for the industry-wide preference for evergreens that endures to this day.

As of the late 2010s and early 2020s, conglomerate-owned major studios still exploit their most valuable evergreens. In the contemporary studio system, older films may earn evergreen status through essentially three qualities: 1) their connection to an ongoing and/or well-known franchise; 2) their success, upon initial theatrical release and/or ancillary markets, relative to other titles in their given genre; 3) their well-established, historical reputation as canonical. The first two categories tend to overlap, as successful films often generate future franchises: a representative example is *Batman* (1989, Tim Burton), which Warner Bros. Home Entertainment has re-released on home media at roughly five-year intervals since the film's premiere.⁴⁸³ Widely lauded canonical films belonging to the third category are often minted by placement in "best-of" canons like the American Film Institute's Top 100 Films list. Needless to say, these categories can also overlap, and the most prestigious and profitable libraries are replete with films that meet all three of these distinctions. The Walt Disney Company has long carefully managed access to and the perception of its library, which today resides in part behind the SVOD gates of Disney Plus.⁴⁸⁴ Disney's early animated features, such as *Dumbo* (1941, Ben

⁴⁸³ Released on VHS in 1989; on DVD in 1997 and 2005; on Blu-ray in 2009 and 2019; and on 4K Blu-ray in 2019. See "Batman (1989) Home Video," *DC Movies Wiki*, accessed on May 2, 2024, [https://dcmovies.fandom.com/wiki/Batman_\(1989\)_Home_Video](https://dcmovies.fandom.com/wiki/Batman_(1989)_Home_Video).

⁴⁸⁴ Austen Goslin, "Films are quietly disappearing from Disney Plus," *Polygon*, January 2, 2020, <https://www.polygon.com/disney-plus/2020/1/2/21046851/films-leaving-disney-plus-home-alone-pirates-of-the-caribbean-dr-dolittle>.

Sharpsteen) and *Snow White and the Seven Dwarfs* (1937, David Hand), meet all three of the above criteria. Given the studio's hegemonic place within the contemporary media industry and their long-term commitment to "franchise refurbishment," a lion's share of Disney's library titles will continue to rank among the most valuable evergreens.⁴⁸⁵ This top-tier evergreen status extends to older titles in ongoing, top-grossing franchises, like Universal's *Jurassic Park* and Warner's *Harry Potter* films. Major studios exploit these legacy titles most systematically, via theatrical re-release, television and streaming rights, and fresh packaging with each new home media format.

Implicit in this hierarchy is the recency bias that values newer titles over old. The number of years to wait before calling a well-reviewed film a "classic" has seemingly narrowed in the streaming age. Whereas "classic" once applied to films made during the Golden Age of Hollywood, today the label "classic movies" has expanded to include films made within the last ten to fifteen years. The Brad Pitt-starring sports drama *Moneyball* (2011, Bennett Miller), for instance, is often referred to in online aggregated lists as one of the "classic flicks" available to stream on Netflix, Hulu, or whichever streaming service to which it is currently licensed.⁴⁸⁶ The label "classic" has come to refer not only to those films with a long history of critical discourse and canonization, but increasingly as well to those well-performing, relatively recent evergreens that are not part of an ongoing franchise.

How, then, do studios treat films in the third evergreen category—those older titles with historical value and canonical reputations? As of this writing, the evergreen status quo toward

⁴⁸⁵ Nicholas Benson, "'For your future enjoyment': Managing intellectual property through franchise refurbishment," *Media, Culture & Society*, Vol. 44, No. 3 (2022), 428-444.

⁴⁸⁶ Greta Heggeness, "This Brad Pitt Flick Just Shot Up to the #2 Spot on Netflix's Top Ranked Movies," *PureWow*, October 15, 2020, <https://www.purewow.com/entertainment/moneyball-netflix>. Channel 33, "'Moneyball' Doesn't Need to Be Accurate to Be a Classic," *The Ringer*, December 29, 2016, <https://www.theringer.com/2016/12/29/16046408/moneyball-doesn-t-need-to-be-accurate-to-be-a-classic-70c20863e810>.

legacy titles (i.e., the most recognizable classical Hollywood films) remains in place among most major studios, even if it is evolving toward access via vertically integrated subscription-video-on-demand services rather than theatrical release or physical media. Nevertheless, Universal Pictures routinely re-releases in theaters and on home media its “Classic Monsters” films from the 1930s.⁴⁸⁷ The privileged place these horror films hold in the Universal catalog is underscored by the studio’s modern efforts to rejuvenate their intellectual property potential, having rebooted *The Mummy* (2017, Alex Kurtzman) and *The Invisible Man* (2020, Leigh Whannell) to mixed success. However, most “canonical evergreens” have no contemporary franchise hook. Studios instead re-release these legacy titles, in part, to celebrate their most enduring achievements in a public, monetized fashion. With U.S. distribution rights to three of the five Golden Age-era major studio libraries, Warner Bros. Home Entertainment (WBHE) has a storied reputation among cinephiles for re-releasing special editions of classics like Warner Bros.’s *Casablanca* (1942, Warner Bros.), MGM’s *The Wizard of Oz* (1939, Victor Fleming), and RKO’s *King Kong* (1933, Merian C. Cooper and Ernest B. Schoedsack).⁴⁸⁸ WBHE’s re-releases of *Singin’ in the Rain*, for example, have occurred in five-year intervals since the film’s 30th Anniversary Edition VHS in 1982, and most recently with a 4K Blu-ray in 2022.⁴⁸⁹ The aforementioned titles all rank

⁴⁸⁷ Jeremy Konrad, “Universal Monsters Return to Theaters This October From Fathom Events,” *Bleeding Cool*, September 13, 2021, <https://bleedingcool.com/movies/universal-monsters-90th-anniversary-theaters-fathom-events/>. Lacy Long, “Universal Monsters Classics Collection Gets 4K Blu-Ray Release in Time for Halloween,” *Collider*, August 3, 2021, <https://collider.com/universal-monsters-classics-collection-4k-blu-ray-release-date/>.

⁴⁸⁸ Chris Lindahl, “‘Gone with the Wind’ and ‘The Wizard of Oz’ Are Not Part of the Amazon-MGM Deal; Here’s Why,” *IndieWire*, May 26, 2021, <https://www.indiewire.com/2021/05/amazon-mgm-wizard-of-oz-gone-with-the-wind-1234640259/>.

Spencer Perry, “The Wild and Complicated Story of the Rights to King Kong,” *ComicBook.com*, April 2, 2021, <https://comicbook.com/movies/news/wild-and-complicated-story-of-the-rights-to-king-kong/>.

⁴⁸⁹ “Singin’ in the Rain/Home media,” *Moviedpedia*, accessed on May 2, 2024, https://movies.fandom.com/wiki/Singin%27_in_the_Rain/Home_media.

on the AFI's Top 100 list, the lucky cohort of classical Hollywood films that enjoy the most extensive re-releases and most expensive restorations.⁴⁹⁰

As home video revenue has declined, many of these same major studios have deprioritized access to older films below this “evergreen” tier, those titles with less perceived public knowledge and value. The prolific, high-quality Blu-ray releases from Warner Archive—a subdivision of WBHE that specializes in lower-demand classics like *The Clock* (1945, Vincente Minnelli) and *The Mortal Storm* (1940, Frank Borzage)—stand apart as an exception to this larger trend.⁴⁹¹ In recent years, Universal Pictures Home Entertainment has released a declining number of pre-1970 films on MOD (made-on-demand) Blu-ray: 9 in 2018, 4 in 2019, and 2 in 2020.⁴⁹² Since acquiring the 20th Century Fox film library in 2019, The Walt Disney Company has implemented a *de facto* ban on theatrical bookings for older Fox titles.⁴⁹³ This withholding includes even the most lucrative library titles, such as *Alien* (1979, Ridley Scott), and so for this reason Disney's policy stands as the most egregious iteration of a larger trend toward conglomerates inhibiting access to their library titles. As critic Leonard Maltin has observed, “access is the final frontier” for older films of varying fame and perceived value.⁴⁹⁴ This is where boutique distributors enter the picture.

Discoveries and Boutique Evergreens

⁴⁹⁰ “AFI'S 100 YEARS...100 MOVIES — 10TH ANNIVERSARY EDITION,” *American Film Institute*, accessed on May 2, 2024, <https://www.afi.com/afis-100-years-100-movies-10th-anniversary-edition/>.

⁴⁹¹ Bradley Schauer, “The Warner Archive and DVD Collecting in the New Home Video Market,” *The Velvet Light Trap*, No. 70 (Fall 2012): 35-48.

Lou Lemenick, “DVD Extra: Warner Archive Collection goes Blu,” *New York Post*, November 20, 2012, <https://nypost.com/2012/11/20/dvd-extra-warner-archive-collection-goes-blu/>.

⁴⁹² “Universal MOD Releases,” *Blu-ray.com*, forum thread, 2018-2024, <https://forum.blu-ray.com/showthread.php?t=307251>.

⁴⁹³ Zoller Seitz

⁴⁹⁴ Michael Hiltzik, “Too many classic films remain buried in studios' vaults,” *Los Angeles Times*, October 23, 2015, <https://www.latimes.com/business/hiltzik/la-fi-hiltzik-20151025-column.html>.

Major studios continue to re-release their most valuable evergreens on home media and special theatrical events, and reserve a place for them on their vertically integrated streaming channels like NBCUniversal’s Peacock, Warner Bros. Discovery’s Max, and Disney Plus. But for viewers interested in discovering for themselves the wealth of classic cinema not enshrined in the AFI Top 100, the major studios themselves only offer limited assistance. The exception remains Warner Bros. Discovery, whose Warner Archive home video division and television channel Turner Classic Movies balance canonical programming with deep dives into the more obscure corners of American (and, in TCM’s case, global) film history. Outside of these studio subdivisions, it is independent institutions that provide legal access to the wealth of older films. Film festivals and repertory cinemas may clear the screening rights to rarities that have never received a home video release, like most Pre-Code Fox Film titles.⁴⁹⁵ As film preservationists have long stressed, older films below the evergreen tier fall victim to lapsed distribution deals, the indifference of rights holders, and missing materials after their initial run is through.⁴⁹⁶ For many essential older films, the road to a travelling theatrical run, a tangible physical media release, or an iota of public awareness lies through boutique distributors.

Boutique distributors specialize in the category of repertory film referred to here as “discoveries.” These are library titles whose public awareness pales in comparison to studio evergreens like *Casablanca*, and so they necessitate more original, tailored efforts in booking and marketing. The most successful discoveries may play at art house theaters and festivals around the world; generate considerable profits through home media, television, and streaming; and become “boutique evergreens” in their own right, generating sufficient demand to fuel

⁴⁹⁵ “Fox Pre-Code Double Features,” *UW-Cinematheque*, Spring 2022, <https://cinema.wisc.edu/series/2022/spring/fox-pre-code-double-features>.

⁴⁹⁶ Home page, *Missing Movies*, published February 4, 2022, accessed on May 2, 2024, <https://missingmovies.org/>.

multiple home media releases and theatrical re-issues over at least a ten-year span of time. More typical, however, for a discovery's re-release lifespan is to screen at non-theatrical venues like museums and cinemathèques, or to skip theatrical altogether and be issued in a one-time home media release, before the distributor's rights to the title expire. The low profit margins for discoveries, in both theatrical and home media, explains why major studios have largely divested from re-releasing their deeper catalog titles in any format. This abdication from the studios has presented opportunities for some boutique distributors, like Kino Lorber Studio Classics, the home video division of Kino Lorber dedicated to classic Hollywood catalog titles. At the same time, other boutique distributors like Milestone Films specialize in older films produced outside the Hollywood mode of production; they track down independent, international, experimental, and documentary films via archives, filmmaker estates, and distributors based outside of the United States. The resulting ecosystem for independent repertory distribution consists of companies catering to overlapping niches, all sustained by the disposable income of those interested in learning more about cinema history.

Independent repertory distribution can be hierarchized into two different divisions: those companies that directly license catalog titles from major Hollywood studios, and those that do not. The former group, represented by The Criterion Collection and Kino Lorber, stand apart as the most powerful, highest visibility players in the contemporary field of independent repertory distribution. Those boutique distributors that do not have direct, long-running relationships with major studio libraries—such as Milestone Films, Flicker Alley, and Grasshopper Film—tend to distinguish themselves with archival discoveries and a strong, consistent brand identity. As arguably the most influential independent repertory distributor in the world, The Criterion Collection can market a previously obscure discovery to resounding commercial success, as it

has done with *King of Jazz* (1930, John Murray Anderson), a previously unavailable two-strip Technicolor musical whose 2018 video release generated \$360,672 in sales.⁴⁹⁷ But it is imperative to stress that Criterion’s ability to mint profits from discovery titles is inseparable from its long history of handling more canonical, evergreen titles licensed from studio libraries.

Criterion and Kino’s visibility within repertory film distribution has been secured not through the theatrical re-release of older films, but through the mail-order, e-commerce, and brick-and-mortar retail sale of home media. Criterion and Kino achieved this retail supremacy by having proven to major studio executives, many times over, the profit and publicity potential in licensing the home media rights of their catalog titles. “We have deals with every studio for home video releases,” Criterion CEO Jonathan Turell has said, also noting, “There has to be a reason why this deal makes sense, for the studios.”⁴⁹⁸ According to Turell, a studio may be motivated to work with Criterion to appease favored talent, as was the case with Wes Anderson—whose 2001 Buena Vista Pictures release *The Royal Tenenbaums* sold at least 150,000 Criterion DVD copies in 2005—and Andrew Stanton, whose 2008 Disney-Pixar film *Wall-E* received a Criterion 4K Blu-ray in 2022.⁴⁹⁹ “Some filmmakers want [high-quality] masters to show digitally or elsewhere in the world,” Turell has said, “and they don’t have the budget that [Criterion will] spend in-house to do a 4K restoration,” so the studios will find a mutually beneficial arrangement in a Criterion licensing deal. “We sort of find this clownfish-sea anemone relationship with each studio, and it’s not always the same thing,” according to Turell.⁵⁰⁰ Likewise, CEO Richard Lorber has observed that Kino Lorber’s deals with studios,

⁴⁹⁷ “King of Jazz (1930),” *The Numbers*, accessed on June 10, 2024, [https://www.the-numbers.com/movie/King-of-Jazz-\(1930\)#tab=summary](https://www.the-numbers.com/movie/King-of-Jazz-(1930)#tab=summary).

⁴⁹⁸ Turell

⁴⁹⁹ Turell

Anthony D’Alessandro, “Criterion Committed to ‘Special’ DVDs,” *Variety* (February 2005), 5.

“WALL·E,” *The Criterion Collection*, accessed on May 2, 2024, <https://www.criterion.com/films/33246-wall-e>.

⁵⁰⁰ Turell.

rooted in Kino Lorber Studio Classics (KLSC), have led to surprising growth: “The physical side of our business is an interesting phenomenon in that it’s growing, even though there’s decline overall in packaged media. We’re finding more and more people who are collectors – who both want to see a film and they want to own it.”⁵⁰¹ In many respects, the studios’ abdication of catalog title physical media has proven to Criterion and Kino Lorber’s benefit.

The acquisition strategies of American studio titles used by Criterion and Kino Lorber contrast in a significant way. For its part, Criterion releases a small number of American studio titles it deems canonical, whereas KLSC serves more as a low-margin, high-volume clearing house of genre titles (film noirs, melodramas, war films, etc.). Adrienne Furniss, CEO of Criterion’s former distribution partner Home Vision Entertainment, has referred to all of Criterion’s releases, but especially their major studio titles, as “evergreen product” with sales that “plateau and hold” over the long term.⁵⁰² By contrast, KLSC performs a function studios used to handle in-house, with its more “inclusive,” lower priced releasing of numerous catalog titles.⁵⁰³ KLSC’s strategy is typified by its 2020 deal for over 200 “deep catalog titles” from the NBCUniversal library, whereas Criterion procures rights on a more selective, piecemeal basis.⁵⁰⁴ In many respects, Criterion and Kino’s acquisition strategies toward Golden Age Hollywood catalog titles juxtapose so strikingly as to form a yin-and-yang, of mutually beneficial forces. This status quo has slightly shifted with the introduction of 4K Blu-ray, which has seen Kino Lorber take on a more aggressive role procuring 4K rights to evergreen titles for which Criterion previously held Blu-ray rights; these top-selling evergreens include *The Silence of the Lambs*

⁵⁰¹ Stephen Saito, “Our Favorites 2018: Richard Lorber on Building a Sustainable Home for Classics of the Past and Future at Kino Lorber,” *The Moveable Feast*, January 2, 2019, <https://moveablefest.com/richard-lorber/>.

⁵⁰² D’Alessandro 5.

⁵⁰³ Herbert 7.

⁵⁰⁴ Bill Hunt, “The Irishman & Marriage Story from Criterion, Plus Elephant Man 4K, Gunsmoke, New Warner Archive & More,” *The Digital Bits*, January 27, 2020, <https://thedigitalbits.com/columns/my-two-cents/012720-1530>.

(1991, Jonathan Demme), *Some Like It Hot* (1959, Billy Wilder), and *The Great Escape* (1963, John Sturges).⁵⁰⁵ But these two companies' overall symbiosis—with Criterion's higher-price studio evergreens on one side, and Kino's cheaper, higher-volume deep catalog releases on the other—appears stable as long as the boutique market for physical media maintains. In sum, while both Kino Lorber and Criterion/Janus distribute international titles in theaters and on home media, their dominant place within independent repertory distribution has been achieved through the home media release of American studio titles.

Smaller boutique distributors distinguish themselves in the repertory space by treating discoveries with more or less the same aplomb as any new title in their slate. In other words, these companies construct discernible brands for themselves through repeated associations with certain filmmakers, genres, and modes of production, commonalities that unite their library's new and old films alike. This topic of branding was initially addressed in this dissertation's first chapter, and here I extend this discussion by elaborating on the boutique label, Grasshopper Film, which was only mentioned in passing in that earlier chapter. Formed in 2015, Grasshopper Film typifies the strain of relatively young independent distributors focused equally or exclusively on acquiring older, neglected international, documentary, and/or American independent cinema with art house appeal. Two other young, repertory-focused boutique distributors include Arbelos Films, founded in 2017, which re-released *Sátántangó* (1994, Béla Tarr) and *Chameleon Street* (1989, Wendell B. Harris, Jr.); and Metrograph Pictures, which the

⁵⁰⁵ “Kino-Lorber Insider Announcement Thread,” internet thread, *Home Theater Forum*, last edited on April 19, 2024, accessed on May 2, 2024, <https://www.hometheaterforum.com/community/threads/kino-lorber-insider-announcement-thread-read-guidelines-post-3.355034/>.

New York City art house theater founded in 2019 as a distribution arm for older global art cinema titles by Éric Rohmer, Djibril Diop Mambéty, Claire Denis, and other cinephile icons.⁵⁰⁶

The new and old films in Grasshopper Film’s library hail from the more experimental corners of the festival film circuit. Grasshopper’s earliest theatrical releases included *Nocturama* (2016, Bertrand Bonello), a French thriller that follows young radicals committing a terrorist attack in Paris; *Kaili Blues* (2015, Bi Gan), a somnambulant mainland Chinese feature noted for a 41-minute long take; and *Right Now, Wrong Then* (2015, Hong Sang-soo), a South Korean romantic drama with an iterative, bifurcated narrative structure. According to Grasshopper CEO Ryan Krivoshey, these films performed well “on VOD, home video, and the non-theatrical market,” buoying their respective, sub-\$50,000 U.S. theatrical box office.⁵⁰⁷ Since this opening slate, Grasshopper has booked non-theatrical engagements for and released on Blu-ray/DVD at least 14 films older than ten years, compared to at least 35 new releases.⁵⁰⁸ A roughly two-to-one ratio, of new to old films, demonstrates the representative commitment to repertory among many of the new, small art house distributors. Like their new releases, Grasshopper’s repertory titles are style-forward, auteur-driven works of cinematic modernism. Examples include Jean-Marie Straub and Danièle Huillet’s *The Chronicle of Anna Magdalena Bach* (1968), *Moses und Aron* (1975), and *Sicilia!* (1999), all restored by Straub himself; *Casa de Lava* (1994, Pedro Costa), not released in the U.S. before Grasshopper’s 2017 run; and several older titles by Hong Sang-

⁵⁰⁶ Michael Nordine, “Sátántangó to Receive a 4K Restoration and Re-Release From Arbelos Films (Exclusive),” *IndieWire*, January 18, 2018, <https://www.indiewire.com/features/general/satantango-4k-restoration-rerelease-bela-tarr-arbelos-films-1201918850/>.

Jill Goldsmith, “A24’s David Laub Joins Metrograph Pictures To Expand Label With New Theatrical Releases,” *Deadline*, February 6, 2024, <https://deadline.com/2024/02/metrograph-a24-david-laub-indie-film-theatrical-slate-2-1235816116/>.

⁵⁰⁷ Steve Erickson, “Spotlight on Grasshopper Film, An Adventurous Film Distributor,” *KinoScope*, September 7, 2018, <https://read.kinoscope.org/2018/09/07/spotlight-on-grasshopper-film-an-adventurous-film-distributor/>.

⁵⁰⁸ “DVD Releases,” Grasshopper Film, accessed on May 10, 2022, <https://grasshopperfilm.myshopify.com/collections/dvd-releases?page=1>.

soo, including his second film *The Power of Kangwon Province* (1998). As much as their new titles, these older discoveries bolster Grasshopper's brand identity as a cinephile tastemaker, tapped into the intellectual, formally adventurous currents of film culture. Just as crucially, these older films perform satisfactorily on the home media, VOD, and non-theatrical markets, which—as with Arbelos, Metrograph Pictures, and other analogous boutique distributors—is Grasshopper's primary revenue stream.

