Pack Your Product's Bags, It's Going Hollywood:
Explaining the Mainstream Emergence of Cinematic Product Placement in the 1980s

By

JJ Bersch

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The dissertation is approved by the following members of the Final Oral Committee:
Jeffrey P. Smith, Professor, Communication Arts, Film
Kelley Conway, Professor, Communication Arts, Film
Eric Rutledge Hoyt, Professor, Communication Arts, Media and Cultural Studies; Film
Liad Weiss, Professor, Business, Marketing

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Introduction

In Pauline Kael's review of Steven Spielberg's 1982 science-fiction fantasy film *E.T.: The Extra-Terrestrial*, the famed *New Yorker* critic writes: "Spielberg's mellow, silly jokes reinforce the fantasy structure. One of them—Elliott on his bicycle dropping what look like M&M's to make a trail—seems to come right out of a child's mind. (Viewers with keen eyes may perceive that the candies are actually Reese's Pieces.)"[1] What the noted critic unassumingly describes as a silly detail here was, of course, in actuality the result of a one-million-dollar advertising agreement between the film's producers and the Hershey Company, resulting in somewhere between a 50-300% increase in sales of the peanut butter candies depending on which apocryphal story you read. Kael's review merely entered the conversation a little too early to have heard such legends.

As Patrick Vonderau details, this type of tie-in advertisement (now routinely referred to as "product placement") was nothing new in 1982, with "professional film reviewers [showing] an awareness of the tie-in" and "feeling addressed by advertisements while watching fiction" as early as the 1920s.[2] In fact, Jay Newell, Charles T. Salmon, and Susan Chang have found that the practice of incorporating real-life, branded commodities into movies began nearly concurrently with the advent of the medium itself in the 1890s.[3] Yet most scholars agree that *E.T.* resulted in a perceptual shift towards the practice among the general moviegoing audience. Kerry Segrave observes:

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1 Pauline Kael, "The Pure and the Impure," The New Yorker, June 14, 1982, 120.

2 Patrick Vonderau, "Kim Novak and Morgan Stairways: Thinking about the Theory and History of the Tie-in," in *Films That Sell: Motion Pictures and Advertising*, ed. Bo Florin, Nico De Klerk, and Patrick Vonderau (London: British Film Institute, 2016), 211-212.

3 Jay Newell, Charles T. Salmon, and Susan Chang, "The Hidden History of Product Placement," *Journal of Broadcasting & Electronic Media* 50, no. 4 (December 2006), 579-581.

> The modern era in screen advertising can be said to have started in 1982, when the film *E.T.* was released, and continued to the present. There was nothing unusual in the product placement involved in *E.T.* It was actually just one of many, many movies that succumbed to placement in the 1978-1982 period when the surge in the practice took place. What set *E.T.* apart was the phenomenal results attributed to the placement of the candy Reese's Pieces in that movie. Soon the story took on legendary proportions.[4]

Vonderau claims that this oft-repeated tale subsequently made product placement "a widely discussed aspect of the institution of cinema" for the first time;[5] though this may overstate the degree to which *E.T.* shifted the conversation, the moment undeniably altered mainstream coverage of the practice of product placement and cemented itself as the go-to example for successful integration.

Despite the outsized importance of this moment (and of this era) in scholarly discourse on the subjects of product placement and film advertising, the mainstream emergence *and* acceptance of this promotional practice remains largely under-explained. Most scholarship takes for granted the following idea: though product placement did not start in the 1980s, it did fundamentally change in the 1980s. But if the impetus to incorporate branded products into films shortly followed the invention of the movie camera, why did it take over eighty years for cinematic product placement to have its mainstream moment of success? What factors might account for this change from the clandestine product exchanges of the classical Hollywood era to the comparatively more overt advertising that has dominated the industry from the 1980s until the current moment? How did product placement evolve from handshake agreements into a multi-billion dollar industry?

[4] Kerry Segrave, *Product Placement in Hollywood Films: A History* (Jefferson: McFarland, 2004), 147.

[5] Vonderau, "Kim Novak," 212.

It is this last question, I believe, that imbues added importance to understanding this pivotal moment in history. While *E.T.*'s integration of Reese's Pieces was deemed particularly noteworthy shortly after the film's release, such acts of brand insertion are increasingly commonplace in today's media market, with television programs such as *Saturday Night Live* developing entire sketches based around Verizon and Apple products and film franchises such as James Bond altering character traits like the titular spy's fondness for vodka martinis into fondness for Heineken™ beer. With this proliferation of product placement has also come a proliferation of money spent on product placement. When the Lumière brothers reached an agreement with François-Henri Lavanchy-Clarke in 1896 to feature Lever Brothers soap in a few of their "actualités," it was not money that was exchanged but rather access: Lavanchy-Clarke would exhibit and produce Lumière films in Switzerland in return for the integrated promotions.[6] At the height of the American studio system, product placement was dominated by hand-shake agreements: money was saved through the provision of free props, but money was typically not exchanged. By *E.T.*'s release in 1982, money more directly entered the equation; yet instead of supplying funds directly towards the film's production budget, the Hershey Company launched a $1 million tie-in advertising campaign featuring the long-necked alien and his earthbound candy of choice. In the modern era of in-movie advertising, however, product placement does often factor into the budgeting of blockbuster films, with 2013's *Man of Steel* reportedly receiving $170 million dollars in product placement funding.[7] According to PQ Media, product placement

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[6] Newell, Salmon, and Chang, "Hidden History," 579-580.

[7] Paul Bignall and Lauren Dunne, "Superman is already a $170m brand superhero as Man of Steel tops the product placement charts," *Independent*, June 10, 2013, https://www.independent.co.uk/arts-entertainment/films/news/superman-is-already-a-170m-brand-superhero-as-man-of-steel-tops-the-product-placement-charts-8651215.html.

accounted for almost $9 billion in revenue in 2017.[8] In the contemporary moment, product placement is not only ubiquitous; it is a significant source of revenue for the film industry. In fact, if one is to fully understand the modern media marketplace, I would argue that an understanding of product placement is a fundamental requirement, for it is an integral determining factor for how media is now produced and distributed as well as for how media looks and behaves.

The years following *E.T.*'s success have resulted in an uptick in both product placement and scholarship about that uptick in product placement. My research project instead aims to answer the question of why product placement rose to prominence in American filmmaking in the early 1980s. How, in other words, did we get *here*? How and when did an industry devoted exclusively to product placement develop? Who were the major players, and from where did they come? How did the methods of product placement change over time? What sort of legal decisions may have influenced product placement in the movies and broader media? Were there other forms of advertising which set important precedents for product placement? How did public discourse surrounding product placement alter perception of the practice? How did private discourse among marketers and film industry personnel make the insertion of products an attractive form of advertising in the first place? What is film's relationship to advertising, and how and why does it differ from other mediums such as television and radio? And what role might cinematic storytelling and aesthetics play in the evolution of product placement?

In answering these sorts of questions, this dissertation inevitably (and, of course, purposefully) provides insight into other, larger questions currently and perpetually percolating

[8] "U.S. Product Placement Market Grew 13.7% in 2017, Pacing for Faster Growth in 2018, Powered by Double-Digit Growth in Television, Digital Video and Music Integrations," *PQ Media*, https://www.pqmedia.com/wp-content/uploads/2018/06/US-Product-Placement-18.pdf.

in scholarly discourse. Product placement is, after all, a conscious act of money-saving and inter-corporation friendliness—the story of its increasing monetary gains and more prominent status in production budgets is an important aspect of the American movie business's risk-aversion and conglomeration tactics post-Paramount Decision. In fact, the rise of product placement (and the more extensive coverage of product placement) mirrors in many ways the discourse surrounding the question of whether Hollywood has entered what some scholars have called the "post-classical phase"—product placement existed during the studio system, yet some sort of fundamental shift has consistently been asserted to have happened in the 1980s. My dissertation aims to understand this fracture while also tying the practice to its history in the Golden Age.

By focusing particularly on the "mainstream emergence" of product placement in the 1980s, my dissertation moves beyond simply telling the story of an industry's economic evolution towards exploring how a controversial advertising practice became more widely welcomed over time. The broad trajectory of this dissertation sketches product placement's categorization as a decided "bad" object during the height of the Hollywood studio system towards its current status as a much more "accepted" or perhaps "necessary" object. Though by no means do I intend to argue that product placement has totally shed its negative associations, general resistance to product placement has decreased over time, as evidenced by its proliferation in American movies since the late 1970s as well as its move from clandestine practice to publicly acknowledged financial building block. This dissertation investigates how and why this shift occurred.

While this dissertation is primarily concerned with product placement in the movies, it is also grounded in consideration of advertising in and around other mediums as well. Conversations of "medium specificity" are typically confined to the realms of aesthetics and storytelling, but my dissertation seeks to understand how business, law, and public discourse establish and enforce differences between mediums; in order to understand the evolution of product placement in the movies, I believe it is crucial to understand how product placement functioned on television and radio as well as why and how these three mediums converged and diverged in their adoption of the practice. Additionally, product placement is interdisciplinary at its very nature—the conjoining of the entertainment and advertising sectors likewise calls for scholarship that draws upon the rich fields of media studies, marketing, consumer psychology, business law, and other relevant academic disciplines. And, as will be seen in the literature review below, my study of product placement builds upon scholarship concerning production cultures, division of labor, discourse analysis, media industries, promotional screen industries, and histories of culture and aesthetics.

My primary intervention in this dissertation, then, is to explain how product placement in the movies went from a clandestine, publicly unacknowledged operation to a full-fledged industry with real economic power and mainstream recognition in the 1980s. This evolution is currently under-explained by the scholarly literature. Though my dissertation broadly considers product placement during the height of Hollywood's studio system as well as placements of the modern era, the majority of my dissertation is concerned with furthering our understanding of the transition between these two time periods, starting roughly in the 1960s and culminating in the 1990s. Though I understand that this is a rather large swath of time, by analyzing this period I am able to cover the transition in full from studio system holdover handshake agreements to the formation of a product-placement-focused industry with well-established business relationships and comparably standardized day-to-day practices. I argue that this transition was spurred by: 1) the movement of marketers from larger advertising agencies and product manufacturers to their own smaller product placement firms; 2) a private discourse of data, market research, financial growth and frugality among product placement marketers, product manufacturers, and film companies that proved highly attractive—despite its threats towards classic conceptions of art and creativity—in the "riskier" fiscal environment of the post-Paramount film business; 3) a series of legal decisions which altered both public discourses on advertising in film, television, and radio as well as how advertising actually behaved on aesthetic and narrative levels in film, television, and radio texts. I seek to explain *how* product placement rose to prominence in American filmmaking while also explaining *how* product placement functions on-set and in texts. If undertaken, product placement affects almost every level of film production—my dissertation explains these effects while also outlining the reasons for their presence.

In doing so, I argue that the mainstream emergence and rapid expansion of product placement in American films in the 1980s was not the end result of some linear progression or abrupt shift but rather the culmination of a confluence of factors. In this way, I view my dissertation as a comparable project to Richard Neupert's *A History of the French New Wave Cinema*. Much like the so-called sudden expansion of product placement following its mainstream emergence through *E.T.* in 1982, Neupert's subject—the French New Wave—is frequently presented as an explosive burst of artistic invention spurred primarily by an insurgent group of young film critics and filmmakers in the 1950s. Neupert's nuanced history provides a more widely considered approach to the artistic movement, devoting "as much attention to specific generating mechanisms within French culture as to the creative individual auteurs who took advantage of the changing conditions."[9] He continues, "The reason that a 'wave' rather than

[9] Richard Neupert, *A History of the French New Wave Cinema* (Madison: University of Wisconsin Press, 2007), xxv.

simply a new cohort of directors came upon the scene around 1960 is not just a matter of strong personalities. It is the result of an unusual set of circumstances that enabled a dynamic group of young directors to exploit a wide range of conditions that opened up incredible opportunities for inexpensive filmmaking in Paris."[10] Neupert's exploration of the French New Wave moves beyond simply retelling the well-known stories of famous figures like Jean-Luc Godard and François Truffaut to consider how changes in social policy, technology, culture, and non-cinematic artistic movements were also deeply influential in the emergence of the art film movement.

Similarly, my dissertation unpacks how product placement—which had been a feature of the movies from nearly their inception—received its delayed mainstream emergence in the 1980s due to a wide range of factors. While my dissertation tells many novel stories about the history of product placement, equally crucial is the way I join together separate narrative threads to paint a fuller picture of *why* product placement took on its new prominence at the specific moment it finally did. I outline how changes in the financially precarious film industry necessitated new methods of risk management once prior strategies like block booking and run-zone-clearances were no longer viable (or legal), in turn elevating the importance of product placement. I demonstrate how new intermediary companies rose to fill the increasing need for product placement by streamlining the process and exponentially improving the efficiency and scale of the practice. I showcase how product placement marketers convinced the film industry and product manufacturers of the importance of not just tie-up advertising campaigns but of the branded product itself, which would be permanently welded to an entertainment product that brought repeat home viewings through television and home video without necessitating

[10] Neupert, *A History of the French New Wave Cinema*, xxvi.

additional money spent per exposure. I explain how the film industry's vested interest in avoiding governmental intervention resulted in an approved policy of self-regulation that mostly kept product placement in American movies out of the courts and legislation—and I show how this slightly but significantly differed from similar entertainment mediums like radio and television. I explore discourse from Hollywood figures and the trade press that publicly condemned product placement while simultaneously pushing the practice underground instead of outright preventing it. Finally, I analyze the aesthetic and narrative qualities of cinematic product placement in some of its most banal and brazen forms, considering both how film style affects product placement and how product placement likewise affects film style. Each of these arguments stand alone as their own histories and explorations of product placement's past, but taken together they paint the fullest portrait of why and how cinematic product placement took on new prominence in the 1980s.

Literature Review and Methodology

Since my dissertation is first and foremost a historical intervention, its contents have inevitably been shaped by the similar histories written before it. The broadest and most comprehensive history of product placement in American cinema is *Product Placement in Hollywood Films: A History* by Kerry Segrave, which stretches from the 1890s until the year of the book's publishing in 2004. Segrave's work helpfully links product placement to other practices of cinema advertising, such as pre-show advertisements or other in-theater promotional materials. It sketches the broad financial trajectory of the practice from disorganized one-off handshake agreements in the first half of the twentieth century to the multi-million dollar deals that made up much of the last quarter. Comprised primarily of information found in the trade press or journalistic articles, in many ways, Segrave's story is the one told by the movie and advertising industries themselves:

> Over time enthusiasm for cinema ads waxed and waned, as did the efforts to produce and place such material. Onscreen ads never amounted to much because strong opposition always existed, much of that from within the film industry itself. For various reasons Hollywood could not dominate the onscreen ad field and went out of its way to see that no outsiders would gain much of a foothold. As a result onscreen ads remained a marginal part of the U.S. cinema experience.
>
> On the other hand, product placement has grown dramatically in the past 25 years. Initially it was regarded as a somewhat sleazy practice, always hidden, almost never admitted. Exhibitors relentlessly opposed the practice. However, by the end of the 1970s that opposition no longer existed and product placement became a way of life for Hollywood movies.[11]

Since even in its most flagrant form product placement is still a relatively clandestine practice, it tracks that trade press information would obfuscate the early, "hidden" moments of product placement lore. My dissertation seeks to build upon Segrave's rich, detailed history by more closely examining the agents and events that led to product placement becoming "a way of life for Hollywood movies" in the late 1970s.

Jay Newell, Charles T. Salmon, and Susan Chang, on the other hand, plumb the archives for more detailed, ground-level stories in their article "The Hidden History of Product Placement." Using production files found at the Academy of Motion Picture Arts and Sciences Margaret Herrick Library, the authors reorient the history of product placement towards the "hidden" letters, memos, and contracts that detail the evolution of the practice, ultimately claiming that "product placement was a sophisticated sub-business long before *E.T.* that was fully integrated into the making and marketing of mass media content as early as the 1920s and that product placement in mass media began with the birth of motion picture projection in the

[11] Segrave, *Product Placement in Hollywood Films*, 1.

mid-1890s."[12] Especially important to Newell, Salmon, and Chang are the 1950s and 1960s, an era in which the authors argue that "product placements had become a regular feature of the motion picture production process."[13] But their article ends in 1982 with the release of *E.T.*, with only one short paragraph devoted to the emergence of companies that exclusively trafficked in product placement in the 1970s. My dissertation builds upon Newell, Salmon, Chang, and Segrave's histories—as well as those of other authors such as Charles Eckert—with a decided focus towards further uncovering the developments of the 1970s, 1980s, and 1990s.

Such histories make up only a minor slice of the existing academic literature on product placement—the majority of scholarship about the practice has been produced by business or business-adjacent scholars, with a particular focus on effective methods of product placement. Questions include, most obviously, what is successful product placement? How should (or even can) product placement's effectiveness be measured? What types of products are particularly suited for product placement? Similarly, what genres or types of media are particularly suited for product placement? Researchers here employ many different methods to answer these questions. Most popular among this strain of literature is survey research, whether it be in-person or online questionnaires, in-person or phone interviews, or any other means of gathering a large set of quantitative data.[14] Others rely on interviews with product placement marketers, textual analysis,

[12] Newell, Salmon, and Chang, "Hidden History of Product Placement," 575.

[13] Newell, Salmon, and Chang, "Hidden History of Product Placement," 588.

[14] See: Beng Soo Ong, "A Comparison of Product Placements in Movies and Television Programs: An Online Research Study," in *Handbook of Product Placement in the Mass Media*, ed. Mary-Lou Galician (Binghamton: Haworth Press, 2004); Deepa Anil Pillai, "Essays On Product Placement: An Analysis Of Key Executional And Individual Level Factors That Influence The Effectiveness Of Product Placements," PhD diss., Southern Illinois University Carbondale, 2011; Brian Christopher Gillepsie, "Toward an understanding of the product placement effect: Considering the impact of branded artifacts in media on consumers' cognitive, affective and conative responses," PhD diss., Washington State University, 2013; and Teodora Moneva, "Attitudes of young viewers towards product placement on British television," PhD diss., University of London — King's College, 2011.

market research, and more: Jean-marc Lehu's *Branded Entertainment: Product Placement and Brand Strategy in the Entertainment Business* represents a book-length project of this sort, as does the edited volume *Handbook of Product Placement in the Mass Media: New Strategies in Marketing Theory* by Mary-Lou Galician and Peter G. Bourdeau. This style of scholarship provides helpful data sets, vernacular vocabulary, and general guidelines for product placement practitioners. One particularly illuminating discussion point in much business-oriented product placement scholarship is the consideration of how obvious or overt product placement should be. Many scholars ultimately reach the somewhat paradoxical conclusion that effective product placement should be visible but not immediately noticeable, so as to expose the viewer to a branded product without feeling intrusive to the entertainment. The idea that product placement—both on-screen and off-screen—most commonly exists in this murky territory of perceptive invisibility is an important through line that runs across all four chapters of my dissertation.

Other scholarly inquiries into product placement center on questions about the effects of product placement on the viewer and society from ethical, iconographic, and critical perspectives: Is product placement an inherently good or bad practice, and what can we find out by exploring the gray areas in between these two poles? When is product placement deemed to be inappropriate? What does product placement tell us about the societal changes enacted by the proliferation of media and media devices? What does product placement tell us about art and entertainment in a capitalist society? What part does product placement play in shaping viewers' conceptions of country, society, and self? One example of this sort of literature is Kevin Sandler's chapter in *How To Watch Television*, which uses the controversy surrounding the prominent appearance of an Apple iPad in a 2010 episode of the critically-acclaimed and popular

ABC sitcom *Modern Family* to make a much larger point about how consumerism defines the televisual medium: "Apple need not have paid for the iPad placement because the internalized logic of commercial television is to promote consumerism, turn audiences into commodities, and celebrate a product as a vital component of 'realism.'"[15] Other authors have considered the reversed relationship, exploring the role entertainment media and product placement have played in defining American consumerism. Charles Eckert, for example, argues that, through the tie-up advertisements in/around American films in the 1930s, "the many fine sensibilities of Hollywood's designers, artists, cameramen, lighting men, directors, and composers had lent themselves, even if coincidentally, to the establishment of powerful bonds between the emotional fantasy-generating substance of films and the material objects those films contained." Eckert further ties this era of advertising through film to evolving trends in market research, writing "One can argue only from inference that Hollywood gave consumerism a distinctive bent, but what a massive base this inference can claim."[16] Work of this nature provides important insight into public and private discourses that either promote or bemoan entertainment media's potential or tangible power as a marketing machine. The question of whether Hollywood should actively advance the broader cause of consumerism has been a central concern of industry leaders, creative personnel, journalists, and other public figures from the dawn of cinema's inception.

Central to the broader argument of my dissertation is the exploration of how product placement's increased importance was spurred by changes in the film industry. My research is deeply informed by rich context provided by scholarship about the Classical Hollywood studio

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[15] Kevin Sandler, "*Modern Family*: Product Placement," in *How To Watch Television*, ed. Ethan Thompson and Jason Mittell (New York: New York University Press, 2013), 259.
[16] Charles Eckert, "Carole Lombard in Macy's Window," in *Fabrications: Costume and the Female Body*, ed. Jane Gaines and Charlotte Herzog (New York: Routledge, 1990), 120.

system authored by scholars including David Bordwell, Kristin Thompson, Janet Staiger, Tino Balio, and Michael Conant.[17] My work is also dependent on industrial studies of the more contemporary film landscape from scholars including Justin Wyatt, Steve Neal and Murray Smith, Tom Schatz, and J.D. Connor.[18] Especially influential in my understanding of cinematic product placement's rise is Arthur De Vany's *Hollywood Economics: How extreme uncertainty shapes the film industry*, which explores how the American movie studios navigated the unpredictable and financially risky environment of the movie business after the Paramount Decree.[19] It is in this new industrial situation that product placement became a more attractive method of risk-mitigation by slashing budgets for production design and marketing.

My film-centric project is also colored by similar studies of advertising in other mediums: books like Jennifer Gillan's *Television Brandcasting: The Return of the Content-Promotion Hybrid* or Cynthia Meyers's *A Word from Our Sponsor: Admen, Advertising, and the Golden Age of Radio* not only present helpful models for how to consider advertising within entertainment media—they also provide rich, detailed histories of advertising in television and radio, respectively, to which I compare the evolution of product placement in the movies.

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[17] David Bordwell, Kristin Thompson, and Janet Staiger, *The Classical Hollywood Cinema: Film Style & Mode of Production to 1960* (New York: Columbia University Press, 1985); Tino Balio, ed., *Hollywood in the Age of Television* (New York: Routledge, 1990); and Michael Conant, "The Paramount Decrees Reconsidered," in *The American Film Industry*, ed. Tino Balio (Madison: The University of Wisconsin Press, 1985).

[18] Justin Wyatt, *High Concept: Movies and Marketing in Hollywood* (Austin: University of Texas Press, 1994); Steve Neale and Murray Smith, ed., *Contemporary Hollywood Cinema* (London: Routledge, 1998); Tom Schatz, "The Studio System and Conglomerate Hollywood," in *The Contemporary Hollywood Film Industry,* ed. Paul McDonald and Janet Wasko, (Malden: Blackwell Publishing, 2008); and J.D. Connor, *The Studios after the Studios: Neoclassical Hollywood (1970-2010)* (Stanford: Stanford University Press, 2012).

[19] Arthur De Vany, *Hollywood Economics: How extreme uncertainty shapes the film industry* (New York: Routledge, 2004).

Meyers's book, for instance, is one of the few media studies works to centralize the role of advertising agencies in the development of a medium, while Gillan helpfully details how early television viewers came to closely associate advertisers with their sponsored programs. Additionally, my dissertation is informed by broader contextualization of these mediums by scholars like Lynn Spigel, Erik Barnouw, Michele Hilmes, and Alexander Russo.[20]

The central motivation of this dissertation is to investigate the rise of product placement in the transitionary period between the dissolve of the studio system and the advertising method's mainstream emergence in the 1980s and 1990s. As a result, my primary methodology will be historical analysis through the use of primary documentation found in archival collections, trade journals, court cases, and newspapers. Much like Newell, Salmon, and Chang found a "hidden" history in the archival records of the Margaret Herrick Library in Los Angeles, California, my project was kickstarted by an archival discovery at the Wisconsin Center for Film and Theater Research in Madison, Wisconsin. Housed inside the Wisconsin Historical Society are the papers of George R. Simkowski, one-time president of the Chicago-based product placement marketing firm Prime Time Marketing. In my findings, the Simkowski papers are the largest university archival collection solely devoted to product placement. It includes detailed records of the product placement process on a wide variety of films from the late 1970s until the early 1990s. The bulk of the collection comprises a vast assortment of marked-up film scripts ranging from *National Lampoon's Vacation* (Harold Ramis, 1983) to *Silence of the Lambs* (Jonathan Demme, 1991), with Simkowski and company's pens underlining instances of potential product placement and adding notes about specific brands in the margins. Additionally,

[20] Lynn Spigel, *Make Room for TV* (Chicago: University of Chicago Press, 1992); Erik Barnouw, *Tube of Plenty: The Evolution of American Television* (Oxford: Oxford University Press, 1990); Michele Hilmes, *Radio Voices: American Broadcasting, 1922-1952* (Minneapolis: University of Minnesota Press, 1997); Alexander Russo, *Points on the Dial* (Durham: Duke University Press, 2010).

the collection contains fully branded prop lists, correspondence between Simkowski and product manufacturers as well as various movie studio departments, client lists, a pitch prepared by the Gold Star computer company that outlines the benefits and biographical information of Prime Time Marketing, and other documents that detail the company's work on a wide number of American films. This collection has been essential to my understanding of the changes which took place in product placement marketing in the 1970s and 1980s—in the first and second chapters of my dissertation, these primary documents provide the additional information missing from the standard history of product placement.

Supplementing this primary archival collection are various documents related to the largest product placement company of the 1970s and 1980s—Robert Kovoloff's Associated Film Promotions—digitally preserved in various tobacco collections of the Industry Documents Library of the University of California, San Francisco. As outlined on the online archive's website, UCSF's Industry Documents Library was originally "established in 2002 to house the millions of documents publicly disclosed in litigation against the tobacco industry in the 1990s" and "has expanded to include documents from the drug, chemical, food, and fossil fuel industries to preserve open access to this information and to support research on the commercial determinants of public health."[21] Because one of Associated Film Promotions' clients was the tobacco company Brown & Williamson, a number of internal documents which detail the product placement firm's business model and inner workings were made publicly available in the mid-1990s as part of UCSF's tobacco industry collection. These documents include correspondence, contracts, and an internal audit survey of Associated Film Promotions commissioned by Brown & Williamson.

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[21] "About," *Industry Documents Library*, https://www.industrydocuments.ucsf.edu/about/overview/.

My dissertation, especially in my first two chapters, is proudly aligned with the "production cultures" framework provided by scholars including John Caldwell, Vicki Mayer, and Miranda Banks. Those three authors describe this type of scholarship succinctly in the introduction to their edited volume *Production Studies: Cultural Studies of Media Industries*:

> Production studies gather empirical data about production: the complexity of routines and rituals, the routines of seemingly complex processes, the economic and political forces that shape roles, technologies, and the distribution of resources according to cultural and demographic differences. Two research questions follow this careful data compilation. How do media producers represent themselves given the paradoxical importance of media in society? How do we, as researchers, then represent those varied and contested representations?[22]

I intend for my work on the formation of the product placement industry and the role of the product placement marketer to be a vital contribution to this research project—as an intermediary figure, stuck at once between the commercial world of the advertiser and the more "artistic" world of entertainment, the product placement marketer must maintain difficult, complex, and often contradictory public and private appearances.

In fact, as represented by a book like Paul Grainge and Catherine Johnson's *Promotional Screen Industries* or Timothy Havens and Amanda D. Lotz's work on white collar media consultants, such gray realms of the modern entertainment industries have already proven fruitful for production cultures research.[23] In the former, Grainge and Johnson adopt what they deem "a production-centered methodology" that "combines practitioner interviews and fieldwork

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[22] Vicki Mayer, Miranda J. Banks, and John T. Caldwell, "Introduction — Production Studies: Roots and Routes," in *Production Studies: Cultural Studies of Media Industries*, ed. Vicki Mayer, Miranda J. Banks, and John T. Caldwell (New York: Routledge, 2009), 4.

[23] Timothy Havens and Amanda D. Lotz, *Understanding Media Industries* (Oxford: Oxford University Press, 2012), 165.

observation (of production spaces and professional gatherings) with institutional research and textual analysis of promotional screen forms and industrial 'deep texts' such as company workshops, white papers and other semi-public materials."[24] The two authors primarily discuss the industries as they currently exist—my dissertation adds an integral historical element, shifting the timeline back a few decades in the hopes of understanding exactly *how* we reached a point where these promotional screen industries became so significant. Through consideration of my own set of "deep texts" from the Prime Time Marketing and Associated Film Promotions papers, my dissertation also expands upon a project like Jonathan Gray and Derek Johnson's *A Companion to Media Authorship* by problematizing and complicating our conceptions of filmic authorship and creativity through understanding of the increasingly integral and frequently controversial role of the product placement marketer.

In tandem with the production cultures approach outlined in my literature review, discourse analysis is integral to this project. Specifically, I aim to analyze discourses in three spheres: 1) private exchanges between product placement marketers, film industry personnel, and product manufacturers; 2) legal court cases which shaped the varied evolutions of advertising in film, television, and radio as well as legal scholarship from authors like Steven Snyder and Matthew Savare that argues for hypothetical product placement policy; 3) public statements on product placement from film industry personnel, the critical community, trade journals, newspapers, and other important agents of public opinion. Critical and reflexive examinations of the language used in all three spheres grant us a better understanding of product placement's rise: what types of information and persuasive tactics elicited the act of product

[24] Paul Grainge and Catherine Johnson, *Promotional Screen Industries* (New York: Routledge, 2015), 10.

placement, the legality of product placement, and the mainstream approval (or, at least, acceptance) of product placement?

One particularly important trade journal I analyze in this fashion is *Harrison's Reports*, a weekly publication run by former *Motion Picture News* reviewer P.S. Harrison from 1919 to 1962. Harrison declared his trade journal proudly free of advertising, and Harrison viewed himself as something of a watchdog for the relatively small set of pre-Paramount Decree independent theater owners. As Eric Hoyt reports, those exhibitors in turn "paid several times the subscription rate of the other trades to read this four-page weekly newsletter that rejected the standard business model of trade papers."[25] Harrison's ad-free trade journal was the source of some of the most outspoken criticism of product placement throughout the Golden Age of Hollywood, but my discourse analysis seeks to not just consider what his criticism sought to eliminate but also how the content of his editorials simultaneously provided cover for the subterranean version of product placement in its most banal form. Language which condemns cinematic product placement while still aiding in enabling the conditions for cinematic product placement proves to be a common current in my discourse analysis. Other important sources of this type include *Variety*, *The Hollywood Reporter*, *The New York Times*, *The Motion Picture World*, *Broadcasting-Telecasting*, *Motion Picture Daily*, *Boxoffice*, and *Film Bulletin*.

When considering the aesthetic and storytelling dimensions of product placement, I utilize conventional methods of stylistic analysis pioneered by scholars like David Bordwell and Kristin Thompson. Especially relevant are two works which, combined, detail the broad narrative and stylistic strategies employed by Hollywood contemporaneously to product

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[25] Eric Hoyt, *Ink Stained Hollywood: The Triumph of American Cinema's Trade Press* (Berkeley: University of California Press, 2022), 22.

placement's mainstream emergence: Thompson's *Storytelling in the New Hollywood: Understanding Classical Narrative Technique* and Bordwell's *The Way Hollywood Tells It: Story and Style in Modern Movies*. In the latter, Bordwell argues that Hollywood films produced after the demise of the studio system feature an "intensified" updating of classical continuity editing through "rapid editing, bipolar extremes of lens lengths, reliance on close shots, and wide-ranging camera movements."[26] My stylistic analysis details how product placement is shaped by these and other common aesthetic choices, with careful attention paid to mise-en-scène, cinematography, staging and blocking, and editing techniques like crosscutting and cutaways.

Chapter Outlines

Chapter One concerns the industrial conditions that led to product placement's increased importance in the film industry and the formation of an advertising industry exclusively devoted to product placement. I begin this chapter by recounting the history of product placement in early cinema and the classical Hollywood studio system from 1896 to the 1960s, paying particular attention to accompanying tie-up advertisement campaigns—which were, for most of this time, seen as the primary benefit of engaging in product placement. Here I draw primarily from existing scholarship from scholars including Segrave, Eckert, Newell, Salmon, and Chang, though I also bring my own insights and nuance. In the chapter's next section, I trace the concurrent history of the film industry's methods of risk mitigation, arguing that this important American business was founded upon and increasingly dependent upon these principles of risk management. In particular, I detail how methods of risk mitigation altered pre- and post-Paramount Decision. In the Golden Age of Hollywood, the theater-owning studios were able to

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[26] David Bordwell, *The Way Hollywood Tells It: Story and Style in Modern Movies* (Berkeley: University of California Press, 2006), 121.

utilize deeply secure (and oligopolistic) methods of risk mitigation like block booking and run-zone-clearance systems. But once the Paramount Decision led to the studios divorcing themselves from their theaters, new methods of risk mitigation like conglomeration were developed while old, previously minor methods of risk mitigation like product placement began to take on greater prominence and importance. Accordingly, I close this chapter by detailing the corresponding formation of a product placement industry, whereby companies like Robert Kovoloff's Associated Film Promotions and George Simkowski's Prime Time Marketing streamlined the product placement process by maintaining long lists of clients whose products they could quickly and efficiently place in a wide array of Hollywood films. I argue that the new efficiency and increased scale of these product placement marketing companies is one of the primary factors for the practice's mainstream emergence in the 1980s.

In Chapter Two I dig deeper into the inner workings of one of these companies, Chicago's Prime Time Marketing. I approach a vast assortment of the company's primary documents including memos, marked-up scripts, branded prop lists, and contractual agreements through the analytical frameworks of discourse analysis and production cultures/studies. Using the former methodology, I explore the private discourses that were used to sell product manufacturers and film production companies/studios on undertaking product placement in the 1970s, 1980s, and 1990s. These private discourses about audience demographics, viewing numbers, the power of the burgeoning home viewing market, and more were essential in reorienting the perception of product placement's value: whereas the primary focus had been paid to associated tie-up advertising campaigns during the heights of the classical Hollywood studio system, these figures ensured that product placement was seen as a beneficial and financially wise method of marketing on its own. In the latter half of the chapter, I consider the role of the product placement marketer through the methodological framework of production studies. In particular, I explore how the product placement marketer existed in an intermediary gray zone between the obviously commercial sector of product manufacturers and the artistic (but also still commercial) territory of the film industry. I analyze the different modes of speech Simkowski and his associates adopted with the two respective sides of their business, showcasing how Prime Time Marketing utilized the starry language of Hollywood to promote its business to product manufacturers while the company used more expressly professional language with clearly delineated boundaries while engaging with Hollywood itself. Though the altering industrial landscape of the post-Paramount Decision film industry opened the opportunity for product placement's increased prominence, it was the work of these clandestine intermediary companies that actually accomplished product placement's transformation into a major factor of film production.

Chapter Three focuses on the interplay between the legal history of American product placement and the corresponding public discourses about the practice. In the first section, I outline how the American film industry's early concerns about censorship boards and lack of full free speech protections under the doctrine of entertainment speech led to a policy of self-regulation conducted first by Will Hays and the Production Code Administration and also by later organizations like the Motion Picture Association of America and its ratings board. Though legal scholars have long considered how product placement might be legislated under both the parameters of entertainment speech or commercial speech, cinematic product placement has largely gone ignored by the American government's judicial and legislative branches, instead falling under the domain of the industry itself. This is directly opposed to the twentieth century's other most popular entertainment mediums—radio and television—where sponsorship identification laws (as well as the adoption of advertisement-supported revenue systems instead of film's ticketed approach) resulted in more overt and acknowledged commercial marketing ambitions. In the second section, which contains a subsection for each of these mediums, I connect this regulatory intervention (or, in the case of the movies, this lack of regulatory intervention) to the form of and public discourses about product placement or product placement-adjacent advertising in radio, television, and film. In particular, I home in on how viewers quickly came to associate the first two mediums with advertising, while industry leaders capitalized on the surface-level lack of ads in cinemas to both intentionally and unintentionally provide cover for product placement's covert evolution. Even when outspoken critics like the aforementioned P.S. Harrison raised concern over the intrusion of marketers into the pristine domain of cinematic entertainment, there was still a vested interest in keeping movies out of the courts and under the industry's self-control, resulting in product placement developing underground rather than in the above-ground fashion of radio and television.

Finally, in Chapter Four I explore the oft-ignored aesthetic and narrative dimensions of product placement. This chapter transfers one of the main themes of the prior three chapters from behind the scenes to the final film, exploring how the clandestine qualities of the product placement industry and its coverage are an intentional strategy of on-screen product placement. While much has been written about methods of successful product placement, little has been written about how film style and storytelling affect product placement—and vice-versa. In the first part of this chapter, I analyze literature about effective on-screen product placement, especially literature from business scholars as well as product placement guides and handbooks. In the second section, I explore the various aesthetic dimensions of the many branded products that appear in the Sidney Pollack's 1982 film *Tootsie*; I have chosen this film as the subject of my analysis because it comes from the era mainly covered by this dissertation and does not feature any infamous product placements, giving me a chance to explore product placement aesthetics at their most typical and banal. I consider how these branded products are shaped by and also shape the film's mise-en-scène, cinematography, and staging and blocking. Finally, I close with comparative analysis of a much more famous set of product placements: those of the James Bond film franchise. Specifically, I consider how story/scene structure might shape a viewer's perception of product placement by analyzing a recurring hallmark of the series: chase sequences. My data set includes two Roger Moore-starring Bond films (Guy Hamilton's 1974 film *The Man with the Golden Gun* and Lewis Gilbert's 1979 film *Moonraker*), giving me a chance to further explore how product placement functioned in the era of its mainstream emergence. I have also expanded my data set to push towards product placement's future by comparing these advertisement-laden chase sequences with those of two Daniel Craig-starring Bond films (Martin Campbell's 2006 film *Casino Royale* and Sam Mendes's 2012 film *Skyfall*). Across these films, I consider how three stylistic elements of the chase sequence (cross-cutting, cutaways, and branded settings) play a part in our perception of product placement, ultimately arguing that film style is an essential element of product placement's covert strategy of selling through mere exposure and implied endorsement.

Chapter 1

The Formation of the Product Placement Industry

Introduction

In 2005, the venerable cinephile-serving cable television network Turner Classic Movies ran a series entitled "Product Placement in the Movies," developed with the academic Jay Newell. In collaboration with Charles T. Salmon and Susan Chang, Newell was in the process of publishing an article titled "The Hidden History of Product Placement," which would soon serve as the most robust charting of the usage of branded props across the history of cinema, from early Lumiere shorts to the breakthrough advertising success of *E.T.* According to Charlie Tabesh, then-senior vice president of programming at TCM, this joint effort marked a chance to recontextualize the classic movies that built out the network's schedule: "TCM is always trying to take a different look at movies and trying to look at it in different perspectives. Newell looked at Hollywood through a non-artistic way."[1] As Tabesh told the *New York Times*, "Films are pieces of art, but there's such a strong commercial element, too, and it's important to explore that."[2] The Hollywood-centric series stretched from Golden Age hits like *Arsenic and Old Lace* (Frank Capra, 1944), *Gold Diggers of 1935* (Busby Berkeley, 1935), and *Scarface* (Howard Hawks, 1932) as well as early films from the 1980s product placement boom like *Urban Cowboy* (James Bridges, 1980) and *Superman II* (Richard Lester, 1980). Introducing these movies was George R. Simkowski, one-time president of Chicago-area product placement firm Prime Time Marketing (later called Let's Go Hollywood), who lent his expertise on product placement

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[1] Jessica Baumhover, "TCM, Newell center on product placement," *Iowa State Daily*, February 24, 2005, https://www.iowastatedaily.com/news/tcm-newell-center-on-product-placement/article_969cea80-eec2-5f93-b4e4-015bd178fd57.html

[2] Stuart Elliot, "Greatest Hits of Product Placement," *New York Times*, February 28, 2005, http://www.nytimes.com/2005/02/28/business/media/greatest-hits-of-product-placement.html?_r=0.

practices and helped viewers identify the oft-difficult-to-find branded products. On a personal level, the series gave Simkowski a chance to reflect on his career of integrated advertising, which began by chance and naivety in the 1960s, according to Simkowski: "My first product placement was for the Bob Hope movie *Bachelor in Paradise* … I was the advertising manager in Chicago for Webcor, the phonograph and tape-recorder maker, and a guy from MGM called me and said, 'We need a tape recorder as a prop.' … And I said, 'What's a prop?'"[3] Of course, Simkowski's work—and the work of others like him—quickly became much larger, more focused, and more lucrative in the following decades.

It is this trajectory of product placement—the move from small, decentralized handshake arrangements to an organized practice engineered by far-reaching companies that specialized in product placement (and, often, *only* in the product placement)—that I intend to trace across this dissertation. While Chapters 2 and 3 detail the argumentation, interpersonal relationships, legal precedents, and broader public discourses that contributed to more widespread acceptance of product placement in the 1980s, this chapter explores the practice's rise from the perspective of industry, taking into account both wide-ranging changes across the larger film business but also smaller shifts particular to product placement. In doing so, I draw from the work of scholars like Newell, Salmon, Chang, Kerry Segrave, Paul Grainge, Catherine Johnson, David Bordwell, Murray Smith, Arthur De Vany, and more, grounding my work in the strong historical research of others while homing in on an oft-ignored element and era of American film history. If we accept the popular proposition that the release of *E.T.* marked the dawn of a new period of product placement that was significantly different from the practice's presence at the height of the Hollywood studio system, this chapter explores the industry's interim period between the

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[3] Elliot, "Greatest Hits."

impact of the Paramount Decree and the release of *E.T.*, explaining how product placement solidified its importance to the industry and entrenched itself as an essential feature of film production.

Throughout this chapter, my primary argument is centered around the idea that the mainstream American film industry has long been predicated on risk mitigation. As the kinds of risks associated with film production shifted after the studios divested from their theaters in the 1950s, product placement proved increasingly beneficial as a mitigating factor, further ensconcing the practice in the industry and thus paving the road towards its progressively lucrative future. The chapter comprises three sections that construct this argument: 1) an exploration of “early” product placement (1896 to the 1960s), built mostly from pre-existing scholarship but also featuring my own contributions and commentary; 2) an examination of the industrial ramifications of the Paramount Decree, with consideration made to arguments about both a “post-classical” Hollywood and a continuation of the classical studio system; 3) an investigation into the “who, what, when, and how” of product placement exclusive companies, with particular attention paid to two of the leaders in (and progenitors of) the field: Associated Film Promotions of Los Angeles, California, and the aforementioned Prime Time Marketing of Chicago, Illinois. In this final section I detail how (and from where) these companies were formed, what sort of work they did, and how that work differed from previous eras of product placement. I especially interrogate the financial evolution and impact of these companies, considering not just the money they made for themselves but also their impact on film budgets.

Product Placement’s Past

Inspired by the early chronophotographic experiments of Eadweard Muybridge and Etienne Marey’s Zoopraxiscope, Ottomar Anschutz’s Tachyscope, Emile Reynaud’s

Praxinoscope, and others, the final decade of the 19th century witnessed the realization of true motion photography and projection—the invention of the movies. Under the leadership of Thomas Edison, William Kennedy Laurie Dickson and his team at the Edison Company originated motion picture filmmaking in 1891 with their celluloid-based camera the Kinetograph and their individual viewing machine the Kinetoscope. By 1894, Kinetoscopes had begun proliferating across the world. Unsatisfied with the continuous motion of the Edison Company's machine(s), August and Louis Lumière invented the motion picture/projector machine which would form the basis of film production and exhibition for the next century-plus: the Cinématographe, a small stop-motion machine capable of both capturing and projecting film at 16 frames per second. Soon after, the Edison Company (with official credit given to Thomas Armat) would unveil their own rival projection machine the Vitascope. No longer theoretical, motion photography was now a reality borne in multiple physical objects. And as A.R. Fulton writes, "[T]here is no question about motion pictures' having originated, not as an art, but as a machine. The ingenuity and effort, not of artists, but of inventors, mechanics, photographers, engineers, and manufacturers made this machine possible."[4] With the motion picture camera now tangible and practical, the question moved to how it should be used—the most immediate answer was entertainment, with the short non-fiction form known as *actualités* emerging before its fictional counterpart later took prominence.