Small distributors like Grasshopper Film, Metrograph Pictures, and Arbelos Films specialize in discoveries, which begs the question: Do boutique distributors enjoy evergreens of their own? Evergreens in a boutique distribution context can mean one of several things: 1) a new international, documentary, or indie film acquired by a boutique distributor with exceptional staying power in ancillary markets, such as Janus Films's *The Great Beauty* (2013, Paolo Sorrentino); 2) a top-selling older film licensed to an independent distributor from a studio library, such as the Criterion editions of *Citizen Kane* (1941, Orson Welles) and *Fantastic Mr. Fox* (2009, Wes Anderson); and 3) an older 'discovery' acquired outright by a boutique distributor that demonstrates considerable, consistent profits after its re-release. It is the third category that is most likely to be mobilized by this sector of the industry, and for that reason, these successes tend to be smaller compared to the first and second categories.

For this reason, the metrics for a "discovery evergreen" are somewhat distinct: it is an older film whose re-release has not just generated profit, but has also granted the film newfound cultural relevance and critical reexamination. The textbook example of a discovery evergreen is *Killer of Sheep* (1977, Charles Burnett), for which Milestone Films booked its premiere theatrical run, after clearing costly music rights, in 2007. *Killer of Sheep* rose to consensus classic standing "like a slow crescendo," as the UCLA Library's page on the film puts it, its

reputation heightening over many years of unofficial screenings and only sealed after Milestone's proper, theatrical release.⁵⁰⁹ Upon its 2007 release, the film grossed \$404,508 in theatrical box office, which is an exceptional sum for a discovery release with no genre hook and produced in film school.⁵¹⁰ This sum also does not factor in the steady demand for non-theatrical screenings and home video sales that has continued since. Five years after the Milestone premiere, *Killer of Sheep* ranked 202nd in the 2012 Sight & Sound Poll, its first time receiving any votes on the respected best-of list, and it vaulted to 43rd in the poll's 2022 iteration.⁵¹¹ *Killer of Sheep* furthermore has lifted the reputation of Milestone Films—the stories of this film and its distributor have intertwined in the eyes of art house peers and the popular press.⁵¹² A discovery evergreen does not necessarily guarantee excessive profit for the boutique distributor, but it does bestow weight to future projects and the company's name.

Marketing Strategies for Discoveries

Boutique distributors play an outsize role in framing how older films, and the honored figures who made them, are received in the present day. These independent distributors do so through a number of marketing strategies, which overall tend to depart from the original modes in which a film was promoted. Internal documents, such as those in WCFTR's Milestone Films manuscript collection, provide evidence on how these narratives are constructed, but public-facing paratexts, like press kits, posters, and home media copy, also loudly display new sites of emphasis and value. A Criterion Collection DVD, for instance, will often include a director's

⁵⁰⁹ Doug Cummings, "Killer of Sheep," UCLA Library Film & Television Archive, accessed on June 10, 2024, <https://www.cinema.ucla.edu/la-rebellion/films/killer-sheep>.

⁵¹⁰ "Killer of Sheep," *Box Office Mojo*, accessed on June 10, 2024, <https://www.boxofficemojo.com/title/tt0076263/>.

⁵¹¹ "Killer of Sheep (1977)," *BFI*, published in 2022, accessed on June 10, 2024, <https://www.bfi.org.uk/film/b4d4633f-520f-5e9d-aca6-c3903cf8dc22/killer-of-sheep>.

⁵¹² Ben Kenigsberg, "If You Want to Learn About the L.A. Rebellion Filmmakers, Start Here," *The New York Times*, June 11, 2020, <https://www.nytimes.com/2020/06/11/movies/la-rebellion-charles-burnett.html>.

name on the cover and not the name of a more famous star. The cover for Criterion’s 2016 release of *In a Lonely Place* (1950, Nicholas Ray) features the haggard face of its star, Humphrey Bogart, but not his name; instead, “Directed by Nicholas Ray” reads below the film’s title (see Figure 5). This simple presentation assumes a potential consumer who can, one, recognize Humphrey Bogart by his face alone, and two, a knowledge of Nicholas Ray, an auteurist cause célèbre. Such an example betrays the more *aesthetic* (and explicitly auteurist) *mode for optimal appreciation* that repertory distributors like Criterion routinely emphasize through their paratextual marketing material.

This analysis identifies six modes of film promotion at a repertory distributor’s disposal, whether they be a major studio or boutique firm. Before a repertory distributor releases an old film, it needs to construct a narrative. It will not only write a plot summary, but will also isolate elements for praise and uniqueness. These elements can be textual or contextual, though a general rule for the re-release of older film goes as such: the more a repertory paratext underscores *context*, the less its distributor follows the film’s initial promotional strategy. In the case of a studio’s repertory home media division, such as Warner Archive, original poster artwork tends to be reprinted, while the DVD box copy tends to include a terse plot summary, mention any stars involved, and note any Academy Awards the film may have won. This **entertainment** mode for optimal appreciation falls in line with most Hollywood initial release strategies, highlighting a film’s potential to amuse, distract, and captivate. The most common way to broadcast a film’s entertainment value is to foreground its genre. Boutique distributors rarely embrace this

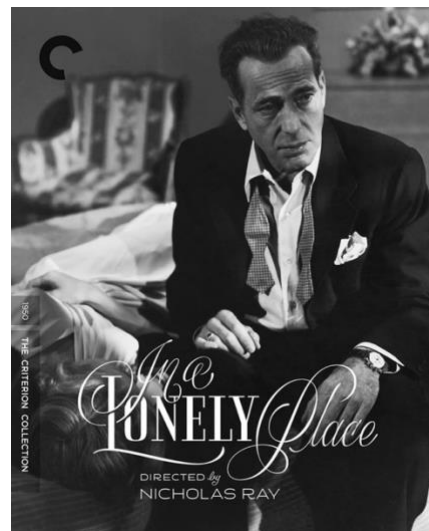


Figure 5 – 2016 Criterion Blu-ray cover for *In a Lonely Place* (1950, Nicholas Ray).

entertainment mode without also integrating one or more of the following modes: a **historical** mode will emphasize the context in which the film was made and received; a **material** mode will publicize the restoration work that enabled this re-release; a **cultural** mode may foreground a filmmaker's identity, or a film's connections to larger sociocultural trends; a **political** mode may highlight a film's explicit or implicit ideology, or a filmmaker's political beliefs; and an **aesthetic** mode will valorize a film or filmmaker's artistic and formal qualities. Naturally, a single promotional strategy can exploit several or even all of these modes.

When releasing evergreens licensed from studio libraries, boutique distributors tend to wed the entertainment mode with the aesthetic, historical, and other modes in their marketing materials. At an extreme end, the box copy of KLSC's DVDs and Blu-rays often looks indistinguishable from the promotional material a major studio may have written for a VHS release. KLSC's penchant for marketing releases via the entertainment mode corresponds with its function as an inclusive, low-margin publisher of studio catalog titles. Other boutique distributors tend to push new angles, if only slyly, in their promotion of older films. For instance, Criterion's 2021 Blu-ray release of *Bringing Up Baby* (1938, Howard Hawks) features box copy that promotes it as "a high-wire act of invention that took American screen comedy to new heights of absurdity" (a mix of entertainment, historical, and aesthetic modes), with "plenty of gender-bending mayhem" (entertainment and cultural), before concluding with the following, typical interplay between the aesthetic and entertainment modes: "*Bringing Up Baby*'s sophisticated dialogue, spontaneous performances, and giddy innuendo come together in a whirlwind of comic chaos captured with lightning-in-a-bottle brio by director Howard Hawks."⁵¹³ For the highest value, most profitable evergreens, these distributors virtually always

⁵¹³ "Bringing Up Baby," *The Criterion Collection*, published in 2021, accessed on June 10, 2024, <https://www.criterion.com/films/29010-bringing-up-baby>.

find a place to stress the film's quality as entertainment, while also paying tribute to its artistic integrity, formal innovations, or sociohistorical relevance.

Promotional copy that devotes extended attention to the material mode of optimal appreciation will invariably cast the film, even a well-known one, as a discovery. Cinecom's North American release of Giorgio Moroder's 1984 version of *Metropolis* (1927, Fritz Lang) lays bare the contradictions often baked into this approach. Cinecom did not regularly release repertory titles, but rather primarily acquired American independent and the occasional international title (e.g., *Salaam Bombay!*). In Cinecom's 1988 film catalog, the Moroder cut of *Metropolis* is the only repertory title available for rental, though its status as an "old film" is explicitly contested by the marketing copy. The first paragraph captures the tensions when a higher-revenue, non-repertory independent distributor—focused primarily on theatrical, not ancillary, markets—handles an older film:

Academy Award-winner Giorgio Moroder ("Flashdance," "Midnight Express") presents Fritz Lang's classic vision of the future, now beautifully restored, color-tinted, and with a contemporary music score. A masterpiece of German expressionism, with spectacular sets and special effects, **METROPOLIS** has been a major influence on countless films during the past fifty years, including "Dr. Strangelove," "Blade Runner," and even "Ghostbusters."⁵¹⁴

The first and last sentences of this paragraph explicitly mention five popular American films, three of which (*Flashdance*, *Blade Runner*, *Ghostbusters*) are blockbusters released within the past five years of this film's re-release. The remainder of the paragraph appeals to material ("beautifully restored") and aesthetic-historical ("a masterpiece of German expressionism") modes of appreciation, yet the urge to cast this *Metropolis* as accessible, relevant entertainment—akin to what you would have encountered at the multiplex—is clear from the

⁵¹⁴ Cinecom 1988 Catalog, Page 4, Box 98, "Cinecom 1987-1990" folder, Ira Deutchman papers (1967-2016), University of Michigan Library.

outset. This conflict between promotional modes continues as the copy explains the material basis for this version in greater detail:

Against Lang's wishes, **METROPOLIS** was severely edited for its initial American release, which left the story disjointed and difficult to follow, and caused the loss of many scenes, some of which have disappeared forever. The film is now restored as closely to its original conception as possible, containing several scenes that do not exist in any other prints. With music by such stars as Pat Benatar, Jon Anderson, Adam Ant and Billy Squier, this is a whole new experience of a classic masterpiece.⁵¹⁵

It is true Moroder and the Munich Film Archive restored numerous intertitles previously unavailable in public prints, yet the claim that *Metropolis* "is now restored as closely to its original conception as possible" sits awkwardly before a clincher that extols the version's new 1980s rock soundtrack. The line, "a whole new experience of a classic masterpiece," distills in microcosm the battle between the old and the new, between presenting an older film for what it was and promoting it for how it speaks to the present.

The pull quotes Cinecom selected for inclusion in this catalog further foreground the idea that Moroder's *Metropolis* is as fresh as any new film in the catalog: "'Metropolis' puts most of today's science fiction to shame" (Leonard Maltin, *Entertainment Tonight*), and "'Metropolis' doesn't date" (Jerry Tallmer, *NY Post*).⁵¹⁶ Moroder's *Metropolis* provides a rare instance where a reconstructed "discovery" played a wide theatrical run, thanks to *Metropolis*'s historic reputation and influence on popular science fiction. Cinecom's marketing of the 1984 version demonstrates how non-repertory theatrical distributors attempted to sell older films to wider audiences. Internal Cinecom records indicate that the company recorded neither "profit or loss" for the theatrical distribution of *Metropolis*, but it estimated \$40,000 in net profit through non-

⁵¹⁵ Cinecom 1988 Catalog.

⁵¹⁶ Cinecom 1988 Catalog.

theatrical (i.e., film societies, colleges, and museums) screenings.⁵¹⁷ Even as just a modest success, *Metropolis* represents the conflicting promotional modes a distributor can employ, the higher the theatrical stakes. Cinecom president Ira Deutchman has since reflected on the experience, saying, “The controversy is what created its notoriety. It was definitely a love it or hate it thing. Fortunately, the audiences loved it, it was the critics who were mixed about it.”⁵¹⁸ By contrast, other boutique distributors tend to connect the fates of their repertory releases to the favor of film critics, as the next section will explore.

The Utility of Recuperative Auteurism

As discussed in the first chapter, auteurism remains a potent force in the distribution of contemporary and repertory art house cinema. As Criterion’s recent, lavish box sets devoted to Ingmar Bergman and Federico Fellini indicate, a consumer demand for those titanic midcentury auteurs persists to this day, shaping the acquisitions of classic and new cinema in the process.⁵¹⁹ In the same breath, Criterion also issued in 2020 a similarly exhaustive box set of Agnès Varda’s complete works.⁵²⁰ During the heyday of Bergman, Fellini, and other postwar auteurs, Varda directed an abundance of exceptional films, but she went “unfairly neglected by film critics and historians” of this time.⁵²¹ This oversight has been corrected in the 21st century through the work of scholars, programmers, and distributors (led by Varda herself), culminating in Criterion’s

⁵¹⁷ “State of the State – Year End ’84,” page 2, Box 13, “Production Companies – Cinecom – Memos” folder, Ira Deutchman papers (1967-2016), University of Michigan Library.

⁵¹⁸ Ira Deutchman, interview with the author, July 14, 2023.

⁵¹⁹ “Ingmar Bergman’s Cinema,” *The Criterion Collection*, released on November 20, 2018, <https://www.criterion.com/boxsets/1427-ingmar-bergman-s-cinema>.

“Essential Fellini,” *The Criterion Collection*, released on November 24, 2020, <https://www.criterion.com/boxsets/3626-essential-fellini>

⁵²⁰ “The Complete Films of Agnès Varda,” *The Criterion Collection*, released on August 11, 2020, <https://www.criterion.com/boxsets/3432-the-complete-films-of-agnes-vara>.

⁵²¹ Kelley Conway, *Agnès Varda* (Urbana, IL: University of Illinois Press, 2015), 4.

definitive edition. Efforts to afford Varda her due, casting her as a feminist pioneer with a body of work comparable to her instantly canonized, white male peers, can be understood in the broader context of recuperative auteurism.

Recuperative auteurism marries a celebration of individual artistic achievement with a systemic critique of Western film culture's accepted tenets and the U.S. film industry's history of exclusion. This strain of critical discourse emerged from a patchwork of film critics, scholars, programmers, and distributors. *The New Yorker* film critic Richard Brody promotes this explicitly "recuperative" strain of contemporary auteurism. Brody provides the most clear-cut example of a salaried film critic who, on one hand, values films that evince personal expression and defends principles established by *Nouvelle Vague* critics, while also consistently championing films directed by women and people of color.⁵²² Brody thus displays the capacity for even a decidedly 'old school' auteurist lens to assume a political valence, attentive as he is to how aesthetic unity and personal expression can also be marshalled toward wider sociopolitical critiques of systemic issues like anti-black racism.⁵²³ While sharing enthusiasm for canonical directors like Hitchcock and Carl Theodor Dreyer, Brody's criticism also unmistakably strives to reform established film canons. He does so by advocating for forgotten directors, who—due to the inequities of the American film industry and noted omissions in foundational auteurism—tend to be women and people of color. In addition to writing multiple articles in praise of

⁵²² Richard Brody, "The Truffaut Essays That Clear Up Misguided Notions of Auteurism," *The New Yorker*, June 7, 2019, <https://www.newyorker.com/culture/the-front-row/the-truffaut-essays-that-clear-up-misguided-notions-of-auteurism>.

Richard Brody, "Kathleen Collins's 'Notes from a Black Woman's Diary' Contains an Extraordinary Unmade Movie," *The New Yorker*, February 2, 2019, <https://www.newyorker.com/culture/the-front-row/kathleen-collins-notes-from-a-black-womans-diary-contains-an-extraordinary-unmade-movie>.

⁵²³ Brody praised *The Hate U Give* (2018, George Tillman, Jr.) as a "distinctive and exceptional political film." See Richard Brody, "'The Hate U Give,' Reviewed: An Empathetic, Nuanced Portrait of a Teen's Political Awakening," *The New Yorker*, October 19, 2018, <https://www.newyorker.com/culture/the-front-row/the-hate-u-give-reviewed-an-empathetic-nuanced-portrait-of-a-teens-political-awakening>

independent filmmakers Kathleen Collins and Shirley Clarke, whose work was re-released posthumously by Milestone Films in the 2010s, Brody routinely refers to these two auteurs as benchmarks for genius and innovation in reviews of new films he favors—including *Hidden Figures* (2016, Theodore Melfi)—and of popular films he does not like, such as *The Hateful Eight* (2016, Quentin Tarantino).⁵²⁴ With his conviction that personal expression in cinema is also political, Brody demonstrates auteurism’s flexibility and canny utility as a tool for modifying the film canon.

Recuperative auteurism such as Richard Brody’s demonstrates how certain critics navigate these discourses, praising orthodox icons in one breath and advocating for the auteur status of marginalized artists the next. Before and especially since the 2020 George Floyd protests, boutique distributors have made noticeable effort to build a more diverse library of films. Recuperative auteurism offers these distributors a means to balance their criteria of aesthetic distinction with this immediate goal of inclusion, by singling out exceptional yet undervalued filmmakers who do not conform to the cis, white, able-bodied male image of most canonical directors. It is a moderate, not radical, approach to correcting the sins of film history past and present, given how committed it remains to upholding a unilateral conception of authorship and installing these once-neglected honorees into an existing pantheon. After all, many of the same distributors who have recently acquired films by and about marginalized people continue to distribute the entrenched classics.

⁵²⁴ Richard Brody, “‘Hidden Figures’ Is a Subtle and Powerful Work of Counter-History,” *The New Yorker*, December 23, 2016, <https://www.newyorker.com/culture/richard-brody/hidden-figures-is-a-subtle-and-powerful-work-of-counter-history>.

Richard Brody, “‘The Hateful Eight’: Quentin Tarantino’s Playfully Adolescent Filmmaking,” *The New Yorker*, January 1, 2016, <https://www.newyorker.com/culture/richard-brody/the-hateful-eight-quentin-tarantinos-playfully-adolescent-filmmaking>.

The pragmatic utility of recuperative auteurism explains why it has caught on among distributors and audiences. For distributors, spotlighting previously marginalized auteurs conforms well with the dominant modes of repertory film promotion; if anything, more companies today follow Milestone's practice of balancing aesthetic and entertainment modes with those cultural, historical, and political modes. The following line from Cohen Media Group's marketing copy for Julie Dash's *Daughters of the Dust* (1991), published on the occasion of its 2016 re-release, touches upon all the aforementioned modes: "The first wide release by a black female filmmaker, 'Daughters of the Dust' was met with wild critical acclaim and rapturous audience response when it initially opened in 1991."⁵²⁵ For audiences, the film has generated enough profit to be considered an evergreen by the Cohen Film Collection, while the film's cultural impact continues to inspire discussion, interviews, and photo shoots in the popular press.⁵²⁶

The overlap between film distributors, scholars, and critics in the propagation of recuperative auteurism attests to its pedagogical principles. Over the past decade, Kino Lorber has issued several DVD/Blu-ray box sets showcasing silent and early sound cinema by women and African-American filmmakers. Released in 2015, "Pioneers of African-American Cinema" collects a dozen feature films and over 20 shorts/fragments by such early Black auteurs as Oscar Micheaux and Spencer Williams.⁵²⁷ Three years later, Kino Lorber published, "Pioneers: First Women Filmmakers," which contains 1,320 minutes of features and shorts by silent-era female

⁵²⁵ "Daughters of the Dust," *Cohen Media Group*, accessed on May 2, 2024, <https://cohenmedia.net/product/daughters-of-the-dust>.

⁵²⁶ Tim Lanza, email interview with the author, February 10, 2022.

Emma Specter, "Director Julie Dash Tells the Story Behind the Making of *Daughters of the Dust*," *Vogue*, April 26, 2022, <https://www.vogue.com/article/behind-the-moment-julie-dash>.

⁵²⁷ "Pioneers of African-American Cinema," *Kino Lorber*, published in 2015, accessed on May 2, 2024, <https://kinolorber.com/film/pioneersofafricanamericancinema>

auteurs like Lois Weber and Alice Guy-Blaché.⁵²⁸ Most recently, in 2022, Kino Lorber’s “Cinema’s First Nasty Women” Blu-ray box set bundles more neglected American and European silent cinema by and about women. Unlike the “Pioneers” set, this edition downplays the auteur hook in its title and packaging in favor of its female stars and progressive themes. “These women organize labor strikes, bake (and weaponize) inedible desserts, explode out of chimneys, electrocute the police force, and assume a range of identities that gleefully dismantle traditional gender norms and sexual constraints,” the box copy reads.⁵²⁹ Film scholars Laura Horak and Maggie Hennefeld and archivist Elif Rongen-Kaynakçi curated the film series forming the box set, and enlisted the help of about two dozen other scholars, critics, and archivists for commentary tracks. This box set’s valorization of on-screen performers diverges from the traditional auteurist angle that has been examined thus far, but as the subsequent Mary Pickford case study will illustrate, the promotion of female stars by boutique repertory distributors often centers their underappreciated agency and authorship, too.

Mary Pickford and Milestone Films

With the possible exception of her United Artists co-founder Charlie Chaplin, no Hollywood star plays as pivotal a role in the early history of film preservation as Mary Pickford. Throughout the literature on the subject as it pertains to its development in the United States, Pickford reappears at various stages of her life, espousing an evolving set of concerns toward the question of what to do with her films after their time has passed. In 1923, the very wealthy actress bought prints of her Biograph films (1909-1913) with the stated intention of keeping

⁵²⁸ “Pioneers: First Women Filmmakers,” *Kino Lorber*, published in 2018, accessed on May 2, 2024, <https://kinolorber.com/product/pioneers-first-women-filmmakers-dvd-1>.

⁵²⁹ “Cinema’s First Nasty Women (Blu-ray),” *Kino Lorber*, published on December 20, 2022, accessed on May 2, 2024, <https://kinolorber.com/product/cinemas-first-nasty-women-blu-ray>

them from public view. Around this time, exhibitors re-released her films in parodic double bills, which contrasted Pickford's "Old Time Movie Shows" against her seemingly less mawkish, less "primitive" contemporaries—all to derisive laughter.⁵³⁰ Further mortified by the self-professed "crude state" of her silent pictures after the coming of sound, Pickford generated headlines in April 1931, when she announced a codicil to her will that mandated the destruction of her films upon her death.⁵³¹ A couple of months later, she backtracked somewhat: the "best portions of eight of her films" would be preserved; the rest, destroyed.⁵³²

By the mid 1930s, Pickford had changed her tune on preservation to a remarkable degree, though her views on public repertory screenings remained steadfast. In 1935, Pickford donated some films from her private collection to the newly formed Museum of Modern Art Film Library.⁵³³ By the early 1940s, she had expressed interest in bequeathing the bulk of her collection to the Library of Congress and its own Motion Picture Division. After years of back and forth, she donated most of her library in October 1946.⁵³⁴ Though she retained 1,040 reels—including *Rosita* (1923, Ernst Lubitsch)—she still provided prints for a majority of her short and feature output.⁵³⁵ The larger reason why she had a change of heart, from seeking to destroy her recorded image to preserving it, is not certain. The catalyst for the Library of Congress accession was reportedly mundane, in that Pickford no longer wished to shoulder the costs of storing the

⁵³⁰ William M. Drew, *The Last Silent Picture Show: Silent Films on the American Screens in the 1930s* (Lanham, MD: Scarecrow Press, 2010), xvi-xvii.

For a detailed account of this marked shift in taste, see: Lea Jacobs, *The Decline of Sentiment: American Film in the 1920s* (Berkeley: University of California Press, 2008).

⁵³¹ Drew 83-84.

⁵³² Drew 87.

⁵³³ Christel Schmidt, "Mary Pickford and the Archival Film Movement," *Mary Pickford: Queen of the Movies* (Lexington: University Press of Kentucky, 2012), 221.

⁵³⁴ Frick 56-57.

⁵³⁵ Christel Schmidt, "Preserving Pickford: The Mary Pickford Collection and the Library of Congress," *The Moving Image*, Vol. 3, No. 1 (Spring 2003): 63.

films herself.⁵³⁶ Whatever reason she now had for keeping her films intact, she chose the Library of Congress over MoMA's Film Library at least in part because of views she shared two decades prior: namely, LoC's lack of public screenings, compared to MoMA's often unruly, round-the-clock repertory showings.⁵³⁷ As the Director of LoC's Motion Picture Project John Bradley wrote, following their October meeting, Pickford did not want people "walking in off the sidewalk," "giggling" at her films, like she saw them greet Rudolph Valentino rereleases several years prior.⁵³⁸

Near the end of her life, Pickford had aligned her legacy with the cause of film preservation, and she even approved screenings of her silent films under special conditions. From the mid-1950s into the 1960s, she led support for the construction of the Hollywood Museum, plans for which collapsed until recent initiatives by the Academy of Motion Picture Arts and Sciences led to the Academy Museum's opening in 2021.⁵³⁹ In 1958, Pickford requested the return of her original 35mm nitrate prints following the Library of Congress's conversion of them to 16mm safety stock, as they would have otherwise been destroyed, given the archive's practices at the time.⁵⁴⁰ She traveled to Paris in 1965 for a rare, month-long retrospective of her films at the Cinémathèque Française. According to Scott Eyman, "she asked for a little understanding because the films had been made so long ago," and thanked the French

⁵³⁶ Anthony Slide, *Nitrate Won't Wait: A History of Film Preservation in the United States* (Jefferson, NC: McFarland, 1992), 78.

⁵³⁷ Frick 57.

Haidee Wasson, *Museum Movies: The Museum of Modern Art and the Birth of Art Cinema* (Berkeley: University of California Press, 2005), 2.

⁵³⁸ Frick 57.

⁵³⁹ Alison Trope, *Stardust Monuments: The Saving and Selling of Hollywood* (Hanover, NH: Dartmouth College Press, 2012), 53-55.

"The Mary Pickford Foundation and the Academy Film Museum," *The Mary Pickford Foundation*, accessed May 6, 2020, <https://marypickford.org/partnerships/the-mary-pickford-foundation-and-the-academy-film-museum/>.

⁵⁴⁰ "Preserving Pickford" 63.

audience for their adulatory response.⁵⁴¹ Upon her death in 1979, Pickford supplied most of the gaps in LoC's collection, willing it "one negative and one positive print of all pictures made during her life up to January 20, 1955." Christel Schmidt has documented the behind-the-scenes preservation work undertaken since her death by the LoC, the Mary Pickford Foundation, the UCLA Film and Television Archive, and other archivists.⁵⁴²

Over several decades, Pickford evolved on the question of conserving her work to a remarkable degree. Scholars since the 1980s have researched the growth of film preservation as a cause, profession, and politically freighted mediation process per se; many, in writing these histories, have assigned important agency to Pickford.⁵⁴³ The growth of studio film libraries also intersects with the extending afterlives of classical Hollywood output, even though Pickford, like Chaplin, is an anomalous figure in this case for personally retaining her films for much of her life.⁵⁴⁴ What has been less considered is what happens to these films after they been preserved and, if they are lucky, restored. In addition to those that receive television airtime, a smaller number of old films are plucked from the shelves of museum archives and studio vaults, to receive theatrical re-releases and home media distribution. As previously discussed with Cinecom's re-release of *Metropolis*, silent films have a way of eluding the go-to promotional strategies distributors turn to for evergreens and discoveries. For a viewer accustomed to contemporary studio cinema, silent cinema demands more intentional mode of viewing. Many of the most well-preserved and frequently screened silent films also promise the allures of stardom and spectacle, aesthetic-cultural qualities that built Hollywood into and define what it is today.

⁵⁴¹ Scott Eyman, *Mary Pickford: America's Sweetheart* (New York: Dutton, 1990), 299-300.

⁵⁴² "Preserving Pickford" 73-78.

⁵⁴³ The following books all tell this larger story of film preservation and at minimum mention Pickford's place in it: Drew, Frick, Slide, Trope, and Wasson.

⁵⁴⁴ See Hoyt.

For a repertory distributor, silent cinema cannot simply be packaged as a museum artifact, nor can it overpromise the ease of its pleasures. Therein lies the dilemma of the repertory distributor, which is most acute in the handling of silent film.

The case of Mary Pickford's extant filmography, as it began to re-circulate the world in the late 1990s, offers an opportunity to study the formalized process of acquisition, promotion, and booking older films. For all its durability, independent repertory film distribution is curiously understudied: the essential tasks of a repertory film distributor remain assumed but not corroborated. The Wisconsin Center for Film and Theater Research's manuscript collection of Milestone Films, the company that handled the worldwide distribution rights of Pickford's films from the 1990s into the 2010s, supplies evidence for just such an inquiry. Business records, contracts, and correspondence document the day-to-day operations of this boutique distributor as it handled the theatrical booking, publicity, marketing, and production of home media for several Pickford films.

The stark contrast in distribution infrastructure between the original releases of Pickford's films and their 1990s Milestone re-release goes a way toward explaining their dissimilar reception contexts. Recall that while Pickford spent the back half of her life devoted to film preservation, she remained, until the end, acutely self-conscious about the perils of screening her work before modern audiences. Her work for Biograph, Paramount, First National, and United Artists in the 1910s and 1920s entertained mass audiences accustomed to certain norms of genre, style, and stardom. These norms were highly fluid, horrifying Pickford in the 1920s with the speed in which they rendered her early 1910s Biograph work outdated. Like all independent repertory film distributors, Milestone promoted its Pickford revival with distinct emphases from those of their initial release. While not denying their entertainment value,

Milestone above all stressed the importance of Pickford as a historical figure and the cultural relevance of Pickford as a pioneering female producer, performer, and entrepreneur. Milestone framed Pickford in a “recuperative auteur” context, predating by several years the feminist historiographic focus on the silent era that later generated headlines.

A crucial aspect of this story is that Milestone secured the rights to the Pickford films directly from the Mary Pickford Foundation, which retained them thanks to Pickford’s much-publicized procurement of film rights in the 1920s. A direct relationship of this sort, between a boutique distributor and a filmmaker’s estate, occurs often in repertory film distribution. Other examples include Criterion’s deal with the Harold Lloyd estate, and Lobster Films negotiating with the Charlie Chaplin estate.⁵⁴⁵ One-on-one relationships with a filmmaker estate, without the mediation of a major studio, emerged at the time of Milestone’s Pickford series as an attractive, feasible way for an independent distributor to market classical Hollywood treasures, generate publicity, and cultivate a diverse brand portfolio. The Pickford Foundation similarly benefitted from Milestone’s historically informed, highly directed marketing of its films, when no major studio would have been willing or able to offer the same services. This case study demonstrates, on one hand, a prototypical instance where a boutique distributor helmed a re-release of classical Hollywood cinema, though not without behind-the-scenes conflict. Furthermore, this analysis can serve as a model for understanding the active role these film distributors assume in reintroducing and recontextualizing old films, bygone figures, and their attendant histories to new audiences.

An idiosyncratic distribution company like Milestone acquires films hailing from opposing production and reception contexts, yet critics have discerned a certain ‘Milestone

⁵⁴⁵ Serge Bromberg, interview with the author, February 23, 2022.

touch.’ “Milestone’s name on a film guarantees several things,” wrote critic Jim Ridley on the occasion of Milestone’s tenth anniversary in 2001: “One is historical import ... another is visual audacity and a striking style ... [and another is] a fascination with, and immersion in, other cultures.”⁵⁴⁶ Milestone promotes historical, cultural, political, and aesthetic modes for optimal appreciation, and has developed a reputation for acquiring films, such as *Killer of Sheep* (1977) and *The Adventures of Prince Achmed* (1926, Lotte Reiniger), that somehow check off all of these boxes. Given the previously neglected status of their acquired films, Milestone does not conceive of their job as promoting “old” films. Co-founder Dennis Doros has elaborated this position as follows [emphasis added]:

We don’t really see ourselves as repertory distributors. Most films we release have never screened theatrically before, or haven’t for decades. **We’ve always seen ourselves as first run.** So posters, trailers, publicity—it all comes from that line of thinking, and I think that’s been part of our success: thinking of these titles as first-run movies worthy of playing next door to *Batman 14*.⁵⁴⁷

Milestone’s self-conception as a first-run distributor accords with their concentration on discoveries, rather than evergreens. Their low-volume output builds an ‘event’ status around their releases, which are invariably accompanied by, in the words of Richard Brody, “ample and lovingly assembled” press kits.⁵⁴⁸ As co-founder Amy Heller declared in 2019, “Well, we release films, of course...but for us, distribution is a process that also entails rediscovery, restoration, and a *whole lot* of research.”⁵⁴⁹ Milestone’s commitment to producing detailed research, for press and public use, has set a standard for the promotion of once-neglected discoveries.

⁵⁴⁶ Jim Ridley, “Persistence of Vision,” *Nashville Scene*, July 26, 2001, <https://www.nashvillescene.com/arts-culture/article/13006002/persistence-of-vision>.

⁵⁴⁷ Daniel Loria, “AHC 2019 Spotlight Lifetime Achievement: Dennis Doros & Amy Heller, Milestone Films,” *Box Office Pro*, January 22, 2019, <https://www.boxofficepro.com/art-house-convergence-2019-spotlight-lifetime-achievement-award-dennis-doros-amy-heller-milestone-films/>.

⁵⁴⁸ Richard Brody, “‘Portrait of Jason’ and the Life of Movies,” *The New Yorker*, April 17, 2013, <https://www.newyorker.com/culture/richard-brody/portrait-of-jason-and-the-life-of-movies>.

⁵⁴⁹ Amy Heller, “What Do We Do Here, at Milestone?” *Milestone Films*, June 7, 2019, <https://milestonefilms.com/blogs/news/what-do-we-do-here-at-milestone>.

As the first chapter discussed, Milestone Films emerged from the closely knit art house scene in New York City. Wife-and-husband team Amy Heller and Dennis Doros founded Milestone in 1990, after years each spent working at leading independent art house distributors in New York. While working at Kino International, Doros generated press attention in 1985 for his restorations of Gloria Swanson's *Queen Kelly* (1929, Erich Von Stroheim) and *Sadie Thompson* (1928, Raoul Walsh).⁵⁵⁰ Neither Heller nor Doros studied film in college, yet they routinely work with academics (such as Jeanine Basinger), archivists (including Ross Lipman, of the UCLA Film and Television Archive), and popular press film historians (such as Kevin Brownlow and Scott Eyman) throughout the restoration and distribution process.⁵⁵¹

For an old film to see a theatrical run once again, a repertory distributor must acquire, promote, and book it—a process that does not account for the restoration beforehand or the direct-to-consumer afterlife. Every step along the way demands political negotiation, the management of limited resources, and a reiteration of one's core values. Milestone's Mary Pickford project included conflict from the outset. Before receiving the contract from the Mary Pickford Foundation, Doros felt obliged to spell out Milestone's intentions as plainly as possible. In his letter to Foundation directors Ed Stotsenberg and Keith Lawrence, Doros wrote:

- Ed, you asked me to elaborate on Milestone's plans a little. I believe it's very simple. Our goal is to take the five restorations that Keith and the Pickford Foundation will create and distribute them with the following ideas in mind.
- a) To re-establish in the press and to the public that Mary Pickford was one of the finest artists and business minds in the first hundred years of cinema. We have been told by many that this will be a difficult task, including Leonard Maltin and Kevin [Brownlow]. However, this is what we do best and with the proper effort and creativity, we feel that it will be far easier than anything we have done before.
 - b) To publicize the Mary Pickford Foundation and its mission.

⁵⁵⁰ Stephen Harvey, "Queen Kelly Opens – More than 50 Years Late," *The New York Times*, 22 September 1985. <https://www.nytimes.com/1985/09/22/arts/queen-kelly-opens-more-than-50-years-late.html>

⁵⁵¹ "Brownlow-Doros correspondence," WCFTR, Milestone Films Papers, Box 40, Folder 40.

c) Not only to have the Pickford Foundation break even on the project, but make at least twice that amount so together we can continue this work.⁵⁵²

Here, Doros establishes the parameters for the eventual promotional campaign, while also promising, in two of three bullet points, substantial benefit for the Foundation. He continues the letter with similar confidence in Milestone's ability to succeed on the Foundation and their own terms:

We tend not to self-promote our company since we have always felt that our reputation speaks for itself. However, now's not the time to be modest.

We pride ourselves on taking on only a few projects a year (two to four) so we can devote the time and energy to the best of our abilities for each and every release. Our individual attention to fewer projects have produced better results for our producers. Amy and I will always be available to answer your questions and to work with you directly. ... Milestone also seeks out the legitimate producers and rights holders to each film, even if others distribute the same title through public domain. ... At the end of our contract, the restored versions of your films including the music will belong solely to the Pickford Foundation. ... Lastly and perhaps foremost, Milestone has a record since we began of paying producers on time each and every quarter.⁵⁵³

This letter displays Milestone's need at the time to promote its reputation and simply explain its process to potential partners. It furthermore elaborates on the reasons for Milestone's limited yearly output: in part a matter of pragmatic finances, but in Doros's words a necessity to ensure the "best" possible release. Doros furthermore outlines a code of legal ethics for the distribution of silent cinema, ensures the Foundation the sole custody of new high-quality prints, and engages in the repertory distributor's custom of insulting the competition, who Doros previously worked for and knows well. Two days after this persuasion, Milestone signed a ten-year contract with the Foundation "to the exclusive right, license and privilege to exploit, distribute, publicize, exhibit and market the [Pickford] Pictures." After deducting their own expenses, Milestone could retain

⁵⁵² Letter from Dennis Doros to Ed Stotsenberg and Keith Lawrence, March 13, 1997, WCFTR, Milestone Films Papers, Box 35, Folder 18.

⁵⁵³ Letter from Dennis Doros to Ed Stotsenberg and Keith Lawrence.

the following percentage of revenue: 50% theatrical and non-theatrical distribution; 50% television distribution; 80% home media distribution; and 30% international sales. The remaining revenue would go to the Pickford Foundation.⁵⁵⁴

While licensing from major studio libraries presents its own hurdles, private correspondence indicates the challenges, namely the lack of communication and internal politics, in working directly with a filmmaker estate. In the lead-up to the Milestone release, the Pickford Foundation chose not to consult with Milestone on major aspects of the restoration. In a letter to historian Kevin Brownlow, Doros alluded to competing factions with the Foundation, split between the oldest board members who carried on Pickford's aversion to public screenings of her films (represented by Ed Stotensberg and Sull Lawrence, Pickford's former accountant and lawyer respectively) and younger individuals who sought to dedicate more resources to ensuring Milestone's re-release a success. These sympathetic cohort consisted of Sull's son Keith Lawrence, a Foundation board member, as well Elaina Archer, who was not a board member but played an active role in the restoration process as a developer at Timeline Films, a production company, and as manager for the Mary Pickford Library from 1996 to 2001.⁵⁵⁵ In this letter, Doros also mentioned a new documentary that Timeline Films produced and the Pickford Foundation funded, *Mary Pickford: A Life on Film* (1997, Hugh Munro Neely); Milestone would distributed this documentary non-theatrically and on home media, alongside the retrospective. Doros summarized the predicament as such:

[Keith Lawrence] is very sensitive to his position at MPF (Sull's son and the only one under 70) and needs to prove himself. Sull, being Mary's lawyer for so long, takes the stance that Mary had when he knew her — that nobody wants to see her films and don't spend a penny on them because they're not worth it. And in fact, the mandate of the Pickford Foundation is that no money *can* be spent on her

⁵⁵⁴ Pickford/Milestone distribution agreement, March 15, 1997, WCFTR, Milestone Films Papers, Box 44, Folder 25.

⁵⁵⁵ "Elaina Archer," *Polish Film LA*, accessed May 11, 2022, <https://www.polishfilmla.org/elaina-archer/>.

films. Obviously exceptions can be made as the \$225,000 being spent on the documentary proves this, but is *the* albatross as well. The Foundation is spending all this money on the doc without seeing a penny in return (to be fair, it's just being completed this week) and now they are being asked to spend money on the films. The Board (Sull and Ed) were not enthused about this and to be honest, without the little charm I have, I'm not sure they were going to go ahead with any of this.⁵⁵⁶

Two months after they signed their distribution agreement, Doros indicated the Foundation's reluctance in financing new high-quality prints, masters, and scores. "It seems that I have little to say over the choices that will be made," Doros continues. "We are in the same position that you are in — we can only have a say if we put up the money." Doros then identifies the need to attract interest from foreign buyers to raise funding for future restorations of Pickford titles *Rosita* (1923) and *Little Lord Fauntleroy* (1921, Alfred E. Green and Jack Pickford). He concludes the letter as follows: "Now, yes I did agree to distribute the Pickford films knowing full well that they may not measure up to my standards much less yours. But I'm convinced we can do a decent job, re-establish her name, and will hopefully find money to do some of the films correctly in the future."⁵⁵⁷ While bemoaning the compromises imposed by the Foundation, Doros reiterated the sense of purpose and ownership he feels toward the project, which was the cornerstone of Milestone's 1997 slate.

The tasks essentially under Milestone's full control centered on marketing, booking, and quality control. Despite his confidence in Milestone's abilities, Doros nevertheless laid out to the Pickford Foundation, in April 1997, the challenges ahead: "They are wonderful films, but are marginal — though we prefer the term 'specialized' — compared to today's Hollywood

⁵⁵⁶ Letter from Dennis Doros to Kevin Bronlow, May 15, 1997, WCFTR, Milestone Films Papers, Box 40, Folder 40.

⁵⁵⁷ Letter from Dennis Doros to Kevin Bronlow, May 15, 1997.

product.”⁵⁵⁸ In Milestone fashion, Doros and Heller conducted extensive research on Pickford’s career, the distributed films, and the historical context in which they all lived.⁵⁵⁹ As Doros’s March 1997 letter to the Pickford Foundation underlined, Milestone sought to concentrate the retrospective’s marketing pitch less on the films’ individual aesthetic achievements, but rather on Mary Pickford’s historical legacy as the first Hollywood star and female film mogul. A May 1997 letter to Elaina Archer from a Pickford fan, reacting to the retrospective’s announcement, summarizes the sentiment behind Milestone’s promotional angle: “I’ve always considered [Pickford] to be one of the most important film pioneers – and just look at what she accomplished when women didn’t even have the right to vote.”⁵⁶⁰ In its own marketing copy, Milestone leaned into the watershed nature of Pickford’s career, and underlined her potential for feminist reclamation. On the occasion of Milestone’s 1999 VHS box set of the

restoration, entitled “Sweetheart: The Films of Mary Pickford,” the announcement flier (see

Figure 6) headlines with four bullet points all testifying to her historical value: “The First



Figure 6 – Flier announcing the film series, “Sweetheart: The Films of Mary Pickford,” by the Mary Pickford Foundation, Timeline Films, and Milestone Films.

⁵⁵⁸ Correspondence from Milestone to Mary Pickford Foundation, April 1, 1997, WCFTR, Milestone Films Papers, Box 44, Folder 18.

⁵⁵⁹ Milestone’s research into Pickford is publicly available in the following press kit: “Sweetheart: The Films of Mary Pickford” press kit, 2006, edited by Amanda Bowers and Megan Powers, accessed May 6, 2020, https://cdn.shopify.com/s/files/1/0150/7896/files/Pickford_complete_presskit.pdf.