One very early answer to the question of how to use the cinematic camera was product placement. Although that term would not be widely used until much later, advertising within films originated shortly after *films originated*. As Newell, Salmon, and Chang write, "In the spring of 1896, the Lumière brothers entered into a distribution and production arrangement with

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[4] A.R. Fulton, "The Machine," in *The American Film Industry*, ed. Tino Balio (Madison: The University of Wisconsin Press, 1985), 42.

Francois-Henri Lavanchy-Clarke, a Swiss businessman who functioned as a European distributor and promoter for the U.K. soap manufacturer Lever Brothers."[5] Part of their ongoing cinematic conquest of the world, the deal assured the Lumiéres the right to exhibit films in Switzerland and also produce films in Switzerland meant for distribution elsewhere. For Lavanchy-Clarke and Lever Brothers, the deal opened a new avenue to promote their Sunlight Soap product. In May 1896, just six months after the Lumières' Cinématographe made its paid premiere in Paris, the motion picture camera was ushered in the world's first filmed product placement. Per Newell, Salmon, and Chang:

> [I]n the yard of the Geneva home of Lavanchy-Clarke, Cinématographe operator Alexandre Promio shot a film of two women hand-washing tubs of laundry. Placed prominently in front of the tubs were two cases of Lever Brothers soap, one with the French branding "Sunlight Savon," the other with the German "Sunlight Seife." The following month, the film, given the English title *Washing Day in Switzerland* (Promio, 1896), was shown in New York at Keith's Union Square Theatre, along with shots of European trains, French parades, and various skits.[6]

Already present were the hallmarks of early product placement: a business deal arranged behind closed doors that was less about the direct exchange of money and more about a mutually advantageous agreement comprising money-adjacent benefits, resulting in the appearance of a branded prop in a film that was not demarcated as advertising and rather categorized like any other film of its time. Sunlight Soap would appear in at least one other Lumiére actualité—*Défilé du 8e Battalion* (Girel, 1896), in which "a wheelbarrow displaying the Sunlight Soap logo and

[5] Jay Newell, Charles T. Salmon, and Susan Chang, "The Hidden History of Product Placement," *Journal of Broadcasting & Electronic Media* 50, no. 4 (December 2006), 579.

[6] Newell, Salmon, and Chang, "Hidden History," 579-580.

accompanied by a tuxedoed Lavanchy-Clarke is placed in the foreground between the camera and the parade"—inaugurating the practice of product placement.[7]

Not one to be outdone by their French counterparts, the Edison Company began incorporating advertising into their early silent shorts as well. In fact, Newell, Salmon, and Chang credit Edison with turning "product placement into an ongoing business that provided twin benefits of reducing out-of-pocket production expenses while providing promotional services for customers of his industrial businesses."[8] As Newell, Salmon, and Chang note, sometimes these films more closely resembled "commercials than product placements,"[9] as was the case with a 50-second short produced at Edison's Black Maria studio in July 1897 that featured an array of male smokers placed in front of a prominent Admiral Cigarettes billboard.[10] But in other cases, Edison pioneered two important forms of early product placement: 1) travelogues whose subject cities, states, and countries covered the costs of production, and 2) railway films, which were carefully attuned to the interests of potential railway passengers and, as described by Newell, Salmon, and Chang, were perhaps the first product placements resembling an ouroboros:

> Edison's film crews were provided transportation by the same rail lines that purchased railroad equipment from Edison's manufacturing division. The films in turn promoted the consumer purchase of rail tickets in the competitive passenger market. Transportation services of little direct use by the audience were rarely shown. Of the 52 Edison films featuring trains, only two trains were freights, and one of those freight trains displayed a banner promoting the freight service. Edison films also were not beyond self-promotion. The 1905 *Streetcar Chivalry*

[7] Newell, Salmon, and Chang, "Hidden History," 580.

[8] Newell, Salmon, and Chang, "Hidden History," 580.

[9] Newell, Salmon, and Chang, "Hidden History," 580.

[10] Charles Musser, *Edison motion pictures, 1890–1900: An annotated filmography* (Washington, DC: Smithsonian Institution Press, 1997).

> takes place in a commuter car placarded with posters for Edison products such as phonographs.[11]

Edison railway films like *Streetcar Chivalry* and 1899's *A Ride Through the Pack Saddle Mountains* aided in the development of two hallmarks of contemporary product placement: mutually beneficial business deals with outside companies to place their products (in this case, trains), and the promulgation of the horizontally-integrated studio's non-filmic products (in this case, Edison phonographs)—one can draw a pretty direct line from Edison's train car posters to the VAIO laptops in the Sony-distributed James Bond film *Skyfall* (Sam Mendes, 2012).

While much remains unclear about product placement's evolution in the first twenty years of the 20th century, scholarly interventions on filmic advertising often point towards two adjacent developments: slide advertising and industrial filmmaking. Kerry Segrave concedes that the former form of advertising—wherein still image slide advertisements were projected on screen before, between, and after film showings—has "never held more than a minor position in cinemas."[12] While they were not entirely uncommon in the early days of cinema, slide advertisements eventually became less common as "the plush cinema houses, or palaces, replaced the lower-class nickelodeons and as the large cinema chains formed up—usually with a policy against running any slide ads." However, slide advertisements "never entirely disappeared, but typically they were screened only in second- and third-run neighborhood venues, and only on the rare occasion that they did (in the past and in the present) they never used them for a national advertising campaign." Instead, "they would make an area or a regional

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[11] Newell, Salmon, and Chang, "Hidden History," 580.

[12] Kerry Segrave, *Product Placement in Hollywood Films: A History* (Jefferson: McFarland, 2004), 3.

buy of slide ads."[13] Still, I argue that the occasional appearance of even clearly demarcated advertising helped set the stage for product placement's later boom—even the major cinemas were never quite as ad-free as they claimed (more on this in Chapter 3), and later in-theater advertising would even occasionally work hand-in-hand with product placement to further showcase branded props that had appeared on screen, making slide ads an important precursor to widespread product placement.

Industrial filmmaking, on the other hand, would prove a much livelier fledgling market. Though the practice did not truly take off in earnest until the end of the first World War, numerous manufacturers produced one-reel advertising films that mirrored the length of entertainment films in the early silent era. American industrial filmmakers in the 1896, for instance, included Maillard's Chocolates, Columbia Bicycles, Hunter's Rye Whiskey, Piel's Beer, and Dewar's Scotch whiskey. By 1900, Admiral Cigarettes, Lever Brothers, Pabst's Milwaukee Beer, and Nestlé entered the fray, with Biograph even producing advertising films for Shredded Wheat Biscuits and Mellin's Baby Food in 1903. Industrial filmmaking gained greater prominence in the following two decades, with an early success "pioneered" by the National Cash Register Company and International Harvester Company in between the years of 1909 and 1911.[14] In the 1910s and 1920s, manufacturers and the U.S. government distributed advertising films which sought to intermix drama and commerce to rural markets:

> Producers of these films included International Harvester, the U.S. Department of Agriculture, and the YMCA. From 1914 to 1921, Ford Motor Company created a series of newsreels titled Ford Animated Weekly and Ford Educational Weekly. A typical serial included Model T races and news footage that sometimes incorporated Henry Ford meeting with government officials. These advertising

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[13] Kerry Segrave, *Product Placement in Hollywood Films*, 4.

[14] Segrave, *Product Placement in Hollywood Films*, 5-6

> films were distributed at low cost to exhibitors and found an early acceptance in small towns, with Ford claiming a viewership of 3 million per week.[15]

While other industrial films also found success in traditional theatrical spaces (especially in the United Kingdom, where Vickers was said to have distributed its film *Bristol*, which detailed the process of making Fry's cocoa and chocolate, to some 700 British theaters), other films premiered in non-theatrical spaces like retail stores—in the 1920s, the Bureau of Research and Information of the National Retail Dry Goods Association reported screening educational films about the manufacturing processes of such products as "cotton goods, electrical appliances, fountain pens, hats, shoes, silks, silverware, soaps, and wooden goods" in 250 stores for 100,000 employees, with additional screenings held in 26 schools and various "local associations."[16]

This rise of industrial films in the 1910s and 1920s is an important antecedent for the rise of product placement because 1) it established connections between filmmaking industry personnel and product manufacturers that would later be exploited through product placement, and 2) it helped create a powerful public association between Hollywood and American trade. Though it would require a leap of faith to argue a one-to-one chain of cause-and-effect, Segrave notes that "paralleling the development of the industrial film was the increasing prevalence of and belief in the idea that the motion picture could be a powerful tool in selling American goods—not just in the home market but anywhere and everywhere abroad that American movies screened."[17] This argument was often made, publicly, by film industry personnel, product

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[15] Newell, Salmon, and Chang, "Hidden History," 581.

[16] Segrave, *Product Placement in Hollywood Films*, 6-7.

[17] Segrave, *Product Placement in Hollywood Films*, 7.

manufacturers, and government officials alike. In 1927, Paramount's head of sales delivered a speech to a group of Harvard students that promoted the invisible selling power of films:

> If you investigate the automobile situation you will find that the American automobiles are making terrific inroads on foreign makes of cars and that the greatest agency for selling American automobiles abroad is the American motion picture. Its influence is working insidiously all the time and even though all this is done without any conscious intent, the effect is that of a direct sales agency.[18]

Even Will Hays, notorious sponsor of the Production Code, publicly bought into the movies' ability to increase global sales power in a 1930 radio speech: "Motion pictures perform a service to American business which is greater than the millions in our direct purchases … The industry is a new factor in American economic life and gives us a solid basis of hope for the future by creating an increase in demand for our products."[19] In many ways, the tide would later (and very quickly) turn on cinema's role in consumerism—or rather, how explicit of a role cinema should play in consumerism—but the era shortly before the Great Depression was rife with optimism for cinema's capacity to allure and move product.

Perhaps no single document more greatly evidences the magnetism of this economically-empowering argument than "What Are Motion Pictures Doing for Industry?," a 1926 article published by Julius Klein, director of the United States Bureau of Foreign and Domestic Commerica, in *The Annals of the American Academy of Political and Social Science*. Klein forcefully opens his article: "Motion pictures are the latest form of silent salesman, not so much perhaps for the goods of some individual firm as for classes and kinds of goods as a whole." For

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[18] Sidney R. Kent, "Distributing the Product," in *The Story of the Films: As Told by Leaders of the Industry to the Students of the Graduate School of Business Administration, George F. Baker Foundation, Harvard University*, ed. Joseph P. Kennedy (Chicago: A. W. Shaw Company, 1927), 209-210.

[19] Charles Eckert, "Carole Lombard in Macy's Window," in *Fabrications: Costume and the Female Body*, ed. Jane Gaines and Charlotte Herzog (New York: Routledge, 1990), 104.

Klein, the consumerist power of the movies was twofold: “They likewise have a tremendous effect in promoting knowledge not only among the buying public, but among the selling members of the various trades themselves as to the processes by which commodities are manufactured, as to factory conditions and as to the mechanisms of distribution, all of which has great ‘institutional’ value as defined in the advertising sense of the word.”[20] In this sense, institutional films granted business-oriented legitimacy to the movies: they served as bright, shining examples of the supremacy, organization, scale, and openness of American industry, both “educating” their spectators about various facets of business while also wholeheartedly promoting acceptance of the consumerist society that supported said industry. Klein labeled industrial films “the essential medium” for “developing trade and increasing sales.” But just as important was their more widespread (and mainstream) counterpart: “In spite of the fact that there is no conscious trade propaganda in the entertainment picture—perhaps indeed partly because of that fact—it is proving a considerable force in helping to arouse on the part of the buying public a desire for the many types of products most commonly shown on screen.”[21] With this statement, Klein (perhaps unknowingly) pinpoints a central facet of product placement’s future: an aura of plausible deniability with regards to intentional advertising which in turn made the infiltration of “hidden” branded props incredibly alluring for product manufacturers. Klein backed his claim with hard evidence: word from the “Commercial Attaché of the Department of Commerce in Rio” that cinematic appearances of California bungalows and outdoor swimming pools directly led to a rise in popularity of both in Brazil, American styles of clothes and shoes gaining traction in the “Near East,” worries in Britain that the dominance of American movies in

[20] Julius Klein, “What Are Motion Pictures Doing for Industry?” *The Annals of the American Academy of Political and Social Science* Vol. 128 (Nov. 1926), 79.

[21] Klein, "What Are Motion Pictures Doing for Industry?" 79.

theaters across the globe was "causing losses to her trade in favor of American firms in many markets." Klein puts it most simply when he co-opts a reportedly popular phrase of the era: "trade follows the film."[22]

Arguments like Klein's, as well as the veritable success of both the industrial film and the entertainment film, paved the way for two forms of cinematic advertisement: 1) the short ad film, which would slot into ticketed theatrical programming blocks and caused much public furor in the early 1930s (a strain of discourse that is covered in detail in Chapter 3), and 2) the tie-up, a budding form of product placement which sought to closely link Hollywood's growing roster of beloved stars with American consumerist culture's burgeoning inventory of venerated brands beginning in the 1920s but flourishing by the early 1930s (and, likewise, causing much public fury). If the primary motivation for early product placement was lowering the costs of production, Newell, Salmon, and Chang argue that the tie-ups introduced an additional benefit to the fold—free publicity:

> [C]ooperative promotional arrangements between outside manufacturers and movie makers, in which on-screen product appearances or star endorsements were traded for advertising and promotions paid by the manufacturer. It was seen as a winning arrangement for both parties, as the motion picture industry benefitted from increased ticket sales due to enhanced advertising for their pictures while manufacturers obtained screen exposure for their products and a marketing edge by connecting their products to celebrities.[23]

The tie-up's additional value—not only saving money on props, but also saving money on promotion (or even increasing the reach of promotion)—was an important one because 1) it further formalized the process of product placement, and 2) it served as a model for how to

[22] Julius Klein, "What Are Motion Pictures Doing for Industry?" 79.

[23] Newell, Salmon, and Chang, "Hidden History," 582.

handle product placements without directly exchanging money, as payments for placements were widely frowned upon. Additionally, this model would prove influential—when *E.T.* brought product placement into the eye of the mainstream in 1982, its paradigmatic placement was negotiated via the tie-up: the Hershey Company did not pay production companies Universal and Amblin for the right to place Reese's Pieces in the film but rather launched a million-dollar co-advertising campaign featuring the titular extra-terrestrial and his favorite candy as lateral remittance.

Tie-ups in the late 1920s and early 1930s were originally quite similar to later forms of product placement. A 1929 editorial in *The New York Times* offered the broad details of early tie-ups: "Articles to be advertised are offered as props for films in the making. Automobile manufacturers graciously offer the free use of high-priced cars to studios. Expensive furnishings for a set are willingly supplied by the makers, and even donated as permanent studio property. For kitchen scenes the manufacturers of nationally advertised food products fill cupboard shelves."[24] Central to these agreements between film studios and manufacturers was the cinematic appearance of the product, though instant recognition was not always guaranteed, even in the early, oft-sensationalized advertising blitz, as detailed here by a Hollywood advertising agent in the pages of *Sales Management:*

> Some time ago I dressed the window of 'Tolder's Drug Store' on RKO's *Age of Consent* set, using conspicuous showcards and cutouts of Dr. West's products and Bromo-Seltzer (two of my accounts). Considerable action of the drama took place before these windows and that was all to the good. But when the action swung inside the 'store' there were many long shots, hence the counter racks, labels, etc., which I had planted were almost illegible when the picture was projected. On this same set, I had hung a Coca Cola electrolier well to the rear; its lettering was nearly undecipherable; yet the familiar design and trade mark got across, since it

[24] "Breaking into Movies," *New York Times*, August 23, 1929, 12.

> was in full view of the audience for about one-half hour of screening time.[25]

Yet if the covert qualities of these appearances were the result of intentional obfuscation and shame, it was not always clear in the popular press, which promoted tie-ups as an integral member of any producer, distributor, and, especially, exhibitor's marketing armory. Justification for such tie-ups was often made on the grounds of financial hardship, as was the case with a 1932 *Film Daily* column, authored at the height of the Great Depression: "The period of economic stress has forced showmen more and more to the realization that extensive exploitation methods are necessary to overcome public inertia, and get the crowds into the theater."[26] These exploitation methods included newspaper advertisements, showy marquees, alluring posters, pressbooks filled to the brim with "practical, workable ideas" for promotions, and, of course, tie-ups:

> The merchandising tie-ups have been placed on a scientific basis. Working right with the manufacturers of a given product, complete and exhaustive campaigns are available on any big feature that ties the exhibitors show up directly and compellingly with the nationally advertised product right in the theater man's own town. The impetus and prestige of million-dollar national manufacturer campaigns are at the exhibitors' disposal.[27]

The array of products showcased around this time period included Coca-Cola in *Dinner at Eight*, Buick cars in various Warner Bros. Pictures, a long list of products manufactured by Lever Brothers, Shell Oil, and Standard Brands in the *Our Gang* serials, DeBeers diamonds through

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[25] *Sales Management*, October 1, 1933, quoted in Eckert, "Carole Lombard," 113.

[26] Jack Harrower, "Exploitation," in *The 1932 Film Daily Year Book*, ed. Jack Alicoate (Los Angeles: The Film Daily, 1932), 103.

[27] Harrower, "Exploitation," 105.

arrangements made via N. W. Ayer Advertising, and Chesterfield cigarettes in *You'll Never Get Rich*.[28]

Soon, however, product placement would not disappear, but rather enter a generally more clandestine period. Part of this was due to the more widespread usage of advertising films, which were not always clearly advertised as being part of paid programming blocks and which, by association, brought any other form of advertising under more scrutiny. Here's one such example of guilt by proximity from the pages of *Film Daily* about the Jackie Cooper vehicle *Skippy* (Norman Taurog, 1931): "Local co-operative advertising, now that the public is wise to the ad shorts, also frequently gives prospective patrons the impression that the feature, as well as the short, may be a commercial picture. This reaction was felt on Skippy, according to Lem Stewart of Publix, and as a result exploitation hook-ups with articles or merchandise are being discouraged by the circuit."[29] Pressure from vocal critics like P.S. Harrison eventually led to public disavowals of any form of advertising from numerous studio heads (for more on this public discourse, see Chapter 3), but it most certainly did not result in the studios fully abandoning screen advertising.

Instead, some of the easier-to-spot tie-ups went further subterranean, while others were placeable without raising much commotion. Charles Eckert summarizes the approach taken by "the two most powerful studios," MGM and Warners:

> Determined not to rekindle the controversies of 1931, these two studios evolved a form of tie-up that revolutionized sales and publicity—and permanently affected the character of films. The keystone of the method was a contractual agreement with a large established manufacturer. If the product would seem blatantly displayed if shown in a film—a bottle of Coca-Cola, for instance—the contract

[28] Newell, Salmon, and Chang, "Hidden History," 582-583.

[29] "Ad Shorts Clash with Local Tie-Ups," *The Film Daily*, May 4, 1931, 2.

> provided merely for a magazine and newspaper campaign that would employ pictures and endorsements of stars, and notice of recent studio releases.[30]

In one such deal from March of 1933, MGM and Coca-Cola agreed to a $500,000 advertising blitz dually promoting the studio's stars and films and the soda company's iconic pop. As Eckert continues, however, there were other products "that could be prominently displayed in films without arousing criticism, except from the most knowledgeable. Warner's tie-up with General Electric and General Motors provided both for the use of Warner's stars in magazine ads and for the display of appliances and autos in films." Appearing in numerous Warner Bros. films of the 1930s was the "GE Monitor-top refrigerator," while Buick automobiles were showcased in Warner films like *Gold Diggers of 1935*, *Go Into Your Dance*, *The Goose and the Gander*, *A Night at the Ritz*, and *In Caliente*.[31] Eckert claims this system—avoiding the most obvious branded insertions in favor of dual national advertising campaigns while occasionally placing branded products as "sparingly and as realistically as possible"—was widely adopted by the major studios throughout the 1930s.[32] Instead of disappearing entirely in response to harsh public criticism, then, the tie-up altered forms, slashing or supplementing the studios' promotional costs, and still on occasion saving spending on props thanks to the insertion of branded products.

It is this pattern that would hold through the rest of the decade and the 1940s—tie-up newspaper and magazine advertising campaigns remained consistently strong, while in-film product placements were less abundant and less overt but still of use to studios. (And, as discussed in Chapter 3, product placements would occasionally have eras of "overstepping" that

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[30] Eckert, "Carole Lombard," 114.

[31] Eckert, "Carole Lombard," 114.

[32] Eckert, "Carole Lombard," 117.

would again draw the outrage of critics like Harrison.) That does not mean, however, that there were not new developments. As Newell, Salmon, and Chang write, “The use of tie-ups was regularized throughout the 1930s.” Perhaps the most important change noted by the three scholars was the solidification of relationships between the studios, product manufacturers, and advertising agencies. By 1931, at least one agency was pioneering an early version of the sort of service product placement marketers would offer in the practice’s boom era: ”The Walter E. Kline Agency in Beverly Hills provided studio executives with multiple-page lists of products available for on-screen use in motion pictures, including Remington typewriters, IBM tabulating machines, Singer sewing machines, and appliances from General Electric. Products were offered rent free in return for publicity stills for use in manufacturer’s advertising.”[33] Some advertising agencies began employing specialists in the art of the tie-up, and by “the end of the 1940s there arose a name for the product placement specialist at public relations firms and advertising agencies: the exploitation agent.”[34] A key difference between the arrangements of this era and the arrangements of the 1980s, however, was that the primary focus of the deal was predicated on the off-screen advertising—the studios received cost-free promotion and the occasional free prop, while the selling via stars was to a large extent done through magazines and newspapers rather than the films.

Though product placements became more central to the agreements made in the 1950s and 1960s—and, in some rare cases, more directly lucrative—one key factor in product placement’s mainstream emergence was still yet to take shape: the advent of the product placement marketing company. Instead, deals for tie-ups and product placements were arranged

[33] Newell, Salmon, and Chang, “Hidden History,”, 584

[34] Newell, Salmon, and Chang, “Hidden History,”, 584.

with larger PR firms, advertising agencies, or directly with the manufacturers themselves. Newell, Salmon, and Chang lay out the landscape here, using an illuminating primary document from 1959:

> The extent to which product placements had become a regular feature of the motion picture production process by the 1950s and 1960s can been seen in a confidential Columbia Pictures contact list for "Tie-up Merchandise." The list contains products, names, and addresses from 43 companies, including Zenith televisions, Dictaphone, Ekco housewares, and General Electric appliances. About half of the companies were represented in Hollywood by public relations firms, with Hill and Knowlton the most frequently appearing source. Advertising agencies were a minority presence on the list: J. Walter Thompson's Los Angeles office continued a movie tie-up campaign that began in the 1920s for Lux soap, and D'Arcy offered Budweiser for on-set use. The remainder of the companies provided contacts for their in-house marketing or advertising departments. From the notations on the list, the use of trade-marked products in motion pictures was an ongoing process: Food company Wonder Bread kept dummy loaves in stock, and other companies promise that they could deliver trademarked props to sets on 3 hours' notice.[35]

By this point, it was clear that product placement—and not just off-screen tie-up advertising campaigns—was a relatively routine practice carried out by studio personnel and outside marketers in tandem. But the act of procuring product placement was still broadly decentralized, with studios having to work with many different firms and companies to obtain an assortment of branded props. In this passage, Newell, Salmon, and Chang detail one such attempt at acquiring product placement contracts for the Kirk Douglas-Kim Novak drama *Strangers When We Meet* (Richard Quine, 1960):

> Throughout 1959 and part of 1960, Columbia publicist Marty Weiser worked to create a cascade of tie-ins among housing manufacturing companies, meeting with representatives of 37 companies, including Weyerhauser, National Oak Flooring, and Mohawk Carpets. According to internal Columbia memos, the companies were promised, explicitly and implicitly, that their goods would be

[35] Newell, Salmon, and Chang, "Hidden History," 588.

> shown both in the movie and in a featurette on the construction of the house, narrated by Ernie Kovacs. In addition, the stars of the movie would pose for advertising shots with the products.[36]

This style of product placement procurement would not disappear in the future, especially once product placement proved to be increasingly attractive as not just a form of money-saving (or money-shifting) but also of money-raising. But it would, by the 1980s, become a much less dominant approach, with companies exclusively focused on product placement streamlining the process and enabling a massive leap in scale, as the studios need only communicate with one company—the product placement marketer—to secure a wide array of placements instead of arranging many smaller deals with various firms and manufacturers, thereby saving on transaction costs.

In most histories of product placement, this would mark the moment analysis shifts from the practice's nascent decades to its mainstream emergence in the 1980s. But such histories often leap over how product placement went from an increasingly prevalent practice to a standardized, highly specialized industry that saved (and eventually raised) enough money to become a customary facet of film production at almost all levels of the industry. In these next two sections, then, I aim to bridge this gap, first by exploring changes in the film industry that made product placement's cost-cutting measures more attractive (and essential) than ever before, and then by exploring the rise of companies that enabled the studios and product manufacturers to capitalize on the potential of the practice.

The Film Industry

The Classical Hollywood studio system was solidified via oligarchic control married to sturdy methods of risk mitigation. The five major studios (Paramount, Loew's MGM, Warner

[36] Newell, Salmon, and Chang, "Hidden History," 588.

Brothers, Fox, and RKO) secured vertical integration of the film industry, holding dominion over the realms of production, distribution, and exhibition. If you consider the other three largest studios (United Artists, Universal, and Columbia), just eight studios "collected about 95 percent of all film rentals paid to national distributors."[37] In terms of exhibition, the Big Five studios exerted incredible control: "Of the eighteen thousand theaters operating in the United States in 1945, the five integrated companies either owned or controlled only three thousand, but this number represented the best first-run houses in the metropolitan areas. The ownership of these first-run outlets carried overwhelming economic power in that they account for nearly 70 percent of the nation's box office receipts."[38] This overwhelming control, in turn, made independent production incredibly difficult without approval from the majors and their theaters, as in "order to secure financing from banking institutions, independents had to guarantee national distribution and access to better-class theaters."[39] Major studio control over the exhibition market was further entrenched by the oft-controversial but entrenched practice of block booking—in order to receive access to a studio's biggest, most popular, and potentially profitable films, theaters independent from the studios were forced to agree to take on a large "block" of yet-to-be-produced films that would comprise the studio's entire yearly slate including smaller pictures, future bombs, and shorts. As Balio writes, "Block booking enabled the major studios to function at capacity with the assurance that even the poorest picture would be bought. This, in turn, helped them secure a flow of production financing. As a long-term policy, block booking in preempting exhibition

[37] Tino Balio, "Part III: A Mature Oligopoly, 1930-1948," in *The American Film Industry*, ed. Tino Balio (Madison: University of Wisconsin Press, 1985), 254.

[38] Balio, "A Mature Oligopoly," 254-255.

[39] Balio, "Mature Oligopoly," 254.

playing time stifled competition by closing the market to independent producers and distributors."[40] It was this vast control of the various stages of the industry, combined with risk mitigation strategies like block booking (and other, similar approaches like the run-zone-clearance system, wherein the studio-owned theaters in major metro areas would exhibit films for a certain amount of time before they were exhibited in less-populated areas or independent theaters) and the medium's centrality in the sphere of American recreational entertainment, that allotted the major studios the comfort to produce a wide array of big-budget A films and a steady stream of lower-budget Bs without serious worry over dire financial results at the box office.

The situation changed, however, in the years following the decision made in 1948's Hollywood antitrust case *United States v. Paramount Pictures, Inc.*, whose resulting Paramount Decree effectively put an end (ten years later) to the strategies of vertical integration and risk mitigation that proved so successful in limiting significant control of the film industry to a small number of major studios. The decision not only forced the studios to divest from their first-run theaters, but it also put an end to practices the court found to be anti-competitive like block booking. In doing so, the studios not only lost out on its most essential strategies of risk mitigation, they also could no longer rely on the exhibition market supplying a steady stream of revenue they could use to finance their production wings.[41] While this did not evict the studios from the realm of production, it did more clearly center their business strategy on distribution. As a result, productions were often overseen by other independent production companies with support provided by the major studio distributors. Michael Conant claims this "increase in the

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[40] Balio, "A Mature Oligopoly," 258-259.

[41] Arthur De Vany, *Hollywood Economics: How extreme uncertainty shapes the film industry* (New York: Routledge, 2004), 41.

number of independent producers" was "the most significant impact of the Paramount Decrees on motion picture production."[42] Tom Schatz offers this portrait of the resulting production landscape:

> The studios concentrated on financing and distribution rather than production. Lacking the financial resources and contract talent to mass-produce movies for a declining market they no longer controlled, the studios now relied on independent producers to supply "packaged" projects that the studios would "green light" for production, putting up some portion of the budget in exchange for the distribution rights, and often leasing out their production facilities as well. This meant ceding creative control to independent producers and freelance directors, and also to top stars whose "marquee value" gave them tremendous leverage and frequently a share of the profits. This also gave considerable power to the leading talent agencies like William Morris and MCA, with the latter becoming particularly adept at setting up independent companies for its clients. The studios still generated their own films, but they produced fewer, "bigger" pictures — biblical epics and wide-screen Westerns during the 1950s, for instance — which made more sense economically and laid the groundwork for the blockbuster mentality that now prevails.[43]

Though one might initially view this as a major gain for the independent producers who were frequently shut out of the industry by the studio system practices that were later outlawed by the Paramount Decree, the new landscape both provided greater opportunity to independent producers while also saddling them with the majority of the risk—a focus on distribution, in fact, allowed the same studios named in the *Paramount* case to still distribute "76 percent of the films that earned $1 million or more in rentals" in 1970, and 89 percent of the films that crossed that financial barrier in 1978.[44] Independent producers might reap major rewards or bear the brunt of

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[42] Michael Conant, "The Paramount Decrees Reconsidered," in *The American Film Industry*, ed. Tino Balio (Madison: The University of Wisconsin Press, 1985), 544.

[43] Tom Schatz, "The Studio System and Conglomerate Hollywood," in *The Contemporary Hollywood Film Industry,* ed. Paul McDonald et al. (Malden: Blackwell Publishing, 2008), 16.

[44] Conant, "Paramount Decrees Reconsidered," 552.

a disastrous box office bomb—the studios, on the other hand, might have had the ceilings on their successes capped lower, but the floor of a disaster was kept higher by this mitigation strategy.

And in some ways, one might argue that the Paramount Decision actually provided crucial aid to the studios in a time of crisis, divorcing them from their theaters shortly before theatrical exhibition faced its biggest challenger yet: the advent of the home television set, which brought numerous significant alterations of its own to the film production landscape. Tino Balio summarizes these changes thusly:

> To rekindle interest in the movies, Hollywood adopted the adage "We'll give them something television can't." Television viewing habits became pretty much established during the fifties; a direct connection existed between age and the amount of time spent watching the tube. The movies had lost most of the adult audience for good economic reasons: first, the cost of watching television for a consumer who had already purchased a set was negligible compared to the price of a theater ticket; second, frequent program changes provided variety; and third, television was convenient—it could be viewed in the most informal circumstances, without effort, and in the comfort of one's home. The motion picture industry, as a result, decided to differentiate its product and make the most of its natural advantages over its rival. It would adopt the policy of the big picture.
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> Roughly, the formula became "Make Them Big; Show Them Big; and Sell Them Big." Making them big meant investing in literary properties that were pretested and presold, such as best-selling novels, Broadway hits, and even successful television dramas. Showing them big meant presenting pictures in a spectacular fashion, using wide-screen and wide-film processes such as CinemaScope, Todd-AO, and Panavision. Selling them big meant long runs in roadshow situations, backed by custom-made exploitation and promotion campaigns.[45]

In essence, this meant that fewer films—produced at higher budgets, without the security blanket provided by block booking, run-zone-clearances, and a consistent supply of B films—entered the

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[45] Tino Balio, "Introduction to Part 1: Responding to Network Television," in *Hollywood in the Age of Television*, ed. Tino Balio (Cambridge: Unwin Hyman, 1990), 23-24.

most competitive market the movies had faced in decades: as the movies grew bigger, so did the risk involved in making them.

It is this high level of risk that Arthur De Vany posits as the defining feature of the post-classical Hollywood film industry. Movies, the author argues, are not an exact science: cycles of popularity emerge and dissipate without obvious rationale, and every film—no matter how similar to prior films—brings its own unique set of circumstances, selling points, and potential problems. Though the film of the 21st century often lives and dies by the box office results of the opening weekend, empirical data from most of the 20th century indicated that movies needed extended time on screen to build their audience—the longer a film ran on screen, the smaller the risk of it losing money. Run-zone-clearances and block booking were practices explicitly meant to ensure lengthy stays on theatrical screens. In the newly competitive market, a protracted release generating word-of-mouth buzz was no longer guaranteed, as movie theaters were not strictly beholden to the product of the studios. And, of course, heightening these risks was the fact that a majority of the costs of film production and distribution occur well before the film is exhibited—though these stages are not conducted with a totally blind eye towards the future, much can change and much remains unknown while the film incurs those costs. De Vany puts his argument most simply when he says, "The crucial factor is just this: nobody knows what makes a hit or when it will happen." Instead, when a movie "starts to roll, everything must be geared to adapt successfully to the opportunities it presents. A hit is generated by an information cascade. If supply can ride the cascade, a superstar might be the result." Likewise, a "flop is an information bandwagon too; in this case the cascade kills the film. The discovery of preferences, the transmission of information, and state-contingent adaptation are the key issues around which the motion picture market is organized."[46] In De Vany's view, then, the post-*Paramount* film industry is predicated upon an unpredictable, often risky feedback loop—previous blockbusters and bombs provide critical data points the studios use to shape their future decisions, but no combination of data points will ever provide an entirely clear picture of a film's future.

It was in this new environment that the studios would have to find new methods of managing risk, of which there would be many. Two were already mentioned in this chapter: 1) the major studios shifted their focus to distribution, providing partial funding for many of their releases while offloading much of the upfront risk to independent producers; 2) studios, as they had for time immemorial, attempted as best they could to follow prior successes and avoid repeating past mistakes. These two broad strategies for risk management took shape most directly as the "package-unit" system, "where each film is mounted by a new and one-off collection of talent rather than assembled from studio labor already under contract."[47] While this was, at a baseline, certainly a significant degree risker than the classical studios' guarantees of future product from a steady stable of proven directors and famous stars, the package-unit system sought to mitigate risk through the one-off usage of, well, proven directors and famous stars (though De Vany and W. David Walls dispute the actual power stars hold in predicting future box office revenue).[48]

Perhaps no risk-mitigating factor brought wider-ranging changes to the industrial landscape than the vast mergers and conglomeration that effectively had the studios attempting

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[46] De Vany, *Hollywood Economics*, 42.

[47] J.D. Connor, *The Studios after the Studios: Neoclassical Hollywood (1970-2010)* (Stanford: Stanford University Press, 2012), 12.

[48] Arthur De Vany and W. David Walls, "Uncertainty in the Movie Industry: Does Star Power Reduce the Terror of the Box Office?" *Journal of Cultural Economics* 23 (1999), 285-318.

to return to some semblance of their vertical integration past while also slotting them into the horizontal integration of the future. Douglas Gomery identifies this era as beginning in "July of 1969 when Ross's Kinney Corp. took over Warner—Seven Arts at a cost of $400 million and renamed it Warner Communications, Inc." In the ensuing decade, "Ross expanded the divisions of the company to embrace all new forms of release," effectively creating "the late twentieth-century prototype media conglomerate as Warner pioneered cable TV's Home Box Office, and took Hollywood companies into the business of directly operating cable TV systems." For Ross, Gomery claims, "these new TV technologies were not to be fought but embraced, for they were simply more outlets for Warner Bros.' Hollywood studio productions."[49] Though the studio would never regain control of theatrical exhibition, it looked to approximate vertical integration by controlling the other new means of exhibition, a trend which continues in the current era of the studio's HBO Max streaming service. This would prove to be another form of risk management—while theatrical exhibition would overwhelmingly remain the primary source of revenue for the studios' output, risk was mitigated through television deals, home video products, and, eventually, streaming, often in tandem with companies owned by the studios themselves. But in addition to this near-vertical integration, movie studios were often purchased by much larger corporations who made products across various industries—Columbia, for instance, was purchased by the Coca-Cola Corporation for $750 million in 1982, despite the soda company's complete lack of experience in producing films (though, of course, it had experience working in the films thanks to product placement and tie-ups).[50] Seven years later, Coke would

[49] Douglas Gomery, "Hollywood corporate business practice and periodizing contemporary film history," in *Contemporary Hollywood Cinema*, ed. Steve Neale and Murray Smith (London: Routledge, 1998), 52.

[50] "The Reel Thing: Coke's Brief-Yet-Profitable Foray into Show Business," *Coca-Cola Journey*, August 29, 2016, https://www.coca-colajourney.co.nz/stories/the-reel-thing-coke-s-brief-yet-profitable-foray-into-show-business.

sell Columbia to the horizontally integrated Japanese firm Sony for $3.4 billion.[51] This corporate strategy shielded box office bombs from outright disaster by having the company's other companies and products serve as buoys—and the film studios also proved an attractive vehicle of cross-promotion for those same companies and products.

I argue in the next section that this landscape would prove to be an ideal incubator for product placement. If Hollywood was on the lookout for methods of risk management, few were quite as proven as product placement, which had been a steady if quiet presence in Hollywood nearly since film was invented. For the independent producer, branded props would prove an effective way of managing costs, especially when provided at the scale made possible by product placement marketing companies—and later an expected way of raising pre-release revenue. For the distributor, product placements often came paired with the same sort of tie-up advertising campaigns made popular in the 1930s, saving advertising money in an era in which marketing your film became more important than ever. The conglomeration of Hollywood aligned the movies ever closer with other industries. And, perhaps most importantly, product placement itself became a more attractive method of advertising as 1) the movies became more closely packaged around the sorts of proven stars attractive to advertisers and 2) movies took on second lives on television (and later home video and streaming). But in order to achieve the kind of scale necessary to make a newly significant impact in Hollywood, a novel sort of company first had to come into existence.

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[51] Paul Richter, "Sony to Pay $3.4 Billion for Columbia Pictures : Japanese Firm Willing to Offer High Price to Get Film, TV Software for Video Equipment It Makes," *Los Angeles Times*, September 28, 1989, https://www.latimes.com/archives/la-xpm-1989-09-28-mn-361-story.html.

Product Placement Emerges

If product placement had its coming-out party with the release of *E.T. the Extra-Terrestrial* in June of 1982, the product placement marketer had their own mainstream coronation in November of 1982 when Janet Maslin detailed the newly important role in the pages of *The New York Times*. The famed critic opens the piece with a listing of recent prominent placements: Wheaties in *Rocky III* (Sylvester Stallone, 1982), Bertolli Olive Oil in *North Dallas Forty* (Ted Kotcheff, 1979), various brands of beer in *Honeysuckle Rose* (Jerry Schatzberg, 1980). She then reveals the man behind the curtain: "These touches are the handiwork of an up-and-coming entrepreneur called the product placer, whose business it is to make sure that moviemakers and manufacturers enjoy a close, symbiotic relationship." Though Maslin claims that in "the days when Hollywood cared more for elegance, this might not have been possible," she asserts that "nowadays it's becoming an organized process, and the brand-name products that turn up as movie props are less and less likely to have landed there by accident."[52] Maslin spends the rest of the piece detailing the role of the product placer (from combing scripts and arranging business deals to ensuring the actual placement of branded props), exploring the larger community (much is made of a Plaza Hotel seminar that went by the title "How to Market Your Product in Motion Pictures ... and Turn the Silver Screen Into Gold!"), and focusing in particular on one product placer: Robert Kovoloff, of Associated Film Promotions, who delivers the piece's money quote when he says, "I only wish that I had started this kind of organization earlier. It's too bad there was no professionally organized product representation in the old days of movies. You know, when Clark Gable appeared without an

[52] Janet Maslin, "Plugging Products in Movies as an Applied Art," *New York Times*, November 15, 1982, https://www.nytimes.com/1982/11/15/movies/plugging-products-in-movies-as-an-applied-art.html.

undershirt in 'It Happened One Night,' undershirt sales went down. I'd like to see a T-shirt on every star and a logo on every T-shirt."[53] Kovoloff had only founded his product placement company five years earlier, yet here he was, emboldened enough to enter the pages of the Gray Lady proclaiming a desire to alter cinema history in the name of brazen commercialism.

Of course, as detailed earlier in this chapter, the actual story of Golden Age product placement was much more complicated—it waxed and waned in usage, though even at its height it was still often seen as an ancillary benefit from tie-up marketing campaigns. In the 1970s, that relationship definitively shifted: product placement became an attractive venture of its own. The two primary subjects of this section—Prime Time Marketing of Chicago[54] and Associated Film Promotions of Los Angeles—were founded in 1976 and 1977, respectively; according to Kerry Segrave, there were at least 25 similar product placement firms in existence by 1985, including Frank Zazza's Advertising in Movies in Astoria, New York, Warren Weideman's Krown, Inc. in Beverly Hills, California, and Donna Estes and Carol Hilson's International Film Promotions in Pasadena, California.[55] Maslin reported that one speaker at the aforementioned 1982 product

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[53] Janet Maslin, "Plugging Products."

[54] Something to note here: while the majority of these companies were based in Los Angeles, Prime Time Marketing distinguished itself by becoming the predominant product placement marketing company in a burgeoning city for film production: Chicago. Though the city had been an important fixture in the early days of silent cinema, production in the city eventually waned. But as laid out by the *Encyclopedia of Chicago*, the 1980s and 1990s revitalized Chicago-based film production: "In the 1980s Chicago again became a center of moving picture production. Illinois consistently ranked third or fourth among states in dollars spent in film production, much of it in Chicago. Several of the critical and popular successes of the 1980s were filmed in Chicago (*Ferris Bueller's Day Off; The Color of Money; The Untouchables; Planes, Trains, and Automobiles; When Harry Met Sally*), and several feature film directors and actors have returned to shoot films (either wholly or in part) in the Chicago area, including Dan Aykroyd and the Belushi family (*The Blues Brothers, About Last Night, Blues Brothers 2000*), John Hughes (*Sixteen Candles, The Breakfast Club*), and Andrew Davis (*The Fugitive, Chain Reaction*)."; "Film," *Encyclopedia of Chicago*, http://www.encyclopedia.chicagohistory.org/pages/452.html.

[55] Segrave, *Product Placement in Hollywood Films*, 171-177.

placement seminar warned that "Not all proposals for product plugging are on the up and up," and "no one should be asking your companies for money."[56] Yet just a year later, Chuck Ashman, "the newly appointed president of 20th Century-Fox Licensing and Merchandising Corporation," was in the pages of *The New York Times* announcing that his studio wished to forgo the usage of middle men like Kovoloff and sell product placements directly for fees ranging between $10,000 and $40,000.[57] Product placement had quickly gone from an underground practice met with outrage whenever noted in the press to an increasingly bigger business experiencing a mainstream boom.