⁵⁶⁰ Correspondence from Teresa Gibson to Elaina Archer, May 23, 1997 WCFTR, Milestone Films Papers, Box 44, Folder 18.

International Superstar / The Most Famous and Beloved Woman of Her Era / The most Successful Actress of the Twentieth Century / The First and Only Woman Ever to Own a Hollywood Studio.”⁵⁶¹ The last bullet point, referring to Pickford’s co-founding of United Artists, draws attention to the exclusion of women in the contemporary film industry, teeing up Pickford as a feminist lodestar for the present. The flier mentions the material (“the best archival materials available”) basis for the restorations, and makes the case for their aesthetic value via a Richard Corliss pull quote (“fresh then, still fresh now”), yet it is the pull quote above, by *Los Angeles Times* critic Susan King, that distills the retrospective’s overriding mission: “As a role model for women today, she could put us all to shame, and that includes everyone from Hillary Rodham Clinton to Xena, the warrior princess.” Milestone downplayed the entertainment and aesthetic qualities of Pickford’s films in a bid to cast Pickford as a relevant, once-forgotten feminist icon.

While the Mary Pickford Foundation ultimately oversaw the initial round of restorations, Doros and Heller still played an active role in ensuring quality control. In an April 1997 letter to Archer, Doros flagged in detail the legibility of one scene from *Sparrows*:

In the scene where Pickford is up in the loft with the kidnapped child and Grimes takes away the ladder, there is much cross-cutting between her entrapment and Splutters at the police station. At this point, she is suddenly down with the other children and escaping out the back. *Then* there’s a very brief cut where it looks like the kidnapped child (Doris) is climbing down a ‘ladder’ made of clothes. This is not even in Kino’s version and it seems that in yours that this scene is another Kemp misplacement and there is perhaps more missing footage of Pickford making this ladder.⁵⁶²

⁵⁶¹ “Mary Pickford Announcement,” *Milestone Films*, accessed on May 2, 2024, https://cdn.shopify.com/s/files/1/0150/7896/files/Flier_Mary_Pickford.pdf?v=1643056369.

⁵⁶² Correspondence from Dennis Doros to Elaina Archer, April 29, 1997, WCFTR, Milestone Films Papers, Box 44, Folder 18.

Meticulous back-and-forth of this sort between distributors, restorationists, and asset managers is typical in the re-release of both evergreens and discoveries, though it takes on added urgency when handling neglected silent films, which often lack a definitive cut or original camera negative. Reconstruction involves sourcing best possible materials, commissioning new scores, crafting accurate new intertitles, and setting the correct frame rate, among other intermediate steps. Throughout 1997, Doros and Archer corresponded to ensure the best possible presentation within the constraints imposed on them by the Pickford Foundation.⁵⁶³ In essence, these efforts involved a granular attention to detail, as Doros, Archer, and film programmers like the Film Forum's Bruce Goldstein sourced prints whose running times or reel counts even the Pickford Foundation could not definitely confirm.⁵⁶⁴

The remaining tasks prior to launching the Pickford retrospective involved Milestone's communications with film programmers and the popular press. When booking theatrical engagements, a distribution company such as Milestone may assume an active role in the task of programming itself, depending on the expertise of the distributor and the level of trust between both parties. Mutual trust between Doros and Goldstein is apparent in their correspondence, as Doros proposed the series idea to Goldstein, Goldstein responded with a fine-tuned schedule based on Doros's list, and Doros replied in kind with a working eight-day schedule.⁵⁶⁵ Given the Film Forum's industry function as a launching pad for repertory re-releases, the collaboration between Doros and Goldstein sets up the Pickford series for future bookings in non-New York markets. Prior to launching the retrospective, Milestone also leveraged its cordial relationships

⁵⁶³ Correspondence from Elaina Archer to Dennis Doros, May 7, 1997, WCFTR, Milestone Films Papers, Box 44, Folder 18.

⁵⁶⁴ Correspondence from Dennis Doros to Bruce Goldstein, May 6, 1997, WCFTR, Milestone Films Papers, Box 44, Folder 35.

⁵⁶⁵ Correspondence from Dennis Doros to Bruce Goldstein, May 6, 1997.

with the press, boasting advocates in such prominent platforms as *The New York Times*, *Los Angeles Times*, *Entertainment Tonight*, and *The Hollywood Reporter*. Given the “specialized” appeal of the Pickford series, some mass-circulation newspapers Milestone solicited, such as *USA Today*, did not respond. Those journalists in preeminent media institutions friendly to Milestone would reply with interest, though they would occasionally acknowledge that good coverage for this Pickford series could not be delegated to just any stringer. In an email to Doros with the subject line “NY Times Wants Mary,” Milestone’s publicist reports that John Darnton of *The New York Times* Culture Desk expressed interest in assigning the story, but added, “Let’s not have someone who decides not to cooperate and goes off to do flower arranging.”⁵⁶⁶ Implicit in this managerial insult is the specialized knowledge, and perhaps patient temperament, a journalist would need to bring to cover this retrospective adequately. On a typical day, Doros and Heller work with preservationists, programmers, and publicists who share many of the same values, but when it comes to securing coverage in the most widely read periodicals, Milestone must count on a clear, relevant marketing angle; a well-cultivated network of social connections; and a share of luck.

Typical for a repertory release, the Pickford films had to slowly wind their way through ancillary markets before turning a profit for Milestone. As the series traveled across the country, Milestone reported “a lot of bookings for the Pickford titles,” according to Doros, but “the box office was never that great.”⁵⁶⁷ Because most of these engagements were nontheatrical, box office attendance was less significant than rental fees. While financial information for the entire series is not available, the grosses for *My Best Girl* (1927, Sam Taylor), one of the six films in the 1997 series, provide a sense of how the films initially performed. Over its first 25 venues,

⁵⁶⁶ Correspondence, May 21, 1997, WCFTR, Milestone Films Papers, Box 44, Folder 33.

⁵⁶⁷ Dennis Doros, email message to author, November 22, 2022.

spanning 16 months between July 1997 to November 1998, *My Best Girl* collected \$4,370 in net rental fees. By the time Milestone's distribution of the film ceased, after 2016, *My Best Girl* accumulated \$18,174 in net rentals.⁵⁶⁸ The Pickford home-video editions, which Milestone distributed in concert with Image Entertainment, would prove steadily lucrative. Though Doros believes the Pickford home-video sales were "very average" by Milestone standards, they exceeded, nearly twofold, the sales of all other silent films in Image Entertainment's library, including the Douglas Fairbanks titles *The Black Pirate* (1926, Albert Parker) and *The Thief of Baghdad* (1924, Raoul Walsh).⁵⁶⁹ The only silent film titles the Pickford release could not touch were a few evergreen outliers such as *Nosferatu* (1922, F.W. Murnau), *The Phantom of the Opera* (1925, Rupert Julian), and, yes, *Metropolis*.⁵⁷⁰

Conclusion

Milestone's distribution of Pickford films in the late 1990s can clarify the state of repertory film distribution as it exists today. For one, Milestone's marketing efforts not only framed how the films should be received, but sought to recalibrate the cultural relevance of the star at its center. This example of recuperative auteurism precedes, by at least two decades, the widespread embrace of this acquisition and marketing strategy among Milestone's boutique peers. Since the late 1990s, film scholarship has also built on precedents like Milestone's series, discovering buried histories of female agency across the silent film era. So while Milestone promoted Pickford's films with an emphasis on her as a singular trailblazer, feminist scholarship has shifted focus in recent years from the lionization of stars to a finer attention to collaboration

⁵⁶⁸ *My Best Girl* grosses, July 19, 2016, in author's possession.

⁵⁶⁹ Doros, email message to author.

⁵⁷⁰ Doros, email message to author.

and below-the-line labor. Repertory distributors have followed suit, with Kino Lorber's *Pioneers: First Women Filmmakers* DVD/Blu-ray box set a sterling example of the possibilities when cutting-edge historiography, restoration effort, and distribution showmanship collide.⁵⁷¹ Kino developed this much-lauded set amidst a different set of distribution norms and discursive principles than Milestone in the 1990s. Milestone's Pickford series deserves recognition for its place along this trajectory, and the academic and distribution context which it spoke to should command greater retrospective analysis.

Furthermore, this Pickford case study demonstrates a film industry in transition, and the opportunities to boutique distributors these changes present. By partnering directly with the Mary Pickford Foundation, Milestone secured distribution rights for classical Hollywood cinema outside of the purview of the major studio libraries. These Pickford films feature the first Hollywood star, and generated tremendous profits during their time. Yet time has radically transformed these titles from Hollywood moneymakers to unknown discoveries. Milestone entered the Pickford deal with more belief in their historical value than their profit potential. This fundamental orientation toward the discovery, as both a category of repertory film and a distribution practice, separates the truly boutique repertory distributor from the rest.

⁵⁷¹ See Kate Hearst, "Challenging the Canon: *Pioneers: First Women Filmmakers*," *Film International*, Vol. 17, Issue 2 (June 2019): 107-111.

Chapter 4

Licensing Coalitions and Art House Film Streaming Platforms

The more one reads contemporary business and trade press, the more likely one is to encounter the narrative that streaming video services are all locked in an arena of cutthroat competition. Ramon Lobato and Amanda D. Lotz recently pushed against the prevailing, “zero-sum” tendency “to place these services into a singular competitive field,” proposing instead a more “multifaceted conceptualization of competition among video services.”⁵⁷² This chapter seeks to further develop this line of thinking, by examining the dynamics of cooperation that structure corners of the streaming economy. “Art house” streaming platforms, such as MUBI, The Criterion Channel, and OVID, provide a case study to specifically illustrate how independent, “boutique” film distributors, rather than directly compete with one another, form mutually beneficial arrangements when founding and operating their own over-the-top (OTT) services.⁵⁷³ This chapter argues that these dynamics of cooperation fundamentally sustain those streaming services with marginal market share, the platforms often classified as “specialist” or “niche.” These cooperative dynamics furthermore call attention to the analytical distinction between streaming service and content provider (here, synonymous with film distributor or licensor), and more consequently, to streaming’s power to extend and transform long-standing relationships between distributors of various size.

The “streaming wars” narrative not only reduces “all streaming services ... [into direct competition] with one another,” as Lobato and Lotz argue, but also hinges on the pervasive and

⁵⁷² Ramon Lobato and Amanda D. Lotz, “Beyond Streaming Wars: Rethinking Competition in Video Services,” *Media Industries*, Vol. 8, Issue 1 (2021): 97, 100. <https://journals.publishing.umich.edu/mij/article/id/1338/>

⁵⁷³ This analysis adopts the term “boutique” to refer to financially independent distributors targeting art house audiences, companies like Janus Films, Kino Lorber, and Milestone Films. The “boutique” label distinguishes these companies from conglomerate-owned, art house-targeting subsidiaries like Sony Pictures Classics.

often myopic trope of the underdog.⁵⁷⁴ Trade press accounts tend to cast the most highly capitalized players in the streaming sector as Davids or Goliaths, with the casting subject to change based on the latest stock price or quarterly earnings report. One need only consider how headlines have alternately framed Netflix, since it launched its video-on-demand (VOD) service in 2007, as nearly omnipotent during bull markets, or as dramatically imperiled during periods of financial stress.⁵⁷⁵ The underdog trope is so persistent that executives at Fortune 500 companies like Netflix and the Walt Disney Company have embraced it in interviews, referring to themselves as underdogs as a means to telegraph confidence to investors.⁵⁷⁶ These fickle shifts in use, as well as its near-exclusive application to the largest members of the Alliance of Motion Picture and Television Producers, signal how the underdog trope reflects intra-Hollywood discourse and market vicissitudes, rather than meaningful disparities in competitive advantage, industry hierarchy, or market share. This pillar of “streaming wars” discourse furthermore masks how smaller intermediaries have convened their own alternative platforms and distribution formations.

⁵⁷⁴ Lobato and Lotz 90.

⁵⁷⁵ Paul Bond, “Netflix history good, future dim,” *The Hollywood Reporter*, April 21, 2008, <https://www.hollywoodreporter.com/business/business-news/netflix-history-good-future-dim-109850/>.

Scott Roxborough, “The Netflix Plan to Conquer the World,” *The Hollywood Reporter*, May 2, 2013, <https://www.hollywoodreporter.com/tv/tv-news/netflix-plan-conquer-world-449083/>.

Kim Masters, “The Netflix Backlash: Why Hollywood Fears a Content Monopoly,” *The Hollywood Reporter*, September 14, 2016, <https://www.hollywoodreporter.com/tv/tv-features/netflix-backlash-why-hollywood-fears-928428/>.

Cynthia Littleton, “How Hollywood Is Racing to Catch Up to Netflix,” *Variety*, August 21, 2018, <https://variety.com/2018/digital/features/media-streaming-services-netflix-disney-comcast-att-1202910463/>.

Natalie Jarvey, “Netflix Under Pressure: Can a Hollywood Disruptor Avoid Getting Disrupted,” *The Hollywood Reporter*, August 8, 2019, <https://www.hollywoodreporter.com/tv/tv-features/netflix-at-a-crossroads-hollywoods-dominant-disrupter-adjusts-growing-pains-1229618/>.

⁵⁷⁶ Michael Schneider, “Netflix Global Head Bela Bajaria on the Streamer’s Recent Woes: ‘We’re the Underdog Now,’” *Variety*, June 14, 2022, <https://variety.com/2022/tv/news/bela-bajaria-netflix-banff-world-media-festival-1235293860/>.

Natalie Jarvey, “Disney Over the Top: Bob Iger Bets the Company (and Hollywood’s Future) on Streaming,” *Hollywood Reporter*, October 16, 2019. <https://www.hollywoodreporter.com/features/bob-iger-bets-company-hollywood-s-future-streaming-1247663>

Numerous niche platforms, many of them financially independent, vie for their own audiences in the streaming world Netflix helped create. Some subscription-video-on-demand (SVOD) platforms are brands within larger corporations, like the AMC Networks-owned Shudder, which specializes in horror films, or Bounce Media’s Brown Sugar, which offers blaxploitation films from the 1970s. SVOD service Open TV is singular as a wholly independent, “intersectional” television production and distribution platform, focused on the research-and-development of rising talent from underrepresented communities.⁵⁷⁷ On a level of content, funding, and ownership, a platform like Shudder represents a corporate model of the niche-targeted streaming video platform, whereas Open TV provides a paradigm of the independent, nonprofit, niche-targeted platform. In between these two poles lie “art house” streaming platforms, those for-profit services hosting international, documentary, and classic films. MUBI, The Criterion Channel, and OVID each represent different models of the art house SVOD service, on account of their histories, funding sources, audiences, and—most importantly for this chapter—licensing arrangements with distributors.

While it may be obvious to note that these services do not compete toe-to-toe with market-dominant platforms like Netflix, it is also reductive to argue that niche services, even those targeting similar genres and tastes, directly compete with each other. The complication here arrives in the distinction between streaming service and content licensor, which, in the field of niche subscription video-on-demand (SVOD) services, are usually separate entities. For instance, a niche SVOD service may license from both major film studio libraries *and* independent distributors (e.g., The Criterion Channel), or exclusively from independent distributors (e.g., OVID). At the same time, a boutique distributor may enter into licensing

⁵⁷⁷ For more on this platform, see Aymar Jean Christian, *Open TV: Innovation beyond Hollywood and the Rise of Web Television* (New York: NYU Press, 2018).

agreements with several streaming services. For instance, Kino Lorber has licensed its film titles to SVOD platforms of massive scale, such as Netflix and Amazon; to independent “art house” SVOD services like MUBI, OVID, and The Criterion Channel; and to its own transactional video-on-demand (TVOD) storefronts, namely Kino Cult and Kino Now.⁵⁷⁸ Because content exclusivity is rarely secured on niche streaming services, a boutique distributor may furthermore feasibly license the same film to more than one platform at a time. All these separate revenue streams and intersecting content trajectories thwart any model of direct inter-firm competition, between either streaming services or film distributors.

That these companies have charted overlapping trajectories across multiple SVOD and TVOD platforms testifies both to the urgency with which they view digitizing and monetizing their library and to their recognition that not every streaming platform is equal: each platform creates different affordances, audiences, and risks. In view of these risks, art house distribution companies have used their streaming services as a means to both distinguish from and affiliate with one another. TVOD services like Kino Now exemplify the former strategy, as these art house companies form *distributor-run digital video platforms*. In its place, mutually beneficial partnerships, namely *licensing coalitions*, have emerged to sustain independent distributors and niche streaming services alike. As this chapter will argue, licensing coalitions describe a facet of the independent streaming economy wherein independent distributors of various size solicit licensing arrangements with one another in order to amass a larger, more enticing SVOD library,

⁵⁷⁸ Liz Calvario, “Kino Lorber’s ‘Pioneers of African-American Cinema’ Collection Is Available to Stream on Netflix,” *IndieWire*, February 8, 2017, <https://www.indiewire.com/features/general/kino-lorber-pioneers-of-african-american-cinema-collection-available-netflix-1201780386/>.

Patrick Brzeski, “Kino Lorber Launches Streaming Service Via Amazon’s Prime Video Channels,” *The Hollywood Reporter*, November 2, 2023, <https://www.hollywoodreporter.com/movies/movie-news/kino-lorber-streaming-service-amazon-prime-video-channels-1235635282/>.

Chris Lindahl, “Kino Lorber Eyes ‘Arthouse iTunes’ With Launch of Its Own Streaming Platform,” *IndieWire*, October 1, 2019, <https://www.indiewire.com/features/general/kino-lorber-streaming-platform-kino-now-1202177642/>.

with OVID being the paragon example. Naturally, independent distributors form licensing coalitions for capitalistic reasons, motivated to monetize their libraries and protect their copyrighted acquisitions against piracy. Yet, as enmeshed as these distributors are in profit-driven logics, they enter into licensing coalitions with fellow boutique distributors for a range of cultural, social, and aesthetic reasons, as well.

Ultimately, how are art house film streaming services asserting the value of their films, and with it a certain idea of film, in the age of Netflix? How are distribution companies collaborating to offer digital film libraries notable for their aesthetic quality, historical breadth, and representational diversity? Given the proliferation of services run by independent distribution companies, this chapter adopts a *distributor-centered* method of analysis. Taking cues from Alisa Perren, this historical analysis adopts a “comparative” methodology attuned to continuity and change: the subsequent pages pay attention, on the one hand, to how “historical content is presently being ... circulated by a blend of for-profit, nonprofit, and governmental institutions for a variety of different reasons,” and, on the other, to how “new layers of distribution infrastructures have developed in relation to—and often in tension with—legacy infrastructures and intermediaries.”⁵⁷⁹

This chapter offers a historicized perspective on the digital circulation of historical content today, arguing that boutique distributors have extended longstanding collaborative relationships with one another to the streaming sector, crafting novel licensing infrastructures in the process. In addition to documenting the agency of these small, independent firms, this

⁵⁷⁹ Alisa Perren, “Rethinking Distribution for the Future of Media Industry Studies,” *Cinema Journal*, Vol. 52, No. 3 (Spring 2013): 169.

Alisa Perren, “Reassessing the ‘Space in Between’: Distribution Studies in Transition,” *Digital Media Distribution: Portals, Platforms, Pipelines*, eds. Paul McDonald, Courtney Brannon Donoghue, and Timothy Havens (New York: New York University Press, 2021), 70-71.

analysis furthermore underscores their codependence. Profit-driven they remain, the boutique distributors selected for analysis offer alternative models, in libraries and licensing arrangements, to prevailing trends determined by media conglomerates and Silicon Valley disruptors such as Disney and Netflix, respectively. Beyond merely countering these threats, these distributors have formed streaming licensing coalitions and/or distributor-run digital video platforms to monetize a historical film canon while simultaneously seeking to expand and diversify it.

“Licensing Coalitions,” in Context

Before turning to its case studies, this chapter will contextualize its “licensing coalition” intervention by situating the concept within scholarly and industrial precedent. First, this section will clarify the meaning and import of the term “art house film,” as it structures the identities of certain boutique distributors and independent streaming services today. Second, this section draws out relevant strains of media industry studies scholarship concerning the contemporary distribution of art house film in ancillary markets, such as home media and streaming. This section concludes by examining how independent “licensing coalitions” both extend and differentiate from existing traditions in film distribution.

While the concept of licensing coalitions applies to independent digital distribution and niche streaming platforms more broadly, this chapter specifically narrows its analysis to the digital distribution of *art house film*. As this dissertation’s introduction stressed, “art house film” is not synonymous with “art cinema,” though the former is inclusive of the latter.⁵⁸⁰ By contrast, “art house film” invokes a specific *distribution* and *exhibition* context that permits older Hollywood films, American independent cinema, and documentaries to become part of the

⁵⁸⁰ See the “Literature Review” section of the Introduction for further elaboration on and citations for this terminology.

conversation, for this kind of fare regularly screens in “art house” theatrical venues. In the U.S., Hollywood films (“select,” “sophisticated” ones, especially) have regularly screened alongside foreign films at art house cinemas since the postwar era.⁵⁸¹ In recent decades, boutique distributors like Kino International, Milestone Films, and Cohen Media Group have amassed libraries intermingling all these modes.⁵⁸² For instance, Milestone has theatrically released modernist art films like *Fireworks* (1997, Takeshi Kitano), documentaries like *The Sorrow and the Pity* (1969, Marcel Ophuls), rediscovered American independent cinema like *Killer of Sheep* (1977, Charles Burnett), and silent Hollywood classics such as *Beyond the Rocks* (1922, Sam Wood) and the films of Mary Pickford. Virtually any independent distributor that releases global art cinema today also specializes in one or more other modes, making this analytical distinction especially pertinent. “Art house film” is thus a more capacious and even impure set of films than Galt and Schoonover’s “art cinema,” in that what screens in “art house” contexts depends as much as, if not more on economic realities like attracting audiences, than on an alternate industrial infrastructure altogether.

Naturally, then, art house streaming services also offer classical Hollywood, American independent, avant-garde, and documentary films. “Art cinema,” as it is formally defined by Bordwell, is not necessarily the sole or primary draw on art house film streaming services. In Criterion Channel’s case, art cinema occupies a significant plurality of the platform’s available content at any given time, while on a more documentary-focused service like OVID, art cinema constitutes just a minority of its offered content. Furthermore, this range of films follows the

⁵⁸¹ Douglas Gomery, *Shared Pleasures: A History of Movie Presentation in the United States* (Madison: University of Wisconsin Press, 1992), 188.

⁵⁸² Nichols Donald Liebenson, “Cohen Media Group Brings Classic and Vintage Films to a 21st Century Audience,” *RogerEbert.com*, January 15, 2014, <https://www.rogerebert.com/features/cohen-media-group-brings-classic-and-vintage-films-to-a-21st-century-audience>.

diversified programming strategies of most contemporary art house cinemas in the United States and other countries. Just as these theatrical venues establish relationships with American studios or Turner Classic Movies to secure independent, documentary, or repertory selections, so too do art house film streaming services program films from a vast range of distributors, from major studios to boutiques.⁵⁸³

Lastly, the range of stakeholders in art house film streaming services complicates the gatekeeping power often ascribed to tastemaking distributors like The Criterion Collection. On one hand, The Criterion Channel extends the salience of the canonical Janus Films library to the SVOD realm, through a platform under the company's full control. Shortly after *Sight and Sound* announced the results of its 2022 "Greatest Films of All Time" critics' poll, The Criterion Channel premiered a series promoting over 50 titles included on the final tally, including the newly crowned number-one, *Jeanne Dielman, 23, quai du Commerce, 1080 Bruxelles* (1975, Chantal Akerman).⁵⁸⁴ As of December 2022, Janus Films held distribution rights to 48 of the poll's top 100 titles, while The Criterion Collection offered in-print DVD and Blu-ray editions to 62 of the top 100 titles.⁵⁸⁵ These numbers attest to these companies' commanding influence over cinephile taste cultures and repertory distribution, most concretely. Yet, at the same time, Criterion and Janus possess scant gatekeeping power if compared to any larger firm in the contemporary film industry. Without control over what Virginia Crisp describes as gatekeeping "nodes," such as IP ownership, finance, or production, an independent service like The Criterion

⁵⁸³ Simon Thompson, "After Bumper 2019, Fathom Events Announces 2020 TCM Big Screen Classics Lineup," *Forbes*, December 4, 2019, <https://www.forbes.com/sites/simonthompson/2019/12/04/after-bumper-2019-fathom-events-announce-2020-tcm-big-screen-classics-line-up/?sh=687264887f45>.

⁵⁸⁴ "Sight and Sound Critics' Poll: Greatest Films of All Time," *The Criterion Channel*, accessed December 16, 2023, <https://www.criterionchannel.com/sight-sound-s-greatest-films-of-all-time>.

⁵⁸⁵ "Janus Films on the 2022 Sight and Sound Top 100 List," *Letterboxd*, accessed December 16, 2023, <https://letterboxd.com/janusfilms/list/janus-films-on-the-2022-sight-and-sound-top/>.

"Featured in Sight & Sound: The Greatest Films of All Time," *The Criterion Collection*, accessed December 16, 2023, <https://www.criterion.com/shop/collection/503-featured-in-sight-sound-the-greatest-films-of-all-time>.

Channel must calibrate its business strategy around its audience niche.⁵⁸⁶ Ultimately, independent streaming platforms of this kind sustain their finances and avoid subscriber churn by generating enough programming surprise and interest on a month-by-month basis.

For its part, The Criterion Channel licenses a large share of its rotating library from other distributors, some much bigger or smaller than The Criterion Collection itself, to attract audiences and expand the curatorial image established by its previous theatrical and home media efforts. The Criterion Channel's expanded programming opportunities allow the streaming service to extend what James Kendrick argued, in 2001, to be The Criterion Collection's discursive contribution: "to function as a heuristic that offers a way of expanding conventional notions of film as art and insisting on film as culture—not a single, monolithic culture, but one of great diversity, contradiction, and openness."⁵⁸⁷ Whether through programming *Daughters of the Dust* (1991, Julie Dash) or *Freddy Got Fingered* (2001, Tom Green), The Criterion Channel continues the Collection's tradition of provoking discourse, by licensing films from other distributors (in this case, respectively, Cohen Media Group and Disney).⁵⁸⁸

In this sense, art house film streaming services represent only the latest development in the conversion and commodification of cinema for the purposes of home viewing, a decades-long process that has seen the rise and fall of multiple formats and transactional modes. Between the late 1970s to late 2000s, consumers primarily relied on physical media to fulfill their home viewing needs. In his study of U.S. video stores, Daniel Herbert argued that independent video

⁵⁸⁶ Virginia Crisp, "Disingenuous Intermediaries: The Gatekeeping Power of Distributors and Publishers," *Digital Media Distribution: Portals, Platforms, Pipelines* (New York: NYU Press, 2021), 93.

⁵⁸⁷ James Kendrick, "What Is the Criterion?: The Criterion Collection as an Archive of Film as Culture," *Journal of Film and Video*, Vol. 53, No 2-3 (Summer-Fall 2001): 137.

⁵⁸⁸ Maureen Lee Lenker, "Criterion Channel offers 'Daughters of the Dust,' films highlighting black lives for free," *Entertainment Weekly*, June 4, 2020, <https://ew.com/movies/criterion-channel-offers-films-highlighting-black-lives-free/>.

William Hughes, "You can finally watch *Freddy Got Fingered* on The Criterion Channel," *The AV Club*, February 15, 2024, <https://www.avclub.com/you-can-finally-watch-freddy-got-fingered-on-the-criter-1851263144>.

stores created *social* spaces where a viewer would, in the process of paying to rent a film, move through a library with unique curatorial emphases and categorial systems and interact with video clerks who could volunteer their own tastes.⁵⁸⁹ Art house film streaming services similarly pride themselves in curation, expert recommendations, and researched categories with explanatory context, as the case studies will show. In so doing, these services exemplify a now relatively quaint “editorial logic,” which according to Tarleton Gillespie was the prevailing structure for cultural intermediaries before Netflix, social media, and networked databases spurred the rise of “algorithmic logic.”⁵⁹⁰ Further distinguishing the era of streaming from previous viewing regimes, Chuck Tryon has problematized “the persistent online availability” of films in the streaming age, as a psychic diminishment to paying to see a movie in theaters, on DVD/Blu-ray, or at any other point of transaction.⁵⁹¹ Streaming’s ostensible plentitude has removed much of the urgency that art house distributors rely on, through favorable reviews, word-of-mouth, and street-level ballyhoo, to move a viewer to see, let alone pay for, one of their films.⁵⁹²

The rampant piracy enabled by digital replicability and peer-to-peer file-sharing has also shifted the terms of value and ownership around film. Though they are obviously not pirated at the same volume as Hollywood movies, art house films are nevertheless entrenched in these dynamics. An invite-only torrent tracker like Karagarga has gained a devoted following for eschewing contemporary Hollywood titles in favor of an “exhaustive library of classic, foreign, and arthouse films.”⁵⁹³ As Mats Björkin has argued, those who illegally download films and

⁵⁸⁹ Daniel Herbert, *Videoland: Movie Culture at the American Movie Store* (Berkeley: University of California Press, 2014).

⁵⁹⁰ Tarleton Gillespie, “The Relevance of Algorithms,” *Media Technologies: Essays on Communication, Materiality, and Society* (Cambridge, MA: MIT Press, 2014), 192.

⁵⁹¹ Chuck Tryon, *On-Demand Culture: Digital Delivery and the Future of Movies* (New Brunswick, NJ: Rutgers University Press, 2013), 10.

⁵⁹² Stuart Byron, “Don Rugoff: Ballyhoo with a Harvard Education,” *Film Comment* (May-June 1975): 23.

⁵⁹³ Calum Marsh, “Karagarga and the vulnerability of obscure films,” *National Post*, July 3, 2015, <https://nationalpost.com/entertainment/weekend-post/karagarga-and-the-vulnerability-of-obscure-films>.

those who buy DVDs through legitimate retail both do so to *own* a film: the difference in acquisition method is merely “indicative of a disagreement on price.”⁵⁹⁴ On a per-download basis, such disagreements matter more to an art house distribution company than to a film studio, especially as the market for boutique physical media and specialty theatrical exhibition shrinks.

While piracy is not going anywhere, art house film streaming services can counter the appeals of file-sharing in multiple ways. First, they can offer high-definition video files of films that are hard to find, whether due to their relative obscurity or unavailability on English-subtitled physical media. Second, in the case of older films, these services can host new digital restorations superior in audiovisual quality to VHS or DVD rips found on many torrent sites. Third, they make available these digital restorations months before a Blu-ray release, if any physical media release ever materializes at all. While SVOD services may not be able to promote ownership, both SVOD and TVOD services can promote exclusivity, audiovisual quality, and ease of access to cinephiles otherwise willing to pirate.

Disagreements over price, which can intensify piracy and inequities within art house film spectatorship, can be renegotiated and reimagined through SVOD services in particular. As they do not sell physical media or a retainable digital file, SVOD services compete by selling access to a film library at a *value*. Subscription fees per month often compete at or under the average theatrical ticket prices for this reason (i.e., here is *all* this content for the price of *one* movie ticket). As Daniel Herbert, Amanda Lotz, and Lee Marshall have jointly observed, this value logic can extend to the degree that, if a user derives enough value from a SVOD service, watching an individual film on the platform can “feel ‘free.’”⁵⁹⁵ Behavioral economic research

⁵⁹⁴ Mats Björkin, “Peer-to-Peer File Sharing Systems: Files, Objects, Distribution,” *Cultural Technologies: The Shaping of Culture in Media and Society*, edited by Görin Bolin, (New York: Routledge, 2012), 61.

⁵⁹⁵ Daniel Herbert, Amanda Lotz and Lee Marshall, “Approaching Media Industries Comparatively: A Case Study of Streaming,” *International Journal of Cultural Studies* 22(3): 355.

has corroborated similar “mental accounting” phenomena in rolling subscription goods such as gym memberships, where consumers continue to pay even after periods of disuse, so long as they still have access to a service they view as beneficial.⁵⁹⁶ For viewers with sufficient disposable income, a subscription to MUBI or The Criterion Channel can function as a reminder to engage with more “artistic” or “intellectual” fare than one finds on other streaming platforms, even if this user ultimately does not use the service for weeks or months at a time. For viewers seeking value, MUBI, OVID, and The Criterion Channel all offer subscriptions at discounted annual rates, unlike Netflix which offers no yearly or discounted payment plan.⁵⁹⁷ Through multiple strategies, art house film SVOD services promote competing meanings of value in order to push recurring payment to the user-consumer’s mental background and so reduce subscriber churn.

Art house film SVOD services thus promote the value of film in two senses: the priceless value of the imperiled historical art form that is cinema, and the free-seeming value of a good deal. The basic paradox at work—both edifying and cheap, rarefied and abundant—is nothing new for film; critical theory since Benjamin has struggled with cinema’s hybrid status as artistic object and reproducible commodity. These tensions play out on a much larger scale, however, with the possibilities of physical media, digital distribution, and SVOD. With all the possible formats a single film can take, price is, according to Ramon Lobato, “elastic: it expands and contracts depending on distribution channel.”⁵⁹⁸ Ergo, prices bend not just across many formats but also over time. For this reason, Lobato calls on scholars to attend to hold a dual synchronic (i.e., “How much does it cost?”) and diachronic (“What is the history of the price?”) perspective,

⁵⁹⁶ Richard H. Thaler, “Mental Accounting Matters,” *Journal of Behavioral Decision Making* Vol 12 (1999), 191. John T. Gourville and Dilip Soman, “Payment Depreciation: the Behavioral Effects of Temporally Separating Payments From Consumption,” *Journal of Consumer Research* Vol. 25, No. 2 (September 1998), 160-174.

⁵⁹⁷ As of December 2023, The Criterion Channel’s annual rate is \$99.00, OVID’s annual rate is \$69.99, and MUBI’s annual rate is \$119.88.

⁵⁹⁸ Ramon Lobato, “Free, Bundled, or Personalized? Rethinking Price and Value in Digital Distribution,” *Digital Media Distribution: Portals, Platforms, Pipelines* (New York: NYU, 2021), 319.

which presents price as a key variable between different formats and modes of viewing.⁵⁹⁹ This perspective accords with the Hollywood film industry as it conducted itself from the 1980s to the early 2010s, when a film's trajectory from theatrical to home media to television was, more or less, certain.

Yet the ascendancy of VOD services has complicated this industrial paradigm and, with it, aspects of Lobato's argument. For one, SVOD services are goods in themselves, competing with one another. Furthermore, many films no longer obey theatrical-first release windows in the U.S., nor can they be expected to find release across myriad formats. Netflix has infamously disrupted this model, hosting big-budget films day-and-date or, at most, four weeks after a limited theatrical release. Lower-budget titles like art house films often play in film festivals and never find a weeklong theatrical release, especially outside of New York or Los Angeles. TVOD platforms may host these films, in which case the lifelong format options for a small art house film can be either TVOD or BitTorrent. Format options are, essentially, dwindling for the vast majority of film titles. Thus, the temporal trajectories of individual films have to be reimagined with the rise of SVOD services, whose lives are just beginning. SVOD services collapse the synchronic and diachronic into a recurring but relatively static billing relationship, one that can unfold over an indefinite period of time. The ability to provide the kinds of films a consumer would otherwise track down individually, whether through official or illicit channels, is key to a SVOD service's value. It is this ability, more so than a SVOD service's price, that is subject to change over time. Successful SVOD services thus require that consumers find in them two competing forms of value: an aesthetic, cultural, and/or social use value, on one hand; and a commercial, bang-for-buck value, on the other.

⁵⁹⁹ Lobato 317.

This section will conclude by once again addressing the supply-side, to consider how licensing coalitions relate to existing inter-firm arrangements. Boutique distributors have long collaborated with one another, and the licensing coalitions they form on streaming platforms naturally extend from these industrial-social relationships. For two representative examples, Kino International partnered with Janus Films to theatrically distribute the latter's repertory catalog between the late 1970s and 1980s, while Milestone Films forged similar arrangements with Audie Bock's East-West Collection to distribute postwar Japanese classics like *Pigs and Battleships* (1961, Shōhei Imamura) in its early years.⁶⁰⁰ Partnerships such as these can elevate the brand profile of whichever distributor reaches the widest possible audience. Among genre cinema enthusiasts, Wizard Video gained a reputation in the 1980s for alluring VHS releases of horror films, some of them produced by its parent studio, Empire Pictures, and others acquired from fellow independent distributors, as was the case with *The Texas Chainsaw Massacre* (1974, Tobe Hooper), acquired by New Line Cinema at the time. These inter-firm partnerships can often end in acrimony, as seen in Wizard Video and New Line Cinema's subsequent legal action.⁶⁰¹ But often they can also prove relatively stable and symbiotic, as Kino Lorber demonstrates through its distribution arrangements with other boutiques.⁶⁰²

Licensing coalitions emerge through a network of such relationships, formed through inter-firm arrangements that aspire to be fair, recurring, and possibly reciprocal. When founding their own streaming platforms, boutique distributors inevitably partner with firms they have

⁶⁰⁰ Peter M. Nichols, "An Eye for the Small, the Old, the Out of the Way," *The New York Times*, August 17, 1997, <https://www.nytimes.com/1997/08/17/arts/an-eye-for-the-small-the-old-the-out-of-the-way.html>.

Letter from Amy Heller to Masayuki Takazawa, August 10, 1993, Wisconsin Center for Film and Theater Research, Milestone Films Papers, Box 1, Folder 6.

⁶⁰¹ Aaron T Pratt, "Horror and Exploitation on VHS: The History of Home Video Comes to Yale," *Journal of Visual Culture*, Volume 14, Issue 3 (December 2015): 332-335.

Paul Zamarelli, "Charles Band and His Wild and Crazy VHS Empire," *VHS Collector*, November 10, 2019, <https://vhscollector.com/articles/charles-band-and-his-wild-and-crazy-vhs-empire>.

⁶⁰² See Chapter 2 for more detail on Kino Lorber's contemporary role as a boutique distribution hub.

collaborated with previously. OVID Director Jonathan Miller attests to the social circumstances that led his distribution company Icarus Films to create OVID with seven other boutique firms: “We all knew each other, some of us had worked together in the past, and we all saw the same issues/terrain, and so took the simplest most straightforward approach to trying to do something.”⁶⁰³ OVID’s compensation structure for its content partners, as detailed in the next section, exemplifies licensing coalitions’ goals of equity and sustenance. By contrast, expansionary platforms like Netflix spurn these same goals in their pursuit of vertical integration and outsize market share. While Netflix grew its DVD rental and streaming business through deals with distributors both major and boutique, these arrangements have decreased—and for boutiques, have nearly vanished—as Netflix prioritized owning the global rights for most of its titles through production and acquisition.⁶⁰⁴ With their avowed niche focus, art house streaming services aim for sustainability, and licensing coalitions form a supply-side infrastructure enabling this goal.

MUBI’s Multi-Functional Paradigm

The most successful VOD model has emerged not from Hollywood but rather Silicon Valley. Headquartered in Los Gatos, California, Netflix has “disrupted” at least two established sectors of the film industry: first the DVD rental business, starting in 1998; then streaming video, beginning in 2009. Netflix’s subsequent entry into media production and distribution has expanded the company’s footprint into Hollywood, yet it distinctly remains a technology

⁶⁰³ Jonathan Miller, email message to author, June 18, 2023.

⁶⁰⁴ Richard Lorber, “Netflix’s DVD End Is a Warning Sign for Film Lovers (Opinion),” *IndieWire*, April 23, 2023, <https://www.indiewire.com/features/general/netflix-ending-dvds-warning-film-1234831403/>. Lucas Shaw, “Indie Films Are the Latest Casualty of the Streaming Wars,” *Bloomberg*, June 4, 2023, <https://www.bloomberg.com/news/newsletters/2023-06-04/indie-films-are-the-latest-casualty-of-the-streaming-wars>.

company on the level of product, structure, and geographic location. In a similar way, the stalwarts in today's art house SVOD landscape are not based in New York City, the North American hub of art house film distribution. Since 2011 and 2013, respectively, Fandor and Kanopy have been headquartered in San Francisco, and both SVOD services have weathered periods of unsustainability to continue to operate as of 2024.⁶⁰⁵ Meanwhile, MUBI is based in London, though it has auxiliary offices in New York as well as Berlin, Mumbai and Kuala Lumpur.⁶⁰⁶ Like many tech startups, MUBI's growth has been enabled by investment from angel investors and venture capitalists.⁶⁰⁷ In December 2019, MUBI's founder Efe Cakarel reported that MUBI would turn "cash-flow positive," a status other growth-fixated SVOD services, be they niche or Netflix, have struggled to achieve.⁶⁰⁸

As of this writing, MUBI represents the most successful art house SVOD service in the "tech startup" model, which is structurally distinct from the "distributor-run" model. Founded in 2007, MUBI was initially called The Auteurs; it assumed its current name in 2010. In its early years, the site provided two primary services, as a streaming library of art house films, which could be accessed through TVOD or SVOD payment; and as an internet forum on which users discussed cinema. More so than its streaming library, the latter "MUBI Social" forums fueled the

⁶⁰⁵ Nancy Coleman, "New York City's Public Libraries to End Film Streaming Through Kanopy," *The New York Times*, June 24, 2019, <https://www.nytimes.com/2019/06/24/movies/new-york-citys-libraries-drop-kanopy-streaming.html>.

Todd Spangler, "Fandor Lays Off Staff, Restructures Assets of Indie-Film Streaming Service Under New Entity (EXCLUSIVE)," *Variety*, December 7, 2018, <https://variety.com/2018/digital/news/fandor-staff-layoffs-sale-streaming-shutdown-1203084579/>.

Brian Welk, "Why Kanopy May Be Uniquely Positioned to Survive the Great Streaming Consolidation," *IndieWire*, March 22, 2024, <https://www.indiewire.com/news/business/kanopy-library-streaming-service-profitable-interview-1234966061/>.

⁶⁰⁶ See "Jobs," *MUBI*, accessed on May 16, 2024, <https://mubi.com/jobs>.

⁶⁰⁷ For details on MUBI's 2007, 2011, 2014, 2015, and 2016 rounds of investment, see "MUBI," *Dealroom*, accessed on May 16, 2024, <https://app.dealroom.co/companies/mubi>.

⁶⁰⁸ Darrell Etherington, "MUBI's production effort nets it a Sundance selection as the company goes cashflow positive," *Tech Crunch*, December 12, 2019, <https://techcrunch.com/2019/12/12/mubis-production-effort-nets-it-a-sundance-selection-as-the-company-goes-cashflow-positive/>.

site's growth through a vast userbase: in 2013, at MUBI Social's peak of forum activity, only about one-third of the site's 6.5 million registered users also paid a subscription fee to access its film library.⁶⁰⁹ Though it shuttered its message boards in 2015, abruptly and without stated reason, MUBI still aspires to serve a number of uses beyond just streaming video. It hosts an online film criticism outlet called Notebook, which publishes news articles, reviews, film festival coverage, and long-form essays.⁶¹⁰ MUBI furthermore offers a film database that aspires to capture all of film history, not just the titles it has licensed to stream. This database is integral to the site's social network functionality, wherein a MUBI user can rate or review films, comment on other user reviews, and track all this on an individually tailored "feed." What is MUBI? The site's "About" page answers with more questions: "A streaming service? A curator? A publisher? A distributor? A cinema lover? Yes."⁶¹¹ With its vast database, networked infrastructure, and overall multi-functionality, MUBI resembles other film-specific startup websites like Letterboxd or the Amazon-owned IMDb. Within the global film industry, MUBI has furthermore made a name for itself as a theatrical distributor, which the subsequent paragraphs will analyze.⁶¹²

Though it fits the "tech startup" SVOD service model more than the emerging "distributor-run" model, MUBI nevertheless blurs the line between them. For one, MUBI has established close relationships with boutique distributors since its founding. It launched in 2007

⁶⁰⁹ Jennifer Hessler, "Quality You Can't Touch: Mubi Social, Platform Politics, and the Online Distribution of Art Cinema," *The Velvet Light Trap*, No. 82 (Fall 2018): 3.