In this section of the chapter, I seek to more fully unpack this era of product placement history. While every scholar who studies product placement agrees that 1982 is the year in which the practice became widely acknowledged by the public, their historical tracings often speed past the way product placement marketers paved the way for the 1982 breakthrough. Newell, Salmon, and Chang's "Hidden History," for instance, only includes one paragraph about the 1970s:

> By the 1970s, product placement had been regularized to the point that at least one company, Robert Kovoloff's Associated Film Promotions, operated a warehouse stocked with ready-to-go brand-name props. The company claimed to have placed Fisher stereos in *Hot Stuff* (1980), Stetson cowboy hats in *The Electric Horseman* (1979), and Budweiser in *Urban Cowboy* (1980) and *North Dallas Forty* (1979). Anheuser-Busch had even developed a line of historical beer cans for use in period pictures ("New Sophistication," 1979). But the business of product placement was a quiet one, until a hit movie in 1982 made a star of product placement.[58]

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[56] Maslin, "Plugging Products."

[57] Aljean Harmetz, "Fox to Sell Rights to Plug Films," *New York Times*, December 21, 1983, https://www.nytimes.com/1983/12/21/arts/fox-to-sell-rights-to-plug-goods-in-films.html?pagewanted=all.

[58] Newell, Salmon, and Chang, "Hidden History,", 589.

Segrave, on the other hand, offers a detailed analysis of the various companies that emerged in the late 1970s and early 1980s, but that analysis is mostly conducted through industry press and interviews and often waves away any explanatory forces in favor of a simple recounting of facts.

I seek to bridge this gap between product placement's subterranean origins and mainstream emergence by exploring two facets of the product placement marketing companies that came into existence in 1970s/80s, explaining where product placement came from but also where it was headed. I begin by exploring the most typical services offered by these companies: a revival and expansion of the long-established barter system, wherein branded goods were offered to production companies in exchange for placement in films, with the former receiving frequent, clandestine marketing in widely seen and attractive properties and the latter slashing production costs. I argue that these services are the single biggest reason product placement was primed to emerge in the early 1980s thanks to their massive increase in scale: whereas the studios would have to arrange individual deals with a large number of firms and product placement manufacturers if they desired to feature multiple product placements in their films through the '60s, the product placement marketing company offered a one-stop shop, maintaining a broad roster of many clients whose products were primed for quick delivery and insertion into films. It is through this massive leap in scale that product placement went from a supplemental but inessential method of driving down production costs to an integral way in which the studios managed the risks of the post-*Paramount*, post-television film industry. I make this argument through analysis of memos, contracts, prop lists, marked-up scripts, external audits, and other primary documents from Associated Film Promotions but especially from Prime Time Marketing. Then, in the final portion of this section, I show how product placement marketers, particularly Kovoloff, served as important conduits for product placement to enter its direct payment era, exchanging money between product manufacturers and studios in occasional side deals (that were at times arranged via practices some would label “shady,” including those involved). Throughout I argue that product placement marketers were less revolutionaries—which is often how they were described in the press—than revivalists, taking a long-existing practice and completely changing its perception (and economics) through a consolidated process of previously unimagined scope and increasingly beneficial financial aid. The wave of product placement marketing companies that first emerged in 1976 did not, of course, come out of nowhere. Both Simkowski and Kovoloff were influenced by earlier experiences working with film and advertising: with Webcor/Bell and Howard for Simkowski, and with American International Pictures and as a radio executive for Kovoloff.[59] But even if the product placement marketer of the ‘70s and ‘80s lacked something in pure originality, they more than made up for it in speed, power, and reach.

The single biggest upgrade offered by product placement marketers over their antecedents was their large stables of active clients which allowed them to place a wide variety of products with impressive efficiency. Kovoloff founded Associated Film Promotions in 1978—in a promotional pamphlet distributed just five years later, his industry-leading firm claimed to represent over seventy different clients including General Mills, Toshiba, Quaker State Oil Refining Corporation, and Royal Crown Cola Co.[60] By 1991, Simkowski’s client list at Prime Time Marketing expanded to nearly forty partners, included here in full to demonstrate the sheer scope and variety of the company’s assortment of insertable branded props:

- stereos, portables, headsets, and systems from **AIWA**

[59] “Obituaries,” *Los Angeles Times*, July 31, 1999, https://www.latimes.com/archives/la-xpm-1999-jul-31-mn-61346-story.html

[60] “Associated Film Promotions Promotional Pamphlet,” May 1983, Truth Tobacco Industry Documents, Phillip Morris Records, Box 8036, Industry Documents Library, University of California, San Francisco.

- sunglasses and night vision glasses from **Ambervision**
- cell phones from **Ameritech**
- water bottles from **Artesia**; liquor from **Jim Beam**
- watches from **Bulova**
- telephones from **Northwestern Bell** (where Simkowski once worked)
- rental cars and trucks from **Budget**
- cameras, camcorders, and videotapes from **Canon**
- hot cocoa mix from **Carnation**
- coffee creamer from **Coffee Mate**
- newspapers and other promotional items from **Chicago Sun Times**
- phones and radar from **Cobra/Dynascan**
- kitchen cabinets from **Continental**
- office furniture from **Custom Executive Office Furniture**
- sinks, faucets, and water coolers from **Elkay/Temprite**
- computers and fax machines from **Gold Star**
- scales from **Health-O-Meter**
- coffee from **Hills Bros.**
- alcohol from **Lanson Champagnes and Fine Wines**
- more alcohol from **Great Wine Importers**
- coffee, tea, chocolate milk, and hot cocoa from **Nescafe/Nestle**
- celebrity appearances and other promotional tie-ins from **NFL Alumni**
- golf clothing, accessories, and clubs from **Northwestern Golf**
- beer from **Old Style**
- more golf clothing, accessories, and clubs from **RAM Golf Corporation**
- football, baseball, basketball, soccer, golf, running, and other sports equipment from **Riddell**
- vacuum cleaners from **Royal Red Devil**
- watches from **Swatch**
- small electrical appliances and gas grills from **Sunbeam**
- cutting-edge phone technology from **Swisstel**
- binoculars, telescopes, and sunglasses from **Tasco**
- instant coffee from **Tasters Choice**
- rentals, mock-ups, and locations from **Trans World Airlines**
- phones, CB's, and scanners from **Uniden Electronics**
- more sports equipment from **Wilson**
- more cameras and camcorders from **Yashica**.[61]

[61] "1991 Client List," July 1, 1991, Television and Theater Files, Box 25, Folder 6, George R. Simkowski Papers, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, WI.

It should be immediately apparent how the maintenance of such large client lists streamlined the process of product placement—if a studio desired branded props from each of these manufacturers, a few of them might be represented by the same PR firms, but deals would have to be worked out on an individual basis with each of them, and many different representatives would have to be involved. But if a studio joined forces with Kovoloff or Simkowski, they typically gained quick access to whichever clients "made sense" for the film.

Product manufacturing clients who agreed to contracts with product placement marketing companies would pay a fee in exchange for an annual number of placements in films—sometimes there would be a set number, other times the marketer would promise "its best efforts." Associated Film Promotions agreed to the latter sort of contract with Brown & Williamson Tobacco Corp. in July 1979, and as evidenced by their rapidly increasing quarterly fees ($12,500 in 1979 and 1980/$50,000 annually, $13,125 in 1981/$52,500 annually, and $15,125 in 1982/$60,500), the deals quickly proved lucrative for Kovoloff's company.[62] By the time product placement was profiled by Janet Maslin in *The New York Times* in 1983, Kovoloff claimed that his entry point annual fee was $35,000.[63] Another firm, Frank Zazza's Advertising in Movies, charged an annual fee of $50,000 for its clients, but it guaranteed "at least 10 placements in feature films or television network productions."[64] Prime Time Marketing was less forthright with its fee totals, but it made the same vague promises as Associated Film Promotions in regards to the number of placements, promising not a set number of placements but rather "as

[62] D.L. Chavers, "Audit Survey - Associated Film Promotions," October 1983, Truth Tobacco Industry Documents, Brown & Williamson Records, Box 3845, Industry Documents Library, University of California, San Francisco.

[63] Maslin, "Plugging Products."

[64] Segrave, *Product Placement in Hollywood Films*, 171.

many movie exposures as they can produce in any calendar year."[65] Product placement marketers often supplemented this repeated fee with their product placement clients with additional fees from the studios: Prime Time Marketing, for instance, would take a 25% commission on any direct exchanges of money between studio and brand, and the company would also generally take a 25% fee on any production design/prop savings it had created.[66] One potentially interesting avenue of future research lies in comparing these fees to the salaries/workload product manufacturers afforded their in-house exploitation agents in earlier eras to see if such fees represented an increase or decrease in spending. In any case, the appeal of such deals with product placement marketers was clear for the manufacturer: as Jill J. Miguel writes, they were integral to the product placement process so "that a motion picture studio is aware of who will be participating prior to a filming of the movie. By negotiating early on for product placement, the producers can plan ahead to accommodate product placement."[67] (And for more on how these firms were able to convince product manufacturers to engage in product placement in the first place, see Chapter 2.)

With a varied list of paying clients in tow, the first step for product placement marketers involved acquiring the film's script to search for possible insertions, though this was not always permitted by the studios. Over two hundred such scripts that passed through the halls of Prime Time Marketing are now housed at the Wisconsin Center for Film and Theater Research,

[65] Jill J. Miguel, "GoldStar: Product Placement in Motion Pictures," October 7, 1991, Television and Theater Files, Box 1, Folder 1A, Page 28A, George R. Simkowski Papers, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, WI.

[66] George R. Simkowski to Jim Dennett, September 26, 1951, Television and Theater Files, Box 6, Folder 6, Simkowski Papers, WCFTR.

[67] Miguel, "Goldstar," 1.

including *Little Shop of Horrors* (Frank Oz, 1986), *Back to the Future* (Robert Zemeckis, 1985), *Ghostbusters* (Ivan Reitman, 1984), *To Sleep With Anger* (Charles Burnett, 1990), *Edward Scissorhands* (Tim Burton, 1990), *Top Gun* (Tony Scott, 1986), and *Married to the Mob* (Jonathan Demme, 1988). Prime Time Marketing's script-reading process was focused on identifying as many potential placements for its clients as possible, with Simkowski or another employee using a pen or highlighter to scrawl notes in the margins or circle/highlight any word in the script which might correspond to a branded property or location. Often times, these scribblings would be converted into prop lists; other times, the firm would not initially receive a script but rather simply a prop list. In the prop list for *Passenger 57* (Kevin Hooks, 1992), Prime Time Marketing prepared a prop list totaling nearly 8 pages detailing possible insertions of airplane signage, drink carts, baseball bats, soda cans, and phones.[68] These prop lists would typically include four columns: scene #, page #, item, and source, with this last column reserved for specific Simkowski clients. For *Mr. Saturday Night*'s prop list, that included TWA airports, Tourister suit bags, Jim Beam alcohols at bars and parties, and close-ups on Budget Rent-A-Car folder jackets.[69]

One could argue it was in this stage the product placement marketer might make their biggest artistic contribution: later drafts of scripts would sometimes arrive in Prime Time's office with scribbled product placements from earlier drafts newly hard-written into them. Kovoloff described this process thusly: "We take a script and study it long before it goes into production. This way we can see where our clients' needs can be served. We may just supply a prop or we

[68] "Passenger 57 Prop List," Television and Theater Files, Box 29, Folder 3, Simkowski Papers, WCFTR.

[69] "Mr. Saturday Night Prop List," Television and Theater Files, Box 28, Folder 1, Simkowski Papers, WCFTR.

may suggest a better way to use a product. The production people don't have to listen."[70] This last part often rang true—in the margins of the script for *National Lampoon's Vacation* (Harold Ramis, 1983), Simkowski repeatedly proclaims that setting the film's final act at the eventual fictional theme park Wally World represented a huge missed opportunity to use an actual branded theme park.[71] But other times, producers would listen, and make the kinds of changes Kovoloff felt were "ultimately for the better," like when he suggested Sylvester Stallone should mention Wheaties out loud in *Rocky III*: "Now, 'eat your Wheaties' has been around for years and years. And in this scene, it really works. It is this type of thing I'm proudest of."[72] Sometimes, product placement marketers felt comfortable enough to recommend changes unrelated to their clients, as was the case with *Chain Reaction* (Andrew Davis, 1996), for which Simkowski did not only provide branded props but suggested the film shoot some of its scenes in his former home of Madison, Wisconsin, as detailed here by a local alt weekly:

> The real-life business back story stars George Simkowski, president of Prime Time Marketing, a Chicagoland company that places products in movie scenes. Look, among other things, for about $60,000 worth of Zenith video monitors in the lab where Eddie works. Simkowski placed them. (He says he may try to sell them to the crew after filming ends.) In the course of his normal dealings, Simkowski—a 1953 Rose Bowl Badger who maintains local ties—mentioned that our statehouse resembles the U.S. Capitol, where part of Chain Reaction takes place. The state film office took the ball and ran with it, convincing [director and producer Andrew] Davis that filming here instead of in D.C. would be smart creatively and financially.[73]

[70] David Linck, "Brand names go Hollywood: props that sell," *Boxoffice*, April 1982, 32.

[71] "Script for *National Lampoon's Vacation*," Television and Theater Files, Box 1, Folder 2, Simkowski Papers, WCFTR.

[72] Linck, "Brand names go Hollywood," 33.

[73] Glenn Deutsch, "Keanu Skulks at the Capitol," *Isthmus*, March 8, 1996, 18.

In its most typical form, however, the script-combing results were more modest: an insertion of a brand here, a swap of a brand there (say, RC Cola for the household generic name Coke), suggestions for a new (branded) location over there.

After the product placement marketer identified potential branded props, negotiations between the marketer and the studio would begin in earnest. As Donna Estes of International Film Promotions notes, different films and placements necessitated different studio contacts: "It varies who is in charge of it. Sometimes it's the director, sometimes the producer, sometimes the executive producer, sometimes the prop master."[74] For his work on *The Package* (Andrew Davis, 1989), Simkowski's contact was Jim Dennett, the film's production unit manager. Their working relationship began with the following agreement outlined by Simkowski in a letter:

> First and foremost, Prime Time Marketing, Inc. would be your exclusive agency for product placement and promotion tie-ins. The exception to this request would be any current Orion [the film's distributor] staff personnel employed for this purpose. It would be my intention to supplement their activities in product procurement.
>
> Second, I would be included on your staff with the title of Product Promotions Director. This would give me the credentials to represent your Production Company to my clients.
>
> Third, expenses incurred on behalf of "THE PACKAGE" would be reimbursed by the company.
>
> Fourth, any savings realized by the Production Company as a result of my efforts would be commissionable at the rate of 25%. As an example, if you have a budget of $4,000.00 for hotel rooms and I promote these at no cost, I would receive $1,000.00 for my work. This could apply to any expense item that you ask me to promote.
>
> Fifth, any cash fees obtained for product placements would also be commissionable at the rate of 25%.

[74] Benjamin Mark Cole, "Madison Avenue meets Hollywood and Vine," *California Business Magazine*, August 1986, 65.

> Sixth, any products obtained for the production will be split on a 50-50 basis. This would include the cash sale of the products following their use in the movie.
>
> Finally, Jim, I would appreciate a desk or table to use when I am working in the production office.
>
> In summary, I have worked in a similar capacity on at least 100 or more movies. To my knowledge, my company is the only active Chicago marketing agency providing these frond [sic] end and back-end services.[75]

Such agreements evidence an oft-ignored element of the product placement marketer's job: while the studios would typically receive branded products free of charge, that does not necessarily mean there was a one-to-one ratio between the value of the prop and the amount of money saved, both because a "free" prop might be worth more than a paid prop for which the production had budgeted, and, in Simkowski's case, because the product placement marketer took a percentage fee of the money saved. At the end of the day, however, three-quarters less of the budget was still three-quarters less of the budget, and even without a one-to-one ratio, certain products quickly added up, as was the case with the $28,386 worth of automobiles Simkowski provided for *Mr. Saturday Night*[76] or the $20,000 worth of Riddell and Wilson football equipment provided for *Necessary Roughness* (Stan Dragoti, 1991).[77] This meant that, in addition to quarterly fees from his product manufacturers, Simkowski likely received just over $7000 from the studio for *Mr. Saturday Night*'s automobiles and around $5,000 for the football equipment from *Necessary Roughness*—and these, of course, were not the only products Simkowski

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[75] George R. Simkowski to Jim Dennett, September 26, 1951, Television and Theater Files, Box 6, Folder 6, Simkowski Papers, WCFTR.

[76] "Note from George Simkowski," Television and Theater Files, Box 28, Folder 1, Simkowski Papers, WCFTR.

[77] "Prime Time Marketing Invoice to Kathy Findling," June 10, 1991, Television and Theater Files, Box 34, Folder 14, George R. Simkowski Papers, WCFTR.

provided for either production. The value of these placements was significant, and by only 1981, in fact, Kovoloff was so emboldened by his budget-slashing abilities that he publicly claimed to have been responsible for saving the studios over $3.5 million in just three short years.[78] It is this new iteration of product placement—wherein the product placement firm maintained a large roster of diverse clients for whom they would efficiently place a wide array of money-saving products in films—that I argue kicked off the practice's transformation from occasional on-screen appearances to financially significant facet of film production. At a time when the studios looked towards new methods of risk management, product placement firms routinized, standardized, and organized their namesake practice, increasing scale (and ease) to a degree that made product placement's value overwhelmingly obvious, even to a market that had often been (publicly) resistant.

You can draw a direct line from the formation of product placement companies like Prime Time Marketing and Associated Film Promotions to the multi-billion-dollar product placement market of the contemporary moment, not just because they formalized a practice that had remained relatively subterranean for decades but also because they, especially Associated Film Promotions, innovated in the practice of direct money exchanges—which would soon come to dominate headlines—very early in their existence. In 1982, Brown and Williamson Tobacco conducted an audit survey of Kovoloff's company to review the performance of their product placements. Though direct money payments were widely frowned upon, as product placement marketers worried the public might view them as a stronger infringement upon creativity than the simple providing of free props, Kovoloff quickly established a process where he charged Brown and Williamson a quarterly fee for placements that honored their regular contract and extra fees

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[78] Segrave, *Product Placement in Hollywood Films*, 167.

for what he termed "special placements." The audit outlines the distinction here: "The difference between a regular placement and a special placement is that a special placement involves payments by AFP to various personnel involved in the movie production and implicitly B&W's exposure in the motion picture should be more prevalent and/or more prominent." In the four years Brown and Williamson had worked with Kovoloff, the firm had paid $278,000 in quarterly retainers and a much higher sum of $687,500 for special placements, including $70,000 for *Tempest* (Paul Mazursky, 1982), $100,000 for *Harry & Son* (Paul Newman, 1984), and $100,000 for *Where the Boys Are* (Hy Averback, 1984).[79]

By far the biggest and most innovative deal involved Sylvester Stallone. The deal, arranged via Associated Film Promotions on behalf of their client Brown and Williamson Tobacco Corp., sought to create a close association between Stallone's onscreen characters and the company's tobacco products, save Rocky Balboa, who would eschew tobacco usage to maintain good appearances for his family-friendly character. Instead, any tobacco usage by other characters in *Rocky IV* would come from Brown and Williamson. The other upcoming films outlined in the deal include *Rhinestone Cowboy* (Bob Clark, 1984)*, The Godfather Part III* (Francis Ford Coppola, 1990), which Stallone would not end up appearing in, *Rambo: First Blood Part II* (George P. Cosmatos, 1985), *Fifty/Fifty* (Charles Martin Smith, 1992), which Stallone would also not end up appearing in, and the aforementioned *Rocky IV* (Sylvester Stallone, 1985). In exchange for "extensive film appearances of B & W products," the tobacco company agreed to pay, via Kovoloff and Associated Film Promotions, an initial deposit of $250,000, followed by $50,000 upon the inception of production for each of the upcoming films,

[79] D.L. Chavers, "Audit Survey - Associated Film Promotions."

for a total of $500,000.[80] The deal recalled the tie-up campaigns of yesteryears, with a certain product attached so explicitly to a famous movie star, and Associated Film Promotions (and Prime Time Marketing) did still engage in extensive tie-up campaigns—in fact, you might recall that such a tie-up campaign was how Reese's Pieces made their way into *E.T.* in the first place. But this deal marked the emergence of something quite different—a large, star-driven direct payment not for an outside advertising campaign, but merely for a product placement. In just a few short years, Kovoloff's company (and others like it) had formalized product placement and concretized its prominence in the industry to the point that such direct exchanges were not only possible, but in fact the practice's future.

Conclusion

In this chapter, I have sketched out the broad history of product placement's evolution from hand-shake agreements in the early days of cinema into a streamlined and massive advertising industry of its own in the late 1970s and early 1980s. Throughout this chapter, I have argued that the formation of these product placement marketing companies was a central factor in the practice's mainstream emergence in the 1980s—by greatly increasing the scale and efficiency at which product placement marketers could advertise their branded products in films, product placement took on increased prominence in the film industry. Put simply, there was more product placement taking place than ever before, and its financial significance to the film industry would steadily increase as time progressed. My chapter provides important context for product placement's rise by tying its emergence to a shift in the industrial landscape of the movie business after the Paramount Decision, which imbued the risk mitigation qualities of product

[80] James F. Ripslinger to Sylvester Stallone, June 14, 1983, Truth Tobacco Industry Documents, Ness Motley Law Firm Documents, Box John Coale, Industry Documents Library, University of California, San Francisco.

placement with more obvious beneficial qualities now that the studios no longer owned their theaters and could not utilize strategies like block booking and run-zone-clearance systems. But this shifting industrial landscape merely opened the opportunity for the increased importance of product placement and the formation of an industry exclusively dedicated to the practice. From their precarious intermediary position, product placement marketers had to convince product manufacturers and movie production companies/studios alike was a worthwhile venture in and of itself. It is this private discourse I outline in the next chapter.

Chapter 2

Selling Product Placement

Introduction

Big, bold letters sit atop this full-page advertisement announcing the arrival of Tinseltown's latest star. They read, "Budget Rent a Car Goes to Hollywood." For those expecting George Clooney or Julia Roberts, the advertisement provides the following clarifying remarks:

> 1990 will be the biggest year in the history of motion pictures. Over $5.0 billion dollars will be spent at movie theaters across the USA. Another $3.0 billion dollars will be spent on video tape rentals. An average movie will be seen by well over 100 million viewers. Budget Rent a Car will be seen in more than 20 feature films during the 1990 season. If you'd like your product or service to "go Hollywood," contact George Simkowski at PRIME TIME MARKING, INC. He'll make your company a "**STAR**."[1]

Three pictures are placed below this block of text. In the first, John Candy smiles in the driver's seat of a Budget van on the set of *Home Alone* (Chris Columbus, 1990). In the second and third, generic shots show how Budget could be worked into your typical airport or street-level scene, respectively. Finally, the lowest row of text reveals the true star of this advertisement: Prime Time Marketing, an advertising firm that purports to "cast products" like Budget Rent a Car onto the silver and small screens.

It is the rhetoric of this sort of advertisement for advertising that I take as my central concern for this chapter. Product placement is a booming business: industry analysts claim that

[1] "Budget Rent a Car Goes to Hollywood," 1990, Television and Theater Files, Box 7, Folder 4, George R. Simkowski Papers, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, WI.

over $3 billion was spent on filmic product placements in 2019.[2] But what accounts for this exponential growth in spending? Why have so many companies decided that product placement is not only a viable expenditure but a significant one? Why have media producers and their associated personnel allowed advertisers to sell their products within their various entertainment properties? And, crucially, what role have product placement marketers played in convincing these two separate fields to embrace their chosen form of marketing? Moreover, *how* did product placement marketers not only *sell* product placement, but *sell* themselves?

I take a two-pronged approach to answer these questions. First, I seek to understand what reasoning was wielded by product placement marketers to convince interested parties to sign onto in-film advertising. Here I explore the way product placement marketers utilized data like audience demographics, box office breakdowns, potential viewing numbers, and other statistics to lend the act of product placement a sense of time-proven, results-tested legitimacy. I consider how product placement marketers have consistently insisted over time that their specific era of the media industries was the perfect time to engage in product placement: from post-theatrical film airings on television to the burgeoning home video market or the ability to skip commercials on recorded television episodes or ad-blocked web pages, product placement marketers and other similar advertisers have routinely cited their current moment's "unique" circumstances as necessitating product placement or brand integration over other forms of advertising. I privilege the specific moment of cinematic product placement's mainstream emergence circa the early 1980s, detailing the critical role played by the emergence of home video technology in the rise of product placement, yet I believe that analysis of these sorts of pitches sheds insight both on how

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[2] PQ Media, "PQ Media Intellicast (Issue #1, October 2021)," *PQ Media*, October 2021, https://www.pqmedia.com/newsletters/pq-media-intellicast-issue-1-october-2021/.

product placement became a popular form of advertising while also leading towards larger claims about advertising speak, data "objectivity," and media industrial contexts over time.

Second, I adopt a productions cultures approach towards how product placement marketers—specifically those at Prime Time Marketing, the aforementioned Chicago firm, from the late 1970s to the early 1990s—presented themselves to potential advertising clients, to filmmaking clients, in rare public appearances, and to coworkers and peers. Through the use of internal memos, detailed production notes, company advertisements, interviews with major newspapers, and other primary documents, I will argue that the product placement marketer's job exists in a gray area between art and commerce—and, as a result, the product placement marketer must at once prove that the method of advertising will successfully promote the product while ensuring film producers and other entertainment personnel that the work of product placement will not interfere with the work of art. This tricky dual impulse is even present in the work itself. While certain methods of product placement—like reflexive humor—lay bare the presence of product placement, the practice is typically considered "stealth marketing"—for a placement to be considered successful, it must generate interest in the product without overwhelmingly calling attention to its commercial nature. Through comparative analysis of the varying content of Prime Time Marketing's pitches, recorded conversations, work records, and public interviews, I will highlight the unique professional challenges faced by the oft-obscured human agents who actually do the work of placing products.

In each, I aim to understand the marketing *behind* the marketing. I dig deep into work of the actual human practitioners who make product placement happen. I develop a complex portrait of how product placement marketers first get clients to agree to contracts and subsequently keep them (and additional clients) content with their investment. I explain how product placement marketers sold product placement in the crucial era of the 1980s but also explain how these sales pitches reverberate in the current and other moments. And I argue that the product placement marketers of the 1980s, like those at Prime Time Marketing, set the standard working relationships upon which future advertisers built.

"There's An Endlessly Regenerating Market," and Other Things You Say When Promoting Product Placement

In a 1988 article for *Hollywood Midwest* magazine entitled "Movie Marketing: a great promotion opportunity for any company," Prime Time Marketing president George R. Simkowski sells the "power of movie promotions in consumer product marketing": "When you consider the numbers of viewers who see a product used in a movie and then on video tape, the cost per thousand is measured in pennies. Add to that a strong back-in promotion, and movie marketing becomes a great promotion opportunity for any company."[3] In Chapter 1, I detailed the rise of firms like Simkowski's and the resulting structures of efficient, economical product placement. In doing so, I laid out the financial case product placement marketers made to the studios for in-movie advertisements: product placement could save, and even make, the movie studios impressive sums of money. When the popular press latches onto a product placement story, the benefits for the movie studios are often the focus, as was the case with the $45 million Heineken poured into the third Daniel Craig-starring James Bond film *Skyfall* (Sam Mendes, 2012). [4] Less commonly discussed is why the makers of consumer products might wish to spend so much money on or even simply engage in product placement in the first place. I think the

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[3] George R. Simkowski, "Movie Marketing: a great promotion opportunity for any company," *Hollywood Midwest*, May 1988, 30.

[4] Josh Barrie, "James Bond drinking Heineken in Skyfall? Whatever next…," *Independent*, October 26, 2012, https://www.independent.co.uk/voices/comment/james-bond-drinking-heinken-in-skyfall-whatever-next-8226917.html.

reasons for this are numerous: it is difficult to gauge the effectiveness of any single advertisement, most instances of product placement have been completed using the comparatively banal barter system as opposed to via the exchange of large quantities of money, and the controversial use of branded props usually results in public outcry placing the blame on the movie studios (more on this in Chapter 3). However, I think it is important to more fully understand both sides of the equation, especially in an era where advertisers struggle to sell companies on the effectiveness of their methods while potentially using false metrics, as was the case with online journalism's Facebook-shepherded pivot to video.[5] Why do companies engage in product placement? Why allocate resources to this method of advertising as opposed to others? And, most importantly for this chapter, how did product placement marketers sell product placement to their clients? I answer these questions through the use of internal documents from or related to Prime Time Marketing and stories from trade journals and the popular press. Especially important to this section is a sales pitch prepared by GoldStar computers in 1991, which features the lengthiest and most clearly synthesized discussion of product placement's potential value found in any of the internal documents in the Simkowski collection. I open this section with sustained analysis of GoldStar's pitch before digging into a wider range of documents. Throughout, I argue that the marketing firm depicted product placement as a well-targeted, widely-seen, repeatedly-seen, and overwhelmingly positive form of advertising.

Of course, the largest primary appeal of product placement was the creation of a close association of a product with a movie and its stars. As Goldstar's Jill J. Miguel writes bluntly in her summary of Prime Time Marketing business's practices, "The purpose of participating in the

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[5] Maya Kosoff, "Was The Media's Big 'Pivot To Video' All Based On A Lie?" *Vanity Fair*, October 17, 2018, https://www.vanityfair.com/news/2018/10/was-the-medias-big-pivot-to-video-all-based-on-a-lie.

filming of motion pictures is to obtain product awareness which in turn will result in increased sales." She argues that the medium of film is especially effective at achieving this goal: "All of the factors that have made the theatre environment a great entertainment medium are now making it an even greater advertising medium via placing products within motion pictures." She continues, "this form of product presentation provides the opportunity for products to be seen and heard in its natural setting—and not within the sterility of the traditional advertising environment."[6] Beyond lending products the naturalization benefits of a realistic diegesis, Miguel states that most obvious benefit of placing products in movies is to obtain a specific kind of awareness: "Having proper placement with recognizable celebrities can be highly influential. Many people do not think about these products as 'props,' but that if 'Paul Newman or Robert Redford' uses this product, then it must be good. This is an implied endorsement." Moreover, products placed in the film typically lead to later exploitation of the film's star, as Prime Time Marketing's clients could "use the name of the movies, movie posters, etc. as promotion for [their] products."[7]

For one, Prime Time Marketing sold prospective clients on the idea that advertising in movies granted access to a highly attractive audience of potential consumers. Miguel writes that while "moviegoers are found among those at all education levels," movie going "does remain most popular among those at higher education levels."[8] She claims that moviegoers "tend to have a balanced income." Though "some come from the high and low ends of the spectrum," higher

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[6] Jill J. Miguel, "GoldStar: Product Placement in Motion Pictures," October 7, 1991, Television and Theater Files, Box 1, Folder 1A, Pages 1-2, George R. Simkowski Papers, WCFTR.

[7] Miguel, "GoldStar," 1-2.

[8] Miguel, "GoldStar," 5.

income families "tend to be the most frequent moviegoers"—and, they write, as "family income rises, moviegoing increases."[9] She cites a survey conducted by "the Motion Picture Industry" that states that two-thirds of the entire U.S. population over the age of 12 attended a movie in 1989, with moviegoing on the rise in attractive demos like young adults aged 21-24 (up 14% from 1988 to 1989) and aged 25-29 (up 25%). "The typical movie audience," she writes, "is 18-44 years old." [10] Moviegoers, in this conceptualization, were young, educated, and enthusiastic—exactly the sort of audience prospective advertisers might desire.

Moreover, the movies offered a wide, unique reach. Miguel writes that "the average movie," not even a blockbuster, will be seen by at least "30 million people" in movie theaters. A blockbuster, of course, will draw much more, with *Back to the Future* having been seen by 80 million people and *Home Alone* by 50 million people, both of which happened to have worked with Prime Time Marketing.[11] Viewing numbers increase even more when the still relatively new home video market is considered. Employing an equation repurposed from the pages of *Daily Variety*, Miguel writes that the sale of video cassettes "ranges from 300,000 to 1,000,000 unites for a blockbuster movie." If you multiply an "average of 300,000 cassettes in rental circulation by a rental factor of 139 times (national average) per cassette per year, that average audience equals 41,700,000 impressions." Once again, movies like *Terminator 2* (also a Prime Time partner) will "gross much higher."[12] Home video even provided a safety net for movies that did not live up to expectations: "Once a film is completed it may or may not make it to a

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[9] Miguel, "GoldStar," 6.

[10] Miguel, "GoldStar," 4.

[11] Miguel, "GoldStar," 4.

[12] Miguel, "GoldStar," 7.

theatre," writes Miguel. "Some films are never released to the big screen but are released on video tape. All is not lost at that point as many movies can be big money makers on video alone."[13] Additionally, home video offered clients the ability to add extra advertisements at the start of the videocassette, though Miguel notes that these "must be entertaining" or else they will be "zapped." She describes such an advertisement mocked up by GoldStar's agent Dana Victor that would have ran at the start of the home video release of Best-Picture-winner *The Last Emperor* (Bernardo Bertolucci, 1987): "The Emperor was sitting in the courtyard and his servants were bringing him gifts. He held his arms crossed and would not acknowledge any of the gifts brought to him until…someone brought him a Macintosh Computer. Then he started swinging his arms in excitment [sic] just like in the movie. At the last minute, Macintosh pulled out. Too bad, GREAT PLOT!"[14] The home video release not only opened up avenues to additional and repeat viewers but to new methods of advertising as well.

In fact, the secondary location of the video store itself (as opposed to the primary location of the theater) offered many new opportunities for impressions. Miguel breaks them down step-by-step. She claims that the average consumer entering a video store "will go to the 'New Release' section 9.3 times in 2 months." On average, they will review the video jackets of this section for 16 minutes per visit before spending another 5.4 minutes browsing throughout the rest of the store. They then walk to the check out counter with their selected rental, drive home and load the video into their VCR, view the video, replace the video into the container to take back to the video store, and ultimately return the video to the store. Considering the potential for advertisements in the film, in the store, and conceivably even on the cover of the VHS, Miguel

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[13] Miguel, "GoldStar," 2.

[14] Miguel, "GoldStar," 7.

says that the "actual ad impressions for a title that sells 200,000 units would exceed 36 million viewings because the video rental consumer will be exposed to the co-venture promotion during each visit to the video store as well as each stage of the video rental experience."[15] Potentially dubious math aside, Miguel writes that multiple impressions are the key to this form of advertisement. She cites "research by Tulane University and published by the Journal of Advertising Research" that claims it "generally takes twenty advertising exposures to net three actual impressions that, in turn, effect advertising recall for a brand or a product. Therefore, in addition to the exposure when viewing the video, the video rental consumer will be exposed to some aspect of the co-venture promotion message frequently over a two-month period."[16] The vast potentiality of repeatedly exploiting a product placement to its fullest extent is clear here: an advertisement in the form of product placement becomes an unassailable part of the text, and if the text proves to be popular or particularly rewatchable, that advertisement would be seen by many people, many times. Product placement leads to additional tie-in advertisements, including in video stores, offering even more chances to interact with future customers. And, according to the data compiled by Miguel, these viewers would likely be part of a highly attractive market with discretionary income available.

Integral in this pitch, then, were both the videocassette and the video rental store, an item and accompanying location of great cultural import whose recent rises correlate neatly with the mainstream emergence of product placement and the launching of Simkowski's marketing firm. Sony's Betamax home video format had, after all, launched in the United States in 1975, with

[15] Miguel, "GoldStar," 8.

[16] Miguel, "GoldStar," 8.

JVC's more popular VHS launching in Japan a year later and in the States the year after that.[17] Michael Z. Newman characterizes the popular discourses surrounding a future with these new home video recording formats as sometimes adopting "a rhetoric of religious redemption from the enslavement of the audience to television networks and their sponsors familiar from later discourses around digital media such as TiVo." He continues:

> In this mode of utopian fantasy, television's unfulfilled promise would finally be realized by video as a recording (not transmitting/receiving) medium. Television's viewer, long held captive by the networks, would be free to exercise choice and to be entertained or edified at his or her convenience. The issue was presented according to this rhetoric as one of empowerment: the hegemony of the networks would be stopped and the viewer newly installed as master of his or her own leisure experience.[18]

As Newman and Elana Levine note in their influential book *Legitimizing Television*, TV has long been thought to be a medium and device in need of legitimizing.[19] Home video presented a potential path forward by giving users the abilities to 1) record television programs and watch them at a later date, free from the shackles of the broadcast network schedule, but also 2) to gain access to a vast library of already-recorded films purchasable or, more likely in the early days, rentable at local video stores. In promoting these two capabilities of the format, home video was presented as a more democratic medium of free will: you could choose *what* you wanted to watch and *when* you wanted to watch it, imbuing the media text with an aura of *exactness*. Watching home video was different from the act of turning the television on and letting its

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[17] Samuel Gibbs, "Betamax is dead, long live VHS," *The Guardian*, November 10, 2015, https://www.theguardian.com/technology/2015/nov/10/betamax-dead-long-live-vhs-sony-end-prodution.

[18] Michael Z. Newman, *Video Revolutions: On the History of a Medium* (New York: Columbia University Press, 2014), 28.

[19] Michael Z. Newman and Elana Levine, *Legitimizing Television: Media Convergence and Cultural Status* (Abingdon: Routledge, 2011).

mindless waves wash over you—home video was a conscious, deliberate choice. Hyperbole aside, I believe this strain of discourse, in addition to the ability to reach wider viewership and repeat viewers, made home video attractive for product placement: like purchasing a ticket to see a film in theaters, home video was an *investment*, theoretically engendering a mode of attentive viewership that might be more susceptible to product placement's advertorial prowess.

Likewise, the video rental store could also be viewed as particularly suited for the practice. As Miguel notes in the GoldStar pitch, video rental stores encouraged extended acts of discovery: while one might utilize video rental stores with rapidity, blurring in and out of the store to acquire a single video tape already selected prior to arriving at the store, video stores at their core stimulated lengthy browsing. Video tapes were arranged in eye-catching displays with clear categorization, making customer perusal simple and rewarding. As Daniel Herbert writes in *Videoland*, "Video stores made movie distribution a concretely physical, spatial, and socially interactive process." They externalized the internal process of choosing which movie to watch on a particular night, resulting in specific modes of space exploration and social interaction. Herbert claims that video stores also "reshaped the cultural values associated with movies." Not all stores, however, did this the same way: "Corporate video chains reinforced the 'newer is better' mentality occurring at America's multiplexes, while numerous independent stores in small towns and suburbs across the country transmuted Hollywood glamour into a mundane object, much like any other cheap commodity. Cinephilia, meanwhile, took a turn for the exceedingly eclectic and obscure at the country's various specialty video stores."[20] Herbert writes that the latter stores not only satisfied long-established film fans but encouraged new ones through various sets of social interactions and metadata-like in-store displays:

[20] Daniel Herbert, *Videoland: Movie Culture at the American Video Store* (Berkeley: University of California Press, 2014), 100.

> In addition [to their film collections], these stores consistently exhibit a highly detailed, comparatively sophisticated understanding of movie history and aesthetics. They demonstrate this sophistication through the elaborate movie categories they use to organize their wares. They also employ cinephiles with a passion for film history and aesthetics. By centralizing a wide selection of movies and workers devoted to movie knowledge, specialty stores materialize and socialize a significant amount of cultural capital with regard to movies.[21]

Drawing from Michael Curtin's conception of capital both as "a center of activity" and "as a concentration of resources, reputation, and talent,"[22] Herbert claims that each of these specialty stores has/had its own set of geographic and cultural peculiarities—a video store like Scarecrow in Seattle, Washington will diverge from the Four Star Video Cooperative in Madison, Wisconsin, both in terms of film selection but also in presentation of said films. However, each generally serves the same function within these communities: to deliver a wide variety of films (including many of limited availability) to interested consumers, but also to frame these films as art and as in conversation with other films from the same director, same country, same genre, or any other identifying category. In Herbert's conception, a trip to a specialty video rental store is not typically a trip meant exclusively for the renting of a video; instead, it is an act of engaged participation in cinephilic culture. This closely aligns with Prime Time Marketing's description of the film rental process as an extended engagement with the video store space. For product placement marketers, then, the national chains granted access to the mass audiences they desired to reach in movie theaters, while products placed in movies featured at the specialty stores connected product manufacturers to specialized communities of fervent film fans, exactly the sort of attractive, engaged audience advertisers desired and the category of film viewer Geoffrey

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[21] Daniel Herbert, *Videoland*, 100.

[22] Michael Curtin, "Media Capitals: Cultural Geographies of Global TV," in *Television after TV: Essays on a Medium in Transition*, ed. Lynn Spigel and Jan Olsson (Durham: Duke University Press, 2004), 274.

Wagner had opined as being a “lost audience” in the pages of *The Quarterly of Film Radio and Television* in the middle of the 20th Century.[23] The larger cultural conversations and activities seem to back Miguel’s claims: video tape and the video rental store presented unique (and exciting) opportunities for their clients.

In fact, home video even offered potential new avenues for tie-up advertising campaigns. Simkowksi and Prime Time Marketing arranged a number of in-film product placements for Budget Rent a Car in Andrew Davis’s 1989 film *The Package*. But Simkowski also proposed a home video tie-up advertisement to Budget’s vice president David Sparks. Simkowski’s letter details a potential 60-second advertisement that would be included on the film’s videotape release, a release Simkowski claims would run “200,000 tapes” and be rented an average of “one-hundred times” per tape, reaching a total number of “62.0 million plus viewers.” The advertising campaign would cost $1.50 per tape (so $300,000 total), though production company Orion was said to have been willing to accept six Lincoln Town Cars as “partial payment,” reducing the payment to $1.25 a tape ($250,000 total).[24] For comparison, the average 30-second nationally distributed commercial television commercial in 1988 reportedly cost $176,000, making this tie-in advertisement a much costlier endeavor than product placement and even typical advertisements in other mediums.[25] Simkowski suggested that the commercial include one of the sequences from the film, so the car could be “utilized, thereby, achieving an implied

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[23] Geoffrey Wagner, “The Lost Audience,” *The Quarterly of Film Radio and Television*, Vol. 6, No. 4 (Summer, 1952), 338-350.

[24] George Simkowski to David Sparks, December 4, 1989, Television and Theater Files, Box 6, Folder 5, George R. Simkowski Papers, WCFTR.

[25] Randal Rothenberg, “THE MEDIA BUSINESS: Advertising; Commercial Costs Up 12%,” *New York Times*, July 28, 1989, https://www.nytimes.com/1989/07/28/business/the-media-business-advertising-commercial-costs-up-12.html.

endorsement from Gene Hackman," though the films other stars Dennis Franz and Joanna Cassidy were also reportedly available for the commercial. [26] Additionally, Simkowski proposed that the commercial be paired with a counter promotion where video store patrons who rented the videotape of *The Package* received a two-dollar coupon for their next Budget car rental. Finally, Simkowski laid out the reasons why he felt the "marketing concept" was a "winner":

> 1) The association of budget with a major motion picture that features Gene Hackman, Tommy Lee Jones, John Heard, Dennis Franz, Joanna Cassidy and, of course, Budget Rent a Car.
>
> 2) The audience potential is enormous. Your cost per thousand viewers is around fifty cents.[27]
>
> 3) The movie will have legs. It will be in the rental market for at least one year or more. You then have the opportunity to capitalize on the retail sales market.[28]

In Simkowski's conception, the home video market did not just increase the value of a product placement—it also opened potential new avenues for further bonding film and placed product.

One might say, then, that the 1980s were an especially ripe (if not the *right*) time to engage in cinematic product placement. As I noted earlier, home video's arrival on the shores of the US aligns neatly with the timelines for the opening of product placement firms sketched out in Chapter 1. While this is certainly more of a correlation than a direct causation, home video was incredibly important in establishing product placement as a legitimate, expanding practice: it allowed marketers to pitch prospective clients on access to bigger and newer markets as well as

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[26] George Simkowski to David Sparks, December 4, 1989.

[27] I should note here that—whether willfully or by mistake—Simkowski is underselling the cost of the campaign, as according to my math this 60-second advertisement would actually carry a CPM between $4 and $5, depending on whether Budget provided Orion with the Lincoln Town Cars.