⁶¹⁰ See MUBI Notebook, accessed December 15, 2019, <https://mubi.com/notebook>.

⁶¹¹ See "About," *MUBI*, accessed December 15, 2019: <https://mubi.com/about>

⁶¹² Kate Erbland, "Streaming Platform MUBI Is Getting Into the Theatrical Marketplace With First U.S. Release," *IndieWire*, October 27, 2016, <https://www.indiewire.com/features/general/streaming-platform-mubi-theatrical-marketplace-1201740633/>.

Anthony Kaufman, "Strategic Reassessments: Arthouse Distributors and the Theatrical-vs.-Streaming Debate," *Filmmaker Magazine*, July 14, 2022, <https://filmmakermagazine.com/115308-strategic-reassessments-arthouse-distributors-and-the-theatrical-vs-streaming-debate/>.

with a library of films licensed from Paris-based production and distribution company Celluloid Dreams as well as The Criterion Collection.⁶¹³ MUBI transitioned to its current SVOD model in 2012, a year after The Criterion Collection migrated to Hulu and withdrew carte blanche access to its Janus Films library from MUBI.⁶¹⁴ From 2012 through 2023, MUBI added and removed one new film daily, forming a featured rotating library of 30 films. MUBI's Director of Content Daniel Kasman claims the platform's finite licensing window and the attention it pays to each daily selection has won it access to usually reticent license holders:

I might see a movie at Rotterdam next week and say to the director, "This is perfect for MUBI. This is how we'll treat it. It's going to have a fun, online run, but it's not a permanent thing." I think a lot of filmmakers in the independent sphere are worried about giving permanent access to their films and, for us, this model sort of frees them up. It's here for a month, and then they can do whatever they want with it. They can then put it on a rival service and let it live there forever, but the purpose is to let them sort of pass through the programming cycle.⁶¹⁵

Here, Kasman proposes that, for some small but promising films, MUBI can function not just as a temporary streaming platform but as a space for valuable promotion. The "programming cycle" he outlines mirrors the theatrical platform release strategy of many art house films, with MUBI standing in as the tastemaking first-run exhibition space for an art house film as well as its publicist.

If Kasman's comment insinuates that MUBI's programmers can help an art house film receive distribution, then it accords with that philosophy and the service's larger growth strategy that MUBI has begun to distribute films itself. Beginning with the November 2016 U.S. release of *Baden Baden* (2016, Rachel Lang), a French-Belgian comedy, MUBI has bought distribution

⁶¹³ Hessler 3.

⁶¹⁴ Hessler 11-12.

⁶¹⁵ Jake Brandman, "Behind the Screens: MUBI's Director of Content on Streamlining Streaming Services," *Observer*, February 10, 2017, <https://observer.com/2017/02/behind-the-screens-mubis-director-of-content-on-streamlining-streaming-services/>.

rights for a number of acclaimed art films and documentaries like *Lover for a Day* (2017, Philippe Garrel) and *Ryuichi Sakamoto: Coda* (2017, Stephen Nomura Schible).⁶¹⁶ After limited theatrical runs in the U.S. and U.K., these films premiere on MUBI's SVOD service and thereafter remain available on MUBI for a TVOD rental fee. From partnering with Criterion to publicizing unbought films to distributing films on its own, MUBI offers a model distinct from Netflix, as a "tech startup" streaming video platform making inroads into art house film distribution. Additional growth initiatives since the COVID-19 pandemic include MUBI financing and acquiring a growing number of films and acquiring the sales agency The Match Factory.⁶¹⁷ MUBI furthermore retired the daily rhythm of its rotating library in August 2023.⁶¹⁸ While MUBI so far continues to license from fellow boutique distributors, The Criterion Channel's greater variety of licensors and OVID's more transparent finances render these latter two services the most illuminating case studies of licensing coalitions.

Licensing Coalitions Behind The Criterion Channel and OVID

Unlike MUBI, The Criterion Channel and OVID possess no database functionality, no production or sales offices, no international availability, nor any venture capital investment.⁶¹⁹ That is not to preclude the possibility of these services of expanding in the future, but to note that

⁶¹⁶ John Hopewell, "Cannes: MUBI Acquires Philippe Garrel's 'Lover for a Day' for U.S., U.K. (Exclusive)," *Variety*, May 30, 2017, <https://variety.com/2017/film/global/cannes-mubi-philippe-garrel-lover-for-a-day-1202447485/>.

⁶¹⁷ Eric Kohn, "MUBI Wants to Be a Netflix Alternative to Support World Cinema," *IndieWire*, August 17, 2023, <https://www.indiewire.com/news/general-news/mubi-netflix-alternative-1234897378/>.

⁶¹⁸ Jason Bailey, "What is Mubi? A Streaming Alternative to Netflix, Hulu and More," *The New York Times*, February 29, 2024, <https://www.nytimes.com/2024/02/29/movies/mubi-streaming-service.html>.

⁶¹⁹ Jennifer Hessler, "Quality You Can't Touch: Mubi Social, Platform Politics, and the Online Distribution of Art Cinema," *The Velvet Light Trap*, No. 82 (Fall 2018): 3.
K.J. Yossman, "MUBI Acquires Production and Sales Company The Match Factory, Match Factory Productions," *Variety*, January 14, 2022, <https://variety.com/2022/film/news/mubi-acquires-the-match-factory-1235154545/>.
For details of MUBI's 2007, 2011, 2014, 2015, and 2016 rounds of investment, see: <https://app.dealroom.co/companies/mubi>

such functionality diverts from the core mission of distributor-run SVOD services: to monetize their film library. In the case of both Criterion and OVID, however, these services understand that the film library of one independent distribution company will not attract and retain a profitable subscription-paying user base. In response, both services generate their libraries through licensing coalitions, wherein independent distributors of various size enter into licensing arrangements with one another to amass a larger, more enticing library. As practiced by Criterion and OVID, licensing coalitions can also facilitate more diverse programming, paper over individual distributors' blind spots, and expand the canon of quality cinema.

Launched on April 8, 2019, The Criterion Channel represents the first independent streaming venture operated by home media distribution company The Criterion Collection and its theatrical distribution partner Janus Films. The Criterion Channel represents the fourth streaming platform with exclusive rights to the Janus Films catalog. The Criterion Collection licensed its library of Janus-owned titles to MUBI's original service The Auteurs from 2008 to 2011, and then to Hulu from 2011 to 2016.⁶²⁰ Beginning on November 1, 2016, SVOD service FilmStruck hosted Criterion's Janus library in a partnership with Turner Classic Movies (TCM). After AT&T's acquisition of TCM parent company Time Warner Inc. in June 2018, AT&T shut down many "niche-oriented" streaming services including FilmStruck, which ceased operations on November 29, 2018.⁶²¹ As of December 2023, Criterion and Janus also continue to license a smaller portion of its titles to SVOD platforms Max (formerly HBO Max) and Kanopy, though the number of films available on the latter varies according to a user's associated library or

⁶²⁰ Paul Fileri, "Site Specifics: The Auteurs," *Film Comment* (January-February 2009), <https://www.filmcomment.com/article/site-specifics-the-auteurs/>.

⁶²¹ Todd Spangler, "WarnerMedia's FilmStruck Subscription-Streaming Service to Shut Down," *Variety*, October 26, 2018, <https://variety.com/2018/digital/news/filmstruck-shutdown-warnermedia-turner-1202998364/>.

educational institution.⁶²² Both in content and curation, The Criterion Channel resembles the defunct FilmStruck, with the full Janus Films library on a dedicated SVOD platform supported by Vimeo’s OTT technical infrastructure.⁶²³ Unlike its predecessors The Auteurs, Hulu, or FilmStruck, The Criterion Channel hosts the Janus Films catalog under the full operational control of Criterion itself, making it one of the most formidable, distributor-run SVOD platforms within the art house niche.

With the Janus Films catalog as its foundation, The Criterion Channel perpetuates a classic, Bordwellian notion of art cinema through its core programming. A themed program like “Memory on Film,” for instance, champions art cinema’s capacity to explore realistic psychology and the ambiguities of reality. On the dedicated sub-page for “Memory on Film,” the following sentence encapsulates the program: “These master filmmakers distort conventional chronology and manipulate our perception of time—and of truth.”⁶²⁴ With the exception of *Hiroshima mon Amour* (1959, Alain Resnais), which is distributed by Rialto Pictures, Janus Films holds the U.S. distribution rights for the remaining six series titles in this series: *Rashomon* (1950, Akira Kurosawa), *Wild Strawberries* (1957, Ingmar Bergman), *Mirror* (1974, Andrei Tarkovsky), *Sans Soleil* (1983, Chris Marker), *Three Colors: Blue* (1993, Krzysztof Kieslowski), and *In the Mood for Love* (2000, Wong Kar-wai). In this case, the relationship between streaming platform (Criterion Channel) and film licensor (Janus Films) is already well-established and close-at-hand. The overlap between the “Memory on Film” series and the corpus

⁶²² Fern Siegel, “Here Are the Criterion Collection Films Streaming on Max,” *The Streamable*, June 7, 2023, <https://thestreamable.com/news/here-are-the-criterion-collection-films-streaming-on-hbo-max>.

“The Criterion Collection,” *Kanopy*, accessed on December 17, 2023, <https://www.kanopy.com/en/product/criterion-collection>.

⁶²³ Eric Kohn, “Criterion Channel Lives! Company President Explains Going Solo After FilmStruck’s Death,” *IndieWire*, April 8, 2019, <https://www.indiewire.com/2019/04/criterion-channel-after-filmstruck-1202056861/>.

⁶²⁴ “Memory on Film,” *The Criterion Collection*, March 13, 2017, <https://www.criterion.com/current/posts/4458-on-the-channel-memory-on-film>. This article was published when the “Memory on Film” program was first offered via The Criterion Channel section of FilmStruck.

of art films analyzed in Bordwell's 1979 article testifies to the enduring value of and ease of access to the art cinema canon for services like The Criterion Channel.

Yet, as synonymous the Janus Films library is with classic art cinema, The Criterion Channel has pursued a more comprehensive and diverse streaming video library by soliciting films from Hollywood studio libraries and smaller boutique labels. In licensing both from studios (e.g., Warner Bros., Sony Pictures, Paramount Pictures) and boutique distributors (e.g., Cinema Guild, Grasshopper Film, Film Movement), The Criterion Channel functions as an influential intermediary between the conglomerate and independent poles of the industry.⁶²⁵ As an



Figure 7 - The Criterion Channel header image for "Columbia Noir" series (2019)

indication of its more populist programming, The Criterion Channel launched in April 2019 with a "Columbia Noir" series, featuring 11 film noirs produced by Columbia Pictures between 1945 and 1962.⁶²⁶ This well-received series showcases Criterion Channel's ability to insert classical Hollywood cinema into popular conversations around streaming. Describing "Columbia Noir" as "counter-programming," *Vanity Fair*'s film critic K. Austin Collins found the titles in the series to be "as urgent, as delightful and suspenseful to watch today as they ever were."⁶²⁷ Often, The Criterion Channel attempts to frame its classical Hollywood cinema programming by foregrounding its representational politics. This can come, quite simply, in a paratextual emphasis on the stylish femme fatale over the laconic male lead, as with the "Columbia Noir"

⁶²⁵ "The Criterion Channel Announces Launch Lineup," *The Criterion Collection*, March 22, 2019, <https://www.criterion.com/current/posts/6253-the-criterion-channel-announces-launch-lineup>.

⁶²⁶ Eric Kohn, "Criterion Channel Lives! Company President Explains Going Solo After FilmStruck's Death," *IndieWire*, April 8, 2019, <https://www.indiewire.com/2019/04/criterion-channel-after-filmstruck-1202056861/>.

⁶²⁷ K. Austin Collins, "Counter-Programming: This Spring, Give Classic Noir a Try," *Vanity Fair*, May 3, 2019, <https://www.vanityfair.com/hollywood/2019/05/streaming-noir-criterion-collection>.

banner image featuring Gloria Grahame (see Figure 7). This political valence can also be detected in programs dedicated to female directors working in the classical Hollywood studio system, such as Dorothy Arzner or Ida Lupino.⁶²⁸ Assuming fans of art house cinema will find value in old Hollywood films and vice versa, The Criterion Channel approaches classical Hollywood cinema as a cultural touchstone accessible to many and always primed for reevaluation.

In addition to licensing from major studios, The Criterion Channel programs a more inclusive streaming library by licensing from boutique distributors such as Cohen Media, Kino Lorber, and Milestone Film and Video. Though Criterion and Janus are arguably the distributors most synonymous with “art cinema,” they cannot claim to hold the rights to the full breadth of quality cinema. In particular, The Criterion Collection was publicly criticized in the pages of *The New York Times* for releasing, as of August 20, 2020, just four films directed by Black Americans. The article specifically laid blame on the company’s president Peter Becker, who apologized and promised change.⁶²⁹ *The New York Times* article prompted heated discussion on social media and among cinephiles in general, though it was not the first article to mention Criterion’s lack of attention toward non-white male filmmakers.⁶³⁰ What should be emphasized, however, is that no single distribution company attends to all of the many tributaries of global cinema. The attention paid to The Criterion Collection stems from its outsize reputation in the field of art house distribution and home media retail, a field where other, smaller companies have

⁶²⁸ “The Pioneering Female Director Who Broke Into the Hollywood Boy’s Club,” *The Criterion Collection*, June 5, 2019, <https://www.criterion.com/current/posts/6420-the-pioneering-female-director-who-broke-into-the-hollywood-boy-s-club>.

⁶²⁹ Kyle Buchanan and Reggie Ugwu, “How the Criterion Collection Crops Out African-American Directors,” *The New York Times*, August 20, 2020, <https://www.nytimes.com/interactive/2020/08/20/movies/criterion-collection-african-americans.html>.

⁶³⁰ Tina Hassannia, “No Home Video: On Women-Directed Films,” *Movie Mezzanine*, March 31, 2016, <http://moviemezzanine.com/women-directed-films-home-media/>.

posted consistent track records of releasing films by and about marginalized peoples. In the time since the 2020 *New York Times* article, The Criterion Collection has notably diversified its library, adding over 25 films by Black American directors such as Gordon Parks, Cauleen Smith, and Cheryl Dunye.⁶³¹ But regardless of The Criterion Collection's pace of change, The Criterion Channel affords the company a digital platform to curate a more inclusive image of quality cinema that the economics of brick-and-mortar retail may not be able to necessarily sustain.

Thus, The Criterion Channel corrects for the blind spots of Janus and The Criterion Collection by licensing films by women, queer, and BIPOC artists from boutique distributors. In exchange for an upfront fee from the Channel, Milestone Films licenses titles from its diverse catalog, which includes the work of Shirley Clarke, Charles Burnett, and Kathleen Collins.⁶³² Apart from the Milestone company logo that greets the viewer who has pressed play, The Criterion Channel page for *Losing Ground* (1982, Kathleen Collins) does not mention its distributor Milestone Films.⁶³³ Boutique distributors like Milestone thus benefit from this licensing arrangement through payment and access to a relatively large cinephile audience, at the cost of conflating their brand with that of Criterion. The Criterion Channel routinely commingles films from major studios, boutiques, and its own Janus library through its spotlighted programs. For the initial nine-film package in Michael Koresky's recurring series "Queersighted: The Ache of Desire," The Criterion Channel secured Janus Films titles such as *Happy Together* (1997, Wong Kar-wai), the United Artists production *Yentl* (1983, Barbra Streisand), and boutique acquisitions like TLA Releasing's *Raging Sun, Raging Sky* (Julián Hernandez, 2009).⁶³⁴ By

⁶³¹ "Black Lives," *The Criterion Collection*, accessed on December 17, 2023, <https://www.criterion.com/shop/collection/388-black-lives>.

⁶³² Amy Heller and Dennis Doros interview with author, November 27, 2019.

⁶³³ "Directed by Kathleen Collins," *The Criterion Channel*, accessed on December 17, 2023, <https://www.criterionchannel.com/directed-by-kathleen-collins>.

⁶³⁴ Michael Koresky, "The Ache of Desire," *The Criterion Collection*, November 15, 2019, <https://www.criterion.com/current/posts/6690-the-ache-of-desire>.

programming a wide variety of films and highlighting marginalized identities in the process, The Criterion Channel has established mutually beneficial licensing arrangements with other boutique distributors such as Strand Releasing, Icarus Films, and Oscilloscope Laboratories.⁶³⁵

In sum, these specialized distributors gain from The Criterion Channel's recurring payments for content, which can amount to significant sources of income as theatrical and home media revenues have declined.⁶³⁶ These licensing arrangements are often non-exclusive, leaving these distributors free to secure additional streams of TVOD, SVOD, or AVOD revenue while working with Criterion. The Criterion Channel affords a Milestone release like *The Exiles* (1961, Kent Mackenzie) or a Grasshopper Film title like *Dry Ground Burning* (2022, Joana Pimenta and Adirley Queirós) a relatively wide viewership, compared to their reach through limited theatrical and home media runs, or through Milestone or Grasshopper's bespoke TVOD platforms.⁶³⁷ Through the licensing coalition it forms with other boutique distributors, The Criterion Channel hosts a more multifaceted, ever-changing selection of global cinema than Janus Films could solely support.

Beyond The Criterion Channel, OVID exemplifies the ideals behind a coalitional licensing strategy. The SVOD platform OVID (also referred by its URL, OVID.tv) emerged in response to a gap in the streaming market, specifically the lack of interest Netflix and Hulu showed toward independent documentary titles. This retrenchment from major platforms,

"The Criterion Channel's Queersighted Series," *I Check Movies*, accessed on December 17, 2023, <https://www.icheckmovies.com/lists/the+critterion+channels+queersighted+series/beasterne/>.

⁶³⁵ Kohn.

⁶³⁶ Brooks Barnes, "Hollywood's Shaky Summer Box Office Points to Larger Issues," *The New York Times*, September 1, 2019, <https://www.nytimes.com/2019/09/01/business/media/summer-box-office-movies.html>.

⁶³⁷ "Milestone Films: For Individual, Home Use Only," *Milestone VHX TV*, accessed on December 17, 2023, <https://milestone.vhx.tv/>.

Kate Erbland, "Grasshopper Film Launches Curated Streaming and Virtual Cinema Platform for Rare Indie Titles," *IndieWire*, June 18, 2020, <https://www.indiewire.com/features/general/grasshopper-film-streaming-virtual-cinema-platform-projectr-1202238474/>.

combined with the recent shuttering of alternative services FilmStruck and Fandor, led a collection of independent distributors to convene and discuss paths forward. “So as there was no (longer) a market for our films,” according to OVID Director Jonathan Miller, “we wanted to create our own, or one, anyway.”⁶³⁸ As stated on the platform’s “Who we are” page, Docuseek, LLC (which also runs the education-market SVOD service Docuseek) launched OVID in March 2019 “with the help of an unprecedented collaborative effort by eight of the most noteworthy, independent film distribution companies in the U.S.”⁶³⁹ These founding content partners include Bullfrog Films, dGenerate Films, Distrib Films US, First Run Features, Grasshopper Film, KimStim Films, Women Make Movies, and Icarus Films, whose president is also Miller. As of November 2023, OVID has expanded from eight to 57 content partners, including Music Box Films, GKIDS, and the National Film Board of Canada.⁶⁴⁰ Rather than pay upfront fees to licensors, à la Criterion Channel, OVID pays all content partners, according to Miller, “on the same basis”: “50% of [OVID’s] income from subscribers is paid out to the content partners based on the usage of each film, i.e. prorated by running time and minutes viewed amongst all the films on the service in the given accounting period.” Put plainly, “the more popular a film is the more [OVID pays] out for that film.”⁶⁴¹ The usage data determining such compensation is visible not only to content providers but, unusually, to the general public as well, through OVID’s “metafilm” blog.⁶⁴² According to Miller, “We want our partners (and filmmakers,

⁶³⁸ Miller.

⁶³⁹ “Who we are,” *OVID.TV*, accessed December 17, 2023, <https://search.ovid.tv/other/about/howweare.html>. Dan Schindel, “In March, a Much-Needed Streaming Service for Arthouse Films Will Launch,” *Hyperallergic*, January 15, 2019, <https://hyperallergic.com/481111/in-march-a-much-needed-streaming-service-for-arthouse-films-will-launch/>.

⁶⁴⁰ “Content Partners,” *OVID.TV*, accessed December 17, 2023, <https://metafilm.ovid.tv/content-partners/>.

⁶⁴¹ Miller.

⁶⁴² “An Open Letter from OVID Director and Icarus Films President Jonathan Miller, on the Launch of OVID.tv: metafilm,” *OVID.TV*, December 1, 2020, <https://metafilm.ovid.tv/2020/12/01/introducing-ovids-companion-blog-ovid-tv-metafilm/#>.

critics, the world etc.) to know the reality of what we do and how we do it. How hard it is, how much we might spend on it, what the returns are (if any) etc.”⁶⁴³ On a level of vision, compensation, and transparency, OVID represents an alternative, nearly egalitarian SVOD model through its licensing coalition strategy.