[28] George Simkowski to David Sparks, December 4, 1989.

novel methods, locations, and forms of advertising. Home video also made product placement more attractive in general as home video recording technology would allow for consumers to fast-forward through commercial breaks; films, obviously, were free of this concern. However, such narratives are extremely commonplace in the discourse surrounding product placement. In 2004, for instance, the value of televisual product placements reportedly increased by 46.4% due to the ease of commercial-skipping afforded by TiVo and other digital video recorders.[29] In 2016, *Ad Age* theorized that more effective native advertising—that is, advertisements that take on formal aspects commonly associated with the non-advertised content of a web page, like an article or video—would be necessary to combat the problem of ad-blocking plug-in technology.[30] And in 2019, the *New York Times* published a lengthy examination of Netflix's resistance to traditional commercials but embrace of branded items, pondering how advertising would survive media's transition to the age of streaming.[31] Such worries, of course, predate the 1980s as well: Jay Newell, Charles T. Salmon, and Susan Chang note that one of the primary appeals of product placement has always been access to a "captive audience."[32] Traditional forms of advertising like interstitial televisual commercials or banner advertisements, then, have perpetually been portrayed as being in some form of crisis for the entirety of the 21st century, and

[29] Nate Anderson, "Product placement in the DVR era," *Ars Technica*, March 19, 2006, https://arstechnica.com/gadgets/2006/03/productplacement/.

[30] Brian Sheehan, "More Effective Native Advertising Is A Solution To Ad Blockers," *Ad Age*, February 3, 2016, https://adage.com/article/digitalnext/effective-native-ads-a-solution-ad-blockers/302476.

[31] Tiffany Hsu, "Netflix Is Ad Free, but It Isn't Brand Free," *The New York Times*, December 16, 2019, https://www.nytimes.com/2019/12/16/business/media/netflix-commercials.html?smtyp=cur&smid=tw-nytmedia.

[32] Jay Newell, Charles T. Salmon, and Susan Chang, "The Hidden History of Product Placement," *Journal of Broadcasting & Electronic Media* 50, no. 4 (December 2006), 577.

for a significant portion of the century prior. Yet throughout, conventional and professional wisdom has showcased product placement as the most notable exception: while a consumer may be able to skip over another advertisement entirely, product placement will surely be seen. In the next section, I unpack how this aspect of product placement (its presence on-screen) was divulged by product placement marketers to the various parties associated with the practice.

Sailing the Great Gray — Navigating Between the Worlds of Art and Commerce

As I noted in Chapter 1, in 2005, Turner Classic Movies ran a series celebrating "Product Placement in the Movies." The programmed films included such titles as *The Seven Year Itch* (Billy Wilder, 1955), *Urban Cowboy* (James Bridges, 1980), *That Uncertain Feeling* (Ernst Lubitsch, 1941), *Superman II* (Richard Lester, 1980), *Arsenic and Old Lace* (Frank Capra, 1944), *Scarface* (Howard Hawks, 1932), and *Three Guys Named Mike* (Charles Walters, 1951), showcasing exactly the sort of varied, complicated, long-running history of product placement this dissertation details. TCM senior vice president of programming Charles Tabesh justified the series by stating, "I learned a lot in putting this together. We're always looking for interesting aspects of film history, and this is one that seemed unique. Films are pieces of art, but there's such a strong commercial element, too, and it's important to explore that."[33] Providing ground-level support for this educational project was George Simkowski, then-president of the Chicago-area product placement firm Let's Go Hollywood. The experienced advertising specialist appeared in shorts that ran before and after the movies, detailing the placements (knowingly or unknowingly) witnessed in the series' films and softly lampooning the practice by dressing like a

[33] Stuart Elliot, "Greatest Hits of Product Placement," *New York Times*, February 28, 2005, http://www.nytimes.com/2005/02/28/business/media/greatest-hits-of-product-placement.html?_r=0.

walking, talking advertisement for Turner Classic Movies, wearing a TCM golf shirt, hat, and glove while surrounded by similarly branded champagne glasses, phones, and clocks.[34]

Simkowski's starring role resulted in a substantial round of publicity for the advertiser and his long-time practice. *Reel Chicago* published a lengthy profile of the product placement marketer, with Simkowski proudly declaring that he promises companies he will place their products in at least twelve films each year, and that he's "exceeded that number every year." He claims to exert rather extensive control over the films he works on: "If a script has violence I turn it down. I don't want a Jim Beam bottle used to hit someone over the head."[35] But when asked for his favorite career placement in a lengthy interview with *The New York Times*, Simkowski extolls the inconspicuous virtues of his capitalistic hand: "Mr. Simkowski said [his favorite career placement] was getting a Budget rental truck into a scene in 'Home Alone' in which John Candy and a polka band give Catherine O'Hara a lift home. 'Not only was it a great scene,' he added, 'right after that, people called Budget and thanked them 'for getting that poor woman home,' as if it really happened.'"[36] The pride here seems to stem from the fact that people did not actually register Simkowski's work at all—instead, these select viewers (supposedly) accepted the reality of the film, resulting in new or renewed appreciation for the family-reuniting rental car company.

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[34] John Eggerton, "Plug and Play, TCM-Style," *Broadcasting+Cable*, February 15, 2005, updated March 16, 2018, https://www.broadcastingcable.com/news/plug-and-play-tcm-style-105957.

[35] "Someone has to get those brands on the screen; in Chicago the go-to man is George Simkowski," *Reel Chicago*, March 28, 2005, https://reelchicago.com/article/someone-has-get-those-brands-screen-brin-chicago-go-man-george-simkowski/.

[36] Stuart Elliot, "Greatest Hits of Product Placement," *New York Times*, February 28, 2005, http://www.nytimes.com/2005/02/28/business/media/greatest-hits-of-product-placement.html?_r=0.

In this, the basics of the product placement marketer's dilemma are nearly laid out. While the first section of this chapter focused on how product placement marketers justified the inclusion of branded products in movies and television programs, this section shifts its attention towards how product placement marketers more specifically navigated the chasm between their two sectors of clients: art and commerce. Building upon the structural arguments in Chapter 1, I analyze the intensive day-to-day aspects of the product placement marketer's job. I argue that product placement marketers must maintain two seemingly contradictory and relatively distinct discursive threads with their marketing and filmmaking clients. To product manufacturers, product placement marketers must assert their ability to prominently, effectively, and widely showcase companies' branded props. To filmmakers, producers, and various on-set personnel, product placement marketers must ensure the insertion of branded props while avoiding overstepping of unclear "creative" boundaries. Additionally, I push beyond my initial production cultures understanding of the private discourses of product placement marketers and argue that the precarious positioning of the product placement marketer is apparent in the work itself. Not only must the product placement marketer's modes of discourse both emphasize *and* downplay their creative influence, but the final filmed placed product is also typically both emphasized for brand recall while downplayed to avoid over-obviousness or untoward crossing of the arbitrary lines between art and commerce.

Thanks in large part to the increasing amount of publicly available behind-the-scenes, extratextual material spurred by the advent of online social media, the field of media studies has experienced a shift in recent years back towards the sort of production-oriented questions originally asked by scholars like David Bordwell, Kristin Thompson, and Janet Staiger.[37]

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

Important in this emergent field of "production studies" or "production cultures" is an emphasis on how media workers present themselves as well as why they present themselves that way. In fact, influential leaders of this category of scholarship Vicki Mayer, Miranda Banks, and John Caldwell argue that "the off-screen production of media is itself a cultural production, mythologized and branded much like the onscreen textual culture that media industries produce."[38] Caldwell argues that this process provides challenges for scholars: "Fieldwork for a study of this sort is complicated by the fact that film and television today reflect obsessively back upon themselves and invest considerable energy in over-producing and distributing this industrial self-analysis to the public."[39] These reflective texts are created at all levels of film production, from traditional powerful personnel like producers and directors to stars and their agents[40] and below-the-line (or ambiguously "between-the-line") workers like film composers.[41]

Production studies scholarship, at its core, aims to outline not only the power structures of the media industries but the individuals and collectives which navigate them. Mayer, Banks, and Caldwell write that production studies "gather empirical data about production: the complexity of routines and rituals, the routines of seemingly complex processes, the economic and political forces that shape roles, technologies, and the distribution of resources according to cultural and demographic differences." The authors write that two research questions naturally

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[38] Vicki Mayer, Miranda Banks, John Caldwell, eds., *Production Studies: Cultural Studies of Media Industries* (New York: Routledge, 2009), 2.

[39] John Thornton Caldwell, Production Cultures: Industrial Reflexivity and Critical Practice in Film and Television (Durham: Duke University Press, 2008), 1.

[40] Peter Labuza, "Putting Penn to Paper: Warner Bros.' Contract Governance and the Transition to New Hollywood," *Velvet Light Trap*, No. 80 (Fall 2017), 4-17.

[41] Myles McNutt, "Between-the-Lines: Social Media, Professional Identity, and TV's Liminal Laborers," *Velvet Light Trap*, No. 80 (Fall 2017), 80-93.

follow: "How do media producers represent themselves given the paradoxical importance of media in society? How do we, as researchers, then represent those varied and contested representations?"[42] This latter adjective—"contested"—is especially central to the mission of production studies scholarship. As the editors of the *Velvet Light Trap* write in the introduction to their issue on production studies, in such scholarship, "we see conflict between and among production personnel and industry creative workers as they vie for power, grapple with their professional identities, and fight for visibility," suggesting, much as Mayer, Banks, and Caldwell do, "that the dramatic stories audiences enjoy when they watch their favorite shows and movies are the result of equally dramatic narratives that often go unseen and, more importantly, unanalyzed behind the camera."[43] It might be said, then, that production studies scholarship is concerned with the infinitesimal opportunities for disagreement and contention spawned by media production's necessarily collaborative but often unequal divisions of labor. And as Elena Levine writes, production studies shifts the focus of "tensions between the local and the global" from media texts and reception contexts towards the actors actually entangled in such tensions.[44] Production studies not only details the inner workings of the various roles involved in the production of media, but also, importantly, the humans who fill them and how their jobs mesh or clash with other personnel.

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[42] Vicki Mayer, Miranda J. Banks, and John T. Caldwell, "Introduction — Production Studies: Roots and Routes," in *Production Studies: Cultural Studies of Media Industries*, ed. Vicki Mayer et al. (New York: Routledge, 2009), 4.

[43] The Editors, "Introduction," *Velvet Light Trap*, No. 80 (Fall 2017), 1.

[44] Elena Levine, "Crossing the Border," in *Production Studies: Cultural Studies of Media Industries*, ed. Vicki Mayer, Miranda J. Banks, and John T. Caldwell (New York: Routledge, 2009), 154.

This style of scholarship, then, encourages researchers to explore territory that has perhaps often been under-considered, especially since the widespread proliferation of media-related media has given the voiceless a much bigger voice. While analyses of traditionally visible media producers like directors or the modern television equivalent of the showrunner still frequently fall under the wide umbrella that is production studies, the conceptual framework has proven quite fruitful in this regard. For example, Amanda D. Lotz and Timothy Havens move away from traditional locations of concentrated media power, writing that, “Arguably, some of the most important media workers don’t play a direct role in the creation or circulation of media. Yet the work of these individuals can make or break a media company, or at least the careers of many working in them.”[45] Such workers include agents, consultants, and other white-collar media personnel. For Banks, this allows her to more accurately tackle issues of modern film and television production, writing that gender “disparity is a critical issue in Hollywood, but in order to understand the nature of the professional landscape, it is crucial to look not just at the overall numbers, but to examine the gendering of individual professions within the industry.”[46] Here, the focus moves from generalizations or broad statistics into the specific ways in which different practitioners have traditionally conceptualized their roles. Alfred L. Martin gestures towards the rich interpretive framework and freedom offered by queer studies, calling for a distinctly queer form of production studies that incorporates fans and other satellite networks: "Queer production studies is as much concerned with the machinations of queer authorship as it is with the

[45] Timothy Havens and Amanda D. Lotz, *Understanding Media Industries* (Oxford: Oxford University Press, 2012), 165.

[46] Miranda J. Banks, “Gender Below-the-Line,” in *Production Studies: Cultural Studies of Media Industries*, ed. Vicki Mayer, Miranda J. Banks, John T. Caldwell (New York: Routledge, 2009), 87.

maneuvers of networks and their engagement with queerness and queer content."[47] In his history of a failed adaptation of the long-running Broadway musical *Cats*, Peter C. Kunze wonders what possibilities production studies might afford the study of unproduced media texts: an "unproduction studies," if you will.[48] And Jon Krazewski turns the gaze of production cultures and identity studies inward, considering scholars' own roles as teachers of television studies.[49] Production studies, of course, has not been immune to criticism; as Janet Wasko and Eileen R. Meehan note, productions studies/media industries scholarship perhaps unfruitfully seems to exist "as an approach that neither is heavily invested in (overtly) neoliberal economics (represented by media economics) nor has the taint of Marxism (represented by political economy)." Yet the authors claim that "careful analysis of capitalism, its structures, the consequences of those structures, and the contradictions that abound, is more than ever relevant and needed."[50] But while production studies scholars are certainly not exploring entirely novel ground, production studies has, at the very least, breathed fresh life into the way in which scholars consider media personnel, as well as which producers they consider in the first place. The opportunity for future intermingling of production studies with other established (and yet-to-be conceived) forms of scholarship is an exciting one.

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[47] Alfred L. Martin, "Introduction: What Is Queer Production Studies/Why Is Queer Production Studies?" *Journal of Film and Video*, Vol 70, No. 3-4 (Fall/Winter 2018), 4.

[48] Peter C. Kunze, "Herding Cats; or, The Possibilities of Unproduction Studies," *Velvet Light Trap*, No. 80 (Fall 2017), 18-31.

[49] Jon Krazewski, "Hybridity, History, and the Identity of the Television Studies Teacher," *Cinema Journal*, Vol. 50, No. 4 (Summer 2011), 166-172.

[50] Janet Wasko and Eileen R. Meehan, "Critical Crossroads or Parallel Routes? Political Economy and New Approaches to Studying Media Industries and Cultural Products," *Cinema Journal*, Vol. 52, No.3 (Spring 2013), 156.

This expanded consideration of the various roles involved in the production of media has, perhaps inevitably, raised questions of authorship. In the introduction to their edited volume on modern media authorship, Jonathan Gray and Derek Johnson outline their work as an attempt to "point to what often goes unspoken in all the discourses and issues of media authorship that surround us in everyday life. To see press or marketing for almost any item of media today without seeing the invocation of at least one author figure is rare. Yet each and every item carries with it the ghosts of authors not mentioned."[51] In a later chapter, Gray credits his interest in authorship to recent work from production studies scholars, writing that "Media and cultural studies work on production has increased exponentially in recent years, with a resulting chorus of scholars noting the various contributors to the process of creation."[52] Caldwell's chapter in the volume serves as an example of such work. He explores the authorial claims made by "below-the-line" workers—those involved in the "physical production" of a media work—as opposed to the typical authorial claims made by "above-the-line" workers—the "talent," as they are commonly referred to—stating that, "On a basic level, authorship and artistic credit are 'industrial' matters dictated by union policies and labor contracts. In other ways, however, authorship and artistic credit are explicit 'cultural' phenomena within production, negotiated interpersonally and collectively through a wide range of socio-professional rituals and habitual workaday routines."[53] Through thorough detailing of the inner workings of the various agents

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[51] Derek Johnson and Jonathan Gray, "Introduction: The Problem of Media Authorship," in *A Companion to Media Authorship*, ed. Jonathan Gray and Derek Johnson (Chichester: John Wiley & Sons Ltd, 2013), 2.

[52] Jonathan Gray, "When Is the Author?," in *A Companion to Media Authorship*, ed. Jonathan Gray and Derek Johnson (Chichester: John Wiley & Sons Ltd, 2013), 93.

[53] John T. Caldwell, "Authorship Below-the-Line," in *A Companion to Media Authorship*, ed. Jonathan Gray and Derek Johnson (Chichester: John Wiley & Sons Ltd, 2013), 350.

involved in the production of a film as well as critical analysis of the power structures that foreground certain authors and minimize others, production studies, then, represents a positive step towards an authorial polyphony that is significantly less weighted at the top.

Such shifts in focus have turned the conversation, in part, towards the world of advertising. If production cultures asks us to complicate the processes by which media is made, we must logically consider the "outside" forces like advertising which greatly impact every step of the media-making process. Alyxandra Vesey, for instance, uses the viral marketing campaign of an independent film to analyze the ways in which (oft-gendered) above-the-line and below-the-line jobs blur together in the less rigorously structured world of filmmaking outside of the studios.[54] In his chapter in *Making Media*, Dustin Supa shows that not only the tools of the formerly distinct meaning-making arenas of public relations and advertising have intermingled but the personnel have as well.[55] Most prominently, perhaps, stands Paul Grainge and Catherine Johnson's *Promotional Screen Industries*. Adopting what the two authors describe as "a production-centered methodology," their work "combines practitioner interviews and fieldwork observation (of production spaces and professional gatherings) with institutional research and textual analysis of promotional screen forms and industrial 'deep texts' such as company workshops, white papers and other semi-public materials."[56] The central concern of their book is the gray area between media and advertising: the trailer houses, marketing firms, and digital

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[54] Alyxandra Vesey, "Reading between the Lines: Gender and Viral Marketing," *Cinema Journal*, Vol. 53, No. 1 (Fall 2013), 144-149.

[55] Dustin Supa, "Perceptions and Realities of the Integration of Advertising and Public Relations," in *Making Media: Production, Practices, and Professions*, eds. Mark Deuze and Mirjam Prenger (Amsterdam: Amsterdam University Press, 2019), 399-409.

[56] Paul Grainge and Catherine Johnson, *Promotional Screen Industries* (New York: Routledge, 2015), 10.

design companies that undeniably produce media, but media that is not run through the same forms of production, distribution, exhibition, and reception as traditional entertainment media. Grainge and Johnson claim that the promotional screen industries are fast-moving and fluid—their forms of media are varied, as is their and their work's relationship to traditional media. Their work, as mine does, blurs the boundary between "content" and "promotion," though with a distinctly digital, contemporary bent. But, as the editors of the *Velvet Light Trap* write, a full understanding of the contemporary moment outlined by Grainge and Johnson requires a reinvestigation of the historical record: "The newly heightened visibility of the production process and the consolidation of the production studies field emphasize the need to reexamine and evaluate production cultures of the past—a past that has itself become more accessible through the growth of archival collections and the digitization of older production texts."[57] It is this goal—a better understanding of the present through a reexamination of the past—that I adopt as my own in this next section.

I believe an interrogation of the history of the role of the product placement marketer is especially important. As I showed in Chapter 1, the quiet emergence of this position in the 1970s and 1980s directly correlates with the mainstream emergence of cinematic product placement—this is a crucial moment in not only defining a new profession but also in defining a larger, burgeoning, culturally and financially significant practice. The product placement marketers of this era, like George Simkowski of Prime Time Marketing, carried forward some of the business standards of the past and altered others while setting new standards for future practitioners. They established and maintained relationships between product manufacturers, marketing departments, and film production companies. They worked their way into existing structures of power while

[57] The Editors, "Introduction," *Velvet Light Trap*, No. 80 (Fall 2017), 1.

constructing distinct new ones. In doing so, they also emblematized the central struggle of product placement from 1896 until the current moment: sneaking an advertisement into a film in a fashion that satisfies the makers of the product and the makers of the film without alienating or going entirely unnoticed by audiences.

In the following analysis of Simkowski's company, I make arguments about each of these three sectors: 1) I argue that the business relationship between product placement marketers and product manufacturers was based on *guarantees* and *wide exposure*, but I also argue that product placement marketers frequently *co-opted the language of Hollywood stardom* in correspondence with their product clients. Product placement marketers promised effective, assured, and frequent placements, giving products many chances to shine on the silver screen. 2) I argue that the business relationship between product placement marketers and film production companies was based on *limited interference* and *additional benefits*. Product placement marketers were cognizant of the idea their work might be viewed as encroachment on classical creativity—as such, their private correspondence emphasized their efficiency, professionalism, and competency as well as the varied, multi-purpose utility of their branded props. 3) I argue, perhaps obviously, that these two separate channels of communication and spheres of influence did not always align perfectly. In fact, the goals of product manufacturers frequently butted up directly against the goals of various film personnel. At its core, then, I argue that the job of the product placement marketer existed in a *gray area of management*. Product placement marketers were connectors, helping two distinct clients achieve their own ambitions while mitigating potential instances of dissatisfaction. 4) Finally, I argue that this off-screen narrative is viewable on-screen in the finished result of the product placement marketer's work: the placed product. If Banks, Mayer, and Caldwell argue that traditional on-screen dramatic narratives are mirrored on the off-screen dramatic narratives constructed by creative personnel, I contend that the off-screen and on-screen narratives of the product placement marketer expand our understanding of what both of these narratives might look like: less traditionally dramatic and, often, grounded in an idea of *visible invisibility*. That is, both the product placement marketer and the placed product aim to be seen, but only as much as is absolutely necessary, and without overstepping any sort of unclear boundaries.

Much of this chapter has already been devoted to detailing how Prime Time Marketing pitched product manufacturers on the efficacy of product placement's particular form of advertising through the use of audience data, clearly stated objectives, timely arguments, and examples of prior success. Prime Time Marketing sold their clients on the integration of branded props into films by characterizing movies as widely seen but also frequently viewed multiple times—the theater allowed access to large numbers of individuals, while television, airplanes, hotels, and, especially, home video provided exposure to additional viewers *and* repeat viewers, thus increasing the chances of lasting brand awareness and effective product recall. Prime Time Marketing portrayed product placement as low-cost, long-term positive publicity: an agreement with the firm was almost always a guaranteed multi-picture deal. The outfit promised access to a highly attractive film-going audience: most typically, said the firm, theater attendees were educated, young, single, and relatively affluent (or at least of balanced income). And in regards to the company itself, Prime Time Marketing was deeply experienced and provenly successful: their list of clients was wide-ranging and reportedly very content.[58]

It is this last thread I aim to disentangle more fully now, for it is here that Prime Time Marketing often moved beyond statistics and clear guidelines and into the realm of

[58] Miguel, "GoldStar," 27.

showmanship, co-opting the language of Hollywood and its studios and stars in the name of giving itself and its clients the blockbuster treatment. The John Candy/Budget Rent A Car advertisement which opened this chapter was not an anomaly. In another full-page spread, a headline reads "Budget goes to the movies." The body of the text below contains numerous allusions to the rental car company's newfound stardom: "Budget Rent A Car is stealing the limelight these days. With feature parts in movies like 'The Package,' … 'Crazy People,' and 'To Sleep With Anger' … Budget's name and products are joining the ranks of stars like Harrison Ford, Dudley Moore and Danny Glover." The reason for Budget's newfound stardom, of course, is an "exclusive agreement between Budget and Prime Time Marketing," who "hope to give Budget the kind of exposure Reese's Pieces received in 'E.T.'" As a result, Budget's name appears "eight or nine times" in *The Package*, and a Budget truck (and, curiously, Budget security guard/"karate instructor"/"stunt man extraordinaire" George Berry) appear in *Above the Law*. A still at the bottom of the page lays out the important actors in a scene from *The Package*: "Dennis Franz and Gene Hackman disregard Kevin Crowley's body … A budget ad is below Dennis' elbow."[59] Simkowski would provide his clients, like Wilson Sporting Goods, with pictures and videos of their "products in action," as he did for the film *Talent for the Game*.[60] And in a retrospective 2006 piece for *Talent Zoo*, Simkowski describes his career of the prior thirty years thusly (**bold** emphasis added by me): "I encourage my clients to use product placement as a way to increase sales and distribution. I inform them of the opportunities to **star**

[59] "Budget goes to the movies," *Badger Bulletin*, Fall 1989, George Simkowski Donor File, WCFTR.

[60] George R. Simkowski to Bill Sherman, August 21, 1990, Television and Theater Files, Box 18, Folder 3, Simkowski Papers, WCFTR.

in a movie or TV show."[61] In actuality, Simkowski's clients obviously did not receive top billing (or, typically, even a prominent showcase), but that matters less to me here than the choice to present Prime Time Marketing (and the oft-banal practice of product placement) in this star-making fashion.

When working directly with the studios and personnel involved in film production, on the other hand, Prime Time Marketing correspondence, pitches, and agreements emphasized the efficiency and practicality of product placement—as opposed to downplaying the banality of product placement, here they embraced it. In one letter, Simkowski refers to his task as "product procurement," a fitting title for how he characterizes his working relationship with film personnel: Simkowski procures branded props and delivers them to the set, but *exactly* how they are worked into the film seems largely left to the filmmakers.[62] The sixty-five cases of R C Cola and Diet-Rite Cola and a variety of RC display materials that were delivered to the producers of *The Package,* for instance, are described as items "that you can use" for product placement and, as Simkowski writes, "this great tasting beverage is [also] for consumption by the cast and crew."[63] There is a slight air of optionality to Simkowski's words, with emphasis placed on the additional benefits of having branded soda on set. A Chevrolet Astro Van is similarly described for use in the film's diegesis but also for its practical use in helping the crew and its equipment

[61] George Simkowski, "Product Placement: a Marketing Phenomenon," *Talent Zoo*, March 8, 2006, http://www.talentzoo.com/news/Product-Placement-a-Marketing-Phenomenon/502.html.

[62] George R. Simkowski to Jim Dennett, September 26, 1951, Television and Theater Files, Box 6, Folder 6, Simkowski Papers, WCFTR.

[63] George R. Simkowski to James Dennett, December 27, 1988, Television and Theater Files, Box 6, Folder 6, Simkowski Papers, WCFTR.

travel from set to set.[64] For *Thelma and Louise*, Simkowski did not just place products in the film, he also provided the crew with seven cars for the Los Angeles shoot and seven other cars for the Utah shoot, including two Lincoln Town Cars and a BMW convertible that director Ridley Scott wished to keep.[65] I contend that Prime Time Marketing frequently framed their branded props as *favors* to the film crew: their products were multi-purpose, efficiently delivered on strict schedules, and capable of saving a significant amount of money, like the $50,000 in Budget Rent-a-Car rental credits provided to the production of *Honey, I Blew Up the Kid*.[66] If there was crossover between Simkowski's job and the job of someone already employed by the studio, his prepared agreement stated he would cede the floor to the studio personnel.[67] According to these documents, Prime Time Marketing was not interfering or infringing upon others' creativity or artistic expression: the company was supporting it, streamlining it, making the process of producing a movie easier and cheaper. This was, after all, what the studios wanted: Nancy Youngblood, director of production resources at Warner Bros. in 1989, writes that her studio is looking "for the best deal in terms of cash injections, backend promotional support and negative cost reduction" from the marketing firm.[68] Simkowski's work entitled him to early script access and resulting alterations, as well as control over various elements of

[64] George R. Simkowski to James Dennett, December 27, 1988, Television and Theater Files, Box 6, Folder 6, Simkowski Papers, WCFTR.

[65] George Simkowski to Rosa Graham, May 7, 1990, Television and Theater Files, Box 34, Folder 2, Simkowski Papers, WCFTR; Dean O'Brien to Jim Jaffe, April 30, 1990, Television and Theater Files, Box 34, Folder 2, Simkowski Papers, WCFTR.

[66] Scott Dorman to Garry Bricker, May 17, 1991, Television and Theater Files, Box 32, Folder 6, Simkowski Papers, WCFTR.

[67] George R. Simkowski to Jim Dennett, September 26, 1988, Television and Theater Files, Box 6, Folder 6, Simkowski Papers, WCFTR.

[68] Nancy Youngblood to George Simkowski, November 30, 1989.

production design like props, sets, and locations, but his interactions with film personnel downplayed these authorial actions—he was happy to help (for a fee) in his small role.

As might be expected, these different presentational modes, as well as the differing goals of Prime Time Marketing's advertising and filmmaking clients, could result in tension: thus, a significant aspect of the product placement marketer's job was to prevent, manage, and de-escalate such tensions. Such was the case with Simkowksi's placement of Jim Beam into the film *Singles* (Cameron Crowe, 1992). In a letter to Lynn Smith, director of national promotions at Warner Bros. Pictures in 1991, Simkowski writes: "I met Jim Greg Juleen, Sales Promotion Manager of Jim Beam Brands Co. He likes the idea of a national establishment promotion in the fall tied in with 'SINGLES.' Greg read the script and likes the story." However, Juleen reportedly had reservations, feeling that the movie required more "relevance" to Jim Beam's products. Simkowski then lays out some of the necessary steps for a successful negotiation: Jim Beam products should be placed in *Singles* in an exclusively "positive manner," a requirement Prime Time Marketing's president included for all of his placements;[69] Jim Beam and Warner Bros. would launch a collaborative national advertising campaign which included a sweepstakes promotion (likely in conjunction with a national restaurant chain like T.G.I.Friday's or Bennigan's) with the grand prize being a private screening and party with 100 friends courtesy of the studio and the bourbon brand. The contest's supplementary prizes comprised "other products used in the movie, including TVs, stereos, answering machines, automatic garage doors, car stereos, luggage, etc."; Jim Beam would be allowed to use all "logos, posters, copy lines and movie artwork used by Warner Bros. marketing" for the film; and Jim Beam would hold a

[69] George R. Simkowski to Lynn Smith, CC: Les Weingard, February 4, 1991, Television and Theater Files, Box 33, Folder 1, Simkowski Papers, WCFTR.

private screening of the film for their employees and have the opportunity, if they chose, to have a distributor meeting at Warner Bros., which Simkowski says should introduce Beam's clients to the product placement and accompanying tie-in promotions of *Singles* with "all the glitz and glitter of a Hollywood premiere." Even still, Simkowksi notes that a meeting date between Warner Bros. and Jim Beam should be arranged as soon as possible to work out the details of the promotions outside *and* inside of the film.[70] Here Simkowski's creative contribution becomes more complicated and pronounced than simply replacing an unbranded prop with a branded one—Jim Beam not only wanted its products to enter the diegesis of *Singles*, it wanted its products to enter a diegesis of *Singles* that had been altered in a fashion more favorable to the brand. The challenge for the product placement marketer, then, was to ensure that both sides would benefit enough without either overstepping boundaries or failing to deliver on promises. In this regard, Prime Time Marketing mirrored the actions of the Hollywood agents it so often mimicked in its advertising and pitches: the product placement marketer might best be thought of as an intermediary contract negotiator. Their work, neither wholly cinematic nor wholly promotional, existed in the gray, oft-hidden margins between the two worlds.

I argue that this off-screen narrative is mirrored by the final on-screen placed product. If we are to understand the role of the product placement marketer as a negotiation between the Hollywood-ification of the branded product and the commercial exploitation of films and television, nearly this exact balancing act is replicated in the art of placing, framing, staging, and shooting the product on-set and subsequently seen in the final film or television program viewed by audiences. Although there are notable exceptions, such as the comedic embrace of obvious, self-aware product placements, the practice is typically considered to be "stealth" marketing: the

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[70] George R. Simkowski to Lynn Smith, CC: Les Weingard, February 4, 1991, Television and Theater Files, Box 33, Folder 1, Simkowski Papers, WCFTR.

placed product must be distanced from its commercial status to avoid accusations of encroachment, but it must also not be entirely divorced from it, so as to ensure that potential customers might register it as a possible future purchase. Or, as marketer Catherine Emond tells Jean-marc Lehu, "the cardinal error to be avoided [in product placement] is thinking that you can put an advertisement in the film, whereas the idea of a placement is to integrate it naturally."[71] In chapter 4, I expand upon this idea, showcasing how elements of film style and narrative combine to achieve subtle (and sometimes not-so-subtle) integration, but the key takeaway here is that the dual forces off-screen (the product manufacturer's goals on one end, the film studio's on the other) are part of the same duality on-screen (the product must be *advertised/seen* but also *made to be a natural part of the story world/not overly seen*). In between these two poles sits the product placement marketer, a figure absolutely integral to this process, a figure who both overemphasizes and later downplays their star-making ability, a figure oft-obscured or forgotten by history. But then, that kind of visible invisibility is part of the job.

I want to end this section with an extended case study on the product placement in *The Rest of Daniel* (eventually retitled and released as *Forever Young* (Steve Miner, 1992)) that further illuminates and expands upon the various concepts and arguments outlined above. This case study represents a slight shift in primary focus towards how the studios communicated with product placement marketers and what this information might convey about the role of the product placement marketer. First, I examine the sorts of contracts product placement marketers entered into agreement with the studios (in this case, specifically Warner Bros.). The studios often wrote the value of product placement and the required invisibility of the job directly into these contracts, setting in ink the precarious void to which product placement marketers were

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[71] Jean-marc Lehu, *Branded Entertainment: Product Placement and Brand Strategy in the Entertainment Business* (London: Kogan Page, 2007), 224.

routinely restricted in their relationships with film production companies. Second, I again consider communication between product vendors and Prime Time Marketing and how it centers the 'star-making' qualities of product placement. In both, the production cultures portrait painted above becomes clearer—product placement was sold to product manufacturers on the basis of its Hollywood shininess, but the actual work of the product placement marketer (and the actual integration of the product) with the studios existed in intentionally less prominent, celebrity-making territory.

Though variation existed between different studios and strata of production companies, product placement marketers entered agreements with these filmmaking outfits that affirmed their financial worth but rendered their services mostly invisible. In agreeing to first provide script guidance and later provide branded props for *The Rest of Daniel*, Simkowski and Prime Time Marketing entered two separate agreements with the film's distributor, Warner Bros. For the first process of script combing, Simkowski's team agreed to script release terms and conditions. Many of these terms and conditions were likely standard fare for the early release of important production documents, such as the prevention of duplication of the screenplay or public release of script/production materials. However, the agreement also contains many restrictions which limit the scope of the product placement marketer's influence on the film and engagement with the film production outfit to only the Production Resources Department: "<u>All scripts, synopses, and related materials must be issued only from the Production Resources Department</u>"; "You may not make direct contact with any Warner Bros. Production without written consent from the Production Resources Department. This rule will apply despite the fact that some of your agents may have ongoing relationships with picture personnel with whom they have worked on other productions"; "All proposals related to product placement (cash injections, barters, promotions) must be discussed with the Production Resources Department only"; "Please do not attempt to make any set or studio visits to any Warner Bros. Production unless you are accompanied by a representative from the Production Resources Department or are in possession of a written consent to allow such visits," etc.[72] Warner Bros. utilized this exact agreement on other productions, like *Lethal Weapon 3* (Richard Donner, 1992) and *Falling Down* (Joel Schumacher, 1993),[73] that it coordinated with Prime Time Marketing. Product placement marketers were certainly not alone in not having unfettered access to the studio and its personnel, but the restriction to the production resources department limited not only their influence but also even knowledge of their association with the production. This is especially true since the actual integration of the product was typically handled by production resources department members who would not be easily identifiable as direct agents of advertising.

After combing through the script, identifying instances of potential placement, and securing products for the production, Prime Time Marketing entered a "Production Resources Agreement" with Warner Bros. This document laid out the value of the arrangement, detailing which products Simkowski's company would provide, their monetary worth, and the additional financial compensation required of the product manufacturer (in the case of *Forever Young*'s Cobra telephones and answering machines, $0). This agreement also reiterated that, once the product arrived on set, responsibility for said product was transferred over to the production resources department, who were then liable for its safe, damage-free return to the vendor. After recapitulating one of the terms of the earlier script release agreement ("You further agree that no

[72] Television and Theater Files, Box 23, Folder 4, Simkowski Papers, WCFTR.

[73] October 28, 1991, Television and Theater Files, Box 22, Folder 5, Simkowski Papers, WCFTR; "Warner Bros. Script Release Terms and Conditions," February 14, 1992, Television and Theater Files, Box 26, Folder 4, Simkowski Papers, WCFTR.

representative of your company shall appear at any shooting location unless accompanied by a representative of our Production Resources Department or has obtained prior written consent from such representative"), the production resources agreement turns blunt about this relocation of control (bolding mine, for emphasis):

> [Y]ou agree to pay us the sum […] at such time as we have demonstrated that said Product appears recognizably in the answer print of the Picture. It is your desire that the Product appear in the Picture. You consent and such consent is limited to, such product's appearance in the Picture and in the advertising, promotion, and exploitation, thereof, any and all media now or hereafter known, throughout the world, in perpetuity. Any other use of the Product is strictly prohibited. If the Product does not appear as agreed we will waive all payment. Neither you nor we shall have any further obligations under this agreement. **Notwithstanding anything herein to the contrary, you recognize that the producers of the Picture must retain all artistic and creative control, and may decide for subjective reasons to edit the Picture in such a way that the Product may not appear recognizable in the Picture as released**. You warrant that no other consents are required for the appearance of the Product in the Picture or that all such consents have been obtained by you.[74]

This agreement formalized what was an oft-unspoken fear of filmmaking personnel working with product placement marketers—that the latter would wrestle away artistic control from the former. In the case of Warner Bros., this necessitated two agreements which effectively rendered the product placement marketer invisible to product personnel outside of the department of production resources. These agreements also limited Simkowski's control over the actual appearance of the product in the final film.

Other studios, it should be noted, often followed suit, with Twentieth Century Fox, for instance, stating in their agreement for *The Vanishing* (George Sluizer, 1993) that all business

[74] "Production Resources Agreement RE: 'The Rest of Daniel,'" February 28, 1992, Television and Theater Files, Box 23, Folder 4, Simkowski Papers, WCFTR.

was "to be conducted through product placement department; no presence on set." It details an even stricter vetting process:

> If company elects to participate in the Picture and if Producer desires such participation, Company agrees at all times to work directly with Producer's Product Placement Department. In this regard, Company agrees to obtain the prior written approval of Producer as to the nature and number of Products that Company may deliver to any set, location or office of Producer, whether in connection with the Picture or otherwise. Company shall obtain Producer's written approval prior to initiating or continuing contact (whether in person, by letter, telephone or otherwise) with Producer's production or other personnel, including without limitation, line producers, production managers, production assistants, property masters, set decorators, set designers, production designers, and art directors. Company may not be present on the set or in any of Producer's offices or other locations without prior written authorization from Producer's Product Placement Department.[75]

Such contractual restrictions and qualifications were avoided in conversations between the studio and product manufacturers. Instead, focus was placed, once again, on the star-making potential of product placement and its accompanying promotions. In a letter from Prime Time Marketing employee Dana Victor to Carol Margolis, assistant brand manager at Nestle, the former claims that *The Rest of Daniel* is "a fabulous film for the whole family, with some wonderful product placement opportunities for Nestles/Hills Bros." Required branded props included 1930s-era Hills Bros. coffee cans (to be placed in star Mel Gibson's home), a 1939 diner that will feature Nestle/Hills Bros. signage, coffee pots, coffee makers, and hot chocolate, and 1992-era Hills Bros. coffee cans for a kitchen "where Mel Gibson stays and makes breakfast and dinner," Juicy Juice tetra paks for a "GREAT scene with Mel Gibson drinking juice," and more signage and associated coffee paraphernalia for the 1992 version of the diner. Victor writes, "Production is

[75] "Product Placement Confidentiality Agreement 'The Vanishing,'" Television and Theater Files, Box 24, Folder 5, Simkowski Papers, WCFTR.

VERY interested in anything you can provide that would have been around in 1939, that is still around in 1992," certifying that "The placement will be excellent, with a number of actual 'hands-on' scenes with Mel Gibson. Obviously, they are very interested in a back-end promotion in conjunction with the release of the film."[76] By now, this should read as a common theme in product placement marketing: while product placement marketers sold product placement to product manufacturers on the basis of the product's *visibility*, the work of the product placement marketer with the studios was, voluntarily on behalf of the marketer and contractually on behalf of the studios, characterized by its *invisibility*.

Conclusion

In this chapter, I described how product placement marketers sold their profession to interested product manufacturers utilizing legitimizing data like audience demographic profiles, box office receipts, complex calculations about potential viewership, and other statistics to lend product placement an air of proven success and obvious value. In particular, I argued that product placement marketers across time declared their current moment to be the *perfect* situation to advertise via product placement. In the 1980s, this argument was centered around the advent of home video technology and its larger potential audiences and the resulting increased rewatching of films. Complimenting this surface-level "objective" approach was a rhetoric of celebrity, Hollywood, and star-making that emphasized the increased and attractive visibility of products on screen. Contrasting this visibility was a necessary invisibility of the product placement marketer's work with the studios, as product placement marketers were keen to show the monetary value of their in-film advertisements but careful to avoid overstepping unclear lines between commerce and art. Product placement marketers often situated themselves in this gray

[76] Dana Victor to Carol Margolis, January 10, 1992, Television and Theater Files, Box 23, Folder 4, Simkowski Papers, WCFTR.

area voluntarily, though the studios also drew up contracts which enforced this inconspicuousness.

Chapter 3

Legal Histories and Public Discourses of Product Placement

Introduction

On September 17, 1949, *Harrison's Reports*, an independent exhibitor-focused motion picture trade journal edited and founded by former *Motion Picture News* reviewer P. S. Harrison, published a front-page editorial titled "A Crafty Appropriation of the Exhibitors' Screens." The opinion piece followed news in the pages of *Variety* that the Gruen Watch Company had filed a lawsuit against Hollywood producer Lester Cowan, who reportedly reached an initial agreement with Gruen to place a billboard for its products in a splashy climactic scene in the final Marx Brothers' film *Love Happy* (David Miller, 1949)—when the watch company later refused Cowan's additional request for it to "donate large sums of money" for a tie-up advertising campaign, the producer broke the agreement and instead reached a new one with the Bulova Watch Company.[1] News of this and other paid placements put the film on the radar of *Harrison's Reports*, which proudly declared itself "a reviewing service free from the influence of advertising" and conceived of itself as something of a moral watchdog for stateside theaters.[2]

"A Crafty Appropriation of the Exhibitors' Screens" is a blistering critique. Its incendiary opening paragraphs reads, "For many years, as most of you know, the exhibitors have condemned the practice of concealed advertisements in motion pictures sold as pure entertainment because it is an imposition on both the public and the exhibitor." Harrison claims that exhibitors know "from experience that a patron who pays an admission price at the box office does so for the privilege of seeing an entertainment only." Therefore, when "an

[1] "Gruen Files to Stop 'Love Happy' Release," *Variety*, July 13, 1949, 18.

[2] Eric Hoyt, "*Harrison's Reports* (1927-1962)," *Media History Digital Library*, 2014, https://mediahistoryproject.org/hollywood/index.html.

advertisement is 'slipped' over on him, he feels he has become a victim of an advertisement stunt, and rightfully resents it." But it's not only the viewer who lays claim to being swindled: "the exhibitor, too, feels that he has been taken advantage of, for when he finds advertising injected a picture he had bought for entertainment purposes, it means that the producer has appropriated his screen without paying for the privilege and without regard for the resentment that will be felt by the audience." [3] The editorial closes with a promise of a full report upon *Love Happy*'s release, a report which ended up being similarly agitational: "After seeing this picture, it is the opinion of this writer that it is nothing more than a billboard of immense size, despite its entertainment values." [4] But, importantly, the report also found room for brief quotes from Cowan himself: "Mr. Cowan stated that he is just as set against advertising in pictures as any one else in the industry, for the practice means that you are prostituting the screen, but he felt that the case of 'Love Happy' is different because the motive is reciprocal advertising for the picture to the ultimate benefit of the exhibitors."[5] Harrison's thesis, then, is simple: the movies are a terrain of entertainment, and advertising has no place there, especially if it is of the hidden variety.

I open with this anecdote because it represents a rare (and rarified, given the small distribution of *Harrison's Reports*) example of product placement entering both the court of public opinion and *the actual courts* during the early dominance of Golden Age Hollywood's studio system. As outlined in Chapter 2, product placement in the movies typically aims to be a clandestine exercise, and in the days before *E.T.*'s curtain-pulling emergence in the 1980s, clandestine it mostly remained. And while the role of the product placement marketer was

[3] "A Crafty Appropriation of the Exhibitors' Screens," *Harrison's Reports*, September 17, 1949, 149.

[4] "A Report on 'Love Happy'," *Harrison's Reports*, October 8, 1949, 161.

[5] "A Report on 'Love Happy'," *Harrison's Reports*..

integral in maintaining a level of secrecy, other factors—like the legal cases and media coverage—also played a role in how product placement functioned both within entertainment and to viewers. It is perfectly reasonable to expect that *Love Happy*'s flashy final sequence might have registered the same disdain from *Harrison's Reports* without the public court battle that preceded it, but in the history as it occurred the court case *did* prepare the trade journal for the advertising extravaganza's appearance. I take this relationship—the way the legal system shapes product placement form and perception—as my central analysis for this chapter.

In doing so, I consciously expand the scope of my previous chapters to include analysis of not only product placement's legal and public discourse history in the realm of American cinema but also in American radio and television. I believe that a comparative approach is essential in understanding the evolution of product placement in any of the three mediums for the simple reason that the legal histories are so varied, and, when viewed together, paint a clearer picture of why advertising generally and product placement specifically evolved in different ways across the mediums. While the film industry was mostly able to escape widespread governmental censorship thanks to the creation of Motion Pictures Producers and Distributors Association in 1922 and the subsequent adoption of Will H. Hays's Motion Picture Production Code, the same was not true of the other mediums. Due to surface-level strict sponsorship identification regulations from the FCC (which, it must be noted, were and still are routinely broken by television and radio stations), advertising in radio and television lacked the same degree of stealth as film's early placements. Resultantly, "in-entertainment" advertising form and reception of said advertising differed across the three mediums—while certainly not a strict argument of medium specificity, I consider the ways in which a medium's unique or differentiated qualities and structures (the lack of visuals in radio, the commercial form of early television, the "theatrical experience" of the movies) interact with legal decisions to mold the formal qualities of product placement as well as the discourse surrounding it. Most directly, I argue that the same legal and structural decisions that resulted in mainstream American radio and television utilizing advertising as its primary form of revenue *also* explicitly altered the possibilities for product placement in those mediums; likewise, structural and legal decisions (or the elision of legal decisions) imbued American cinema with the illusion of being free of advertising, which opened the door for product placement to secure its clandestine foothold.

This chapter, then, at once represents a marked shift backwards in time from the last chapter's focus on product placement's mainstream emergence in the 1980s, while also seeking to build upon the narrative threads outlined by the production cultures approach of Chapter Two. If product placement and the product placement marketer are conceived as existing in a gray area between the somewhat distinct spheres of "commerce" and "art," Chapter Three's legal considerations and public discourses about product placement offer the rare chance to directly view how those within government, industry, and journalism have historically conceptualized and positioned the practice. In doing so, I consciously expand the scope of my argument to more fully examine not only the industrial reasons as to why product placement took on such great prominence in the film industry, but also how the courts, trade magazines, industry leaders, and others shaped the specific form in which product placement evolved, effectively creating the gray area in which the product placement marketer would later thrive. If Chapters One and Two revise the traditional media studies narrative about product placement, Chapter Three explores previously underdiscussed territory (the legal history of product placement) and relatively novel terrain (trade discourse about product placement).

To tell this story, I draw on actual court cases themselves as well as a long list of legal scholarship on product placement and entertainment sponsorships—both of which have routinely been ignored or rushed past by current media studies scholarship on product placement. I also firmly ground my analysis in academic literature about the financial and power structures of the early media industries as well as literature about audience relationships with advertising in radio, television, and film. And, of course, my chapter draws on novel areas of discourse, both re-considering the trade magazines' relationships with product placement's evolution as well as considering less-discussed voices like the aforementioned P.S. Harrison.

This chapter is structured into four sections: in the first, I broadly analyze the legal issues surrounding product placement in American entertainment media, considering both the history of actual court cases involving or impacting product placement as well as academic arguments for how product placement restrictions should or should not be enforced. In each of the next three sections, I analyze how these legal decisions have affected the form and reception of product placement across television, radio, and film, respectively. What emerges is a complicated series of contests over topics such as free speech, misleading advertising, medium neutrality vs. medium differentiation, and morality in consumerist culture that I argue shaped the aesthetic and narrative dimensions and possibilities of product placement in these three mediums, ultimately laying the groundwork for product placement to later transform into a multi-billion-dollar industry.

Legal History

From February 2nd to February 5th, 1960, the United States House of Representatives' Subcommittee on Postal Operations of the Committee on Post Office and Civil Service held a hearing on "self-policing of the movie and publishing industry." The issue at hand: the subcommittee had reportedly received a slew of letters complaining about an increase in obscenity and pornography in movies, magazines, literature, and newspaper. In attendance was Eric Johnston, the president of the Motion Picture Association of America, who claimed to represent the interests of nine American movie companies: Allied Artists, Buena Vista (Walt Disney), Columbia, Loew's, Paramount, 20th Century Fox, United Artists, Universal, and Warner Bros. Joining Johnston was Geoffrey Shurlock (director of the Production Code Administration), Gordon White (director of the Advertising Code Administration), and Margaret Twyman (director of the MPAA's community relations department). Johnston opened his remarks by refuting the presence of obscenity or pornography in American pictures, citing strong adherence to the industry's famed Production Code. He thanked the U.S. Supreme Court for the freedoms of speech afforded to the film industry, but acknowledged that those freedoms brought a certain set of responsibilities: "All responsible persons in the communications media, while cherishing this freedom and resisting encroachments upon it, fully recognize that freedom means neither license nor licentiousness. Freedom imposes responsibility. It requires self-discipline. It demands these things of the communications media no less than of the individual citizen." According to Johnston, "No other industry has matched us in fulfilling these obligations."[6]

But as Johnston clarified, freedom was not free of challenges: "Stripped of window dressing and easy oratory, it is a dangerous doctrine. It is a risky doctrine. It cannot survive without individual responsibility. It cannot survive with governmental invasions and usurpations. And it is the only doctrine worth living by."[7] And in the case of the film industry's self-

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[6] Eric Johnston, "Hearing Before the Subcommittee on Postal Operations of the Committee on Post Office and Civil Service, House of Representatives, Eighty-Sixth Congress, Second Session," February 2-5, 1960, 5.

[7] Johnston, "Hearing Before the Subcommittee on Postal Operations," 5-6.

regulating Production Code, Johnston argues that freedom afforded the film industry protection without dogmatic adherence: “Obviously, what we want, and what our code was created to assure, is breadth and diversity, not blind conformity, in the motion picture art. And we don't intend the code as a document that says: ‘You can't film that.’ What it does say is: ‘You can film that if you abide by responsible standards of morality and decency.’”[8] According to Johnston, this was at the very heart of how the film industry functioned: “This is precisely what our system of self-regulation seeks to do. It assures diversity and variety. It keeps the screen open to subjects that are an inherent part of life, of literature, and of drama. This is the key to the code: Treatment; how a subject is dealt with on the screen.”[9] Johnston, Shurlock, White, and Twyman would leave Washington with their industry’s self-regulating privileges still secure.

In this section, I examine these free speech protections and mechanisms of self-regulation in relation to cinematic product placement. I trace the history of the American film industry’s “entertainment speech” protections, especially as it relates to the industry’s formation of the Production Code. I consider how product placement fits into this equation, especially in regards to the distinct protections afforded to “commercial speech” as opposed to entertainment speech. In doing so, I draw from pre-existing legal scholarship that has mostly gone ignored by film and media scholars but provides a new avenue into considering the paths the film industry took and also the paths it avoided taking in regards to product placement. I also consider the legal evolution of product placement in America’s three dominant entertainment mediums: radio, television, and film. Throughout, this section looks towards the second half of this chapter, tracing how the legal restrictions placed on product placement in radio and television—though

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[8] Johnston, “Hearing Before the Subcommittee on Postal Operations,” 6-7.

[9] Johnston, “Hearing Before the Subcommittee on Postal Operations,” 7.

not always strictly enforced—and the corresponding lack of legal restrictions placed on product placement in film ultimately shaped the evolution of product placement and the public's relationship to advertising in each of the three mediums. Most directly, I argue that while product placement may theoretically be considered as a distinct form of commercial speech housed within the larger film's entertainment speech, such arguments have remained almost fully theoretical, leaving the film industry to self-regulate product placement much like other potential objectionable content.

Legal scholars have primarily discussed product placement's legality in the United States as an issue of "free speech," considering what protections might apply to the covert form of advertising. But part of the murkiness surrounding product placement's legality is deciding under which free speech doctrine product placement should even be considered in the first place. Since product placement involves naturally embedding branded objects into films and television programs, one potential avenue is considering product placement as a form of "entertainment speech," thereby providing it with the same protections applied to the larger fictional works in which products are placed. And entertainment speech, particularly as it relates to film, has largely evolved from being relatively unprotected to being a much more highly protected form of speech.

Perhaps the most notable court case involving free speech and the movies is 1915's *Mutual Film Corp. v. Industrial Commission of Ohio*, a landmark unanimous ruling with significant, lasting ramifications wherein the United States Supreme Court decided that free speech protections provided by the Ohio Constitution did not apply to movies. As Garth S. Jowett notes, the case was initially viewed as a minor crescendo following earlier cases like *Block v. Chicago* in 1909 (the first film censorship case heard in the United States) and the establishment of film censor boards in Pennsylvania in 1911 and Ohio in 1913 (with more to come in Kansas in 1914, Maryland in 1916, and New York and Virginia in 1922). The Mutual Film Corporation, which shipped films out of Michigan into Ohio, challenged the creation of the latter state's film censor board (and resulting inspection fees), filing an injunction to "restrain the enforcement of the law, claiming that the statute imposed an unfair burden on interstate commerce, that it was an invalid delegation of legislative powers to the board of censors because it failed to set up precise standards by which films were to be approved or rejected, and that it violated the free speech guarantees of the Ohio Constitution and the First Amendment."[10]

It was this last argument—that the Ohio censorship board encroached upon Mutual's rights to free speech—that proved to be the most important. Mutual partially founded its case by making comparisons between its films and the free press, but the court found these comparisons unconvincing, with Justice Joseph McKenna writing:

> It cannot be put out of view that the exhibition of moving pictures is a business pure and simple, originated and conducted for profit, like other spectacles, not to be regarded, nor intended to be regarded by the Ohio constitution, we think, as part of the press of the country or as organs of public opinion. They are mere representations of events, of ideas and sentiments published and known, vivid, useful and entertaining no doubt, but, as we have said, capable of evil, having power for it, the greater because of the attractiveness and manner of exhibition.[11]

Films, due to their projection in public or semi-public spaces, their financial aims, and their great potential to knowingly or unknowingly effect the minds of audience members, were then considered to be overwhelmingly commercial objects worthy of potential censorship and

[10] Garth S. Jowett, "'A capacity for evil': The 1915 supreme court Mutual Decision," *Historical Journal of Film, Radio and Television*, 9:1, 66-67.
[11] Mutual Film Corporation v. Ohio Industrial Commission, 236 US, 230 US Supreme Court, 1915, 244.

increased scrutiny for the good of the public. State censor boards were thus allowed to continue operations. While the decision provided much energy for pro-censorship reformers and many failed efforts were made to establish national film censorship boards, Laura Wittern-Keller claims that *Mutual*'s lasting legacy was "in later courts' reluctance to tamper with it," as the decision stood in the highest court of the land for nearly forty years.[12] And in the states, the censor boards retained a fair amount of power: in New York, for instance, only one film—*Good Riddance* (1923)—overturned state censorship between *Mutual* and World War II, with many more features facing censorship.[13]

But rather than fully give themselves over to the will (and monetary demands) of local censorship boards (and thus find their films unable to travel freely across the country), the major figures of the American film industry instead adopted methods (or, initially, veils) of self-censorship in an attempt to skirt any potential state censorship codified by *Mutual Film Corp v. Industrial Commission of Ohio*. In fact, the Motion Picture Producers and Distributors of America (MPPDA), a trade association established in 1922 representing the major studios of the American film industry, was formed under its first president Will Hays in an effort to clean up the image of the film industry. While this work included reining in off-screen behavior of some of Hollywood's stars and shoring up the industry's relationship with Wall Street, a major ambition of the Hays administration quickly became self-censoring films in the name of avoiding the ramshackle jumble of restrictions unclearly outlined by various state censor boards. After a number of earlier efforts failed to live up to their wholesome content promises (like the MPPDA's list of "Don'ts and Be Carefuls"), Hays and Joseph Breen created the Production

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[12] Laura Wittern-Keller, *Freedom of the Screen: Legal Challenges to State Film Censorship, 1915-1981* (University Press of Kentucky, 2008), 46.

[13] Wittern-Keller, *Freedom of the Screen*, 50.

Code Administration, which offered a content-restricted stamp of approval for films which adhered to its restrictions and had the power to fine any produced, distributed, or exhibited studio film which did not. As Laura Wittern-Keller writes, "Hollywood accepted the PCA as its penance. It made all the difference. For nearly twenty years, no member studio attempted to defy the PCA by distributing an unapproved film." The reason for doing this was obvious: "Producers soon learned that adherence to Breen's demands also meant fewer problems with the state and local censor boards," but "the price for this decrease in censor trouble, of course, was loss of artistic freedom, which sometimes bordered on the inane."[14] Lea Jacobs argues that institution of Breen as the leader of the PCA did not constitute "radical shifts in policy" but rather "existing policies were elaborated or amended so that it became more difficult for films to elude the constraints of censorship."[15] This did not mean the PCA entirely eliminated objectionable material:

> After 1934, then, it was still possible for producers to devise ways of 'getting around' the constraints of censorship in order to allude to material deemed offensive. At the same time, however, Breen's application of the Code with regard to the treatment of story and character was relatively more severe than that of [its predecessor] the Studio Relations Committee, and more narrowly circumscribed the sorts of options available to producers.[16]

In this era, the PCA altered content of Hollywood's films ranging from large structural issues to minute details, including the use of trade names in product placements (though, of course, this just sent product placement activity further "underground").[17]

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[14] Wittern-Keller, *Freedom of the Screen*, 61.

[15] Lea Jacobs, *The Wages of Sin: Censorship and the Fallen Woman Film 1928-1942* (Madison: The University of Wisconsin Press, 1991), 111.

[16] Jacobs, *The Wages of Sin*, 114.

[17] Jay Newell, Charles T. Salmon, and Susan Chang, "The Hidden History of Product Placement," *Journal of Broadcasting & Electronic Media* 50, no. 4 (December 2006), 579.

While the Production Code helped the major American studios largely evade state censor board regulation, the Supreme Court additionally later reversed its decision in *Mutual Film Corp v. Industrial Commission of Ohio* with its 1952 decision in *Joseph Burstyn, Inc. v. Wilson*, providing entertainment speech with further free speech protections (though still not total protection). In 1950, independent distributor Joseph Burstyn packaged three short foreign-language films—*Jofroi* (Marcel Pagnol, 1931), *A Day in the Country* (Jean Renoir, 1936), and *Miracle* (Roberto Rossellini, 1948)—into a trilogy titled *Ways of Love* that he meant to exhibit at the Paris Theater in New York City. The final film, however, was rejected by the state's censorship boards on the grounds that it was sacrilegious.[18] Two years later, Burstyn's appeals case was tried before the U.S. Supreme Court, and the resulting decision provided films with important new protections, namely in the form of free speech. While the earlier court decided that films were a business and thus not allotted the same free speech protections as the press, in 1952 the court declared that the financial ambitions of the movie industry did not preclude those very same free speech protections: "That books, newspapers, and magazines are published and sold for profit does not prevent them from being a form of expression whose liberty is safeguarded by the First Amendment. We fail to see why operation for profit should have any different effect in the case of motion pictures."[19] Despite the allowance of new free speech protections provided by both *Burstyn* and the later case *Interstate Circuit, Inc. v. City of Dallas* in 1968—which concerned a Dallas, Texas, ordinance that created a Motion Picture Classification Board that ruled the film *Viva Maria* as "not suitable for young persons" with the

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[18] Laura Wittern-Keller, *Freedom of the Screen*, 108.

[19] *Joseph Burstyn, Inc. v. Wilson*, 343 U.S. 495 (1952), 501-502.

potential "to incite or encourage crime, delinquency, or sexual promiscuity on the part of young persons"—neither fully outlawed censorship of films.[20] But censorship was only permitted as long as any proposed restrictions were "narrowly tailored,"[21] with the court writing in *Burstyn* that "[i]t does not follow that the Constitution requires absolute freedoms to exhibit every motion picture of every kind at all times and all places."[22] In response (to the latter case, especially), the re-dubbed Motion Picture Association of America (MPAA) once again self-regulated by developing and enacting a voluntary ratings system in November of 1968, a ratings system that remains in place today, albeit with a few slight alterations. It is this combination—the affordance of free speech protections first by *Burstyn* and then by *Interstate Circuit*, and Hollywood's willingness to self-regulate—that has left entertainment speech relatively loosely regulated by the courts, especially in comparison to other industries.[23] With some high-level exceptions, it is primarily the American movie industry itself which decides what does or does not make it onto theater screens.

While the story of the free speech protections provided for movies follows a relatively straightforward track from little protection to advanced protections (and willful self-regulation), the story of commercial speech travels a more complicated route. Matthew Savare describes commercial speech's journey as following three distinct phases: "the gradual recognition that such speech was entitled to First Amendment protection, the doctrinal 'retreat' that nearly

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[20] David L. Hudson, Jr., "*Interstate Circuit, Inc. v. Dallas* (1968)," *The First Amendment Encyclopedia*, https://www.mtsu.edu/first-amendment/article/352/interstate-circuit-inc-v-dallas.

[21] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine: The Business, Legal, and Creative Ramifications of Product Placements," *UCLA Entertainment Law Review* Vol. 11:2, 2004, 337.

[22] *Joseph Burstyn, Inc. v. Wilson*, 502.

[23] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 339-340.

eviscerated all constitutional safeguards, and the current 'rejuvenation' of the doctrine."[24] Commercial speech's free speech evolution through the Supreme Court began with *Valentine v. Chrestensen* in 1942, a case which concerned a World War I submarine owner who distributed advertising handbills throughout the streets of New York City—and in violation of a municipal ordinance that prohibited such advertising. In this case, the court first established that commercial speech was distinct from non-commercial speech and that the former, in its purest state of commercialism, was not to be supplied with the free speech protections provided to the latter.[25] As Micah Berman writes, this meant that, "Before the mid-1970s, the Supreme Court did not consider commercial speech to be protected by the First Amendment at all."[26] 1975's *Bigelow v. Virginia*—wherein "Jeffrey Cole Bigelow, managing editor of the *Virginia Weekly,* was convicted in Virginia for printing an abortion advertisement from a clinic in New York, where abortions were legal"—eventually afforded some free speech protection to advertising and other commercial forms of speech, but still left the door open for exceptions to be made for purely commercial speech.[27] 1976's *Virginia State Board of Pharmacy v. Virginia Citizens Consumer Council, Inc*.—which concerned whether a Virginia statute preventing pharmacists from advertising drug prices was a violation of the pharmacists' rights to free speech—more firmly established free speech protections for advertising, in truth, for the first

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[24] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 340.

[25] Richard Parker, "*Valentine v. Chrestensen* (1942)," *The First Amendment Encyclopedia*, https://www.mtsu.edu/first-amendment/article/212/valentine-v-chrestensen.

[26] Micah L. Berman, "Manipulative Marketing and the First Amendment," *The Georgetown Law Journal*, Vol. 103 (2015), 503.

[27] David L. Hudson, Jr., "*Bigelow v. Virginia* (1975)," *The First Amendment Encyclopedia*, https://www.mtsu.edu/first-amendment/article/194/bigelow-v-virginia.

time, though Jacob Strain notes that these protections were still to a "lesser degree than normal speech."[28]

It was this last case which set an important precedent for judging commercial speech: whereas *Valentine v. Chrestensen* determined whether speech was commercial or non-commercial by the supposed motivation of the speaker, *Virginia State Board of Pharmacy v. Virginia Citizens Consumer Council, Inc.* shifted the focus to the "content of the message."[29] The court clarified that, while free speech protections would not be provided false or misleading (or otherwise illegal) advertising, it would be provided for factual information tied to baldly lawful activity. A later case, 1980's *Central Hudson Gas & Electric Corp. v. Public Service Commission of New York*, then established a standard by which the court could decide whether any regulations put on commercial speech were authorized by the constitution — a four-part test described as follows:

> In commercial speech cases, then, a four-part analysis has developed. At the outset, we must determine whether the expression is protected by the First Amendment. For commercial speech to come within that provision, it at least must concern lawful activity and not be misleading. Next, we ask whether the asserted governmental interest is substantial. If both inquiries yield positive answers, we must determine whether the regulation directly advances the governmental interest asserted, and whether it is not more extensive than is necessary to serve that interest.[30]

While this meant that most cases of truthful commercial speech were protected by the first amendment, the decision still gave government the right to regulate or restrict commercial

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[28] Jacob J. Strain, "Finding a Place for Embedded Advertising without Eroding the First Amendment: An Analysis of the Blurring Line between Verisimilar Programming and Commercial Speech," *BYU Journal of Public Law*, Vol. 24 (2009), 189.

[29] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 343.

[30] *Central Hudson Gas and Electric Corp. v. Public Service Commission*, 447 U.S. 557 (1980), 566.

speech if the government had a significant reason to form the regulation, the regulation was strictly meant to serve that reason, and if the regulation was not more restrictive than absolutely need be. However, *Central Hudson* also confusingly shifted the determination of commercial speech back to the speaker's motivations, while a later case, *Bolger v. Youngs Drug Products Corp.*, utilized both content and intentions for determination.[31]

Still, the lasting effect of *Central Hudson* was its establishment of a standard test for commercial speech regulation, a test which would be put to use frequently in the following years. A series of cases in the 1980s including 1986's *Posadas de Puerto Rico Associates v. Tourism Company of Puerto Rico* and 1989's *Board of Trustees of the State University of New York v. Fox*, for instance, used a "watered-down" version of *Central Hudson*'s case to "substantially weaken the constitutional protections for commercial speech."[32] Meanwhile later cases including 1995's *Rubin v. Coors Brewing Company,* 1996's *44 Liquormart, Inc. v. Rhode Island*, and 2002's *Thompson v. Western States Medical Center* reinstated the stricter protections of the original *Central Hudson* case. What is pertinent to note here is that the era in which product placement experienced its major boom in the American motion picture sphere is also an era in which the Supreme Court experienced a boom in cases concerning commercial speech and the First Amendment. Yet product placement (a potentially misleading form of advertising, or at the very least questionable form) was largely absent from this legal discourse, with no significant cases brought before the Court.

Beyond the movie industry's vested interest in keeping film censorship or censorship-adjacent cases out of the American judicial system, there are a number of other reasons why I

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[31] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 345.

[32] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 347-348.

believe product placement is a particularly difficult form of speech to legally untangle. As I will detail in the second section of this chapter, studio executives and product placement practitioners often justify the presence of branded products on the silver screen for their aura of verisimilitude. While this reasoning is often used to serve the financial interests of the involved parties, there is some level of truth to their argument. The on-screen presence of the same branded items we come into contact with in our daily lives grounds the film's diegesis in our real world, whereas the absence of *any* familiar products might conspicuously differentiate a film's diegesis from our real world. For one potent example of the latter, take Alex Cox's 1984 punk rock black comedy *Repo Man*, which was singled out by critics for its overt, satiric lack of branded products. Instead of carrying Del Monte Diced Peaches, the film's grocery stores stock brand-less blue-and-white labels reading "yellow cling sliced peaches," and at one point the film's protagonist eats from a can that merely (and suspiciously) reads "food." In a contemporary review of the film, Roger Ebert noted the film's litany of running gags, claiming "the best of them involves generic food labels."[33] And in a retrospective roundtable, the critic Keith Phipps attests that, "One of the most striking features of *Repo Man* is the way it uses generic packaging for its consumer items." For Phipps, by "stripping consumer objects down to their essence, *Repo Man* foregrounds how much of our surroundings is product."[34] In *Repo Man*, the removal of branded products in favor of generic items intentionally directs viewers towards those products in an act of anti-consumerist satire. This, of course, is directly opposed to how the "realistic" use of product placement is

[33] Roger Ebert, "Repo Man," *Roger Ebert*, January 1, 1984, https://www.rogerebert.com/reviews/repo-man-1984.

[34] Keith Phipps, Scott Tobias, Tasha Robinson, Nathan Rabin, Noel Murray, and Matt Singer, "*Repo Man* Forum: punk, consumerism, identity, and L.A." *The Dissolve*, July 16, 2013, https://thedissolve.com/features/movie-of-the-week/19-irepo-mani-forum-punk-consumerism-identity-and-la/.

generally meant to be carried out inconspicuously. And further complicating matters is the fact that—aside from obvious exceptions, like the aforementioned can of "food"—many of the items used in *Repo Man* were not created for the film but rather actual generic items carried at the California supermarket chain Ralph's. Such generic items comprised "2.4 percent of all grocery sales" in the United States between 1982 and 1983, though their popularity soon waned.[35] In this case, then, even an overtly anti-consumerism satire's generic props fall somewhere between the gray area of aesthetic choice and product placement.[36]

Additionally, for much of product placement's history, the practice was predicated on under-the-table, handshake agreements, making a legal challenge something of an uphill battle. Clear records of product placement deals were inconsistently kept—if at all—and even when product placements did occur, direct exchanges of money for the inclusion of branded props in a film were not the primary means of securing a product placement. Instead, product placement was usually a method of slashing a film's budget or a way of raising/supplementing funding for the film's advertising campaign. This further problematizes what free speech category's domain product placement should be considered—while a product placement where an outside company pays a movie studio directly for the right to have its product appear in a film seems to fit rather

[35] Richard W. Stevenson, "NO-FRILLS, NO SALES," *New York Times*, October 5, 1986, https://www.nytimes.com/1986/10/05/business/no-frills-no-sales.html.

[36] I want to note here that even much less murky instances of product placement still skirt the line between pure advertising and aesthetic choice, as evidenced by a burgeoning market for product placement: video games. Included in the original release edition of the 2019 game *Death Stranding*, for example, was a prominent product placement for a can of Monster Energy. Intentionality in video game product placements is rather clear, as this inserted advertisement required the work of a team of coders and designers to realistically render the branded prop. However, in the 2021 "Director's Cut" edition of the game, the Monster Energy placement was replaced by a generically branded can. While some fans celebrated the removal of the "garish" product placement, others bemoaned the loss of what they viewed as another bizarre, intriguing aesthetic choice made by the game's creative director Hideo Kojima. See: "Monster Energy Drink Mod," *Steam Community*, March 28, 2022, https://steamcommunity.com/app/1850570/discussions/0/3178985744451540653/.

neatly into the category of commercial speech, it is less clear how something like the many Sony products found in the recent Sony-distributed James Bond films might be categorized, given that it is the film's distribution company that is providing its own branded props for the film, without any exchange of money. Of course, part of Sony's motivation for including its own branded props is to present its product line as being the sort of cutting-edge, high-end technology a super spy of Bond's pedigree would use, but on a certain level there is only a brand-name distinguishing Sony's re-use of branded props from a movie studio's re-use of its own stockpile of props. And as I will also explore further in the second section of this chapter, the discourse of film industry leaders and trade coverage was often predicated on an atmosphere of plausible deniability, driving the practice underground and making it difficult to differentiate between products which were included for "entertainment" reasons and products that were included for "commercial" reasons.[37] This, in turn, made product placement an attractive form of advertising, as it could sell to audience members without audience members consciously recognizing that their status as prospective customers.

However, since entertainment speech and commercial speech enjoy different levels of free speech protection *and* that protection is typically provided by different sectors, one of the most important initial steps in considering potential product placement regulation lies in determining into which category product placement primarily falls. Entertainment speech, especially in the case of the movies, has grown increasingly more protected by the courts, though most often disputes over entertainment speech are settled without the need for governmental

[37] One other way in which this plausible deniability was created: though private documents reveal that product placement marketers were selling prospective clients via the selling power of a film's celebrity stars, an in-film product placement was not the sort of direct "commercial speech" you would have in a television commercial starring Michael J. Fox but rather a hybrid form where the association with Michael J. Fox was implied and the direct connection was made between the product and Michael J. Fox's character (say, Marty McFly), inching the product placement closer towards "entertainment speech."

intervention, with Hollywood self-censoring first by the Production Code and later by measures like the MPAA's ratings system. Commercial speech, meanwhile, has had a much rockier trajectory. It first followed a similar path, evolving from no protection to legitimate protections if "truthful." But whereas the film industry's self-regulation kept films from being censored (and thus entertainment speech out of the courts), commercial speech was regularly contested in the Supreme Court in the 1970s, 1980s, and 1990s, each time receiving slightly different applications of the standard test outlined in *Central Hudson* (and, thus, each time receiving slightly different free speech protections). The question of whether product placement might be considered to be entertainment speech or commercial speech, then, is an important one, as each form of speech carries with it an important and distinct set of protections. It is also a complicated one, as product placements are by their nature housed within films and television programs—speech which, holistically, is almost always considered inside the boundaries of entertainment speech.

In their analysis of product placement and recommendations for the future regulatory status of product placement, then, legal scholars often ground their arguments in whichever category of speech they deem product placement (mainly) falls. Steven Snyder, for instance, argues that because product placements are small commercial speech elements which are placed into much larger non-commercial entertainment speech works, product placement is largely protected by the doctrines of entertainment speech. Snyder runs films containing product placement through the various tests and standards of commercial speech established by the U.S. Supreme Court: 1) If we are to define commercial speech by its speaker (and the motivations of its speaker) as was the case in *Valentine v. Chrestensen*, Snyder argues that the speaker of product placement is invariably the movie studios which are, on the whole, "trying to produce non-commercial speech."[38] 2) In *Virginia State Board of Pharmacy v. Virginia Citizens Council*, emphasis shifted from the speaker to the content of the speech—namely, did the speech propose a transaction? Snyder argues that movies containing product placement do not: "The products placed in a movie are little more than props. They may be superfluous props. They may intrude on the story line. They may clutter up the screen. But the film itself, in its entirety, does not tell the audience to buy a product; no transaction has been proposed."[39] Though I offer Matthew Savare's rebuttal below, I should note here that Snyder's claim here does not stand up to much scrutiny—no film, in its entirety, proposes just one message to its audience. 3) Snyder declares that product placement need not even undergo the four full steps of the standard test established by *Central Hudson Gas & Electric Corp. v. Public Service Commission of New York*, because a film containing product placement is "not speech related solely to the economic interests of the speaker and the audience, and is therefore not commercial speech under the *Central Hudson* test."[40] 4) In *Bolger v. Youngs Drug Products Corp*., a combination of factors were considered when deciding whether speech was commercial or non-commercial. Snyder states these factors included "whether the speaker was economically motivated, whether the speech was in the format of an advertisement, and whether the speech referred to a specific product. No one factor was determinative, the Court said the combination could be persuasive." And while Snyder admits that films are created with an economic motive (though rare is the capitalistic speech that is not), films do not follow the format of an advertisement nor do they refer to a single product

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[38] Steven L. Snyder, "Movies and Product Placement: Is Hollywood Turning Films into Commercial Speech," *University of Illinois Law Review*, Vol. 1992, No. 1, 1992, 321-322.

[39] Snyder, "Movies and Product Placement," 324.

[40] Snyder, "Movies and Product Placement," 324.

(Snyder says, in fact, they refer to a story line).[41] Again, I should note that, though films are not entirely structured like advertisements, product placements are undeniably an increasingly important form of advertisement. 5) Finally, in *Board of Trustees of State University v. Fox*, the Supreme Court heard a case involving hybrid commercial/non-commercial speech. A group of students at SUNY Cortland hosted an American Future Systems' Tupperware party in a university dorm that was said to be in violation of a state university regulation that prohibited private commercial enterprises from engaging in business on university campuses or in university facilities. The students, however, contended that the Tupperware party was both commercial speech meant to sell Tupperware but also non-commercial speech meant to educate the students on fiscal responsibility and good house care. When taken in conjunction, the students argued that the Tupperware party—and other forms of hybrid speech—should have been considered non-commercial in sum. In response, the Court argued that, absent anything *forcing* hybrid speech to be hybrid speech, it should be considered commercial speech as it could have been purely non-commercial or purely commercial but chose to incorporate elements of the latter. Snyder argues that, though there is nothing forcing films to take on product placement, arguments of verisimilitude might outweigh arguments of commercialism: "it is not possible for a movie to be realistic, for the speech to be effective, if the speech excludes all commercial references."[42] Additionally, movies are firstly made with the story in mind, and then later product placements are added—the hybridity is unbalanced, with entertainment speech greatly outweighing commercial speech. Therefore, movies with product placement should be considered non-commercial speech.

[41] Snyder, "Movies and Product Placement," 325.

[42] Snyder, "Movies and Product Placement," 326-327.

Perhaps unsurprisingly, other legal scholars do not align with Snyder's bluntly holistic approach nor its restrictive parameters. Matthew Savare, for example, argues, "If we are to evaluate the constitutionality of governmental regulation of product placements in television, cable, or film, we must ask *if product placements are commercial speech*, not whether they transform creative expression into commercial speech."[43] Savare claims that, despite reasons of verisimilitude, product placements are not "inexplicably intertwined" with creative expression—if the studios simply wanted trademark products to build out the reality of the mise-en-scène, they could clear the rights without any transactional fees.[44] Severed from the larger films that house them, Savare states that product placements themselves "satisfy all of the tests for commercial speech delineated by the Supreme Court, with the possible exception of the extremely narrow definition stated in *Virginia State Board of Pharmacy*."[45] Savare's reasoning is as follows: 1) If we are to use *Valentine v. Chrestensen* as a model, Savare writes that, although "the speaker in a film or television show is, depending on your perspective, the director, studio, producer, or writer, the speaker in a product placement is the advertiser/manufacturer. And, it is indisputable that the motivations of the advertiser/manufacturer are purely economic in nature."[46] 2) He reaches a similar conclusion using the test outlined in *Central Hudson*: "Although the

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[43] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 370.

[44] For more on this, see: Kai Falkenberg and Elizabeth McNamara, "Using Trademarked Products in Entertainment Programming," *Communications Lawyer* Vol. 24, No. 4 (Winter 2007), 1-21; Patrick Vonderau, "Advertising as Commercial Speech: Truth and Trademarks in Testimonial Advertising," in *Advertising and the Transformation of Screen Cultures*, ed. Bo Florin, Patrick Vonderau, and Yvonne Zimmerman (Amsterdam: Amsterdam University Press, 2021), 195-214; and Elizabeth L. Rosenblatt, "Rethinking the Parameters of Trademark Use in Entertainment," *Florida Law Review*, Vol. 61 (2009), 1011-1082.

[45] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 372.

[46] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 372.

message conveyed by motion pictures and television shows transcends a mere plea for viewers to purchase an item, the only purpose of a product placement is to stimulate demand for a product."[47] 3) Savare also states that product placement meets the three-part qualifications (format, motivation, and referring to a specific product) for commercial speech outlined by *Bulger*: "Although product placements are not in the form of traditional advertising messages, the highly coordinated and systematic integration of goods into creative expression reveals the practice is simply a more practical, effective, and nuanced approach to persuading viewers."[48] Savare, once again, finds that the motives are economic, and since product placements agreements are reached to place specific products (not just any product), it is also clear they meet the last qualification. 4) As stated above, Savare finds that product placements are not "inexplicably intertwined" with creative speech, and thus, per the *Fox* decision, are commercial speech. 5) Finally, Savare admits that it is difficult to say that product placements do "no more than propose a commercial transaction," as commercial speech is described in *Virginia*. But Savare claims this should not matter because that phrase should not (and has not) been interpreted strictly, the court has "drifted" away from the "narrow content standard described in *Virginia*," and, further, this "narrow definition contravenes the actual way in which contemporary advertising is conducted," wherein many commercials imply a satisfying relationship with a brand name or promote a feeling associated with the brand rather than outright proposing a commercial transaction.[49] Therefore, Savare argues that while movies

[47] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 372.

[48] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 373.

[49] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 374.

should still be considered non-commercial entertainment speech, product placements should be considered as legally distinct elements of commercial speech.

Their varied categorization naturally begets varied suggestions for future regulation. Snyder clearly and consistently declares that he believes product placement should be considered as a minor element of what is ultimately a non-commercial, entertainment speech object—by placing the product inside of a vehicle for entertainment, the branded item/advertisement is then an intrinsic, inextricable element of what is, holistically, a form of entertainment speech. A major part of Snyder's worry about classifying product placement and films as commercial speech is that it might give government the ability to newly or more overtly censor films. While Snyder understands why certain groups might advocate for mandatory disclosure statements or other "minor" forms of regulation, he fundamentally opposes any sort of product placement regulation:

> From the speaker's point of view, government regulation is undesirable. Some filmmakers need, and most all filmmakers want, product placement to stock their sets and finance their films. Government regulation or prohibition of product placement could cripple some moviemakers. Moreover, a ban or restrictions on name-brand products in movies would intrude directly on the filmmaker's artistic control.[50]

He continues, "This note recognizes that product placement can intrude on a movie's story line and can be downright obnoxious. To be obnoxious or not is the filmmaker's choice. To avoid the obnoxious product placement or to tolerate it is the audience's choice. Neither choice should be made by the government."[51] For Snyder, then, entertainment speech is protected ground—ushering any part of a film, even one as baldly commercial as product placement, into the realm

[50] Snyder, "Movies and Product Placement," 335-336.

[51] Snyder, "Movies and Product Placement," 336.

of commercial speech and governmental regulation runs the risk of censorship and reduced artistic expression.

Savare, on the other hand, pushes for both commercial speech categorization and, accordingly, increased regulation. Firstly he notes that there are obvious limits to any product placement legislation—"Although product placements tend to promote goods exclusively in a favorable light and may distort reality for the benefit of the advertiser, courts should not deem such content untruthful or misleading" because the "First Amendment does give marketers a wide creative license" and "advertising which is merely suggestive cannot be declared unconstitutional."[52] Therefore, any "governmental prohibition of product placements in either motion pictures or television/cable programs should be viewed skeptically and would, in all likelihood, be declared unconstitutional by the Court."[53] However, Savare is more inclined to back regulations that propose prominent mandatory disclosures, as this would help to allay worries over the deceptive nature of "stealth advertising." He outlines how this legislation could function using *Central Hudson*'s four-prong test:

> First, as we have concluded, product placements are commercial speech. Second, because product placements are not misleading and do not concern an illegal activity, they are entitled to First Amendment protection. Third, courts would need to assess if the asserted governmental interest is substantial. If the regulation is based on the goal of reducing demand for a lawful product, courts should strike it down in accordance with the holding in *44 Liquormart, Inc.* If, however, the government justifies the disclosure requirement as essential to preventing consumer deception, courts may find the interest substantial.
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> Finally, courts must evaluate whether such a disclosure mandate "directly advances the governmental interest asserted, and whether it is not more extensive than is necessary to serve that interest. Assuming the asserted interest is to make viewers aware that a program contains product placements, disclosure of that fact

[52] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 376.

[53] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 376.

would directly advance the government's goal.[54]

While some consumer advocate groups argue that placing disclosures at the end of films blunts their impact and instead should be placed concurrently with the product's appearance in the film, Savare cautions that such "a request seems greater than necessary to effectuate the government's interest, as frequent disclosures will interrupt the flow of the program and create disincentives for product placements, which is not the goal of the regulation."[55] I would add that it is also often difficult to quickly and securely determine whether a branded prop is the result of a product placement, potentially making such disclosures a prohibitively time-consuming and inefficient way of regulating product placement.

Despite categorizing product placement as commercial speech, Savare actually promotes a form of regulation more commonly associated with entertainment speech: self-regulation from the movie studios. He writes, "Instead of concurrent disclosures, and before the government becomes involved in the issue, the MPAA, NAB, NCTA, and other self-regulatory agencies should partner with consumer groups like Commercial Alert to develop alternative, less obtrusive solutions." He continues, "One potential compromise could be the creation of an additional rating that alerts viewers to the nature and extent to which the forthcoming program contains product placements. Such a rating would assist parents who are concerned that their children are exposed to too many commercial messages and would alert unsuspecting viewers that the program they are about to watch contains product placements."[56] Recognizing product

[54] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 377.

[55] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 377.

[56] Matthew Savare, "Where Madison Avenue Meets Hollywood and Vine," 378.

placement as an element of commercial speech housed inside of a larger work that is firmly entertainment speech, then, does not necessitate a total loss of free speech protection—there are limits to what sort of legislature the American government might pass, and self-regulation by the movie industry could avoid any legislature whatsoever.

In fact, that is mostly what has happened, as aside from two exceptions, product placement is largely unregulated by the American government in any substantial fashion. The argument over whether product placement is entertainment speech or commercial speech has remained in the theoretical terrain of legal scholarship, as the Supreme Court is yet to weigh in on the matter. By default, then, it might make sense to say that product placement (in the movies, especially) has fallen under the protection of entertainment speech—its free speech status has gone uncontested, and any regulation has occurred behind-the-scenes and under the purview of the motion picture industry. During the halcyon days of the Hollywood studio system, the Hays Office (and its Production Code) did not ban the use of brand names in films.[57] Instead, Jay Newell, Charles T. Salmon, and Susan Chang describe the relationship between product placement and the Hays Office as one based on hesitance (and, to some degree, ignorance, willful or not):

> [T]he Hays Office files contain multiple complaints from companies whose competitors had received screen time. The Hays Office routinely advised producers to avoid the use of trade names in motion pictures. When settings were impractical to fabricate, such as an airplane exterior, the Hays Office asked that the shots of aircraft not highlight the airline's logo.[58] Notwithstanding the complaints, the tie-ups continued because of their ability to bring no-cost props to the producers, additional advertising to motion picture distributors, and the association with Hollywood to manufacturers of sometime mundane products.

[57] John Belton, "The Production Code," in *Movies and Mass Culture*, ed. John Belton (New Brunswick: Rutgers University Press, 1996), 135-149.

[58] Raymond Moley, *The Hays office* (Indianapolis: The Bobbs-Merrill Company, 1945).

> However, negative reactions to product placements from theater owners, foreign distributors, and motion picture critics seemed to drive underground the practice of product placement.[59]

In this way, product placement functioned much like any other objectionable element of a film that entered the orbit of the Hays Office, but with one crucial difference: while a screenplay could be rewritten to remove unsavory dialogue, if a branded product were "snuck" on set and firmly integrated into the mise-en-scène of a film, there was little one could do after the fact to remove it. And under the veil of the industry's self-regulation, product placement was able to avoid the scorn of censor boards and the purview of the courts.

As noted above, however, there are two significant exceptions to the lack of regulation in the United States. The first involved a particularly troubled product's placement in the movies: major tobacco companies first entered into agreements with individual states, and then to a nationwide agreement, to stop placing their products in films.[60] While such a nationwide ban of a single style of product seems like it could have set a precedent that then extended to other problematic products, it has, as of the current moment, only been applied to branded tobacco products—and, crucially, only with the consent of their tobacco companies. The second instance, however, is the more important one for the purposes of this chapter—sponsorship identification rules. Though first established in the Radio Act of 1927 and later codified in the Communications Act of 1934, Jennifer Fujawa writes sponsorship identification rules (namely, rules which require programs to make obvious whether any money was directly or indirectly received in exchange for promotion of goods on the program) became stricter in the 1950s after

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[59] Newell, Salmon, Chang, "Hidden History," 587.