OVID’s distributors have pooled their resources to form a diverse and unique streaming library. According to OVID, this library can be divided into “roughly three categories: a) powerful films addressing urgent political and social issues, such as climate change, and economic justice; b) in-depth selections of creative documentaries by world-famous directors; and c) cutting-edge arthouse feature and genre films by contemporary directors as well as established masters.”⁶⁴⁴ Representative titles from category “a” include Palestinian documentary *5 Broken Cameras* (2011, Emad Burnat and Guy Davidi) and American archival documentary *Let the Fire Burn* (2013, Jason Osder), while 10 films by Chilean documentarian Patricio Guzmán indicate the priorities of category “b.” Though OVID’s programming emphasizes nonfiction over fiction filmmaking, category “c” appeals explicitly to the kind of narrative cinema associated with auteurism and “arthouse” fare, through such films as *A New Old Play* (2022, Qiu Jiongjiong) and *I Do Not Care if We Go Down in History as Barbarians* (2019, Radu Jude).

OVID displays how, in response to formal trends and industry pressures, the boundaries between different modes of cinema are being redrawn. The alliance between an auteur-focused distributor like Grasshopper Film and an environmental documentary label like Bullfrog Films demonstrates the permeability of and overlap between categories many still see as fixed. The “art cinema” outfit today often views its work as political, while the distributor releasing

⁶⁴³ Miller.

⁶⁴⁴ “Who we are.”

documentaries about social issues can better win the attention of aesthete cinephiles interested in cultural, political, and environmental exigencies. OVID demonstrates the contemporary hybridity of art house film, as it is exhibited, discussed, and categorized. It accomplishes this through a novel SVOD content provider structure, where 50-plus independent distribution companies, each with its own acquisition niche, form a licensing coalition. In the process, they rebrand their shared film library under a dual aesthetic-political lens.

New Approaches to the Old TVOD, or: Nostalgia for Physical Media

In part responding to the risk and inter-dependence demanded by SVOD, several boutique distributors have newly embraced the outmoded model of transactional video-on-demand (TVOD). TVOD operates on an à la carte basis, requiring the consumer to pay a one-time fee in order to rent or buy digital video content. Many boutiques license to the major TVOD services like Apple TV and Amazon Video. These licensing deals with vast, highly visible corporate marketplaces exemplify the “long tail” model of online retail championed by Chris Anderson, who claimed in an influential 2004 *Wired* article that future profits for the entertainment industry could be found in “niche markets at the shallow end of the bitstream.”⁶⁴⁵

At the same time, boutique distributors have by and large refused to entrust their entire libraries to e-commerce giants, which make virtually no effort to promote or distinguish their titles from any of the thousands of other films and TV shows on their platform. Instead, many distributors have begun forming their own independent TVOD platforms, guaranteeing them, if not greater profits, at minimum greater control over presentation. Kino Lorber’s TVOD platform Kino Now, also launched in 2019, possesses a similar interface to art house SVOD services like

⁶⁴⁵ Chris Anderson, “The Long Tail, *Wired*, 4 October 2004. <https://www.wired.com/2004/10/tail/>

OVID, except it only permits viewing on a pay-as-you-go basis. Oscilloscope Laboratories and Milestone Films have both launched their own TVOD platforms by paying for application

programming interface (API),

specifically through Vimeo's over-

the-top (OTT) service. With its

virtual shelves resembling particle

board, Oscilloscope's nostalgic "O-

Scope Video" interface (see Figure 8)



Figure 8 - Screen-capture of Oscilloscope's "O-Scope Video" TVOD interface, from December 2019.

foregrounds the lack in this current streaming landscape: namely, physical media. Digital emulations of VHS and DVD cases symbolize both a vanishing material film culture first rooted in traditional modes of exhibition and later predicated on notions of borrowing and ownership, in addition to a dependable profit stream once relied on by smaller companies such as Oscilloscope.

Crucially, boutique distributors do not have to choose between licensing their films to major TVOD services or building their own streaming platforms. Several outfits, such as Oscilloscope, Kino Lorber, and Grasshopper Film, do both of these things, simultaneously providing paid access to a portion of their catalog via Apple TV or Amazon Video and hosting the remainder on an internally operated and branded platform created using API. Boutique distributors tend to sell their hottest, most popular films on the major integrated services, reserving older or more niche titles on their own branded platforms. This divide exemplifies the persistence of "long tail" economic logics in the streaming sector, where titles migrate to a more marginal site of purchase after their peak of popularity. More than promising revenue, however, TVOD platforms offers distributors the space to consciously display and contextualize their library, and by extension, their brand. The self-managed, reverent presentation of titles on

independent distributor-run platforms underscores how TVOD has become an exhibition site of stark contrasts, with small outfits either possessing *no* or almost *total* control over a viewer's access to their films. Without a middle ground, boutique distributors have naturally been remiss to commit to one style of TVOD platform over another.

The industrial stature of Amazon Prime Video, Hulu, and other major VOD services has made them attractive options for many boutique distributors. Unlike an art house SVOD service like MUBI or The Criterion Channel, Amazon Prime Video is, as of this writing, the largest mixed SVOD-TVOD platform in the world.⁶⁴⁶ In terms of volume and interface visibility, then, art house films represent but a small niche for these major platforms. The market incentives for boutique distributors to nevertheless license their films to these platforms have been popularized by Anderson's "long tail" retail model (i.e., a large-scale distribution channel can cumulatively profit off enough low-demand goods). By this thinking, content managers for, say, Amazon Prime Video sign licensing agreements with boutique distributors not with the expectation of high profit, but for the sake of a more diverse library and potentially small but steady profits. Anderson's model has come under criticism on both commercial and political economic grounds.⁶⁴⁷ Jeremy Morris pursues the latter critique in his analysis of Apple's iTunes Store:

...the assumption that long-tail markets automatically provide greater diversity and opportunity needs to be put in the context of the industry's existing political economic structure. Assuming that new technologies will inherently disrupt or alter the balance of power in an industry downplays the power afforded to entrenched players in various fields, especially when dealing with access to cultural commodities.⁶⁴⁸

⁶⁴⁶ Alyssa Bradford, "Netflix or Amazon Prime: Which has more subscribers?," *Yahoo*, April 7, 2024, <https://www.yahoo.com/tech/netflix-amazon-prime-more-subscribers-013000751.html?>

⁶⁴⁷ For a critique from business literature, see Anita Elbrese, "Should You Invest in the Long Tail?" *Harvard Business Review* (July-August 2008), <https://hbr.org/2008/07/should-you-invest-in-the-long-tail>.

⁶⁴⁸ Jeremy Wade Morris, *Selling Digital Music, Formatting Culture* (Berkeley: University of California Press, 2015), 155.

Corporate VOD platforms overwhelmingly privilege their own product: the films and television shows produced either by major Hollywood studios or by these tech platforms themselves. That boutique distributors license their films to Amazon, Apple TV, et al, despite the borderline invisibility these VOD services grant their titles, attests to at least three important things: 1) the value of an additional revenue stream, however subdivided, in the midst of declining theatrical and physical media sales; 2) the belief that cinephiles can find these titles through directed searches, social media interaction, and aggregate services; and 3) the reality that these platforms provide the widest available infrastructure for art house films to legally disseminate online. Contrasting the licensing norms boutique distributors have developed with major VOD platforms to those informing their own digital video stores corroborates the findings above.

Many boutique film distribution companies license their titles exclusively to major VOD platforms like Amazon, Hulu, and Apple TV. For studio- and corporate-owned independent film distribution companies, this has virtually become an industry standard. An art house film distributed by Magnolia Pictures, such as the Palme d'Or-winning *Shoplifters* (2018, Hirokazu Kore-eda) or American documentary *Hail Satan?* (2019, Penny Lane), will reliably appear on Hulu, in addition to major TVOD platforms for a rental fee. These distributor-platform relationships are the result of multiyear licensing deals, and they benefit not just the independent distributor receiving licensing fees.⁶⁴⁹ A major platform like Amazon or Hulu can boast art house films with strong word-of-mouth, as it competes against Netflix's original content. Smaller boutique distributors have also established durable relationships with major VOD services. For

⁶⁴⁹ Hilary Lewis, "Amazon Prime, A24 Announce Exclusive Multi-Year Streaming Deal," *The Hollywood Reporter*, published on 21 November 2013. <https://www.hollywoodreporter.com/news/amazon-prime-a24-announce-multi-658584>

Todd Spangler, "Hulu Inks Deal with Magnolia Pictures for Pay-TV Window Streaming Rights, After Netflix Pact Expires," *Variety*, published on 23 January 2017. <https://variety.com/2017/digital/news/hulu-magnolia-pictures-netflix-pay-tv-window-1201967130/>

instance, The Cinema Guild has licensed many of its contemporary acquisitions, such as *The Day After* (2017, Hong Sang-soo), on Amazon Prime's SVOD service. This follows Cinema Guild's licensing arrangement with Fandor, to which it has not licensed a new title since 2014.⁶⁵⁰

Even distributors who have elsewhere pursued licensing coalitions sign the rights to many of their most popular films to major VOD services. This phenomenon, of boutique distribution companies selectively licensing their most popular or "hottest" films to corporate streaming platforms, can be best observed with OVID partners KimStim Films and Grasshopper Film. KimStim licenses many of its films on Amazon Prime's SVOD service and OVID simultaneously.⁶⁵¹ Curiously, its genre-inflected art film musical *Jeannette: The Childhood of Joan of Arc* (Bruno Dumont, 2018) appears solely on Amazon Prime and not OVID, as of this writing. Meanwhile, Grasshopper Film tends to initially license its most popular titles not to OVID but rather to Apple TV. Of its 2018-2019 catalog, three titles from Grasshopper Film have arguably received more positive word-of-mouth and critical acclaim than the rest: *Bisbee '17* (2018, Robert Greene), *Black Mother* (2018, Khalik Allah), and *Asako I & II* (2018, Ryūsuke Hamaguchi).⁶⁵² All three of these titles are available to rent or purchase through Apple TV, and as of 2024 have not become available on OVID. Grasshopper Film's licensing preferences for its

⁶⁵⁰ See "Cinema Guild" distributor page, *Fandor*, accessed December 15, 2019,

<https://www.fandor.com/distributors/cinema-guild?utf8=%E2%9C%93&order=year>.

⁶⁵¹ As of December 15, 2019, KimStim's licensing overlap between Amazon Prime and OVID includes *White Sun* (2016, Deepak Rauniyar), *Time Regained* (1999, Raul Ruiz), and *Happy Hour* (2017, Ryūsuke Hamaguchi).

⁶⁵² These films have been mentioned on a number of prominent critic's "Year-End Lists": *Asako I & II* received 6 mentions on these lists; *Black Mother* received 13 mentions; and *Bisbee '17* received 18 mentions, including the #1 spot by *New York Times* critic A.O. Scott.

See "Asako I & II," *Year End Lists*, accessed on May 17, 2024, <https://www.yearendlists.com/visuals/asako-i-ii-0cfe8183-c7e8-4702-a816-b152f2cd7fe6>.

"Black Mother," *Year End Lists*, accessed on May 17, 2024, <https://www.yearendlists.com/visuals/black-mother-bd7181ed-72a3-42e8-990c-2f1c8b2f5dc9>.

"Bisbee 17," *Year End Lists*, accessed on May 17, 2024, <https://www.yearendlists.com/visuals/bisbee-17-761f054f-119c-4b07-84c8-2a6808b9a6a2>.

most popular titles suggests it views Apple TV as a greater channel for profit and/or exposure than OVID.

Meanwhile, distribution companies Oscilloscope Laboratories and Milestone Films have both launched their own TVOD platforms, in part due to the ease of starting one. Both companies have licensed application programming interface (API) through Vimeo OTT. The costs involved for the distributor come in buying “hours” upfront. For example, Milestone can buy three hours and then fill that purchased allotment with two 90-minute films. Milestone does not have to pay recurring charges beyond this initial investment and so can collect full proceeds for rentals and purchases as they come. However, Vimeo OTT can only legally host titles owned in full by a distributor and not in conflict with existing TVOD agreements, such as those with Apple TV or Amazon. Milestone launched its own branded Vimeo store page by uploading films that were out of print on DVD, low sellers, or available only on poorer quality, manufactured-on-demand (MOD) DVD. Milestone founders Amy Heller and Dennis Doros view their TVOD platform as a way to keep low-selling titles available for legal purchase, with no expectation that this distribution channel will on its own provide substantial profit.⁶⁵³

For its part, Oscilloscope has attempted to consolidate its various TVOD licensing agreements under one library interface it calls “O-Scope Video.” Viewable on a web browser, this interface ‘stores’ its TVOD-available films on virtual ‘shelves.’ In proportion, the imaginary media objects resemble cassette tapes more than they do VHS, DVD, or Blu-ray. Each virtual object displays the film’s title and artwork down a lightly-worn spine. Clicking an individual spine redirects the user to Oscilloscope’s Vimeo store page, which presents a more slick, uniform, dentless aesthetic. Over Vimeo’s efficient and customizable e-commerce marketplace,

⁶⁵³ Amy Heller and Dennis Doros interview with author, Nov 27, 2019. See “Milestone Films,” VHX.TV page, accessed on May 17, 2024, <https://milestone.vhx.tv/products>.

Oscilloscope superimposes an unreal physical media collection populated by an imagined media format. Nostalgia for physical media, individual collections, and pre-streaming notions of media ownership animates most distributor-run TVOD platforms.

Conclusion

Examining the art house film distribution system as it migrates onto streaming video platforms both incumbent and of its own making reveals newfound modes of cooperation as well as ever-greater dangers. Pragmatism, above all, informs the licensing coalitions as practiced by The Criterion Channel and OVID. The resulting coalitions demonstrate how competing distribution companies are coming together, however virtually and impermanently, and altering established ideas about art house film—its histories, priorities, and audiences—in the process. Accompanying this expansion in coalitions is the increasingly broad purview of boutique distributors and art house streaming platforms alike. Alongside *L'Avventura* (1960, Michelangelo Antonioni) and *Taste of Cherry* (1997, Abbas Kiarostami), The Criterion Channel offers action films by Michael Mann and Jackie Chan, Asian American documentaries, and the Milestone Films restoration *Alma's Rainbow* (1994, Ayoka Chenzira). Art house theaters across the U.S. have long practiced similar intermingling, between genres, nations, eras, and modes of production. But the proliferation of art house film streaming services intensifies these hybridizing forces and, most importantly, renders them visible to a larger number of people than ever before.

That these people by and large remain in the U.S., U.K., and Canada speaks to the difficulties of building film licensing arrangements and streaming platforms on a global scale, for all but the most well-capitalized firms. The boutique dynamics observed here, then, emerge from

a specific aesthetic, cultural, and geographic context: that of Anglophone art house film culture. This culture's digitization, monetization, and platformization augurs consequences for global film culture, in ways distinct from the changes enacted by Netflix, Amazon, et al. The COVID-19 pandemic only accelerated the boutique sector's shift to digital platforms and online sources of revenue, in this regard.⁶⁵⁴ By assessing the relationships between boutique distributors, and clarifying the specific niches their streaming services cater to, this chapter has hoped to paint a clearer portrait of a global film culture in transition.

⁶⁵⁴ Etan Vlessing, "Kino Lorber Launches Online Movie Theater Amid Coronavirus Pandemic," *The Hollywood Reporter*, March 19, 2020, <https://www.hollywoodreporter.com/movies/movie-news/kino-lorber-launches-online-movie-theater-coronavirus-pandemic-1285408/>.

Conclusion:

The Art House Market's Health at Present, and Future Research Directions

After *Parasite* (2019, Bong Joon-ho) became the first non-English language film to win the Academy Award for Best Picture, in February 2020, the Hollywood trade press singled out the film's U.S. distributor, Neon, for praise. *Variety* declared that "the success of *Parasite* will also raise the profile of Neon," which, since its founding in 2017, had "established a reputation for fielding foreign films and edgy work that many studios shy away from releasing."⁶⁵⁵ The *Los Angeles Times* noted how *Parasite*'s "surprise triumph" marked a "major milestone for Neon," the "scrappy," "28-person" company "run by specialty film veteran Tom Quinn." According to the *L.A. Times*, Neon "bets on edgy films that appeal to the under-25 crowd as well as to the older audiences that typically turn out for critically acclaimed art-house fare."⁶⁵⁶ These bold claims, teetering on promotional copy, could in the case be supported with hard evidence: 18- to 34-year-olds comprised the vast majority of audiences during *Parasite*'s peak U.S. box office weekends, and the film's ultimate domestic gross of \$53 million became the fourth-highest non-English language gross in U.S. box office history.⁶⁵⁷

For those invested in "art-house fare"—whether for its rich history, its aesthetic possibilities, or simply because, in the United States, the category is synonymous with non-

⁶⁵⁵ Brent Lang and Justin Kroll, "'Parasite' Oscar Win Leaves Hollywood Desperate to Work With Bong Joon Ho and Neon," *Variety*, February 14, 2020, <https://variety.com/2020/film/news/parasite-bong-joon-ho-neon-oscars-1203504348/>.

⁶⁵⁶ Ryan Faughnder, "'Parasite' Oscars are a huge win for Neon. Why the scrappy indie bet on Bong Joon Ho," *Los Angeles Times*, February 10, 2020, <https://www.latimes.com/entertainment-arts/business/story/2020-02-10/parasite-oscars-are-a-huge-win-for-neon-why-the-scrappy-indie-bet-on-bong-joon-ho>.

⁶⁵⁷ Pamela McClintock, "Oscars Box Office: 'Parasite' Feasts on Younger Moviegoers," *The Hollywood Reporter*, February 4, 2020, <https://www.hollywoodreporter.com/news/oscars-box-office-younger-moviegoers-feast-parasite-1272951>.

"Genre Keyword: Foreign Language," *Box Office Mojo*, accessed on May 3, 2024, https://www.boxofficemojo.com/genre/sg4208980225/?ref=bo_gs_table_195.

English language cinema—*Parasite* and Neon’s success seemed to be a rare, welcome bit of good news. Culminating as it did in 2020, however, with its Academy Award win one month and two days before the World Health Organization declared the coronavirus pandemic, *Parasite*’s moment also immediately preceded an existential shock to the global film industry, which has struggled to rebound since.⁶⁵⁸ The art house sector has remained especially devastated, with theatrical forecasts for American indie and international films alike plummeting compared to pre-2020 comparisons.⁶⁵⁹ Neon and A24 have solidified their place as successful outliers within this market, with their proven ability to reach younger audiences and rise to encouraging box office comparisons.⁶⁶⁰ But in the four years this dissertation has taken to write, good news has been rarely reported about the boutique distributors at this project’s center.⁶⁶¹

Having said that, in the spirit of avoiding a premature prognosis on the health of boutique distributors, this conclusion will return to that *Parasite* moment. Besides being a big day for director Bong Joon-ho and the nation of South Korea, how did the mediating institutions in between navigate a broad and complex marketplace, pulled in myriad directions by competing financial logics and discursive trends, to set the stage for the film’s win? After all, the actions,

⁶⁵⁸ Nicole Sperling, et al, “Audience Snapshot: Four Years After Shutdown, a Mixed Recovery,” *The New York Times*, March 12, 2024, <https://www.nytimes.com/2024/03/12/arts/covid-shutdown-live-audiences.html>.

Pamela McClintock, “Box Office: Existential Crisis Ahead As Hollywood Rethinks What Makes a Hit,” *The Hollywood Reporter*, January 5, 2024, <https://www.hollywoodreporter.com/movies/movie-news/box-office-domestic-revenue-global-forecast-1235778767/>.

⁶⁵⁹ Rebecca Rubin, “Will Oscar Contenders Break Through in a COVID-Battered Box Office?,” *Variety*, October 14, 2021, <https://variety.com/2021/film/box-office/oscar-movies-box-office-pandemic-1235088551/>.

David Canfield and Natalie Jarvey, “How Box-Office Doom Is Impacting the Oscar Race: ‘The Audience Is Just Not There,’” *Vanity Fair*, December 2, 2022, <https://www.vanityfair.com/hollywood/2022/12/awards-insider-specialty-box-office-report-tar-fabelmans>.

⁶⁶⁰ Pamela McClintock, “Oscar Nominee ‘Worst Person in the World’ Helps Revive U.S. Art House Box Office,” *Variety*, March 18, 2024, <https://www.hollywoodreporter.com/movies/movie-news/worst-person-in-the-world-revives-arthouse-box-office-1235114509/>.

Pamela McClintock, “Art House Movies Are Having Their TikTok Moment,” *The Hollywood Reporter*, January 26, 2024, <https://www.hollywoodreporter.com/movies/movie-news/iron-claw-poor-things-tiktok-box-office-1235807962/>.

⁶⁶¹ For an exception, see Glynnis MacNicol, “A Steamy French Thriller Is a ‘Sleeper Smash Hit’,” *The New York Times*, August 21, 2021, <https://www.nytimes.com/2021/08/21/style/la-piscine-film-forum.html>.

commitments, and challenges of small distribution firms like Neon operate at a middle level between the micro-histories of individual people and the larger forces in the contemporary media landscape. In unpacking less heralded reasons for *Parasite*'s success, this final analysis may offer some additional scholarly questions and some glimmers of hope for the art house sector, and the boutique distributors within it, going forward. After all, the willingness of U.S. audiences to take a chance on a film from South Korea owes to more than the ingenuity of Bong Joon-ho or Neon alone. Simply put, the commercial and critical accomplishments of *Parasite* did not materialize solely because of the ingenuity of one film, director, or distribution company. *Parasite* also found its audience due to the increasingly diversified marketplace that is art house distribution in the 21st century, as the field has adapted to existential threats by tweaking old approaches toward corporate branding, transnational circulation, and ancillary markets.