[60] Sandra Lee, "Product Placement in the United States: A Revolution in Need of Regulation," *Cardozo Arts & Entertainment* Vol. 26:203 (2008), 213-214.

the initial requirements were deemed insufficient for the following reasons: “radio station disc jockeys were secretly taking payola to play specific songs; the number of home televisions was skyrocketing; and game shows were rigging their games according to sponsors' requests.”[61] The resulting expansions and amendments required broadcasters to announce any sponsors who had paid for the programming (Section 317) and report any money, services, or other considerations received in exchange for embedded products to the FCC (Section 508). Additional sponsorship identification rules were added in the 1970s which “also require a sponsorship announcement once during a program in a manner that can be read or heard by an average consumer if there is no obvious connection between a commercial product appearing in the broadcast and its sponsor.”[62] And though Fujawa ultimately declares that these rules are still insufficient given their limitations in scope, “ambiguous and outdated” exceptions, and other reasons,[63] they still mark an important differentiating factor between how embedded advertising works in major American entertainment media: while radio and television programs must already disclose their sponsors in the manner outlined earlier by Savare, movies do not. As Joshua Pila notes, this is particularly rare, as most attempts at product placement legislation have aimed to be “medium-neutral.”[64] And though this differentiating factor may seem slight (disclosure announcements are not likely to be the parts of programs which capture the most attention of their viewers), I argue in the rest of this chapter that they are a significant contributor to both the varying evolution of

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[61] Jennifer Fujawa, “The FCC’s Sponsorship Identification Rules: Ineffective Regulation of Embedded Advertising in Today’s Media Marketplace,” *Federal Communications Law Journal* Vol. 64, No. 3 (2012), 556-557.

[62] Fujawa, “The FCC’s Sponsorship Identification Rules,” 557.

[63] Fujawa, “The FCC’s Sponsorship Identification Rules,” 558-560.

[64] Joshua Pila, “Product Placement Regulation — it’s all in (Reese’s) Pieces™,” *Convergence*, Vol. 3, No. 2 (May 2007), 52.

product placement and varying evolution of audiences' relationships with product placement across mediums.

And as those outside of the United States have shown, such a laissez-faire approach to product placement regulation was not the only course of action. Amit M. Schejter offers a tidy summary of product placement advertising around the globe, showcasing how other early choices (such as government-controlled broadcasting versus the commercial market approach taken in the States) led to different levels of product placement regulation.[65] Wolfgang Brehm lays out the situation in Germany, a country Schejter identifies as having much stricter regulation than the United States, in more detail, showing how the German government placed a legal restrictions on what it calls "surreptitious advertising." Brehm claims that the German government set "out the fundamental principle that advertising and programmes must be kept distinct and separate." In effect, this means that advertising "must be clearly identifiable and recognisable," advertising "or sponsoring may not influence the contents of the programme or editorial work associated with the programme," and, as a result, product "placement is not permitted." Yet even these strict provisions allow for some wiggle room, with an exception stating that "the appearance of certain products is not surreptitious advertising and therefore permitted, if this is required for artistic and dramatic reasons."[66] As will be seen in the section on public discourses below, this sort of defense—that product placement carries both artistic merit and the weight of realism—was ushered frequently by prominent film industry personnel in the

[65] Amit M. Schejter, "Art Thou for Us, or for Our Adversaries - Communicative Action and the Regulation of Product Placement: A Comparative Study and a Tool for Analysis," *Tulane Journal of International and Comparative Law*, Vol 15:89, 89-119.

[66] Wolfgang Brehm, "Legal Restrictions in Product Placement and Sponsorship in Films and Television Programmes," *Tolley's Journal of Media Law and Practice*, Vol. 14:97, 1993, 97-98.

United States. And even in Germany, it can be rather difficult to draw the line between a "realistic" branded prop and surreptitious advertising.

Ultimately, cinematic product placement remains a tricky practice to regulate. This is especially true in America, where the film industry has a vested interest in keeping its product out of the courts and under its own regulatory control. As a result, cinematic product placement has gone without any major legislative interventions, though advertising in television and radio must (theoretically) follow sponsorship identification guidelines. In the section below, I consider how these legal decisions—or lack of legal decisions—have affected the character of medium-specific product placements as well as the corresponding public discourses about product placement.

Form and Reception Across Mainstream American Entertainment Mediums

In each of these next three subsections, I consider the form advertising took across America's three most popular twentieth century entertainment mediums, paying close attention to public discourses occurring in response to product placement or product placement-adjacent advertising. I argue that both form and reception were shaped by the legal decisions outlined in the first half of this chapter: in radio and television, sponsorship identification legislation engendered a more overt form of advertising, while the movies were able to carry out more covert product placement. These legal decisions were complemented by crucial choices by industrial leaders early in the lifespans of each medium: radio and television adopted financial systems supported by advertising, while the film industry generated revenue from ticket purchases. I argue that American audiences then developed different relationships with advertising in radio and television than they did with advertising in film—ads were expected in the former, while the latter carried an ad-free aura upon which industry leaders proudly capitalized. Of particular importance is the way public discourses about filmic product placement, even at their most outspokenly negative, often reinforced the supposed sanctity of the movie theater, giving product placement the cover it needed to develop clandestinely until its mainstream emergence in the 1980s.

Radio

It may seem obvious now, but divorcing sound from image gave early radio broadcasting a brand new playground in which to experiment—an ability, as historian Michelle Hilmes writes, to "transcend the visual," especially through the voice. Rather than focusing on what was lost without the image, Hilmes focuses on what was gained:

> In a society based on visual cues, where appearance superseded almost every other social indicator, radio's ability to escape visual overdetermination had the potential to set off a virtual riot of social signifiers—indeed, this is one of radio's most fascinating attributes. Adults played the roles of children and animals, two hundred-pound women played romantic ingenues, and ninety-pound men played superheroes; whites frequently impersonated blacks, though rarely vice versa; and one of America's most popular entertainers was a wooden dummy. Women could masquerade as men and, much more often, men as women—and further, men could enter the home to entertain the woman of the house seductively over her morning coffee; women had the potential to enter the public sphere and assume the voice of authority, evading the customary physical and social barriers.[67]

The voice, then, became malleable and personalized in a way it never quite had in vaudeville, or even in regular speech. Hilmes writes, "A breezy, slang-filled style of speech soon became the preferred radio mode, and networks and other bastions of 'correct English' fought a losing battle to preserve the finer points of diction and pronunciation. Local announcers and hosts brought regional and personal variations to the mike."[68] The major national broadcasters, of course, soon

[67] Michelle Hilmes, "Radio and the Imagined Community," in *The Sound Studies Reader*, ed. Jonathan Sterne (Oxon: Routledge, 2012), 359.

[68] Hilmes, "Radio and the Imagined Community," 357.

responded with structural limitations as well as a shift away from "difference," making its mission to "centralize and unify American cultural experience and identity as no other medium had ever attempted," but these early experiments still left their mark.[69] Hilmes writes, "Not so stuffy as the highbrow written word, yet hewing to a standard well above and more unitary than the everyday, broadcast English helped to set a new popular norm across the country."[70] In the earliest days, then, regional radio allowed its listeners to access others speaking in their own local vernacular and accent; though the national broadcasters eventually attempted to iron out the regional wrinkles, it resulted in a new manner of speaking that hybridized the professional and the personal.

This form of language—obviously attractive to marketers—then filtered into the advertisements featured on broadcast radio, especially on local radio stations in the 1930s and 1940s. Though many histories focus purely on the national broadcast programming of this era, Alexander Russo paints a more complicated portrait of this era of radio advertising:

> The robust system of spot broadcasting created by station representatives, regional networks, transcription producers, and advertising agencies suggests that local stations possessed significant autonomy in programming scheduling practices. Certainly they faced constraints, especially if they were network affiliates, but in themselves these battles serve as evidence that the radio schedule was not as homogenous as some have assumed […] Spot announcement were neither purely national nor purely local.[71]

Russo writes that both levels of advertisements (and shows) were structured around the supposedly alluring qualities of the human voice: "[T]he industry's fear that the audience would

[69] Hilmes, "Radio and the Imagined Community," 360.

[70] Hilmes, "Radio and the Imagined Community," 358.

[71] Alexander Russo, *Points on the Dial* (Durham: Duke University Press, 2010), 117.

ignore or resist its commercial messages structured the form and content of radio programs and advertising. Though radio lacked images, broadcasters and advertisers invested sound with the ability to create an intimate connection with the audience that would aid in promoting products."[72] While advertisers primarily sought a "class" audience defined by "income and cultural sophistication" in the 1920s, relying on a system of "goodwill" that joined products to programs primarily through name-brand sponsorships, advertising techniques quickly evolved in the following decades to "approaches that considered the form and content of the advertising message as an independent entity within the programs."[73] In the following decades, advertisers iterated upon earlier forms of advertising but also upon the style and language of the programs they were supporting.

Some of these ads featured "informal, direct address in an attempt to convey intimacy between the speaker and an individual audience member," while another "common approach was the dramatization of the commercial announcements." Agencies like Young and Rubicam and J. Walter Thompson "stressed the value of soft selling," transposing to radio "techniques they had successfully used in print campaigns." Drawing inspiration from comic strip ads "which used multiple panels to narrate the virtues of products, visually combining entertainment and promotional content," these integrated, product placement-adjacent commercials "sought to seamlessly link the advertising message with the program's narrative structure or, alternatively, use humorous or ironic banter between the announcer and stars to ease audience acceptance of the ad."[74] These advertisements were still marked as separate from the text itself, with

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[72] Russo, *Points on the Dial*, 119.

[73] Russo, *Points on the Dial*, 119-120.

[74] Russo, *Points on the Dial*, 120.

announcements placed at "the beginning, the midpoint, and the end of the program." This was due to the precedent sought by the earlier goodwill advertisements (and the controversy unclear advertising could create), though "advertisers feared that listeners recognizing that fact would change the station before hearing the final commercial."[75] Nevertheless, by the end of the 1940s, advertisers had switched their strategies, increasing the number of advertisements and using "whistles, bells, shouts, and jingles to cut through the aural chatter between programs, even though those techniques contributed to the same phenomenon they were supposed to combat."[76] This, combined with the national broadcasters growing increasingly wary of local productions, signaled the end of early narrative and vocal experimentation and a move towards more conventional "hard sell" advertising.

These early experiments in bonding fictional narrative and host personalities with advertising provide important context for the public discourse around cinematic product placement: 1) they showcase another medium attempting product placement's symbiotic merging of art and commerce in a manner that attempts to usher goodwill towards the former into goodwill towards the later, with the leaders of that medium ultimately choosing to adopt more clearly demarcated advertising instead; 2) both this style of radio advertisement and the initial decision to generate revenue through advertising developed close audience associations between American radio, consumerism, and marketing. As Cynthia Meyers notes throughout her book *A Word from Our Sponsor: Admen, Advertising, and the Golden Age of Radio*, this was no mere coincidence: though nothing necessitated that radio's dominant form be commercial entertainment, its emergence soon resulted in the intermingling of radio personnel and

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[75] Russo, *Points on the Dial*, 137.

[76] Russo, *Points on the Dial*, 148.

advertisers, many of whom were employed by broadcasters to "'sell' the new medium to advertisers, who were initially suspicious of that untested medium."[77] But as advertisers grew more convinced of the medium's potential and came to essentially serve as the production companies that funded programs bearing their products' names, Meyers claims that "advertising agencies were arguably the most important sites of radio entertainment production in the United States during the 1930s and 1940s."[78] By 1945, for example, "five agencies were responsible for 46 percent of CBS's billings."[79] Though radio had served an integral role in the American household during the Second World War, Meyers writes that after the war, "listeners, reformers, and even members of the advertising industry criticized commercial radio for its very commercialism."[80] Amidst this brash wave of public criticism, radio would soon reach its apex in popularity before its audience size quickly declined upon the advent of another at-home, commercial entertainment medium.

Television

"Branding, not entertainment, is the main imperative of television as an industry," Jennifer Gillan provocatively asserts in *Television Brandcasting: The Return of the Content-Promotion Hybrid*.[81] And while one might quibble on a case-by-case basis, it's difficult to argue with Gillan's claim that "television programs are not simply entertainment products in their own

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[77] Cynthia B. Meyers, *A Word from Our Sponsor: Admen, Advertising, and the Golden Age of Radio* (New York: Fordham University Press, 2014), 7.

[78] Meyers, *A Word from Our Sponsor*, 2.

[79] Meyers, *A Word from Our Sponsor*, 255.

[80] Meyers, *A Word from Our Sponsor*, 10.

[81] Jennifer Gillan, *Television Brandcasting: The Return of the Content-Promotion Hybrid* (New York: Routledge, 2015), 36.

right because they always also function as platforms for promoting other entertainment content, consumer products, and brands, whether those of stars, sponsors, advertisers, networks, studios, or media conglomerates."[82] Broadcast networks package popular sitcoms into multi-hour programs meant to engender (branded and timed) allegiances to not just the shows in question but also the network that shows them. Stars and showrunners and networks establish long-running associational relationships that encourage further viewing. Even in the streaming era, an exciting new program is as much about entertaining viewers as it is about encouraging them to remain or become subscribers to the program's streaming service. And, most importantly for this chapter, American broadcast and cable television programs and networks have always had foundational alliances with advertisers and their products—ranging from the loose associations of conventional commercial spots to the tighter bonds of the medium's various techniques of brand integration. My central argument of this section is that early television's multitudinous methods of integrated advertising—as well as the medium's dependence on detached commercial advertising for primary revenue generation—coded television as a commercial medium in a way that, in combination with sponsor-identification laws, made its advertising "obvious." This, of course, ran antithetical to the clandestine nature of filmic product placement—a critical difference that the film industry capitalized on throughout the 1950s.

Early television's relationship with advertising extended far beyond its later reliance on magazine-style commercial spots for its primary revenue source—in many cases, it tied brands in integral ways to the programs featured in prime time network broadcasting. Gillan argues that "the television industry's endorsement structure is most effective when its calls-to-action coincide with such calls-to-affiliation, that is, when customers feel as if their actual values and

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[82] Gillan, *Television Brandcasting*, 11.

interests or their aspirations align with their recommenders'."[83] She identifies branded products as objects that can be woven into the "lifestyle on display" in television programs "through product-related characterization," but also in more "explicit" forms of "content-promotion hybrids" including branded credit sequences, dramatized advertising shorts that feature network stars in-character (or close enough), dramatized channel branding, promotional paratexts like movie trailers, interviews, and sneak previews, branded or hosted lead-ins and lead-outs to programs, and works that "blur the lines between education or cause advocacy and storytelling."[84] Each rely upon viewers developing close, positive associations between consumer products and their favorite networks, programs, or stars (or—in the case of loosely educational content-promotion hybrids—acts of good will), the exact kind of logic upon which filmic product placement was founded.

Early television advertising of this sort, however, was much more obvious in nature than the hidden advertisements found in cinemas. Companies, for instance, would attach their names to entire prime time programming blocks with such shows as *Kraft Television Theater*, *Colgate Comedy Hour*, *Magnavox Theater*, *The Oldsmobile Show*, and *Texaco Star Theater*. Television stars would use branded products in diegetic spaces but then also emerge into non-diegetic spaces to formally hawk those same products via direct address, as was the case with *I Love Lucy* and American Tobacco Company.[85] Promotions were even baked into recurring dramatized end credits sequences, like Ralston Purina dog food advertisements that closed *Leave It to Beaver*

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[83] Gillan, *Television Brandcasting*, 8.

[84] Gillan, *Television Brandcasting*, 10.

[85] Gillan, *Television Brandcasting*, 43.

and featured the sitcom's star Jerry Mathers performing in-character.[86] As John Caldwell writes, "Television mise-en-scène is far from sacred or inviolable ground."[87] Though writing specifically about station ID tags, Gillan notes that Caldwell's argument "gestures to a more general argument about the stamps of ownership within the space of television programs" [88] when he writes, "One cannot imagine this sort of stamp of ownership being allowed in other artforms—the signature of the purchaser rather than the maker stamped directly on the artform."[89] What's important to me about Caldwell's argument is its emphasis on the overtness of these stamps—while other mediums are not free of such stamps, from the intentionally covert product placements littered throughout a scene's mise-en-scène to the prominent studio logos and boisterous accompanying fanfare which open a film, throughout television's history those stamps have taken on greater visibility in various forms, including (and especially) advertising.

Accordingly, industry leaders were often outspoken about their allegiance not only to their viewers but also to their advertising sponsors. In a 1946 speech at the National Association of Broadcasters convention, CBS's chief executive William Paley outlined the network's two most important broad demographics:

> First we have an obligation to give most of the people what they want most of the time. Second, our clients, as advertisers, need to reach most of the people most of the time. This is not perverted or inverted cause and effect, as our attackers claim. It is one of the great strengths of our kind of broadcasting that the advertiser's

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[86] Gillan, *Television Brandcasting*, 38.

[87] John T. Caldwell, *Televisuality: Style, Crisis, and Authority in American Television* (Camden: Rutgers University Press, 2020 reprint), 175.

[88] Gillan, *Television Brandcasting*, 37.

[89] Caldwell, *Televisuality*, 175.

> desire to sell his product to the largest cross section of the public coincides with our obligation to serve the largest cross section of our audience.[90]

As William Boddy writes, "Paley's strategic collapse of network audience with advertising target and his single-minded determination to serve mass advertisers by attracting maximum network audiences with popular programs became the foundation of CBS's successful postwar strategy in both radio and television."[91] Though I will unpack how American film industry leaders also often professed the marketing power of their medium, these proclamations were typically under the guise of "implicit advertising" rather than television's "direct advertising," again contributing to the overt nature of the latter medium's advertisements and the subterranean nature of the former medium's advertisements.

It is my argument—and the argument, as will be seen below, of many film industry personnel in the 1950s and '60s—that these early forms of obvious advertising and integration differentiated the perception of the ad-based televisual medium from the almost mythical (and often fabricated) nature of the supposedly "ad-free" cinematic medium. This is not to say that covert product placement was entirely absent from television—it was not, and sponsor-identification laws have been frequently skirted or ignored throughout the medium's history, though as Salmon, Newell, and Chang note, the sponsored nature of programs did make product placement less appealing for programs in the early days of television.[92] But the most obvious instances of in-program advertising—and the centrality of advertising in the medium's revenue stream—coded television as a medium of branding and advertising—television shows were

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[90] William S. Paley, "Radio and Its Critics," Speech to the National Association of Broadcasters, Chicago, October 22, 1946.

[91] William Boddy, "Building the World's Largest Advertising Medium: CBS and Television, 1940-1960," in *Hollywood in the Age of Television*, ed. Tino Balio (Cambridge: Unwin Hyman, 1990), 70.

[92] Salmon, Newell, Chang, "Hidden History," 584-585.

created for not just the entertainment of home viewers, but also for the explicit purpose of selling products, both in the early, heavily stamped days of the medium as well as in its later move towards magazine-style demarcated advertising. Films, of course, were not made as public goods solely out of goodwill for the entertainment of its thankful, adoring audience—films were made for profit. But the specifics of that profit-making, both off screen and *on*, altered audience engagement and perception of the varying mediums—a perceptual difference that the film industry attempted to capitalize on, and which also allowed for product placement in film to remain relatively undercover until its mainstream emergence in the early 1980s.

Film

Though product placement was a relatively underdiscussed phenomenon throughout the first half-century of American cinema, there were outspoken public critics of the practice. When product placement *was* covered, tie-ups, tie-ins, and concealed advertising were largely considered negative practices that ran the risk of alienating adoring movie audiences. A 1920 editorial titled "Bed Rock Advertising Facts" in *Motion Picture News*, for instance, argued that, "screen advertising or no screen advertising, or by whom and for whom, we must play fair to the public else we'll sadly impair, if not destroy the fountain head from which all motion picture revenue flows." The editorial made a clear distinction between two forms of screen advertising: "the 'slipped over' subtitle or scene in a dramatic offering" versus "the straight out and straight through advertising film, advertising a product, a process, an industrial plant, a country, a business or what not." For the first form, the editorial's distaste was abundant: "[It] ought to be eliminated, completely and immediately from the motion picture. Producer and exhibitor and trade paper, all forces must unite to this end. It is dishonest, and it is bad advertising; but above all it is a knife in the back of the motion picture. It will hurt, seriously." The other form of advertising, of course, was a “different matter,” though the editorial argued it should be of the same quality as magazine and newspaper advertising, with the exhibitor “paid advertising rates based upon filled seats; he or some competent and responsible agency should carefully censor this advertising;—and then, most importantly, it should be plainly labeled advertising.”[93] The argumentative thrust of this editorial was clear—advertising was something to be treated with suspicion, though not entirely. If done clearly and fairly (and with quality), advertising could be incorporated into the cinema—product placement, however, was to be strictly avoided.

This style of argumentation was even the common line held by some who were more open to welcoming advertising to the silver screen. Also in 1920, Frank Rembusch, the secretary of the Motion Picture Exhibitors of America, Inc., published an excerpted open letter in the pages of *The Moving Picture World* in response to a supposed effort of a group of New York exhibitors who were seeking exclusive advertising rights on screens across the nation as well as the ability to censor any industrial film showed on said screens. In contrast, Rembusch sought an “open market” on these issues, suggesting that no advertiser should ever sign exclusive screen advertising rights to anyone. He closes the letter with a forceful statement of proposed freedom of choice: “Do not give an exclusive contract to anyone for showing your industrial pictures. Do not destroy the future of the industrial field by hammering at the National advertiser. Your screen is your own good property. Keep it and use it for your own good. Don't let anyone be your censor.”[94] Rembusch favored a system where industrial film producers and advertisers would seek individual contracts for exhibiting their films, with exhibitors waiving entrance fees while

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[93] W. A. Huston, “Bed Rock Facts on Advertising,” *Motion Picture News*, January 17, 1920, 812.

[94] “Frank Rembusch States Case of National Body on Advertising,” *The Moving Picture World*, February 14, 1920, 1086.

receiving appropriate financial compensation from the advertisers directly for their screen time. Yet even in this "open market," where censorship was undesirable and advertising an area of potential riches, Rembusch writes that the National officers of the Motion Picture Exhibitors of America, Inc., "have been working to find the best solution to cure the abuse of concealed advertising without in any way discouraging the showing of industrial pictures."[95] Ultimately, Rembusch's ideas for an open market did not differ much from the editorial published in *Motion Picture News*—while they had slight differences in levels of censorship and necessary quality, both held that there was acceptable advertising (industrial films) and unacceptable advertising (concealed advertising, later known as product placement).

On the farthest end of this spectrum was perhaps the most notable of these critics, the aforementioned P.S. Harrison, creator and distributor of the exhibitor-focused reviewing service *Harrison's Reports*. In March of 1931, Harrison launched a letter-writing campaign aimed at receiving confirmation from major and minor studios alike that they were not (and, hopefully, would not) engage in concealed advertising on the pristine silver screens of cinemas across the country. Most studios, true or not, responded that they were not engaging in the practice, including Universal, Educational, Columbia, Sono-Art, and Tiffany. RKO-Pathe's Lee Marcus stated that the studio would not conceal advertising in features or shorts, and that it would "even avoid showing close-ups of nameplates of nationally known commercial concerns"—however, RKO remained unsure of whether it might produce open (or declared) advertising films.[96] (RKO's Hiram Brown would later walk back this statement, telling Harrison that the studio

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[95] "Frank Rembusch States Case," *The Moving Picture World*.

[96] "Producers Who Have Taken a Stand Against Concealed Advertising," *Harrison's Reports*, March 14, 1931, 44.

would indeed continue engaging in concealed advertising.[97] Brown then *again* walked back this statement the next week, attributing the confusion to a typographical error and saying: “Several months ago, definite instructions were given to our picture companies to discontinue this practice entirely and these instructions will be adhered to.")[98] Harrison, for the record, opposed open advertising as well, sending a letter to over two thousand newspapers in the United States and Canada opposing Paramount and Warner Bros’ entrance into the field of advertising, cautioning that more advertising meant the purchase of more theaters, leading to decreased profits for both newspaper advertising and for the independent theater owners that made up *Harrison’s Reports*’ primary demographic. Additionally, in that letter, Harrison wrote that the “worst part of it, however, is the fact that in many cases they conceal the advertisements in pictures the independent theatre owners buy for the purpose of showing to the public as purely entertainments." He claims that such "an act is, as you will admit, unethical and unmoral, in that they take advantage, not only of the theatre owners, whose screens they use without paying for the privilege, but also of the public, who pay their money at the box office to be entertained, and not to be made to see advertisements."[99] For Harrison, product placement was an infringement on the rights of moviegoers, theater owners, and advertising competitors on both moral *and* financial grounds.

Major studio figures like Nicholas Schenck, then-president of Loew’s/MGM, did not agree with Harrison’s assessments. In an open letter published in the pages of *Harrison’s Reports*, Schenck dismissed the idea that tie-up advertising was a disservice to the theatre owner,

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[97] “MGM and RKO Pictures to Have Concealed Advertisements,” *Harrison’s Reports*, July 4, 1931, 105.

[98] "RKO Gives Up 'Tieup' Advertising," *Harrison’s Reports*, July 11, 1931, 112.

[99] “Enlist the Aid of the Press Against 'Sponsored' Screen Advertising,” *Harrison’s Reports*, March 21, 1931, 45.

claiming that, “Up to date, the majority of exhibitors have shown a desire for commercial tieups for they themselves in most cases had gone out to make them." In fact, Schenck attempted to shift the provenance of commercial exploitation of branded props/settings entirely away from the studios: “As for the scenes in the pictures, they have been merely devices to achieve realism and they were not put there as a promotion stunt or for the purpose of commercial gain from the product advertised." Instead, it was the exhibitors and other profit-seekers who aimed to benefit from the studio’s devices of realism: “exploitation men have seen fit to cash in on scenes and scene stills by making local display. For the most part, exhibitors have been the instrument of creating this form of advertising." And though Schenck declares, “Under no circumstances, let me repeat, is Metro-Goldwyn-Mayer interested in selling advertising space on the screen," he leaves the door open for such practices when he writes, “Showing advertising on the screen that is NOT paid for is a legitimate thing. It is only to get an authentic background. To eliminate this entirely would be silly."[100] (Schenck does, however, slightly concede to Harrison’s mission in the end, claiming that the studio is attempting to minimize this sort of backgrounding.) Taken as a whole, Schenck’s letter is neither an explicit dismissal nor approval of concealed advertising but rather an implicit acceptance—it absolves the production arm of the studios of any supposed wrongdoing while leaving the window open for others (or other arms of the studios) to profit off of “realistic” screen advertising.

Harrison obviously took issue with such argumentation, displaying his own written response next to Schenck’s: it challenged Schenck’s letter on both granular levels (picking apart the “realism” justification) and on more general levels (identifying the problematic aspects of the studio’s relationship with independent theaters, the kinds of theaters of which Harrison felt

[100] "Nick Schenck Will Not Give Up Tie-Up Advertising," *Harrison’s Reports*, July 11, 1931, 108.

representative). Schenck's letter had asserted that it would be preposterous, for example, to remove all street signage from a scene on Broadway, an example which Harrison thought dishonestly characterized concealed advertising: "I have not condemned your company for showing the electric signs in shots of Broadway, contained in your pictures, but for the deliberate showing of close-ups, such as Flit, Lux, and other commercial articles. These close-ups are unnecessary to the picture scenes, and unjustified." He continues, "May I ask you how much realism you have gained by the showing of closeups of 'Flit' and of 'Lux' in your pictures? Would it be silly if these closeups were left out? Does this make the pictures more entertaining?" Harrison similarly disputes Schenck's depiction of theater owners' feelings towards concealed advertising: "If by the 'exhibitors' you mean the theatre managers of your company, you are correct: but if you mean the independent theatre owners, you are incorrect." He attributed Schenck's disconnect to an imbalance of power: "Your relations with the exhibitors are such that you cannot ascertain their true sentiment in this matter ... The reason for this is the fact that, if they should speak to you of their sentiments freely, they might be penalized by being deprived of your pictures, or by being forced to pay crushing prices."[101] In private conversations with more sympathetic (and less powerful) company, however, Harrison claims that disproval of concealed advertisements amongst independent theater owners is nearly unanimous. The letter, then, is in line with the writer's steadfast contempt for "dishonest" advertising, with an added dimension of distaste for "dishonest" rhetoric.

I assert the nature of the "dishonesty" in Schenck's argument is important here: rather than the telling of defiant lies, Schenck's letter is predicated on the creation of plausible deniability. As covered elsewhere in this manuscript, such plausible deniability is central to the

[101] "Nick Schenck Will Not Give Up Tie-Up Advertising," *Harrison's Reports*, July 11, 1931, 108.

act of product placement, which, in its most typical form, attempts to benefit both product manufacturers and film productions without erring into an obvious state and being seen as imprudently infringing upon film personnel or audience members' rights to creative expression or entertainment. And as stated earlier in this chapter, the lack of regulation or government intervention on concealed advertising shifted the onus of prevention to the Hays Office, who internally discouraged the use of trademarks and brands but who nevertheless were unable to entirely prevent its occurrence. It is this combination of a lack of external regulation and internal plausible deniability that not only allowed product placement to exist but also caused it to exist in the subterranean form it took until the 1980s.

Yet, aside from a few notable exceptions, Harrison counted this letter-writing campaign as a victory, often citing 1931 as a year in which the monstrosity known as concealed advertising was kept at bay. Over a decade later, for example, Universal's *You're a Lucky Fellow, Mr. Smith* (Felix E. Feist, 1943) featured a spoken reference to Wrigley's Doublemint gum and Republic's *Whispering Footsteps* (Howard Bretherton, 1943) showcased a storefront window display of Adams Hats. In characteristic (but newfound victorious) fashion, Harrison wrote, "In 1931, when concealed advertising in motion pictures was rampant, *Harrison's Reports* carried on a vigorous campaign against the practice and was instrumental in compelling the producers to abandon it." Harrison then goes on to claim, "No need exists today for carrying on such a campaign, for it is seldom that concealed advertisements show up. Nevertheless this paper will bring every violation to the attention of its readers in an effort to prevent a recurrence of the practice."[102] The next week's issue featured a follow-up report, outlining purported instances of concealed advertising in MGM's *Rationing* (Willis Goldbeck, 1944) for Kodak film and Universal's

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[102] "Don't Allow Your Screen to Become a Billboard," *Harrison's Reports*, January 22, 1944, 13.

Phantom Lady (Robert Siodmak, 1944) for Haig and Haig whiskey, calling on the studios to heed the advice of the late owner of Universal Pictures, Carl Laemmle, who in 1931 reportedly said, "Believe me, if you jam advertising down their throats and pack their eyes and ears with it, you will build up a resentment that will in time damn your business. Your screen is a sacred trust. It is not actually yours. It belongs to the people who pay to see what is on it. In heaven's name, don't prostitute it."[103] This is emblematic of the way Harrison treated product placement—it was a moral and financial evil of nearly unparalleled stature in the realm of cinema screens, but 1) Harrison promised he would always be there to call it out and fight (and usually *win*) the good fight and 2) there would often be an accompanying quote from a major studio figure assuring independent theater owners (and newspapers and audience members) that screen advertising was not widely approved by Hollywood.

In this way, I argue that Harrison's coverage of concealed advertising paradoxically did more to expose the under-covered inner workings and omnipresence of the process than any other publication while also contributing to the obfuscation upon which the process depended. This is not to say that Harrison is to blame for the continued existence of concealed advertising and the eventual mainstream emergence of cinematic product placement—various studio personnel, advertisers, and product manufacturers are most directly responsible for the rise of product placement. But product placement's rise *did* depend on some level of secrecy which, as presented above, contributed to a position of plausible deniability. Beyond simply giving studio producers the pages to attempt to clear their names, Harrison would often corroborate their claims—even after laying out many of the details that pointed towards concealed advertising being the product of more than a few overreaching prop masters and advertisers.

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[103] "More About Concealed Advertisements in Films," *Harrison's Reports*, January 29, 1944, 17.

A syndicated column by Jimmie Fidler that was republished by *Harrison's Reports* in 1945, for example, describes concealed advertising as a widespread, multi-level process. Fidler opens by directly acknowledging the secretive nature of the practice: "One of the most interesting, behind-the-scenes battles waged in Hollywood receives little publicity. I refer to the constant fight of manufacturers to get their commodities displayed, as prominently as possible, on the screen."[104] Yet far from being an occasional blip on the radars of the pristine silver screen, Fidler describes an act predicated on contractual agreements and repetitive systems of implementation: "Almost every big advertising agency has a Hollywood representative whose job it is to see that the agency's clients get a maximum amount of such indirect advertising. Several studios have ironclad contracts which oblige them to use certain products in movie-making. One studio employs Cadillacs when a script calls for an expensive story; another studio has a similar deal with Buick." Further, he characterizes these placements as engendering a competitive market:

> Manufacturers of electrical home appliances know that the casual display of their products in a hit movie boosts sales phenomenally. Companies manufacturing freshly designed mechanical gadgets of all kinds know that there is no more effective means of introducing them to the public than placing them in the hands of a movie star. Tourist bureaus and resort owners vie to have pictures filmed in the locales in which they are interested.[105]

And finally, Fidler claims a great frequency of occurrence: "Watch the backgrounds and props in the next picture you see. You'll be amazed at the number of 'advertising tie-ups.'"[106] While one

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[104] "Advertising Tie-Ups in Feature Pictures," *Harrison's Reports*, April 21, 1945, 61.

[105] "Advertising Tie-Ups in Feature Pictures," *Harrison's Reports*, April 21, 1945, 61.

[106] "Advertising Tie-Ups in Feature Pictures," *Harrison's Reports*, 61.

might quibble with the accuracy (or tone or emphasis) of Fidler's column, it does more closely align with Jay Newell, Charles T. Salmon, and Susan Chang's claim that the "use of tie-ups was regularized throughout the 1930s."[107] While Harrison would often characterize product placement as a bug infecting the system, Fidler described it as a *feature*.

Even in the face of Fidler's depiction of concealed advertising, Harrison remained as steadfast in downplaying the repeatable, systematic implementation of these advertisements as in his distaste for filmic advertising. In his response to Fidler's column, Harrison, in characteristic fashion, condemns such clandestine marketing, pointing towards the editor's 1931 campaign which sought to end the harm and feelings of resentment concealed advertising doled out to theater owners, audience goers, and newspaper advertisers. Harrison even goes as far as proclaiming victory: "This paper's campaign against screen advertising was so intense that the nation's leading and most influential newspapers rallied to its support with powerful editorials, which, within a few months, compelled the producer-distributors to abandon that practice."[108] Harrison does, however, acknowledge that his campaign did not entirely eliminate the threat of concealed advertising, but he claims that "each time that it did crop up, this paper brought the offense to the attention of the exhibitors." He notes one such example of concealed advertising for Sheffield milk trucks in MGM's *The Clock* (Vincente Minnelli, 1945) but provides exactly the sort of wiggle room upon which early product placement depended: "Some one at the MGM studio must have been compensated in some form for the advertisement given the Sheffield company in 'The Clock.' Whether the studio executives know anything about it or not, however, this writer is not in a position to say." Instead, Harrison theorizes, "Perhaps some smart

[107] Newell, Salmon, and Chang, Hidden History of Product Placement," 584.

[108] "Advertising Tie-Ups in Feature Pictures," *Harrison's Reports*, 61.

advertising agent, such as the type Mr. Fidler mentions in his article, was able to sell one of the studio men a bill of goods. But regardless of the means by which the advertising got into the picture, it is bad." [109] This last point is especially important—by ignoring, minimizing the significance of, or simply accepting the studio head's word on the provenance of filmic concealed advertising, Harrison obfuscated the evolution of a practice that would eventually lead to an entire industry predicated on placing products in films.

In fact, Harrison would later go on to defend the studios against any accusations of wrongdoing at any level higher than the propmaster. In a piece entitled "In Defense of the Studios on Advertising Plugs," Harrison offers a twist on his typical argument that concealed advertising was the result of a few bad actors rather than a systematized series of actors/actions—rather than claiming that the products were of unknown origins, he caps the level at which such actions occur. He opens his argument with absolution: "At first, *Harrison's Reports* was inclined to blame the producers for the presence of such advertising. Closer inquiry, however, brought to light the fact that all the major studios and most of the smaller ones are blameless." Instead, the blame lies with "representatives of manufacturers whose function is to try to influence people working for a production unit to manage to stick into a scene the article manufactured by the company the represent, the remuneration being a quantity of the product displayed." [110] As evidence of where the guilt lies for concealed advertising, Harrison offers the following anecdote:

> Recently I had a confidential talk with a reputable unit producer of a major studio and was told that he and the other unit producers of his company watch the property men like hawks lest they put one over on them by sticking the brand of

[109] "Advertising Tie-Ups in Feature Pictures," *Harrison's Reports*, 61.

[110] "In Defense of the Studios on Advertising Plugs," *Harrison's Reports*, January 8, 1949, 5.

> an article into a scene. it is after the set is ready for shooting, the unit producer informed me, that the property man, unknown to the director, slips in the advertisement. If it is a can, for example, showing a blank side, the property man merely twists the can to display the brand name.
>
> In a recent case, I happened to see the brand of an article inserted in one of the pictures that my informant himself produced. He told me that he had noticed it after the picture was finished, and that he became furious. But it was too late, for to eliminate the plug would have required the reshooting of the scene, and that happened to be impracticable.[111]

Now my suggestion here is not that *every* member of a film studio approved of product placement and directly participated in promoting concealed advertising—there were surely personnel at various levels that either opposed or supported concealed advertising, as outlined in the second chapter of this manuscript. But Harrison's characterization of the practice colors it as the infrequent but troubling appearance of bad actors rather than an evolving codification of both actors and actions, thereby creating (or even directly promoting) the kind of plausible deniability that allowed cinematic product placement to flourish in relative secrecy before its mainstream emergence in the 1980s.

Also present throughout Harrison's writing is a rhetoric centered around the supposed sanctity of the silver screen—the idea that the cinema was a place free of advertising, a location of mutual respect and honesty between exhibitors and attendees, a contract exclusively devoted to the distribution of entertainment. This supposed lack of advertising and the purity of the cinema took on even greater import once the movies met their biggest challenger—television. As Tino Balio writes, "Audiences did not tire of television, and upon realizing this, the majors adopted a new adage to replace the debunked hypothesis. To draw people back to the theaters,

[111] "In Defense of the Studios on Advertising Plugs," *Harrison's Reports*, 5.

the tack became 'We'll give them something television can't.'"[112] Circa the 1950s, the "movies had lost most of the adult audience, for good economic reasons: first, the cost of watching television for a consumer who had already purchased a set was negligible compared with the price of a theater ticket; second, frequent program changes provided variety; and third, television was convenient—it could be viewed in the most informal circumstances, without effort, and in the comfort of one's home."[113] Television, now a staple in most households across the country, offered a dependable stream of easily accessible fare—the movies could no longer attract audiences simply because they were the largest, most normalized form of entertainment. Balio writes, "The motion picture industry, as a result, decided to differentiate its product and make the most of its natural advantages over its rival. It would exploit color, 3-D, and wide screens."[114] This marked shift towards technological supremacy was not simply implied, either, or even reserved for association with big-budget blockbusters like *Ben-Hur* (William Wyler, 1959) or *Cleopatra* (Joseph L. Mankiewicz, 1963); RKO, for instance, ran an advertisement for the ill-fated Ginger Rogers vehicle *The First Traveling Saleslady* (Arthur Lubin, 1956)—which featured appearances from small-screen actors Barry Nelson, David Brian, and James Arness—in television fan magazines that promised prospective audience members the chance to see their "favorite TV stars in color on the biggest screen in town!"[115] And as Ariel Rogers notes, this move towards spectacle and advanced (or new or "better") exhibition technology has been

[112] Tino Balio, "Part IV / Retrenchment and Reorganization, 1948-," in The American Film Industry, ed. Tino Balio (Madison: The University of Wisconsin Press, 1985), 423.

[113] Balio, "Part IV / Retrenchment and Reorganization," 423-424.

[114] Balio, "Part IV / Retrenchment and Reorganization," 424.

[115] "RKO Carries Fight to Television by Placing Ads in TV Fan Magazines," *Film Bulletin*, July 9, 1956, 19.

mirrored in cinema's recent high-definition television, streaming age crisis.[116] When the going gets tough for the movies, it seems the movies get bigger.

However, there were smaller perceived (and promoted) advantages the movies held over television, too, including the supposed lack of advertising. To a degree, of course, this was true—television's primary revenue model was predicated on the selling of commercial time slots, whereas the movies made their money from ticketed attendance (with smaller sums of money saved or shuffled around via advertising). And as evidenced by even someone as anti-advertising as P.S. Harrison's insistence that one of the silver screen's most powerful entertainment properties was its freedom from advertising (despite knowing much about the presence of concealed advertising and tie-ins/tie-ups), cinema's lack of advertising was long seen as one of its benefits. With television, then, the movies met their biggest match yet, but also one with many marked differences which movie studios meant to exploit, including the obvious, interruptive presence of advertising. In the eyes (or outward-facing mouths) of film industry and film media figures, television advertising was often described as an intrusion upon entertainment, with some industry figures even claiming that television was driving audiences back to the movies, as Columbia's executive vice president Jerry Wald did at an American Cinema Editors dinner honoring Emmy and Oscar-winning editors: "[Television] is currently squawking and wetting its electronic diapers. Television is actually serving as a propellant which is sending people back to the movie theatres to get away from the plethora of one-minute spots,

[116] Ariel Rogers, *Cinematic Appeals: The Experience of New Movie Technologies* (New York: Columbia Press, 2013), 181.

supercharged and mind-splitting appeals to phone now and uninspired entertainment with an old fashioned formula."[117] (Audience numbers, of course, paint a more complicated picture.)

More common, however, was the idea that television advertising simply made for worse entertainment than the supposedly ad-free entertainment of the movies. On March 10, 1956, for instance, NBC bucked industry trends by premiering the full-length, Technicolor Shakespeare adaptation *Richard III* (Laurence Olivier, 1955) before the film had ever shown in U.S. theaters.[118] Though the film would receive the roadshow treatment in 100 US cities afterwards via US distributor Lopert Films (with some of the American box office returns shuffled over to NBC), the televisual exhibition was a big gambit for the network, who had paid $500,000 to premiere the film.[119] According to industry estimates, the film's telecast set Sunday afternoon records with somewhere between 40 and 50 million viewers turning their dials to NBC.[120] Audience members were also greeted with the presence of General Motors, who paid $350,000 (plus time, which totaled $500,000) for the right to sponsor the three-hour block of programming.[121] And though NBC had signed a contract limiting the block to only three ad breaks after a recent airing of *The Constant Husband* (Sidney Gilliat, 1955) had been criticized

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[117] "TV Over-Commercialization Ups Movie Attendance—Wald," *Broadcasting-Telecasting*, March 19, 1965, 30.

[118] Val Adams, "'RICHARD III' FILM TO BOW ON VIDEO; N.B.C. Will Televise British Movie, Not Yet Released in U.S., in Color March 10 Two Reasons for Schedule," *New York Times*, January 3, 1956, https://www.nytimes.com/1956/01/03/archives/richard-iii-film-to-bow-on-video-nbc-will-televise-british-movie.html.

[119] "'Richard III' Premiere On NBC For 500G Firmed," *The Hollywood Reporter*, August 19, 1955, 1.

[120] "'Richard III' Trendex Swamps TV Competition," *The Hollywood Reporter*, March 13, 1956, 1.

[121] "GM's 350G Tab on 'Richard III,'" *The Hollywood Reporter*, January 25, 1956, 23.

for over-advertising, trade reactions were expectedly mixed, dependent on which industry they covered.[122]

Take, for instance, the coverage in *Broadcasting-Telecasting* vs. the coverage in *Film Bulletin*. The former's review declared *Richard III* a "motion picture masterpiece." Though it conceded that "perhaps some of the spectacle (in particular the final battle scenes) was lost in the reduction of the work to the tv screen," it claims "this loss was more than compensated by the dramatic impact of the more intimate passages." Of particular merit were the apparently tasteful advertisements: "A special vote of thanks must go to the sponsors of the television showing for a minimum of carefully placed commercials and for devoting the major part of one of them to an entertaining talk by Dr. Frank Baster, Shakespearean authority and wit, on the England of Richard's Day."[123] Less kind was the buzz in *Film Bulletin*, which featured a round-up of reviews from outlets like the *New York Post* and the *Herald-Tribune* that expressed varying levels of dismay (which were later hyperbolized by *Film Bulletin*) at the failure of the small screen to live up to the spectacular standards of the supersized silver screen.[124] *Film Bulletin* ran a quote, supposedly conveyed by Laurence Oliver to an anonymous Washington, D.C. film critic, that the director-star found the television version of his film "deplorable," particularly for the "smallness of the picture" and the commercials, which he felt "broke the sense of rhythm."[125] And despite the loss of revenue likely created by the high turnout for NBC's airing of the film, *Film Bulletin* offered a viewpoint of solace:

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[122] "3-Commercial Limit On 'Richard III' Telepreem," *Variety*, November 16, 1955, 1.

[123] "In Review: Richard III," *Broadcasting-Telecasting*, March 19, 1956, 14.

[124] "Richard's Verdict: Television Critics Praise Theatre Version," *Film Bulletin*, March 19, 1956, 13.

[125] "What They're Talking About In The Movie Business," *Film Bulletin*, March 19, 1965, 12.

> Let this serve as some compensation for theatremen. It is an adequate return, we would say, for the loss of matinee attendance on Sunday, March 11, when the reputed 45 millions were watching 'Richard' in their homes. We wonder how many viewers, beset by normal living-room distractions and disturbed by the lengthy commercials that interrupted the film, sighed unto themselves, 'Oh for the peace and quiet and continuity of a movie theatre!'[126]

Such battle lines between the sanctity of the cinema space and the distraction-heavy environment of the home continue to be drawn to this day, especially whenever theatrical moviegoing faces another of its crises (though, in the age of streaming and rampant pre-show advertising in theaters, it is home-viewing titans like Netflix who claim to be "ad-free.")[127]

Another relevant strain of discourse centers around the topic of ad-free pay-TV. This discourse was characterized by a number of concerns: whether a shift in revenue model would upgrade the quality of television programming, whether home-viewing audiences who had grown accustomed to watching television for free would even want to add a monthly subscription to their costs, and, on the other end of the spectrum, whether pay-TV might actually be the death knell for theatrical exhibition many warned ad-supported TV would be. For some major Hollywood figures, pay-TV represented a chance at upgrading the low-budget, "formulaic" fare commonly found on TV. On a January 1951 episode of Faye Emerson's CBS talk show titled "TV vs. Movies," for example, famed film director Otto Preminger advocated that a shift toward a pay-per-view model would potentially result in the creation of the sort of "profound" art for which the cinema is known. In 1959, *Fortune Magazine* predicted that mediocre programming and the constraints placed on the medium by advertising revenue would

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[126] "Richard's Verdict: Television Critics Praise Theatre Version," *Film Bulletin*, March 19, 1956, 14.

[127] Tiffany Hsu, "Netflix Is Ad Free, but It Isn't Brand Free," *New York Times*, December 19, 2019, https://www.nytimes.com/2019/12/16/business/media/netflix-commercials.html

result in the death of commercial television and the rise of pay-TV in a “crowning of a new set of kings.”[128] Trueman T. Rembusch launched a *Joint Committee Against Pay-TV*, taking out full-page advertisements in trade magazines like *Film Bulletin*[129] and *Motion Picture Daily*[130] in 1960 urging theater mangers to save their theaters and protect their jobs by petitioning for Congress to ban Pay-TV.[131] P.S. Harrison, of course, claimed that the use of petitions signed by the public is one of the most important weapons in the battle against pay-TV."[132] Implied or directly stated in these articles and other articles like them is the idea that advertising places constraints—both aesthetic and economic—upon programming that prevents it from being of the same quality as the movies; pay-TV, then, would shift home viewing towards the ad-free, high-quality domain of the movies. Not everyone believed this would be the case—a 1960 *Film Bulletin* editorial downplayed the threat of movies on pay-TV, given the screen size limitations, while also predicting that, if pay-TV ever gained enough traction, it would surely adopt advertising as an additional revenue stream[133]—but the threat loomed over the movies (while also supplying the sort of “ad-free” shine that obscured cinematic product placement).[134] It is not my argument that this was a widespread campaign intentioned to first and foremost gaslight the public into believing product placement did not exist, but rather that there was enough of a marked

[128] “Commercial TV Dying; Pay TV to Replace It—‘Fortune,’” *Film Bulletin*, January 19, 1959, 9.

[129] “Joint Committee Against Pay-TV advertisement,” *Film Bulletin*, August 8, 1960, 8.

[130] “Joint Committee Against Pay-TV advertisement,” *Motion Picture Daily*, August 29, 1960, 2.

[131] “They Made the News,” *Film Bulletin*, April 29, 1957, 24.

[132] "30 Million Signatures Sought in Anti-Toll TV Campaign," *Harrison’s Reports*, August 27, 1960, 137.

[133] Such arguments, it should be noted, were also frequently ushered by the Joint Committee Against Pay-TV.

[134] “Product and Pay TV,” *Film Bulletin*, June 6, 1960, 22.

difference between the advertising in cinemas and on television that the discourse obfuscated the presence of these smaller tie-in advertisements.

Another complicating factor in the discourse around screen advertising was the interchangeability of terminology used to describe the activity that would come to be known as product placement. As Newell, Salmon, and Chang write, the term product placement was not regularized in scholarship or the trades until the 1980s: before that, terms like exploitation, tie-ins, and, especially, tie-ups were used instead.[135] Inherent in each of these terms is a level of ambiguity: exploitation can apply to a broad swath of marketing activity, while tie-ins and tie-ups may be associated with advertising campaigns unrelated to branded props placed in films. For instance, the term tie-up was used to describe conventional product placements but also music cross-promotions (like the *Rollerball* (Norman Jewison, 1975) original soundtrack in *Boxoffice*),[136] and branded cross-promotions with companies or organizations who did not necessarily have products showcased within the films (like advertising campaigns coordinated between *When the Dinosaurs Ruled the Earth* (Val Guest, 1971) and Sinclair Oil Co. in *Boxoffice*,[137] between *The Towering Inferno* (John Guillerman, 1974) and the International Association of Firefighters in *Variety*,[138] and even between potential collaborators like *The Master Gunfighter* (Tom Laughlin, 1975) and any interested restaurants in *Boxoffice*).[139] This is not to say that these are incorrect uses of the term—tie-ins are still used to describe cross-

[135] Newell, Salmon, Chang, “Hidden History,” 576.

[136] “Major Promotional Tie-Ups For ‘Rollerball’ Album,” *Boxoffice*, July 14, 1975, E8.

[137] “Dinosaur Tie-Ups, Giveaways Highlight Two Campaigns,” *Boxoffice*, March 1, 1974, A1.

[138] “‘Inferno’ Tie-Ups With Fire Depts.,” *Variety*, January 1, 1975, 3.

[139] “Restaurants Are Participating in Promotion Tie-Ups,” *Boxoffice*, September 15, 1975, 31.

promotion campaigns without product placement, such as the NBA's merging of highlight footage with movie trailers[140]—but it does point to a lack of specificity that, again, partially obfuscates the inner workings of product placement (though even product placement and Harrison's chosen term "concealed advertising" carry their own ambiguities).

It is my argument, then, that in addition to the underground nature of product placement (as outlined in Chapter 2), a series of discourses also contributed to the obscurity of the practice. Furthermore, this muddling of the picture continued once product placement had its breakthrough moment in 1982. Take, for instance, "Brand Names Go Hollywood: Props That Sell," an article published in *Boxoffice* two months before *E.T.*'s release. The central concerns of the article are product placement marketer Robert Kovoloff and his company Associated Film Promotions, with author David Linck covering product placement both in broad industrial terms and in fine detail about specific films and insertions. However, the article opens, "Time was when the average moviegoer could hide from the American advertising machine in the comfy darkness of the local theater. There, cuddling up to a tub of popcorn far from the madding TV marketplace, a viewer could look forward to spending an hour or so with Robert DeNiro instead of the Pillsbury Doughboy," directly aping the sort of argument put forth by Columbia's Jerry Wald during the early battles between the movies and television.[141] Linck's article continues, "Time marches on, however, and with it come new ways to remind consumers of brand-name products. No longer just sold on billboards, radio waves and television, products are becoming movie stars themselves." And yet, in the very next paragraph, Link contrasts these words when

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[140] Drew Magary, "Dear ESPN: Your Movie-Tie-In Promos Suck," *Deadspin*, June 13, 2012, https://deadspin.com/dear-espn-your-movie-tie-in-promos-suck-5918075.

[141] David Linck, "Brand Names Go Hollywood: Props That Sell," *Boxoffice*, April 1, 1982, 32.

he writes, “It's no secret that the art of 'product placement,' or using brand-name merchandise conspicuously onscreen, has been around Hollywood for several decades. But due to the efforts of businessmen such as Associated Film Promotions' (AFP) Robert Kovoloff, beer, candy—even macadamia nuts—are becoming scenestealers in recent films.”[142] It is this paradoxical retelling of history—that product placement simultaneously existed forever but also did not really exist until the 1980s—that became the predominant narrative in the press and in scholarship.

Part of the reason this occurred, I believe, is because it is not entirely untrue. As detailed in Chapter 1, the 1980s did represent a crescendo of industrial activity—the creation of new, product placement-specific companies capable of inserting branded props with higher efficiency and scale. The fashion in which products made their way to screen had fundamentally changed, and additionally the business went from underground to more widely covered. The practice shifted from an unspoken evil to a widely discussed profitable venture, mirroring the industrial shift from underground activity to the sort of marketing to which you could entirely devote a company. This is not to say that the practice was suddenly free from public criticism or that all elements of the practice were publicly visible, but rather to say that the practice was acknowledged by its progenitors in a way that had previously been unviable. Thus, rather than the predominant narrative that claims the 1980s witnessed the emergence of product placement, I propose that the 1980s witnessed the *mainstream* emergence of product placement, spurred by industrial changes and a lack of regulation.

Conclusion

As cinematic product placement became more common throughout the 1980s and early 1990s, the practice faced renewed public criticism. The Federal Trade Commission conducted an

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[142] Linck, “Brand Names Go Hollywood: Props That Sell," 32.

investigation of placements involving tobacco products, and feeling pressure, major tobacco companies quickly promised to forgo any further placements. In 1991, a Washington, D.C.-based group named the Center for the Study of Commercialism "announced it would petition the FTC to declare placement an unfair business practice and to require the onscreen disclosure of products advertised in films."[143] The Center declared product placement "stealth advertising" and "plugola," with its leader Michael Jacobson demanding, "We're asking the film studios to just be fair to the public. Don't pretend you're showing art when it's really advertising."[144]A year later, the FTC announced the findings of its investigation, denying the Center's petition; in a statement, Lee Peeler, "associate director for advertising practices at the F.T.C. in Washington, said the commission had found a lack of a pervasive pattern of deception and would consider these matters on a case-by-case basis."[145] The Portland, Oregon, group Commercial Alert made a similar plea to the FCC and FTC in 2003, with executive director Gary Ruskin demanding "'concurrent, conspicuous and clear' disclosures like notices before the programs start and superimposed acknowledgments as the placements appear."[146] And in 2008, the FCC conducted yet another investigation into how entertainment media might publicly and obviously disclose any moments of in-film or in-program advertising.[147] But in the end, each of these post-boom

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143 Segrave, *Product Placement in Hollywood Films*, 193.

144 Dennis Wharton and Jennifer Pendelton, "D.C. group brands product placement as plugola," *Variety*, June 3, 1991.

145 Adam Bryant, "THE MEDIA BUSINESS: ADVERTISING -- ADDENDA; Product Placement," *New York Times*, December 16, 1992, https://www.nytimes.com/1992/12/16/business/the-media-business-advertising-addenda-product-placement.html?searchResultPosition=4.

146 Stuart Elliot, "THE MEDIA BUSINESS: ADVERTISING -- ADDENDA; Group Criticizes Product Placement," *New York Times*, October 1, 2003, https://www.nytimes.com/2003/10/01/business/the-media-business-advertising-addenda-group-criticizes-product-placement.html?searchResultPosition=13.

147 Stephanie Clifford, "Product Placements Acquire a Life of Their Own on Shows," *New York Times*, July 14, 2008, https://www.nytimes.com/2008/07/14/business/media/14adco.html?ref=business.

appeals met the same ultimate result: product placement in the movies remains free of any sponsorship identification rules in the United States.

In this chapter, I have traced the history of these public contestations over product placement, arguing that the legal and legislative decisions made by the American government (or, perhaps, the lack of legal and legislative decisions made by the American government) have shaped the varying public discourses about product placement and advertising in the twentieth century's three primary mediums of mainstream entertainment: radio, television, and, of course, film. When it comes to product placement in American movies, the judicial system has taken a hands-off approach, allowing the film industry to regulate product placement itself much as it has allowed the film industry to regulate itself in other regards. Legal scholars have long argued over how product placement might theoretically be legislated, mainly by considering how it should be viewed under the guise of "free speech"—but these propositions, much like the pleas from the Center for the Study of Commercialism and Commercial Alert—have remained theoretical aside from slight exceptions like the tobacco industry's removal from product placement considerations. However, this varies from advertising in radio and television, where sponsorship identification rules require any advertising be publicly disclosed to the audience. Though programs routinely skirt these rules, I argue that such differentiation—especially when paired with radio and television's ad-supported revenue system and film's ticketed approach—played a crucial role in shaping audiences' relationships to advertising in each of the three mediums. Audiences were asked to form and did form clear and deep connections between early radio/television programming and their associated sponsors. Though each medium eventually moved away from such overt binding of brand and entertainment, these early advertisements significantly shaped audience perceptions of the mediums as advertisement-heavy. Film industry personnel, especially amidst television's rise, sought to take advantage of this perception, declaring the cinema "ad-free"… and thus giving product placement the cover it needed to flourish. Even those in the film industry who sought to put an end to product placement like P.S. Harrison had a vested interest in keeping films out of the courts and under their own control, pairing brash criticism with quotes from industry leaders that promised they were doing their best to manage the product placement problem. While Chapter 1 detailed the industrial evolution of product placement and Chapter 2 explored the private discourses and roles that sold product manufacturers and film personnel on undertaking the practice, product placement would not have evolved in the same way it did were it not for this combination of self-regulation and cover provided by public discourse. Though product placement has existed since nearly the inception of the movies, its delayed mainstream emergence is partially due to public statements that either intentionally or unintentionally provided cover or encouraged a clandestine approach to the practice. And as we will see in Chapter 4, this covert operation continues once the products appear on screen as well.

Chapter 4

Product Placement and Film Aesthetics and Storytelling

Introduction

When you hear the term “product placement,” what film and television examples most immediately come to mind? Is it one of the marketing method’s infamous success stories, like the self-lacing Nike sneakers in *Back to the Future* (Robert Zemeckis, 1985) or the Ray-Bans worn by Tom Cruise in *Risky Business* (Paul Brickman, 1983)? Or perhaps it is a branded prop with even more screen time, like the Wilson volleyball that serves as Tom Hanks’s primary screen partner in *Cast Away* (Robert Zemeckis, 2000) or Simon Cowell’s red cup of Coca-Cola on the original run of *American Idol*? Or might it be something more notorious, like the visit to McDonald’s in famed box office flop *Mac and Me* (Stewart Raffill, 1988) or the centrality of Google to the plot of the Owen Wilson-Vince Vaughn vehicle *The Internship* (Shawn Levy, 2013)? Maybe it is not even a moment of product placement at all, but rather something that is close enough, like the parody of a series of iconic advertisements for the mustard-brand Grey Poupon that appears in *Wayne’s World* (Penelope Spheeris, 1992)? Or perhaps it is a parody of a product placement parody, like the *Wayne’s World* references in the music video for Kendrick Lamar’s number-one single “HUMBLE.” twenty-five years later? In my case, it is typically something to which I have an odd and nostalgic personal attachment, likely from many viewings on home video or cable television in my childhood home, such as the can of Barbasol shaving cream Wayne Knight uses to covertly collect dinosaur DNA in *Jurassic Park* (Steven Spielberg, 1993) or the Converse Chuck Taylor high-tops worn by Will Smith in *I, Robot* (Alex Proyas, 2004).

What is notable about each of these examples is that, when considering the broader province of product placement, they are exceptional. In some instances, product placement certainly *is* the breakthrough success story, the oft-remembered-and-remarked-upon branded prop that elevates the profile of a company and ushers in an age of rapid sales growth. In most instances, however, product placement is banal, the branded prop going mostly unrecognized and unremarked upon, slotting in as just another component of a film or television program's mise-en-scène. As I argued in Chapter 2, the banality of product placement is actually central to its appeal as an advertising practice: through covert accumulation of low-cost impressions in highly desired works of entertainment, its practitioners typically attempt to increase brand awareness without calling untoward attention to the product's presence in—and, thus, advertising's infiltration into—the work.

Yet both mainstream (and often academic) coverage of the advertising practice in its finished form (i.e., how products appear on-screen) tends to favor the uncommon over the common.[1] This is understandable—it is, after all, a more attractive story to outlets covering business to say that an advertisement resulted in a so-and-so percentage increase in sales for a brand rather than an advertisement went largely unnoticed in the hopes that additional brief glimpses of the product would make a viewer more likely to buy it in the future. And these outsized instances of successful product placement lore do, of course, partially explain the long-term investments— particularly at a high scale in blockbuster entertainment—advertisers,

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[1] As examples, take: Daniel Bukszpan, "10 Big Successes in Product Placement," *CNBC*, June 3, 2011, https://www.cnbc.com/2011/06/03/10-Big-Successes-in- Product-Placement.html; M.L. Lanzillotta, "10 Movies With Excessive Product Placement," *Coming Soon*, September 25, 2018, https://www.comingsoon.net/ movies/news/981929-product-placement-movies; & Stacy Conradt, "The stories behind 10 famous product placements," *The Week*, December 11, 2012, https:// theweek.com/articles/469629/stories-behind-10-famous-product-placements.

product manufacturers, and production companies have made in the practice: Heineken, for example, has not made a substantial, decades-long investment in the James Bond franchise, from *Tomorrow Never Dies* (Roger Spottiswoode, 1997) through at least *No Time to Die* (Cary Joji Fukunaga, 2021), to go widely undetected.[2] But, again, these are exceptions; if we are to truly understand the functions and forms of product placement, we must move beyond the abnormal and seek out the utterly normal. As scholars like Jeremy Morris and Evan Elkins have proven, there is great explanatory power in seriously considering the existence of mundane media and "the very material ways it insinuates itself into banal routines."[3] It is my hope that this chapter's detailing of the ways in which product placement is interwoven into our objects of entertainment and, thus, our everyday lives might offer its readers not only a better understanding of the vast influence advertising has over the production of media and its resulting final form, but also better strategies for recognizing product placement in media in the future.

If the first three chapters of this dissertation can be seen as an attempt to detail the off-screen industries, decisions, discourses, and other parties/factors that led to product placement's mainstream emergence in the early 1980s, this chapter finally turns its attention towards the screen, seeking to understand product placement from the perspective of the film viewer who interacts, knowingly or unknowingly, with the placed product in its frequently mundane final form. The task of this dissertation has not necessarily been to dismantle the obfuscating work of the product placement marketer but rather to demystify and more clearly demarcate it, thereby providing a clearer portrait of how capital is entrenched and who entrenches capital into

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[2] "Daniel Craig Stars in Heineken TV Commercial," *007*, January 15, 2020, https://www.007.com/daniel-craig-stars-in-heineken-tv-commercial/.

[3] Jeremy Wade Morris and Evan Elkins, "There's a History for That: Apps and Mundane Software as Commodity," *The Fibreculture Journal* 25 (2015), 65.

American cinema—this chapter shifts its focus to the marketed fruits of that off-screen labor. I aim to understand how product placement functions throughout an entire film—and across films—on the levels of aesthetics and narrative storytelling. I am interested not only in how product placement might affect film style, but also in how film style might affect the placement of a product, two issues which are sorely lacking in current literature on the subjects, which tends to approach on-screen placements from a business-orientation first and foremost. While a good deal of projects have aimed to either analyze the effectiveness of product placements through a primarily business lens or quantify the amount of product placements occurring over time, few (if any) studies have attempted to consider product placement's use of and impact on cinematic techniques of style and story. Put most simply, this chapter is guided by one fundamental question: what, exactly, does filmic product placement look like?

This chapter is divided into three sections that seek to answer that question. In the first, I review how others have approached analysis of on-screen product placement, examining both the great value of preexisting studies but also carefully outlining what is currently missing from the literature. In the next section, I offer a close reading of a single film to better understand how product placement functions over the course of a movie's entire runtime, paying particular attention to how various products necessitate certain aesthetic considerations. While this analysis will take into account the selling power of each instance of product placement, I ground my analysis in film style as much as possible, considering how each placed product works in tandem with each scene's larger mise-en-scène, cinematography, and editing. In doing so, I hope to move the consideration of product placement beyond its value as a marketing device and focus more intently on how placed products impact the various below-the-line crewmembers who play a part in actually ushering these branded props to the screen. In the final section, I broaden my analysis to consider how the story, structure, and genre of a film may play a part in how product placement functions, investigating how specific strategies of product placement aesthetics might stretch across films with common ground.

As my case studies, I have chosen two drastically different texts: for the section where I trace product placement across a single film, I will be looking at *Tootsie* (Sydney Pollack, 1982), and for the section where I trace product placement across similar sequences across a broader set of films, I will be looking at chase sequences across a set of four films in the James Bond franchise (*The Man with the Golden Gun* (Guy Hamilton, 1974), *Moonraker* (Lewis Gilbert, 1979), *Casino Royale* (Martin Campbell, 2006), and *Skyfall* (Sam Mendes, 2012). I have chosen *Tootsie* because the film satisfies the following criteria: 1) It is part of the production cycle identified by scholars as fundamentally changing the public's relationship with product placement—i.e., the cycle that has also been the central concern of this dissertation. 2) However, it does not have any placements nearly as iconic or enduring as anything from *E.T.* or other films routinely cited for their specific tie-ins—the only mention of the film I have seen in academic literature about product placement is the following sentence from Kerry Segrave: "Dustin Hoffman drank Budweiser in Tootsie."[4] 3) It was high-grossing (nearly $200 million at the domestic box office on a $21 million budget), critically acclaimed, and released by a major American studio (Columbia), making it indicative of both commercially and critically successful major studio fare of the era (and, thus, likely an attractive property for potential advertisers).[5] I have chosen the set of Bond films for divergent but not altogether dissimilar reasons: 1) Perhaps no franchise is more synonymous with product placement than the Bond films, yet there remains

[4] Kerry Segrave, *Product Placement in Hollywood Films: A History* (Jefferson: McFarland, 2004), 167.

[5] "Tootsie (1982)," *Box Office Mojo*, https://www.boxofficemojo.com/ title/tt0084805/?ref_=bo_se_r_1.

much unexplored territory when it comes to considering how product placement is structured into these films. 2) The two Roger Moore films allow me to further explore how the most well-known product placements in blockbuster filmmaking functioned in the era of its mainstream emergence, while the two Daniel Craig films allow me to expand the horizons of this dissertation as it approaches its conclusion, offering a look at how the aesthetics and storytelling strategies of product placement have evolved in the intervening decades since the 1970s and 1980s. 3) By homing in on chase sequences, I have a chance to directly compare the story, structure, and aesthetic strategies both for one particular style of sequence and its accompanying set of branded products. In these case studies, any and all insight will primarily come from analyzing the film itself—I want this chapter to reflect how product placement functions within a film, rather than how product placement is said to function by marketers, press, or other paratextual influences.

In doing so, I understand that I am breaking with the standards set by Jay Newell, Charles T. Salmon, and Susan Chang, who advocate that instances of product placement should be defined by both 1) the appearance of branded props within films and 2) documented evidence that their appearance is with "the intent of influencing consumer attitude or behavior."[6] This approach has been integral to the historicization of the behind-the-scenes machinations of the product placement industry in my first three chapters. But in shifting my perspective exclusively to the filmic text itself, this chapter's analysis is less concerned with the documented processes of product placement and more concerned with the quantities and qualities of branded products making appearances in front of the eyes of viewers. I would argue that, from the perspectives of most viewers watching a film, there is likely little categorical differentiation between a branded product that appears on screen for the purposes of advertising and a branded product that appears

[6] Jay Newell, Charles T. Salmon, and Susan Chang, "The Hidden History of Product Placement," *Journal of Broadcasting & Electronic Media* 50, no. 4 (December 2006), 577.

on screen for the purposes of verisimilitude—the same could likely be said for the set designers, prop masters, cinematographers, and other on-set personnel most directly responsible for how the branded prop will eventually appear on screen.[7] And in freeing myself to consider the stylistic and narrative implementations of any branded products appearing on screen, I open my analytical net as wide as possible in an attempt to consider the full breadth of stylistic and storytelling options at play. Therefore, I consider this a chapter of hypotheses: I think there is future work to be done on directly outlining the specifics of exactly how a product is placed within the mise-en-scène of a shot, but, sadly, the documentation, in my experience, is not quite there.[8] Instead, I hope for my work to serve as an important starting point for both further understanding of the stylistic and narrative integration of branded props but also strategies for props, set design, cinematography, editing, and mise-en-scène more generally.

In each case study, I interrogate the commonly stated idea that the purveyors of product placement marketing must consistently develop new strategies to avoid reaching maximum levels of audience awareness. Catherine Emond lays out the fundamental guiding principle of product placement thusly: "the cardinal error [of product placement] to be avoided is thinking that you can put an advertisement in the film, whereas the idea of a placement is to integrate it naturally."[9] In a roundtable on product placement practices, Richard Alan Nelson makes the

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[7] The one exception that comes to mind: instances where film personnel intentionally obscure the logo of a branded product that has not secured placement for marketing purposes, so as to avoid its appearance on screen in the finished film. Such instances, of course, would not be analyzed in my case studies anyway, as they would not be detected in my analysis.

[8] One potential path forward: interviewing the actual on-set practitioners who place the products within a film's mise-en-scène, though one can likely already surmise numerous obstacles to securing such on-the-record disclosures.

[9] Jean-marc Lehu, *Branded Entertainment: Product Placement and Brand Strategy in the Entertainment Business* (London: Kogan Page, 2007), 97.

additional claim that "product placement firms have to take into account new and different ways to get their messages incorporated in media without reaching the saturation point of audience boredom, inattention, and active rejection."[10] Patrick Vonderau, too, states that as "audiences became aware of this practice and increasingly literate in disclosing its operations, producers and advertisers had to tie-in narrative and commodity worlds in ever more refined and subtle ways," noting that underlying "the tie-in is a premise of advertising psychology not to address prospective buyers directly by recommending consumption. Instead, tie-ins put products on display while not showing the intent of selling them." He continues: "In the history of the tie-in, which spans nearly a century, the attempt to tie the purpose of advertising to that of storytelling has subsequently led to formally most diverse results, with endless variety in the ways branded objects are shown, named, or used, and in terms of their inner dramaturgical relationship to other objects and the story's characters."[11] Similarly, Jonathan Hardy notes that productive placement is "very effective" as a form of "'stealth' or 'camouflaged' advertising" while also noting that "commodities increasingly shape story lines and have become integrated as essential plot elements."[12] While I am inclined to agree with each of these authors, these generalized claims lack exactly the sort of specificity for which I strive in this chapter. At the heart of my analysis, then, is a simple question which has mostly gone unanswered in the academic literature: what stylistic and narrative strategies are used to integrate products into films?

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[10] Mary-Lou Galician, ed., "Roundtable: Product Placement in the 21st Century," in *Handbook of Product Placement in the Mass Media: New Strategies in Marketing Theory, Practice, Trends, and Ethics*, ed. Mary-Lou Galician (Binghamton: Best Business Books, 2004), 251.

[11] Patrick Vonderau, "Kim Novak and Morgan Stairways: Thinking about the Theory and History of the Tie-In," in *Films That Sell: Motion Pictures and Advertising* (London: British Film Institute/Palgrave, 2016), 211-212.

[12] Jonathan Hardy, *Cross-Media Promotion* (New York: Peter Lang, 2010), 234 + 237.

Throughout this chapter, then, I argue that product placement raises a wide variety of aesthetic implications which must be worked out through conventional means of visual storytelling. Though seemingly simple in the abstract—here is our product, now put it in your film!—in practice, product placement requires the development of strategies of screenwriting, production design, staging and blocking, cinematography, and editing. Different products produce different aesthetic strategies, while certain genres and scenes further vary the ultimate appearance of the product on screen. Better understanding of product placement in this regard should expectedly shift our understanding of the authoring of film texts as well as what sorts of information film narratives and aesthetics communicate to their audiences. Most simply put, while product placement typically occurs out of financial considerations, it brings about a host of creative considerations as well.

Analyzing Product Placement

Though it has been noted throughout this dissertation, it is worth once again stating the common thinking about effective product placement, as it has accordingly shaped the academic discourse around the on-screen result of the practice: product placement should be noticeable but not obnoxiously so, with positive audience associations built through repetition and implied endorsements. In *Branded Entertainment: Product Placement and Brand Strategy in the Entertainment Business*, Jean-marc Lehu lays out the reasoning behind this axiom: “If the brand chooses to have only a purely commercial discourse, it denies itself the opportunity to form a more affective relational link. The power of testimonial by friend or family member in favour of a brand has nothing in common with the random aspect of an advertising argument presented over 30 seconds during a commercial break on television.” He continues, “Brands must constantly ensure their positive presence in the mind of consumers, if possible through recourse to media detached from purely commercial, and sometimes very damaging, connotations."[13] Accordingly, Lehu claims: "All placements, although perfectly visible or audible in most cases, are not necessarily consciously perceived by targets, particularly if they are very young; they can nevertheless have an impact on their implicit memory, and therefore we may perhaps speak of subliminal persuasion."[14] Here Lehu speaks of product placement in its most banal form—where mere exposure to a product increases the likelihood of brand recall later on—but one need only return to the first page of this chapter to see a wide range of examples where inserted products forged explicit memories.[15] This indicates there is a fine line between a successful and unsuccessful integration, with the majority of product placements occurring in the gray zone of implicit memory.

Correspondingly, the majority of work written about on-screen product placement has focused on its effectiveness as a marketing tool; this is further exacerbated by the fact that the majority of academic writing about product placement has been written by business scholars. In their bibliometric analysis of product placement scholarship published between 1993 and 2017, Fu Guo, Guoquan Ye, Liselot Hudders, Wei Lv, Mingming Li, and Vincent G. Duffy found that roughly 78% of the articles and conference papers about product placement were published by authors affiliated with business fields, with 33% of the authors hailing from advertising/communication fields, 25% from marketing, and 20% from other business

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[13] Jean-marc Lehu, *Branded Entertainment: Product Placement and Brand Strategy in the Entertainment Business* (London: Kogan Page, 2007), 224.

[14] Lehu, *Branded Entertainment.*, 7.

[15] For more on implicit vs. explicit memory making via product placement, see: Moonhee Yang and David R. Roskos-Ewoldsen, "The Effectiveness of Brand Placements in the Movies: Levels of Placements, Explicit and Implicit Memory, and Brand-Choice Behavior," *Journal of Communication* Vol. 57, Issue 3 (September 2007), 469-489.

disciplines. Though the authors do not clarify whether film or media studies scholarship would also fall into the communication category, they further claim that only 2.36% of this body of scholarship comes from strictly communication journals. Instead, the majority of product placement scholarship came from conference papers presented at conferences including the American Academy of Advertising Conference Proceedings and the Advances in Consumer Research conference (20.67%), advertising journals including the *International Journal of Advertising* and *Journal of Advertising* (17.06%), and interdisciplinary journals (18.99%), though the five most frequent publishers were all interdisciplinary journals with a business-orientation (*Journal of Promotion Management*, *Journal of Marketing Communications*, *Computers in Human Behavior*, *Psychology & Marketing*, and *Young Consumers*).[16] Since product placement is primarily viewed as an economic consideration rather than an artistic consideration, it follows that the majority of product placement scholarship would be produced by those interested in its effectiveness as a marketing tool.

One helpful marketing-oriented model for analysis of on-screen product placement comes from Mary-Lou Galician and Peter G. Bourdeau's study of "'heroic' brand images" in the *Handbook of Product Placement in the Mass Media*, which was co-published simultaneously in the *Journal of Promotion Management* in 2004. In that study, the authors found 546 product placements across the 15 highest-grossing films at the domestic box office in 1977, 1987, and 1997, which accounted for 24% of the 45 films' total runtime.[17] Data was sorted according to a

[16] Fu Guo, Guoquan Ye, Liselot Hudders, Wei Lv, Mingming Li, and Vincent G. Duffy, "Product Placement in Mass Media: A Review and Bibliometric Analysis," *Journal of* Advertising 48 (April 2019), 218-219.

[17] Mary-Lou Galician and Peter G. Bourdeau, "The Evolution of Product Placements in Hollywood Cinema: Embedding High-Involvement 'Heroic' Brand Images," in *Handbook of Product Placement in the Mass Media*, ed. Mary-Lou Galician (New York: Best Business Books, 2004), 15.

number of different stylistic and storytelling considerations: Did the product receive a *high* level of involvement in the film's unfolding story, or was its involvement *low*?[18] Was the product associated with a particular character, and if so, was that character *major*, *minor*, or was the product connected to *both equally*?[19] Was the product *fully* displayed, or only *partially*?[20] Was the product merely *mentioned* by a character or narrator, or was it *seen* on screen or even *used*?[21] For each question, Galician and Bourdeau offer accompanying data sets, which the authors use to make claims about the evolution of the practice; ultimately, the authors argue that their data evidenced that product placement had largely become more obvious/overt over the course of their 20-year data set.[22]

Most useful for this chapter, however, is their section on the "level of value" of a product placement, which they adapted from the product placement firm Creative Entertainment Service. According to Galician and Bourdeau, the firm established a hierarchy of value according to the product's ultimate appearance on screen. Seen as most beneficial were "verbal or hand mention" placements, which were defined by an "oral mention or physical contact of a brand by an actor or narrator." Ranked next were "implied endorsements," the "unseen or unspoken suggestion that a brand that is shown on-screen in close proximity to a character has been or will be used by that character." Rounding out the set was "signage," a "prominent display of a brand-name in the

[18] Galician and Bourdeau, "The Evolution of Product Placements in Hollywood Cinema," 24
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[19] Galician and Bourdeau, "The Evolution of Product Placements in Hollywood Cinema," 25-26.

[20] Galician and Bourdeau, "The Evolution of Product Placements in Hollywood Cinema," 28-29.

[21] Galician and Bourdeau, "The Evolution of Product Placements in Hollywood Cinema," 29-30.

[22] Galician and Bourdeau, "The Evolution of Product Placements in Hollywood Cinema," 32.

background of a scene," and "clutter," the "non-prominent display of a brand in a scene."[23] What appears to have been most important to Creative Entertainment Service—much like it was important to Robert Kovoloff of Associated Film Promotions in Chapter 1—was the level of association created between the brand and the film's actors, most preferably the stars. Though each tier of product placement carried with it an assortment of potential stylistic and storytelling strategies, the specific device utilized by the filmmakers was less crucial to Galician and Bourdeau's study (and Creative Entertainment Service's hierarchy) than its broad categorization.

Other studies of product placement often similarly focus on the prominence of the placement, typically arguing that it is a key determining factor in how audiences respond to the appearance of a brand in a film or television program. Pamela Miles Homer, for instance, categorizes the placements in her 2009 study on a range from *subtle* to *prominent*, while also tracking how frequently the products reappear throughout the show or movie on a range from *low* to *moderate*. She argues that prominence has its limits, with less risk associated with subtle placements: "[R]epetition of prominent placements for known brands has a negative impact on brand attitude. For subtle cases of product placement, however, consumer attitudes are relatively positive and moderate levels of repetition have little incremental impact."[24] Elizabeth Cowley and Chris Barron also interrogate prominence in their study, examining how audience reactions to prominent product placements vary based on how much the viewer enjoys the program they are watching, finding that prominent placements carry negative connotations in well-liked programs, but that less well-liked programs with prominent placements actually create positive associations with the product (with limits). Yet the authors, like Homer, find "Subtle placements

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[23] Galician and Bourdeau, "The Evolution of Product Placements in Hollywood Cinema," 30-31.

[24] Pamela Miles Homer, "Product Placements: The Impact of Placement Type and Repetition on Attitude," *Journal of Advertising* 38, no. 3 (Fall 2009), 21.

are less likely to result in negative shifts in brand attitude."[25] As a final example of this sort of study, Sukki Yoon, Yung Kyun Choi, and Sujin Song considered how viewers' behavior while watching a program affected their reaction to "well-integrated" and "intrusive" placements, arguing that "multitasking dampens a well-integrated placement's brand-enhancing effect and mitigates an intrusive placement's brand-damaging effect."[26] Similar studies proliferate throughout academic literature on product placement.[27]

These studies offer great value by putting data—both gathered on-screen and from survey respondents—to back or alter our perception of the recommendations made by product placement practitioners and product placement guidebooks. Yet as someone who is approaching on-screen product placement primarily from the position of a film scholar, I find these studies frequently lack careful consideration of how product placements are both impacted by film style and how product placements impact film style itself. Though my work is less directly focused on the effectiveness of product placement in favor of its history and significance to the film industry, I think closer analysis of how film style works in conjunction with product placement might breed greater insight into how audiences react to product placements. Moreover, it is my hope that the two case studies in this chapter build upon the work conducted in my second

[25] Elizabeth Cowley and Chris Barron, "When Product Placement Goes Wrong: The Effects of Program Liking and Placement Prominence," *Journal of Advertising* 37, no. 1 (Spring 2008), 89.

[26] Sukki Yoon, Yung Kyun Choi, and Sujin Song, "When Intrusive Can Be Likable: Product Placement Effects on Multitasking Consumers," *Journal of Advertising* 40, no. 2 (Summer 2011), 63.

[27] For more examples, see: Fanny Fong Yee Chan, "Product placement and its effectiveness: A systematic review and propositions for future research," *Marketing Review* Vol. 12 (1) (March 2012), 39-60; Alain d'Astous and Chemsi Barrada, "Communication Strategies to Enhance the Effectiveness of Product Placement in Movies: The Case of Comparative Appeal," *International Journal of Arts Management* Vol. 14 (1) (October 2011), 45-55; Bernadette Kamleitner and Abul Khair Jyote, "How using versus showing interaction between characters and products boosts product placement effectiveness," *International Journal of Advertising* Vol. 32 (4) (2013), 633-653; Fanny Fong Yee Chan, Dan Petrovici, and Ben Lowe, "Antecedents of product placement effectiveness across cultures," *International Marketing Review* Vol. 33 (1) (February 2016), 5-24.

chapter: by more closely contemplating the interaction between inserted brands and film style, we also gain greater understanding of the various practitioners whose labor shapes the end-result of product placement. While the vast and valuable body of academic literature on product placement already contains an ever-expanding number of studies that broadly consider on-screen product placement, it is this chapter's goal to narrow the scope of study in the hopes of slightly reorienting the conversation towards the film in which the product finds itself placed.

In doing so, my work marks yet another foray into the close-versus-distant reading debate that has predominantly featured in much 21st Century scholarship. This discussion was kicked off in part by Franco Moretti's call-to-arms in "Conjectures on World Literature":

> At bottom, [close reading]'s a theological exercise—very solemn treatment of very few texts taken very seriously—whereas what we really need is a little pact with the devil: we know how to read texts, now let's learn how *not* to read them. Distant reading: where distance, let me repeat it, is *a condition of knowledge*: it allows you to focus on units that are much smaller or much larger than the text: devices, themes, tropes—or genres and systems. And if, between the very small and the very large, the text itself disappears, well, it is one of those cases when one can justifiably say, Less is more.[28]

Moretti's primary contention was with the confines of the canon and the inability (or unwillingness) for close reading to move scholarship towards the abundance of ignored works spread across the globe—it was a problem, essentially, of what we have chosen to read. Matthew Wilkins states the problem differently when he writes, "Another way of putting the issue would be to say that we need to decide what to ignore. And the answer with which we've contented ourselves for generations is, 'Pretty much everything ever written.'" To Wilkins, this means that "canons—even in their current, mildly multiculturalist form—are an enormous problem, one that

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[28] Franco Moretti, "Conjectures on World Literature," *New Left Review* 1 (Jan-Feb 2000), 57.

follows from our single working method as literary scholars—that is, from the need to perform always and only close reading as a means of cultural analysis." His solution: "We need to do less close reading and more of anything and everything else that might help us extract information from and about texts as indicators of larger cultural issues. That includes bibliometrics and book historical work, data mining and quantitative text analysis, economic study of the book trade and of other cultural industries, geospatial analysis, and so on."[29] If Moretti wrote from the position of a polemic ('We must abandon close reading in favor of the freedom of distant reading'), a decade-plus later Wilkins merely promoted one pole over the other ('We must do less close reading in favor of more distant reading'). But what are we to do with aspects of canonized art forms—like product placement in the movies—that have yet to receive the sort of close attention that might make us meaningfully reconsider canons/art forms more generally? As Mark Williams writes, digital humanities work now "regularly features an iterative dialectic between the traditions of 'close reading' in the arts and humanities versus the goals and practices of 'distant reading' crucial to computational approaches to vast corpora of media texts under analysis."[30] I argue that a better understanding of widely under-covered aspects of canonized art forms necessitate the use of both approaches, with fine-grain analysis both inciting questions that guide analysis of big data and later providing detail that exemplifies big data's larger findings. Or to put it another way—it is misguided to ask large questions without first understanding what you

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[29] Matthew Wilkins, "Canons, Close Reading, and the Evolution of Method," in *Debates in the Digital Humanities*, ed. Matthew K. Gold (Minneapolis: University of Minnesota Press, 2012), 251.

[30] Mark Williams, "Networking Moving Image History: Archives, Scholars, and the Media Ecology Project," in *The Arclight Guidebook to Media History and the Digital Humanities*, ed. Charles R. Acland and Eric Hoyt (Sussex: REFRAME, 2016), 343.

are asking questions about. It is my hope that the close analysis conducted in the two case studies below may inspire a new set of questions for future researchers to explore.

Close Reading Analysis of Tootsie

In this section, I analyze the appearances of various products throughout Sydney Pollack's 1982 film *Tootsie*. I have organized the analysis around the products themselves following repeated viewings of the film where I hoped to let the products guide me towards aesthetic and storytelling takeaways. In each subsection, I consider both which element of style is relevant to the brand's appearance and how small-scale storytelling both impacts and is impacted by the appearance of the brand. My four subsections cover the appearances of Coke and Budweiser (mise-en-scène), National Video Center (blocking and staging), Philips Norelco camera equipment (camera movement), and Sony electronics and Häagen-Dazs ice cream (shot scale and framing).

Coke and Budweiser

In this section, I consider product placement's impact on production design as evidenced by the appearances of bottles, cans, and variant products of the Coca-Cola and Anhheuser-Busch companies. I have chosen to group these two brands together as they are similar products sold in similar styles of containers, but also because their implementation is accomplished through similar means of production design, an aspect of film production which greatly affects much of what appears in any given frame of a film. David Brisbin memorably describes this movie-making task in the following fashion:

> For the sake of discussion, one could define the authorial turf of production design as ''everything physical in front of the camera except the actors' bodies.'' You can envision this by picturing any live action frame in a movie you know and mentally blacking out all the stuff that is not part of a human body. Inevitably,

> there is a lot more screen space blacked out than one might expect. This black-out is the domain of production design.[31]

He continues:

> When it comes to shooting on a stage, be it a leaky warehouse or a proper soundstage, if the production designer does not provide a constructed set there isn't much for the cinematographer to photograph but a lot of blank space (and, of course, the actors' bodies). The goal of many a built set is to achieve such a level of veracity that the audience is unaware it is not a real place. This, then, becomes a motif in production design – to cover one's tracks and make one's work appear as if it didn't happen.[32]

This motif carries a certain thematic resonance with regards to product placement, as the majority of the placements in *Tootsie* build out the film's mise-en-scène rather than dominate it.