For one, *Parasite* revealed the inroads just one national cinema, that of South Korea, has made onto U.S. screens, and the disparities in size and capital of the companies distributing it. The “historic moment” *Parasite*'s win marked for South Korea raises larger questions, as to what institutions facilitated this transnational exchange and what other cultural forces lifted the visibility of this nation's film industry in the United States.⁶⁶² The “New Korean Cinema” began to draw eyes on U.S. screens in the 1980s, decades after German, Japanese, Italian, French, and other national cinemas first became fixtures in the same market.⁶⁶³ The *Los Angeles Times* positioned Neon as a “David among Goliaths in the best picture race,” contrasting it with Netflix and conglomerate-owned studios like Sony Pictures and Universal Pictures.⁶⁶⁴ While this

⁶⁶² Choe Sang-Hun, “Oscar for ‘Parasite’ Quenches Koreans’ Long Thirst for Recognition,” *The New York Times*, February 10, 2020, <https://www.nytimes.com/2020/02/10/world/asia/Parasite-Oscar-bong-joon-ho.html>.

⁶⁶³ Darcy Paquet, *New Korean Cinema: Breaking the Waves* (New York: Columbia University Press, 2010) Tino Balio, *The Foreign Film Renaissance on American Screens, 1946-1973* (Madison: University of Wisconsin Press, 2010), 3-6.

⁶⁶⁴ Faughnder

analogy might hold water in the context of the Best Picture race, Neon is not an underdog among U.S. distributors associated with contemporary Korean cinema. Aside from *The Handmaiden* (2016, Park Chan-wook) and *Okja* (2017, Bong Joon-ho), which were respectively handled by Amazon Studios and Netflix, most notable Korean-language films by 2019 had been distributed in the U.S. by smaller boutique distributors. These films include *Why Has Bodhi-Dharma Left for the East?* (1989, Bae Yong-kyun), via Milestone Films; *Oldboy* (2004, Park Chan-wook), via Tartan Films USA; *Train to Busan* (2016, Yeon Sang-ho) and *Burning* (2018, Lee Chang-dong), both via Well Go USA; and *On the Beach at Night Alone* (2017, Hong Sang-soo), via The Cinema Guild. The distributors mentioned in this sample primed the U.S. market for *Parasite*'s moment, piquing the interest of domestic audiences in a national cinema that had not reached American shores until the early 2000s.⁶⁶⁵ *Parasite*'s success generated fresh interest in South Korean cinema, interest that may redound to the benefit of other distributors, though at the cost of future competition from deeper-pocketed studios.

The intermediate place of Neon, and by extension all art house distributors, within the global film industry can be further illustrated by the theatrical and home media release strategy of *Parasite*. Nine days after its Cannes premiere, *Parasite* opened in South Korea through CJ Entertainment, a subdivision of the South Korean conglomerate CJ Group which also co-produced the film.⁶⁶⁶ The dramatic difference in size between CJ Group, valued at \$4.1 billion as of 2020, and Neon is altogether typical in the field of non-English language film distribution

⁶⁶⁵ Pierce Conran, "History of Korean Films at the US Box Office," *Hankyoreh*, July 10, 2016, http://english.hani.co.kr/arti/english_edition/e_entertainment/751635.html.

⁶⁶⁶ Rebecca Sun, "From 'Parasite' to BTS: Meet the Most Important Mogul in South Korean Entertainment," *The Hollywood Reporter*, February 7, 2020, <https://www.hollywoodreporter.com/features/meet-important-mogul-south-korean-entertainment-1275756>.

today, especially as major Hollywood studios have abandoned most specialty divisions.⁶⁶⁷ The multiple home media releases of *Parasite* also attest to the economic relationships art house distributors routinely form with companies of varying influence and power. Neon first licensed *Parasite* to Universal Studios for a bare-bones Blu-ray and DVD, released in January 2020 before the 92nd Academy Awards ceremony; a 4K Blu-ray release followed from Universal after the ceremony, in June. Neon also licensed *Parasite* to The Criterion Collection, which released its own replete Blu-ray and DVD, featuring a black-and-white cut of the film, in October 2020. These releases contrast in their content, cost, and target audience, yet they were both born from Neon lacking a home media division of its own. Neon instead partnered with a major Hollywood studio and the premier boutique home-media distributor in the United States. When taking into account the logistics and connotations of theatrical and home media distribution, the Gumby-like flexibility of the “art house” category becomes overwhelmingly clear.

Films such as *Parasite* and other recent successes from Korea suggest how genre has motivated the commercial breakthrough of contemporary Korean and other non-English language cinemas in the United States. Though they may feature fragmented narratives, authorial signatures, and ambiguous endings, the most-admired Korean films to reach the U.S. market exhibit sturdy, generic foundations: *Oldboy* is a violent revenge thriller, *Train to Busan* is an ensemble action film with zombies, and *The Good, the Bad, the Weird* (2008, Kim Jee-woon) is a comedic western. In interviews, Bong Joon-ho frequently mentions the influence of both the art cinema and classical Hollywood canons, from *Tokyo Story* (1953, Yasujirō Ozu) to *Psycho*

⁶⁶⁷ Steven Zeitchik, “Specialty film business reeling after cutbacks,” *Reuters*, June 6, 2008, <https://www.reuters.com/article/film-arthouse-dc/specialty-film-business-reeling-after-cutbacks-idUSN0642650320080606>.

(1960, Alfred Hitchcock), on his work.⁶⁶⁸ *Parasite*'s success, like *RRR*'s since, can be in part explained by how much more classically propulsive and suspenseful it is than mid-century "art house fare." Of the prominent South Korean directors currently working, only Hong Sang-soo and Lee Chang-dong make films that snugly fit the mode of modernist narration known as "art cinema."⁶⁶⁹ Yet, in the U.S., these generic distinctions all comingle within the "art house" category, as non-English language imports tend to be grouped. This has presented opportunities for specialty and boutique distributors, who have long taken risks in promoting new national cinemas with potential stars and genre hooks.

This brief gloss on *Parasite*, Neon, and South Korean cinema gestures to the enduring cultural and economic importance of the U.S. art house market, as a nexus in the global film industry. It also functions to acknowledge the important role Neon and its even more ubiquitous counterpart A24 have served over the past decade. Though financed differently from the boutiques at the center of this dissertation, these two companies both promote alternative cinema, including subtitled international film and repertory film, to a wide range of audiences and across the gamut of viewing options, including multiplex theaters.

The current, circa 2024 industry position and acquisition strategy of A24, in particular, deserves further scrutiny. Certain fans of the U.S. production/distribution company have looked askance at recent expansionary indicators, including its reported plans to develop "more commercial films" and "big IP projects."⁶⁷⁰ The A24-produced and -distributed film *Civil War*

⁶⁶⁸ Yohana Desta, "Bong Joon-Ho Looked to Hitchcock When Making *Parasite*: 'He Always Gives Me Very Strange Inspiration,'" *Vanity Fair*, October 11, 2019, <https://www.vanityfair.com/hollywood/2019/10/bong-joon-ho-parasite-interview>.

The Criterion Collection, "Bong Joon Ho's DVD Picks," *YouTube* video, uploaded July 8, 2014, <https://www.youtube.com/watch?v=qBgZOCkUp7E>.

⁶⁶⁹ David Bordwell, *Narration in the Fiction Film* (Madison: University of Wisconsin Press, 1985), 212-213.

⁶⁷⁰ Umberto Gonzalez and Drew Taylor, "A24 Expands Strategy From Arthouse Gems to More Commercial Films | Exclusive," *The Wrap*, October 11, 2023, <https://www.thewrap.com/a24-shifts-strategy-commercial-film/>.

(2024, Alex Garland) potentially augurs this new direction, with its reported \$50 million budget, bombastic war action, and hot button exploitation of 2020s U.S. political polarization. The film's commercial success as of this writing, and the remarkably prominent coverage it has received in mainstream outlets like *The New York Times*, will likely enable the development of this company strategy further.⁶⁷¹ Yet it merits noting that while A24 has shifted toward more commercial priorities, it has also increased its commitments to traditionally boutique fare. In 2023, A24 committed theatrical runs to its first restored repertory titles *Pi* (1998, Darren Aronofsky) and *Stop Making Sense* (1984, Jonathan Demme), and it has also increased its volume of subtitled films in the 2020s through varied titles like *Lamb* (2021, Valdimar Jóhannsson), *Close* (2022, Lukas Dhont), and the Academy Award-winning *The Zone of Interest* (2023, Jonathan Glazer). Whether A24 can continue to thread this needle, between four-quadrant productions and boutique acquisitions, remains to be seen, but should this dual focus continue, it would indicate a market where the desire for art house film continues to renew.

This conclusion has discussed A24 and Neon at greater length than the boutique firms at the center of this dissertation. This is an intentional recalibration of sorts, to relate this dissertation's animating concerns and methodology to these chic, recent entrants to the art house market. If these two companies represent the future of art house distribution, it is because they have activated theatrical moviegoing habits for unapologetically artistic—sometimes even subtitled—films among younger audiences. Their external funding furthermore facilitates genuine conspicuousness through a robust annual slate (in 2023, A24 released more films

⁶⁷¹ Rebecca Rubin, "Box Office: A24's 'Civil War' Fends Off Three New Movies to Remain No. 1," *Variety*, April 21, 2024, <https://variety.com/2024/film/box-office/box-office-a24s-civil-war-wins-weekend-again-1235977592/>. Lisa Lerer, "How the Movie 'Civil War' Echoes Real Political Anxieties," *The New York Times*, April 21, 2024, <https://www.nytimes.com/2024/04/21/us/politics/civil-war-movie-politics.html>.

theatrically than there are months in the year) and distribution agreements with national exhibition chains like AMC Theatres.⁶⁷²

The boutique distributors analyzed in this dissertation have endured over decades because they have assiduously avoided such over-expenditure. Will they survive into the future? Boutiques are run by humans, after all, and many of the humans in charge have sought to ensure their libraries reach audiences for the foreseeable future. In 2021, Milestone Films signed its catalog's U.S. and international rights to Kino Lorber, which has emerged over the past decade as an external distribution hub for other venerable boutiques like Zeitgeist Films and Cohen Media Group.⁶⁷³ As of May 2024, The Criterion Collection and Janus Films have made the pivotal decision to sell their companies outright to Steven Rales, a billionaire businessman best known in the film world for founding Indian Paintbrush, the production company that has financed Wes Anderson's work since *The Darjeeling Limited* (2007).⁶⁷⁴ At first blush, this deal appears to open new lines of funding and financial security for Criterion and Janus, and the companies may very well flourish under new ownership. Yet whenever an unpredictable, marginal business is subsumed into a larger structure, be it corporate or estate, its future becomes subject to the wishes of those in charge. Thankfully, enthusiasm for art house theaters, streaming services, and

⁶⁷² Brian Welk, "A24 Is Re-Releasing 'Ex Machina,' 'Hereditary,' and 'Uncut Gems' in IMAX," *IndieWire*, March 13, 2024, <https://www.indiewire.com/news/breaking-news/a24-re-releasing-ex-machina-hereditary-uncut-gems-imax-1234964411/>.

⁶⁷³ Jeremy Kay, "Kino Lorber, film preservationist Milestone Films strike multi-year pact," *ScreenDaily*, June 2, 2021, <https://www.screendaily.com/news/kino-lorber-film-preservationist-milestone-films-strike-multi-year-pact-exclusive/5160172.article>.

Jeremy Kay, "Cohen Media Group, Kino Lorber strike distribution pact," *ScreenDaily*, October 27, 2020, <https://www.screendaily.com/news/cohen-media-group-kino-lorber-strike-distribution-pact/5154421.article?referrer=RSS>.

Anthony D'Alessandro, "New York Indie Distributors Kino Lorber & Zeitgeist Film Enter Multi-Year Partnership," *Deadline*, June 22, 2017, <https://deadline.com/2017/06/kino-lorber-zeitgeist-multi-year-partnership-new-york-indie-cinema-1202118681/>.

⁶⁷⁴ Jeremy Kay, "Indian Paintbrush founder Steven Rales buys Criterion, Janus Films (exclusive)," *ScreenDaily*, May 20, 2024, <https://www.screendaily.com/news/indian-paintbrush-founder-steven-ales-buys-criterion-janus-films-exclusive/5193832.article>

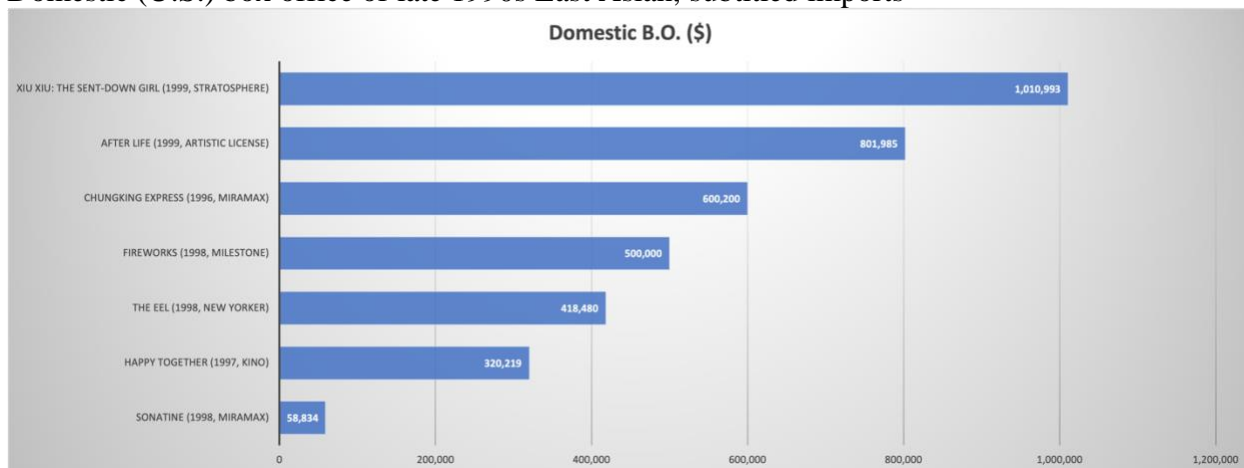
physical media releases have persisted and, for many younger viewers, bloomed over the past few years of recent, turbulent history.⁶⁷⁵ Whatever the future of boutique distribution looks like, it will be led by humans as dogged and devoted as those documented in these pages.

⁶⁷⁵ Rebecca Pahle, “State of the Art House 2024 [Sponsored by Spotlight Cinema Networks],” *Box Office Pro*, April 10, 2024, <https://www.boxofficepro.com/state-of-the-art-house-2024-sponsored-by-spotlight-cinema-networks/>. Jim Hemphill, “Boutique Blu-ray Labels Keep Physical Media Alive — and Preserve Film History in the Process,” *IndieWire*, February 5, 2024, <https://www.indiewire.com/features/craft/blu-ray-labels-film-history-physical-media-1234950671/>.

Appendices

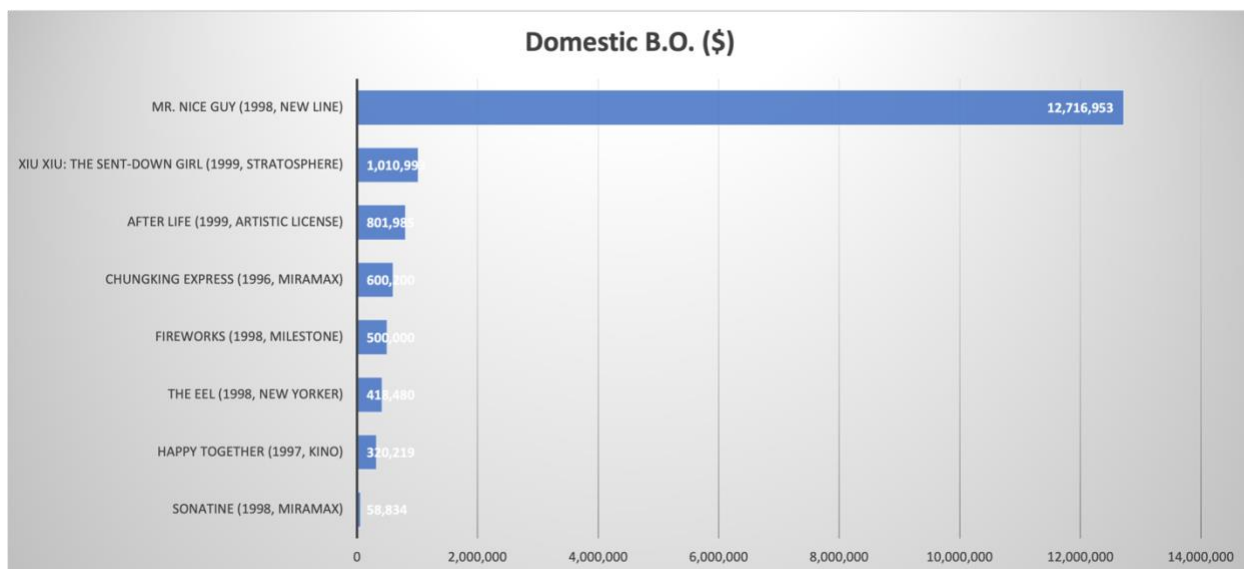
Appendix I

Domestic (U.S.) box office of late 1990s East Asian, subtitled imports



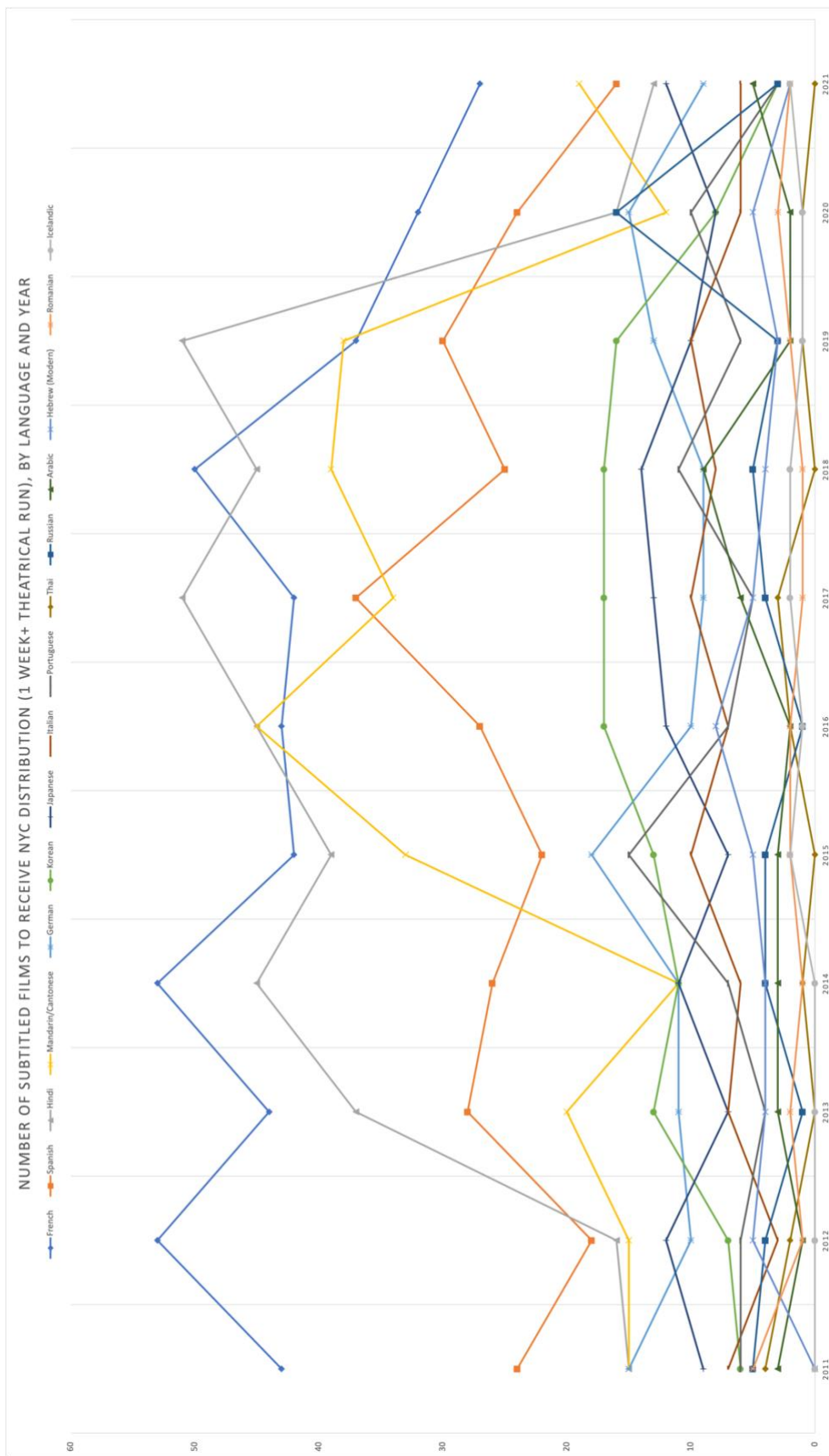
Appendix II

Domestic (U.S.) box office late 1990s East Asian imports, including *Mr. Nice Guy* (1998)



Appendix III

Number of Subtitled Films to Receive New York City Distribution (i.e., theatrical run of one week or longer), by Language and Year. Data culled from Mike D'Angelo's "NYC Commercial Releases" lists, as aggregated on his website. See "Lists," *The Man Who Viewed Too Much*, accessed on June 10, 2024, <http://www.panix.com/~dangelo/lists.html>.



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