The integration of Budweiser and Coke into the frame demonstrates this clearly. Firstly, cans and bottles of Budweiser appear for 3 minutes and 25 seconds, while cans and bottles of Coke (or its early diet variant Tab) appear for 1 minute and 48 seconds. Budweiser appears exclusively in the scene of Michael's birthday party; its initial on-screen appearance occurs at 7 minutes and 6 seconds, and its last appearance is at 11 minutes and 52 seconds. Coke similarly appears first at Michael's birthday party, though it is also found in a later scene in which Michael eats dinner with Jeff and another scene in which Michael (dressed as Dorothy) has dinner at Julie's house; it is first shown at 7 minutes and 12 seconds and last shown at 50 minutes and 58 seconds.

In each of these scenes, production design strategies for both products are similarly implemented. Most frequently, these products are littered throughout the frame (this is what

[31] David Brisbin, "Production Design and the Invisible Arts of Seeing," in A Companion to Media Authorship, ed. Jonathan Gray and Derek Johnson (Chichester: John Wiley & Sons Ltd, 2013), 371.

[32] Brisbin, "Production Design and the Invisible Arts of Seeing," 373.

Galician and Bourdeau would refer to as "clutter"), with slight variation in placement and product type so as to avoid obvious, immediate detection of the presence of a sole brand. One shot, for instance, features a table filled with 12 Budweisers—6 cans and 6 bottles—while another contains a piano topped with a can of Tab placed between two cans of Coke. Other shots, however, include only a single can or bottle of either product. In these instances, different strategies are used to increase awareness of the branded item. Sometimes this is achieved through activation of the prop, as is the case when Sandy exits the bathroom to find a man drinking a can of Budweiser outside of it. At other times, the product is simply placed in a single position and then repeated throughout multiple shots. Such is the strategy in Michael and Julie's dinner scene, wherein a 2-liter bottle of Coke is seen on a counter in seven different shots. Still, while these products are used by actors and repeat throughout or across shots, they occupy only a small portion of the frame. Neither product, for example, is ever filmed in close-up. Rather, the bottles and cans of Coke and Budweiser fill out the production design of their respective scenes, enhancing believability of the mise-en-scène without unrealistically dominating it.

National Video Center

While product placement will always impact production design in some respect—how else would a branded item work its way onto a film set?—it is also always shaped by, and likewise it always shapes, other aspects of film style. Since production design results in the creation of a stage, it follows that product placement would frequently impact and be impacted by the aspect of film acting most directly affected by said stage: blocking, or the way in which actors are positioned and navigate throughout a scene. I have chosen to use the scene set in National Video Center to explore this topic. National Video Center was a video production center located in Manhattan that was primarily used for the filming of television programs in the

1970s, 1980s, and 1990s. In *Tootsie*, it serves as the filming location for the soap opera Michael, as "Dorothy," stars on. While the location of National Video Center comprises a large portion of the film, my analysis concerns only the shots which feature National Video Center branding. Despite this restriction, these shots still make up a large portion of the film: 6 minutes and 12 seconds. Much of this screen time is the result of National Video Center branding on the Philips Norelco cameras which will be discussed in the next section; instead, this section focuses on scenes which take place in the reception lobby or outside of the front doors of the center.

Staging in the sole scene in National Video Center's lobby is characterized by frequent movement from the one side of the set to the other. In this scene, Sandy arrives for an audition for the soap opera role Michael will later get, though he is first anxious as Sandy's audition supposedly takes place and then outraged when he finds out it has not been allowed to happen. The set features an entrance screen-left and a reception desk screen-right, with a trio of sofas in between. Behind the sofas, in striking bright lights, is a sign that reads "NATIONAL." Movement in this scene is motivated by: 1) setting, as Sandy and Michael must move from the entrance to the desk to check in for the audition, from the desk to the entrance to exit the location, etc. and 2) emotion, as the constant motion reinforces Michael's nerves and anger as well as Sandy's indecision. Many of these actor movements are accompanied by camera movements, and this combination results in four separate shots in which the camera pans across actors from the left to the right in a manner that highlights the bright lights of the background, reinforcing both the filmic setting and its real-life counterpart. It is not my claim that such movement of actors and camera is motivated by the signage, but rather that such movement ultimately plays a part in shaping our perception of the branded location, and doing so grounds the action in a real-life studio without the need to build a set or augment another office.

Lateral movement defines the exterior shots of National Video Center as well. Taking place on a busy New York City street, movement is naturally motivated. However, this movement—at least in relation to any of the film's primary characters—also seems motivated by the presence of National Video Center's gold sign on the left side of the screen. The camera and the primary actors never once exit to or enter from the right side of the frame in these shots; instead, they exclusively exit to or enter from the left side. These movements (aside from one instance of a fan rushing for an autograph from Dorothy) are filmed diagonally, allowing for a classical composition that also serves as a reinforcement of setting by way of a full reading of the sign. Again, my claim here is not that this combination of movement and framing is solely motivated by the integration of National Video Center's signage, but rather the need to establish the location and give the actors enough space to freely move within a single shot suggests a framing and blocking strategy that prominently features the production center's branding. In both the exterior and interior shots of National Video Center, then, blocking is most directly organized around narrative principles, but said movement of the actors is shaped by the way they interact with the National Video Center signage. The camera placement allows for this movement to be registered clearly, and the direction of the movement provides ample opportunity for the brand to be shown off.

Philips Norelco

The other shots featuring National Video Center branding also feature Philips Norelco branding on the same camera body, so the following discussion about the latter necessarily covers the former as well. Now known mainly for its razors, Philips's Norelco line formerly included multiple widely-used types of television cameras. As a great deal of *Tootsie* revolves around the drama of producing a soap opera, it naturally follows that television cameras must make up the mise-en-scène of the scenes in which a television program is being filmed, and so Philips Norelco cameras appear on screen for 3 minutes and 30 seconds in *Tootsie*. Aside from their initial appearance during Michael's audition as Dorothy (at which point the set is generally barren), the bulk of these appearances are what business scholars would deem "used" appearances, with a rotating cast of camera people taking turns behind the body of the Norelcos. While these actors sometimes do nothing more than hold the camera, scenes often begin or end with the actors moving the camera within the frame.

While this choice in blocking and action activates the products, the shots that feature the branded cameras also show evidence of the ways in which camera movement can similarly activate these props. Specifically, I have identified a technique used in *Tootsie* which settles viewers into the scene in a manner that also highlights the presence of the Philips Norelco cameras. In five separate shots from five separate scenes, the opening shot functions in a similar manner. These scenes involve the filming of a scene from Dorothy's soap opera, and the opening shot tracks from the crew into the stage and its actors. This track serves an important narrative function, establishing that a scene is being filmed and avoiding confusion over whether Dorothy, Julie, or any of the other characters are acting. This track also, however, sweeps past a Philips Norelco camera or two every time it inaugurates the scene; this movement in camera is compounded with a movement *with* camera, as the actor holding the camera moves their prop camera in each of these shots. These two movements, then, allow for prominent placement of both the Norelco and National video brands within the frame while also ensuring that their presence is short.

Sony and Häagen-Dazs

In this final section, then, I consider how two aspects of cinematography—shot scale and framing—work in conversation with product placement. For the first aspect, I consider the 20 seconds of screen time and 9 shots granted to Sony television screens. While each of the brands detailed earlier in this chapter used some sort of cinematic technique to (often conspicuously) highlight their placement, Sony televisions are the only product to be used as an insert and given a full close-up in *Tootsie*. In fact, Sony televisions are exclusively featured in the film at close shot scales, although this sample size may be affected by the small font of the branded logo. In any case, this close shot scale requires little else in the way of activation; no repetition throughout the frame, no character movement, and no camera movement must occur to make the brand more noticeable. Instead, the proximity of the object to the camera and the choice of lens do the work to ensure that the brand is noticed (although one shot does feature a rather ludicrous dolly and tilt into a cabinet hiding a miniature Sony TV). Such close shot scale surely runs the risk of making the placement too obvious, but duration likely prevents this—the longest of these shots is only 4 seconds long.

Häagen-Dazs, meanwhile, appears on screen for 1 minute and 27 seconds, but only in a single scene. In this sequence, Michael arrives late to a dinner date with Sandy. He apologizes for his tardiness with a small token of favor: a pint of Häagen-Dazs ice cream, saying, "I had to go to five different stores to get your favorite flavor." The ice cream and its bag are activated from the very first moment of the scene, as Michael walks in holding and discussing the items. And while it is important that both he and then Sandy will proceed to eat large portions of the pint, the framing of the scene reinforces awareness of Häagen-Dazs throughout. It does so first through careful placement of the Häagen-Dazs bag between the two actors—in this sense, it is not much different than the placement of the bottle of Coke in Julie's house. However, the framing of the bag ensures that it will be seen throughout the entirety of the scene. Whereas the bottle of Coke in Julie's apartment shifted position in the frame throughout the scene, the Häagen-Dazs bag becomes a consistently framed part of the scene's shot-reverse-shot sequence, composed roughly in the path of both character's eyelines. It is a small part of the frame, but a consistent one, cropped out of the frame in only three of the sequence's nine shots, with each of those shots appearing only very briefly. The initial placement of the bag is important, but it is the framing that maintains the brand's visibility.

Close Reading of the Chase Sequences in Four James Bond Films

In this next section, I take a closer look at various chase sequences from four films in the James Bond franchise: two starring Roger Moore that come from the era of product placement's mainstream emergence (1974's *The Man with a Golden Gun* and 1979's *Moonraker*) and two starring Daniel Craig that evidence product placement's contemporary presentation (2006's *Casino Royale* and 2012's *Skyfall*). This section marks two important shifts in argumentation from the prior section: 1) Whereas the last section touched on small-scale storytelling, this section entirely concerns itself with the narrative and aesthetic strategies of one structural hallmark of the action-spy genre of films: the chase sequence. 2) Because I am tracing the implementation of these strategies over the course of four different films, I can compare and contrast strategies but also hopefully widen my net to find alternate paths each film takes. In my analysis, I consider three stylistic hallmarks of the chase sequence that further build out the relationship between product placement and film aesthetics and storytelling: 1) crosscutting, 2) cutaways, and 3) settings. In doing so, I broaden the last section's consideration of production design, staging, and cinematography to more closely contemplate how genre features like set pieces as well as the labor of editors and location scouts also play a part in product placement's ultimate presentation in a film. And because this section is centered around a specific style of sequence, I have chosen to contain my analysis in stylistic categories instead of categories tied to specific branded props.

This chapter, however, hardly marks the first scholarly inquiry into the product placements of the James Bond series of films. Most notably, Tanya Nitins published a book-length investigation into the franchise's evolving relationships with brands titled *Selling James Bond: Product Placement in the James Bond Films* in 2011. Nitins approaches the history of Bond's product placements from a cultural perspective, exploring "how cultural developments have impacted upon the practice of product placement, and how product placements have in turn impacted upon cultural meanings."[33] Nitins's book interrogates both broad cultural developments (the Space Race, the Cold War, the specter of Nuclear War, the rise of global consumerism) and more specific developments like the evolution of blockbuster filmmaking and the Bond franchise in particular (changes in the characterization of Bond on page and screen, the processes which engender celebrity, the relationships and rivalries formed between Bond and the franchise's product placement partners). Holly Cooper, Sharon Schembri, and Dale Miller take an even more directly interpretive approach, considering three "brand-self identity narratives" that reoccur throughout popular culture and in their case study, the James Bond franchise: the lover, the hero, and the outlaw. The authors argue that each of these archetypal "stories that brands present to consumers in popular culture reinforce consumer aspirations and cultural ideals."[34] Nick Wilson

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[33] Tanya Nitins, *Selling James Bond: Product Placement in the James Bond Films* (Newcastle upon Tyne: Cambridge Scholars Publishing, 2011), xiv.

[34] Holly Cooper, Sharon Schembri, and Dale Miller, "Brand-Self Identity Narratives in the James Bond Movies," *Psychology & Marketing* Vol. 27 (6) (June 2010), 565.

and Anne Tucker, on the other hand, usher their textual analysis of the Bond franchise towards public health, analyzing the occasionally-branded smoking and drinking habits of Bond and his lovers.[35] Andre Marchand, Thorston Hennig-Thurau, and Sabine Best, on the other hand, use a negative reaction to a specific product placement in *Casino Royale*—the conversation where Bond and Vesper discuss the brand of watch the former is wearing—as a launching point for their study. Though the resulting experiment does not utilize a sequence from a Bond film, it attempts to measure how overt product placements like the one in *Casino Royale* may engender negative viewer feelings about not just the products promoted but also the film itself.[36] While each of these scholarly works involve textual analysis to some degree, absent is the kind of focused aesthetic and narrative analysis I conduct in the section below.

Crosscutting

In every chase sequence in an action movie, there are at least two parties: the pursuer, and the pursued. While other options certainly exist, the most typical way editors cover these set pieces is through crosscutting, which allows access to detailed views of each end of the chase while also elongating time through simultaneous action, often increasing suspense. But how might the crosscutting in a chase set piece impact the products placed in such sequences? In this section I outline how the rhythms of crosscut chase sequences may provide natural justification for the repeated appearance of branded products without overstepping theoretical boundaries of overtness.

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[35] Nick Wilson and Anne Tucker, "Die Another Day, James Bond's Smoking over six decades," *Tobacco Control* 26 (2017), 489-490; Nick Wilson, Anne Tucker, Deborah Heath, and Peter Scarborough, "License to swill: James Bond's drinking over six decades," *Medical Journal of Australia* Vol. 209, Issue 11 (December 2018), 495-500.

[36] Andre Marchand, Thorston Hennig-Thurau, and Sabine Best, "When James Bond shows off his Omega: does product placement affect its media host?" *European Journal of Marketing* Vol. 49, Issue 9/10 (2015), 1666-1685.

Roughly three-quarters into the running time of *The Man with the Golden Gun*, for example, the well-meaning Mary Goodnight attempts to place a tracking beacon in the trunk of the villainous assassin/solar energy magnate Francisco Scaramanga's AMC Matador, though the AMC branding remains difficult to make out throughout the chase sequence. She is caught by Scaramanga, and locked inside of the branded car's trunk, setting into motion a chase sequence that lasts nearly 11 minutes. Sitting on the hood of a BMW, Bond, in medium close-up, speaks into a Sony-branded walkie talkie, attempting to contact the newly lost Goodnight. The action crosscuts to Scaramanga's trunk, where Goodnight limitedly reveals her location to Bond through an identical Sony walkie talkie, though the branding is faced partially away from the camera. A cut brings us back to Bond, still using the walkie talkie, before another cut takes the action to the outside of Scaramanga's car. The camera follows the car with a pan before it settles on Bond and his partner, at which point it begins to dolly in as the two frantically clamber into their BMW, where they soon realize that the car's keys are in the captured Goodnight's possession after another crosscut sequence where the two speak over the Sony walkie talkies. Though the chase has not yet begun in earnest, one can already see how the placed product is shaped and shapes the editing of the sequence—a Sony-branded walkie talkie allows for Bond and Goodnight to communicate at distance, creating the opportunity for a crosscut sequence.

In the next moments, Bond's partner attempts to find a taxi as Bond just so happens to walk in front of an American Motor Corporations car dealership. A close-up of Bond watching Scaramanga's car driving away and quickly exiting the frame cuts to a long shot from the outside of the dealership, where the side-character sheriff J.W. Pepper sits in a bright red AMC Hornet. In just this one shot, three different signs prominently feature the AMC logo. After a cut to a medium close-up of Pepper in profile sitting in the car's passenger seat, Bond climbs into the vehicle and promptly crashes it through the dealership's window, kicking the chase sequence off in earnest. And because the Hornet was taken from the AMC showroom, its license plates are not adorned with an identifying series of letters and numbers but rather the AMC logo. This means that every time the camera cuts to either the front or back of the exterior of Bond's car, the AMC branding is clearly displayed. Two lines of crosscutting that prominently feature placed products have now been established: crosscutting between the exteriors of the cars showcases two different models of American Motor Corporations vehicles, while crosscutting between the interiors of the cars often involves the communication of Bond (or Pepper) and Goodnight via Sony walkie talkies. The crosscutting pattern is further complicated when the Hong Kong police give chase to Bond and Scaramanga—the editor now has the option to crosscut between three parties: Bond and his clearly branded AMC Hornet, Scaramanga and his less clearly branded AMC Matador, and the police and their unbranded cars. The crosscutting sequence introduces both mandatory repetition and variation, moving between the three parties in a way that naturally allows the film to showcase each of the AMC vehicles.

A similar but brand-heavier sequence inaugurates 2012's *Skyfall*. The film opens with Bond walking through an apartment building waylaid by conflict. M, via an ear piece, orders Bond to leave behind a fellow agent who is bleeding out, and as he exits the building a handheld camera pans and follows Bond as he climbs into a Range Rover driven by his partner agent Eve Moneypenny. Bond asks, "Have you got him?" A cut brings us to a medium close-up of Moneypenny, who replies, "He's in the black Audi," at which point the chase sequence properly begins as a cut brings the camera to the hood of the Range Rover, from which the verbally mentioned black Audi is now visually witnessed. With two simultaneous lines of action now established, a cut a few shots later brings the sequence to the headquarters of MI6, where M, her chief of staff Bill Tanner, and myriad office agents manage the mission from afar via Bluetooth earpieces and Sony-branded computers.

Only a few minutes into the chase, Moneypenny and Bond crash the Range Rover into the Audi, transitioning into the next stage of the sequence. Bond and the mercenary Patrice exchange gun fire, and Patrice escapes atop a police motorcycle as Bond gives chase in a civilian's motorcycle, neither with clear branding displayed. There are now four simultaneous lines of crosscut action: Patrice on a motorcycle, Bond on a motorcycle, Moneypenny in the Range Rover, and M at MI6. After a lengthy sequence in which Patrice and Bond drive their motorcycles across the rooftops and through the bazaars of Istanbul, Moneypenny cuts the pair off on a bridge, from which Patrice jumps onto a speeding train, where Bond soon joins him. Aboard the train Bond soon crouches past the next set of branded vehicles to be activated—Caterpillar-branded heavy machinery. The sequence crosscuts between Bond navigating the brand-name construction equipment and Patrice, free of branded props, atop the train car in front of Bond's. As Moneypenny follows the train in her Range Rover, a cut brings us to an insert of a map displayed on an MI6 computer, giving the sequence its first prominent showcase of the laptop's Sony VAIO branding. Bond, out of bullets, soon climbs into the Caterpillar excavator—as he turns around the machine's digger, he knocks two Volkswagen Beetles into Moneypenny's path. The sounds of the crash cause M to ask, "What was that?" over the headphones, to which Moneypenny replies, "VW Beetles, I think," giving a verbal reiteration of the unique-looking vehicles which just nearly collided with her Range Rover. And as Bond pushes the excavator's controls forward to trample over the remaining three Beetles, a close-up of his forearm and hand gives prominence to the Omega watch worn upon his wrist.

This 12-and-a-half minute chase sequence from *Skyfall* escalates the action of its 11-minute counterpart from *The Man with the Golden Gun*, introducing four primary parties to crosscut between as opposed to the earlier film's three. But perhaps the bigger escalation is in the number of activated products featured in these simultaneous lines of action; whereas *The Man with Golden Gun* showcased Scaramanga's AMC Matador, Bond's AMC Hornet, and Bond and Goodnight's Sony walkie talkies, *Skyfall* features prominent display of Moneypenny's Range Rover, Patrice's Audi, MI6's Sony electronics, and Bond's Caterpillar excavator, Omega watch, and a destroyed quintet of Volkswagen Beetles. Crosscutting allows viewers access to each party in the sequence in a tension-raising manner, but it also ensures that one product never remains on the screen for very long and introduces the multiple lines of action wherein different branded products may be placed.

Cutaways

While crosscutting is the stylistic technique most associated with chase sequences, cutaways—the insertion of brief shots that "cut away" from the primary action of a sequence—are another device an editor can use to elongate the time of a chase sequence. This is especially true of chase sequences which take place in the busy streets of a bustling city, as one stylistic norm of the chase sequence involves cutting away to the reactions of surprised citizens who have just had their day interrupted by reckless driving and gun shots. While crosscutting results in the repeated appearances of inserted products, cutaways quickly showcase a product being used by a peripheral character or an extra. This typically means that cutaways do not carry close associations between the products and the stars of the film, but given their brief run time they likely run less of a risk of overstaying their welcome—conversely, however, by cutting away from the main action, they do run the risk of feeling superfluous or obvious in their placement.

More research on audience reception of branded product cutaways in particular is needed—especially in comparison to inserts and POV shots, which are perhaps the most well-covered stylistic elements in the current literature about on-screen product placements.[37]

The Man with the Golden Gun utilizes a cutaway product placement about halfway through its runtime. Through the aid of his partner Hip and Hip's nieces, Bond has escaped Hai Fat's palatial estate. As Hai Fat's men give chase, Bond climbs into a motorized sampan boat and flees via the river. He soon runs into engine trouble, and he turns his attention backwards to examine the motor and also track his pursuers. But rather than immediately crosscutting to Hai Fat's men clambering into a motorized sampan of their own, a cutaway relocates the action to a tour boat, where four passengers hold Nikon cameras, framed in long shot. The next cut brings us to a closer look of the other side of the tourist boat, where a young boy—who will soon help Bond fix his engine—is attempting to sell a wooden elephant statue to a woman holding a Nikon camera of her own, now framed in medium shot with the logo much more easily viewable than in the previous shot. The first shot in this cutaway sequence is comedic in nature—as Bond struggles to rev up his boat, a group of tourists take his picture. The second shot introduces us to a minor character who will soon come to Bond's aid (before being rudely dispatched into the river), but it also provides greater detail to the branded props featured in the prior shot due to closer shot scale and increased duration (the first shot lasts two seconds, while the second lasts ten). This cutaway to Nikon cameras is further supplemented by two other Nikon placements: twenty minutes into the film, Bond is introduced to new gadgetry in Q's laboratory, where an unused but easily spotted Nikon camera rests in the lower left corner of the frame, and when

[37] See, for example: Tanya Nitins, *Selling James Bond*, 113-114.

Bond tracks Scaramanga to the Bottoms Up club thirty minutes into the film, he stakes lookout in front of a prominently placed Nikon sign.

A similar but even more exemplary cutaway product placement occurs forty minutes into *Moonraker*. Bond has been chased through Venice's canals first by a weaponized boat posing as a bier but actually commandeered by the evil tech mogul Drax's henchmen and later by henchmen driving a more conventional motorboat. After escaping to open water, Bond pulls up to the side of a pier, but instead of exiting his gondola, he presses a button on the boat's control panel that augments its lower body with wheels. As Bond speeds across the city streets in his peculiar vehicle, the crosscutting of the prior sequence makes way for a set of comedic cutaways, first to a small orchestra playing classical music, then to an Italian navy sailor with mouth agape, and finally a distressed photographer who, shaken by the scene, pours himself an alcoholic drink. In this last cutaway, two products are featured: though the bottle of liquor's logo cannot be seen, a chair placed behind the photographer is adorned with the logo for Martini, and most prominently, the photographer wears two Canon cameras around his neck. (This second placement is soon complemented by another appearance by Canon, as Bond travels to Rio at the 56-minute mark, where his contact Manuela snaps a photograph using her own branded camera.) As Bond continues through the Venetian streets, four more cutaways escalate the sequence's comedy, with Bond's gondola first laying waste to a painter's easel followed by a cutaway to a shocked pigeon shaking its head in slow motion and a dog in medium close-up tracking the moving boat with its eyes, culminating with a distracted server pouring alcohol onto an upset patron. Of the seven cutaways featured in this sequence, only one features product placement—and whereas the *Man with the Golden Gun* example paired a two-second shot with a ten-second shot of the Nikon camera, each of these cutaways are very brief in comparison, with the longest (the painter) last only four seconds and the Martini/Canon placement lasting only three seconds. While crosscutting allows for the repeated appearances of branded products, cutaways, then, allow for quick, nearly subliminal insertions that can be relatively naturally integrated into the stylistic hallmarks of the chase sequence.

Setting

While the first two subsections were each closely organized around one particular editing technique, this last section is deliberately more expansive, as it considers multiple elements of style (mise-en-scène, cinematography, and editing, among others) shaped by the labor of multiple practitioners (production designers, cinematographers, editors, and, most notably, location scouts, among others). Rare is the chase scene which takes place in a single, contained space (this is from where much of the humor of the classic *Scooby Doo* revolving door chase sequences derives); instead, extended chase scenes—especially those which utilize motorized vehicles—span across various locations, with some locales only given a short amount of screen time. In this section, I look at two ways product placement has been layered into the settings of my case studies' chase scenes: 1) through billboards and other literal advertisements (this is what Galician and Bourdeau would call "signage"); 2) through settings which are either literally branded themselves or settings which naturally feature a vast array of branded products and signage.

For the first kind of product placement (billboards and advertisements that reoccur throughout the chase sequence), I consider a chase sequence that arrives around the midpoint of *Moonraker*. Bond climbs to the top of Rio's Sugarloaf Mountain, where he happens upon Dr. Holly Goodhead, a NASA astronaut scientist who is working undercover for the CIA. On his way to Goodhead's location, Bond walks through a mountainside café/restaurant, adorned with three prominent signs for the soda brand 7 Up. After a brief conversation, Bond and Goodhead travel down the mountain in a cable car, but during their descent Drax's henchman Jaws suspends the car in mid-air. After a lengthy placement-free battle that ends with Bond and Goodhead sliding down the system's cable using a chain to avoid Jaws's rapidly descending cable car, Jaws and his cable car crash into the aforementioned café, and four shots detail this destruction with the 7 Up signage prominently displayed. In one of the film's odder tonal shifts, Jaws emerges from the destruction to discover his new love interest Dolly—their strangely sweet scenes play out in front of the lone 7 Up advertisement still hanging above the ruined café.

After a brief lull where Bond and Goodhead believe they have safely escaped from Drax's clutches, four henchmen disguised as emergency medical personnel club and kidnap Bond and Goodhead. An ellipsis then prods the action forward, with Bond and Goodhead chained to stretchers inside the body of a speeding ambulance. This is when the product placement begins to ratchet up—interior shots of Bond fighting the henchman inside of the emergency vehicle are alternated with exterior shots that display a series of billboard advertisements: first in a shot that pans and tilts along the winding Rio roadway until it settles on a billboard advertising 7 Up; then in a shot that opens with the ambulance speeding past a gigantic billboard advertising Seiko watches (a brand of watch which will later be given an insert close-up in the film's conclusion aboard the Moonraker spaceship); as that shot pans to follow the ambulance, it similarly displays a smaller billboard for Marlboro; and then finally, Bond ejects the henchman aboard the wheeled stretcher, where he careens down the road until he flies into a billboard—initially in this shot, we can only see the henchman's body perfectly smashed into a woman's mouth, but the shot then zooms out to reveal a full-scale advertisement for British Airways and its ironically deployed slogan of "We'll take more care of you." As the chase sequence follows the speeding vehicle across the Rio roadways, the production designer is able to deploy literal advertisements throughout the scenery. A similar strategy, in fact, was deployed in the aforementioned AMC Hornet/AMC Matador chase from *The Man with the Golden Gun*, where every English language billboard or advertisement featured throughout the sequence advertised the soda brand Pepsi. And I do think it is also important to note that the previously mentioned chase scene that opens *Skyfall* features myriad storefront signs and other advertisements, but none of which feature recognizable logos or the English language. The appearances of such branded billboards outline the importance of location scouts to product placement, as these practitioners sketch out the path and find suitable locations to both realistically detail the evolving car chase while also providing opportunities for inserted advertisements.

To conclude this subsection, I will analyze a complicated contemporary chase sequence which begins around the 40-minute mark of 2006's *Casino Royale*. This sequence features setting-centric product placement that is both more overtly an advertisement (an entire scene which takes place in a branded setting) and more subtly an advertisement (setting the chase in a location which creates natural opportunity for product placements) than the billboards in *Moonraker*. The extended chase sequence begins with Bond following Greek official Alex Dimitrios from the Bahamas to Miami, where Dimitrios plans to make covert contact with a man he has hired to blow up a protype airliner at the Miami airport. The location of the initial exchange is revealed in an extreme long shot that cranes down the front entrance of a museum adorned with four large signs advertising the popular traveling exposition Body Worlds. But whereas the signage in *Moonraker* marketed products which had little bearing on the evolving plot, the Body Worlds' signage advertises the branded location in which Bond will track and then kill Dimitrios for the next two-and-a-half minutes. As Bond follows his target through the museum, the action is restricted to Body Worlds. The segment serves as a unique-looking but thoroughly branded short chase sequence, with viewers offered a brief glimpse of the staged dissected human and animal corpses that comprise the exhibit: two humans riding a horse, a human lost in thought, and, on theme for the larger film, three humans playing poker, on top of which Dimitrios makes his drop.

With a new target now set to detonate enough explosives to destroy a massive airline prototype, Bond hurries to the Miami airport, a location which provides a wide array of opportunities for heavily naturalized product placements. While Bond navigates the airport's concourses, he brushes past prominent displays of Persol sunglasses and Smirnoff vodka. (Less natural are the next instances of product placement, which have little to do with the setting, where Bond makes use of a clearly branded Sony Ericsson mobile phone.) Once Bond and his target reach the runway where the latter intends to blow up the prototype, extensive use is made of a Texron-branded oil truck, and while the chase occurs between the two parties, background logos like Virgin Airlines can be seen adorning the outside of various airplanes. Interestingly, the prototype airplane is given a fictional brand (Skyfleet), perhaps because it would be too obvious of a placement or more likely because an airline did not want its brand to play a central part in the potential calculated crashing of the stock market. In either case, this sequence in *Casino Royale* evidences a more natural—though, in some cases, more overt—usage of setting-based product placement, with an initial location that is entirely branded and a second location that allows for multitude of subtle placements.

Close Reading General Takeaways

Product placement activates and is activated by film style and storytelling, and its substantial presence in movies demands we take it seriously as such. Most obviously, product placement builds out the production design of a film's mise-en-scène—certain techniques, such as prop differentiation and littering the scene, attempt to engender awareness without infringing (too much) upon realism. The small cost-saving measure of using branded Coca-Cola and Budweiser cans and bottles necessitates a series of creative decisions to avoid awkward or unseemly integration, along with the typical choices required of production designers. By building out the set, product placement naturally impacts both staging and blocking, restricting or encouraging actors to navigate through or around branded items—this blocking, too, may decide how prominently a branded prop is featured. The labor of location scouts is a significant determining factor where products may even be placed. Similarly, product placement affects the movement of the camera as the cameraperson steers it past branded props, potentially highlighting their presence. In fact, cinematography shapes a product's integration greatly: shot scales can determine the brand name's legibility, while framing determines whether the product is seen in the shot at all. Editing, too, impacts how long and frequently a product appears on screen, with certain sequences—like the chase scenes described in this chapter—carrying rhythms and editing strategies that provide additional or specific opportunities for product placement.

Given the nature of this experiment (and given the lack of on-set product placement practices covered in this sort of detail in primary documents), I am not claiming that the stylistic and narrative choices detailed above were made directly for the purpose of selling products via cinema. Nor, given the descriptions of the job of the product placement marketer in Chapters 1 and 2, am I claiming that these kinds of decisions were made directly by the most integral practitioners of product placement. Instead, I make a claim that is slightly less dogmatic but still significant: product placement lays legitimate claim to being a determining factor, of varying degrees, of how choices about film style and storytelling are made—likewise, film style and storytelling are critical to the integration of products. Further research into the on-set labor that produces product placement and into how different stylistic choices impact audience's perception of and reaction to product placement is needed.

Conclusion

In *On the History of Film Style*, David Bordwell outlines the productive benefits provided by the scholarly tradition of stylistic history:

> The study of style has profoundly shaped the ways in which we understand the history of cinema. The periods into which we divide that history, the kinds of influences and consequences we take for granted, the national schools we routinely name (German Expressionism, Italian Neorealism): such conceptual schemes were bequeathed to us by stylistic historians. The historiography of film style was concerned not only to divine the great works and to amass data about them; it also promoted frames of reference that still guide our thinking. The most up-to-date scholar studying film theory or cultural reception inherits a great deal of conceptual furniture from this tradition.[38]

It is my hope that my work in this chapter continues this proud strain of film studies scholarship by detailing but a few of the significant ways film style shapes product placement—and the way, in reverse, product placement shapes film style. In this chapter I have considered a preliminary set of stylistic elements and sequence structures including mise-en-scène, cinematography, staging/blocking, editing techniques like crosscutting and cutaways, and repeated sequences like the chase set pieces of the James Bond action-spy franchise. In doing so, I do not just offer my

[38] David Bordwell, *On the History of Film Style* (Madison: Irvington Way Press, 2018), 6-7.

own set of findings; I also hope to encourage future scholars—especially those studying product placement effectiveness and audience responses—to carry my work forward and explore in even more detail how film style affects our perception and reaction to filmic product placement. For too long, scholarly considerations of product placement have skewed towards placed products at the cost of the film—my chapter kicks off an important reorientation, but I hope that it is just the start and not the conclusion.

Conclusion

In a 2019 *New York Times* article titled "Netflix Is Ad Free, but It Isn't Brand Free," Tiffany Hsu writes about the streamer's somewhat precarious financial situation: despite having more subscribers than any other streaming platform, the company is saddled with over $12 billion of debt. Industry analysts have long speculated that one potential pathway towards alleviating a portion of that debt lies in adopting an advertisement-supported subscription plan like competitors HBO Max, Hulu, and Peacock. And in 2022, Netflix CEO Reed Hastings, who had consistently been outspokenly against advertisements appearing on the platform, confirmed the company was now considering adding an ad-supported plan in the near future.[1] But even before standalone advertisements eventually become an official part of the Netflix ecosystem, Hsu details the many brands who have already developed close associations with the streamer via tie-up advertising campaigns, including a Dr. Seuss-inspired Green Eggs and Ham Sub with Subway, a line of Diesel-branded clothing inspired by the series *La Casa de Papel*, and a Ryan Reynolds-starring commercial which promoted his film *6 Underground*, his liquor brand Aviation American Gin, and electronics manufacturer Samsung.[2] For the third season of its nostalgic science-fiction series *Stranger Things*, Netflix arranged tie-in campaigns with over 75 different brands, many of whom also appeared as placed products in the show itself, including retro cans of the failed '80s Coca-Cola Company soft drink New Coke. But while some of these deals—specifically, the clothing and merchandising deals—did result in Netflix receiving a cut of the revenue, the majority of these tie-in advertisements and product placements were old-

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[1] Dade Hayes, "Netflix Will Add Advertising In 'Next Year Or Two'; Co-CEO Reed Hastings Finally Concedes 'Consumer Choice' Prompting Cheaper Plan," *Deadline*, April 19, 2022, https://deadline.com/2022/04/netflix-advertising-streaming-reed-hastings-1235006083/.

[2] Tiffany Hsu, "Netflix Is Ad Free, but It Isn't Brand Free," *New York Times*, December 19, 2019, https://www.nytimes.com/2019/12/16/business/media/netflix-commercials.html.

school "cash-free" arrangements, say the series' creators Matt and Ross Duffer: "We're not getting a revenue cut from any of this. The hope is that it just gets the show more exposure."[3] And according to an official statement from Netflix, this is true for the bulk of the streamer's product placements: "[M]ost of the brands that appear in shows and movies are added by creators who believe they add to the authenticity of the story … [I]nstances where those placements are paid are rare and not a business focus for us."[4] Even in this contemporary moment where headlines are dominated by exorbitant sums of cash exchanged for product placements, the bread and butter of one of modern entertainment's most dominant companies' advertising strategies are cash-free product placements supplemented by tie-up advertising campaigns—the same style of advertising pairing exemplified by *E.T.* and Reese's Pieces in 1982.

In this dissertation, I have argued that the modern era of product placement began in the 1970s and 1980s; from this point forward, product placement took on a new prominence in the industry and in the eyes of viewers. While I am far from the first scholar to make this point, I do believe my dissertation is the fullest portrait of *how* and *why* this new era of screen advertising emerged at this specific point in time as opposed to any other time in the eighty-plus prior years of cinema (and product placement). I have structured this argument around a series of generative mechanisms that, taken together, explain product placement's mainstream emergence.

One of the most prominent factors that ushered the delayed rise of cinematic product placement was the changing industrial landscape of the movie business. After the Paramount

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[3] John Koblin, "New Coke Was a Debacle. It's Coming Back. Blame 'Stranger Things,'" *New York Times*, May 21, 2019, https://www.nytimes.com/2019/05/21/business/media/new-coke-netflix-stranger-things.html.

[4] Hsu, "Netflix Is Ad Free."

Decision led to the studios divesting from their theaters, old strategies of risk mitigation like block booking and run-zone-clearance systems were no longer viable. Product placement had long been a minor method of risk mitigation during the height of the classical studio system, though less important were the practice's oft-obscured on-screen branded props and more significant were the associated tie-up advertising campaigns that bound brand and stars off-screen. From the earliest days of cinema to the 1960s, Hollywood's product placements were intentionally clandestine, allowing relationships to form between studio personnel and various levels of workforce at product manufacturers. By the end of this early era, the practice was established enough that studios maintained long lists of contacts detailing who to contact to arrange all different types of product placements.[5] In the post-Paramount environment, product placement would soon become an even more attractive proposition. With financial precarity at the forefront of the movie business, the studios—many of which were now housed inside of larger conglomerates—and, especially, independent producers valued product placement's multiple avenues to mitigate risk: saving money on props and locations, providing funding for marketing campaigns, or, increasingly, simply providing funding.

While the riskier environment of this new industrial landscape helped to increase the perceived value of product placement, it was the formation of another industry that ensured product placement was entering a novel, more substantial era: the formation of companies solely dedicated to the placement of products in Hollywood movies. These companies streamlined the product placement process and exponentially increased the scale at which the studios could engage with the practice; during the days of the classical studio system, the studios typically had to contact individual companies to secure product placements and tie-up advertising campaigns,

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[5] Jay Newell, Charles T. Salmon, and Susan Chang, "The Hidden History of Product Placement," *Journal of Broadcasting & Electronic Media* 50, no. 4 (December 2006), 584.

but this new line of product placement marketers maintained lengthy lists of clients whose products they could speedily and efficiently place in a wide array of films. In addition to simply providing greater value through the bundling of product placement deals, these marketers were essential in shaping the perception of the practice through private discourses with both sides of their clients. Product placement marketers convinced product manufacturers to reorient their perception of filmic advertising—they used data about audience demographics and television/home video rewatching along with arguments about implied star endorsements to create added emphasis on product placements themselves as opposed to the formerly much preferred tie-up advertisements. On the other side, product placement marketers fulfilled the promised value of their practice, simplifying the undertaking and significantly slashing expenses or even generating revenue for film production companies and studios. This effectively situated the product placement marketer in a gray, intermediary zone between the business-minded product manufacturers and the creative-minded (but also business-minded) personnel of the film industry. While some product placement marketers like Associated Film Promotions' Robert Kovoloff overpromised and underdelivered, this meant that the typical role of the product placement marketer—as exemplified in this dissertation by George Simkowski of Prime Time Marketing—involved two forms of communication: starry Hollywood language to increase the allure of product placement for product manufacturers, and promises of efficiency and the setting of clear boundaries for the studios. While the shifting industrial landscape and the other factors listed below opened the opportunity for a new era of cinematic product placement, it was these companies who directly ensured that product placement took on new prominence in the film industry.

Also contributing to the mainstream emergence of product placement was a series of key legal decisions and industrial responses that ultimately kept cinematic product placement out of the courts and free of legislative regulation. Instead of willingly submitting to the whims of local censorship boards after 1915's *Mutual Film Corp. v. Industrial Commission of Ohio* ruled that the entertainment speech performed by movies was not afforded the same free speech protections as other forms of American speech, the American film industry responded with a strategy of self-regulation mainly conducted by Will Hays and the Motion Picture Production Code. Though Hays's Code was not always strictly enforced, it mostly succeeded in its mission to keep the courts and any censorship boards at bay. Hays's office was publicly against the presence of in-film advertisements, but the combination of loose enforcement and freedom from censorship boards and legal recourse allowed—and, I argue *encouraged*—product placement's clandestine origins. With later court decisions providing further protection of freedom for entertainment speech—and later self-regulating bodies like the MPAA continuing the tradition of the Hays Office, though much less strictly—product placement in the movies faced no serious legal recourse. Though numerous consumer advocates and legal scholars have called for product placement regulation under the guise of its status as "commercial speech" housed within entertainment speech, such complicated endeavors have yet to be carried out by America's legal system or its legislative bodies. This stood in stark opposition to the treatment of advertising in the American film industry's two biggest competitors—radio and television—where sponsorship identification rules (at least theoretically) enforced public acknowledgment of any advertising found within entertainment programming on either medium.

These legal decisions—along with the fact that radio and television were advertisement-supported industries while the movies made their money through paid ticketing—shaped public discourse around product placement and advertising in each medium. Sometimes this public discourse was spearheaded by film industry figures themselves, with studio executives and other leaders directly contrasting advertisement-laden television programming with the ostensibly advertisement-free feature-length Hollywood film. Such public discourses and obvious, surface-level differentiation gave cinematic product placement further cover as it continued to evolve in the shadows. While there was occasional public pushback against product placement from small but influential industry trade writers, even these figures like independent-exhibitor “watchdog” P.S. Harrison of *Harrison’s Reports* had a vested interested in regulating product placement themselves rather than through outside censorship boards or the courts. Additionally, Harrison often supplemented his own blistering anti-advertising editorials with public statements from industry leaders that further contributed to creating the superficial ad-free sheen of the movies. Rather than putting a stop to the practice, public discourse—shaped by legal decisions—encouraged and provided cover for the development of clandestine cinematic advertising.

Of course, product placement was not only a covert operation behind-the-scenes, as on-screen product placement is typically conducted in a manner meant to be as “unobtrusive” as possible without rendering the branded prop wholly invisible. Though there are exceptional occurrences like the Reese’s Pieces in *E.T.*, the majority of product placements are intentionally banal, with the hope that merely exposing a viewer to repeated instances of a product will increase the likelihood of a future purchase. Part of my project has involved exploring the way these routine and oft-ignored placements function stylistically and narratively, with a film’s mise-en-scène, cinematography, editing, and story structure all shaping how brands appear on screen—and with brands shaping those aesthetic qualities in response.

Though my dissertation offers what I believe to be the fullest portrait of how and why product placement rose to newfound prominence in the early 1980s, much work remains to be done on product placement's history. My dissertation was heavily dependent on (and initially inspired by) the George R. Simkowski papers at the Wisconsin Center for Film and Theater Research. Such vast collections of well-archived materials related to product placement are rare, and even in the case of Simkowski's papers, the library's finding aid reveals the collection could have been much vaster: "In response to a request from WCFTR, in 1991 Simkowski began to donate his working product placement files, which he had previously been discarding."[6] I used primary documents related to Robert Kovoloff's industry-leading product placement firm Associated Film Promotions that were only accessible because of lawsuits involving the tobacco industry, limiting that data set primarily to documents involving tobacco placements. As more archives house more collections and new or forgotten sets of documents are uncovered in the future, our perception of product placement's past, present, and future will understandably—and excitingly—shift. It is not my hope that my dissertation settles the issue of product placement's mainstream emergence once and for all, but rather that it inspires many further inquiries that trace alternate stories and additional nuance. Product placement has been a presence in the movies since shortly after the invention of the motion picture camera itself, and the practice appears to be here to stay—and more financially important to the film industry than ever before. My dissertation sketches out how we came to this moment.

[6] "George R. Simkowski Papers, 1982-1991," *Archival Resources in Wisconsin: Descriptive Finding Aids*, https://digicoll.library.wisc.edu/cgi/f/findaid/findaid-idx?c=wiarchives;view=reslist;subview=standard;didno=uw-whs-mss00802;focusrgn=scopecontent;cc=wiarchives;byte=429591040.

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