

# THE REAL STORY

## Behind the CBC offer

June 6, 2008

### Hockey Night in Canada Theme Announcement

*Update:* CBC executives and lawyers must learn that I will continue to call them out on statements they make in public. Especially those which exploit the media broadcasting network that they have at their disposal... In this same article, Mr. Moore states "We offered to continue paying the richest licence fee in Canadian television, which was the price they asked for," said Moore. "

Well, here we go again. Greed mongering. What this article does not point out is:

#### **1. They produce more than 100 three-hour episodes in a season!**

Many episodic series average 8 to 12 episodes per year. They're 1/2 hour or 1 hour long. I mean, hopefully, there isn't some poor cameraman at the CBC earning 12¢ an hour just because the guy was hired on to HNIC and now has to divide his paycheck by an enormous number of shows he's working on!

Whether you're renting a drill, or hiring a swimming teacher, many things today end up charging by the hour, day or time that it is being used. It's realistic. Mr. Moore has only underlined how generous Dolores has been. Rumoured that the Who earn thousands of dollars for one episode of CSI. Certainly more than \$500, I'm sure. I'm also sure that if they did 100 episodes of CSI instead of 20, that annual fee doesn't stand still :-)

#### **2. If it was the price we "asked for", we didn't ask the CBC to add the following to the previous 10-years:**

- CBC's proposal included extending the territory of Canada to the balance of the world. This represents a 2,000% increase! They wanted it thrown in;
- CBC wanted the ability to continuously renew at their option as long as they had NHL rights, plus 1 year (think about that last part). Industry standard increases were not mentioned. Also see next point;
- CBC wanted immunity from injunctions meaning they could make the most egregious offenses, breaches, infringements (think of their track record) and we wouldn't be able to do anything about it. Wonder what they had in mind;

- They wanted total control over our ability to license it to anyone else (company video, ringtone, Mike Myer's film) but not have to pay for exclusivity as everyone else in the world does. They wanted to simply 'assume' this control. Hand it over, punk;
- CBC wanted a settlement that barely covered our legal bills, let alone losses. For actions against what they've been admitting to under oath. (Those public records can be accessed by anyone. Or have a look at [Tea Maker's Blog](#) for excerpts from the deposition. I understand this blog was set up by CBC employees during their lockout, and participation is still primarily by CBC employees);

I do not know how Mr. Moore can call this the same license.

- Finally, CBC offered a buyout at less than 1/3 value offered by publishers wanting to buy the song over the past year. That was also supposed to include losses, damages and legal bills. It is no wonder that [Dolores' daughter's blog](#) proffers that the CBC appeared to be just shoving lousy deals in front of our face so that we'd refuse, and they could finally drop the song, and blame us.

In the same article Mr. Moore states: "*We also offered to buy it outright for a high six-figure sum.*" Please see above. I'd be a fool to disregard industry standards to place value on a song. As I once mentioned to him "That's like my saying give me your fancy car and condo for 1/3 the value and stop taking a paycheck. Would you consider it?" It was not considered.

This is the no-brainer stuff. Whether it's an island in Fiji or your hat, a thing has a value.

After all of this hit the papers last week, we had four parties approach us to buy the song (*Ed: a fifth has just advised they were trying to get hold of us too*). CTV was one of them. But we couldn't and wouldn't do a deal with anybody since we still had that offer open to the CBC. After the CBC announced the contest to drop the theme on Friday, things happened unbelievably fast. In two hours Monday morning, I accomplished more with CTV than I could in six years with the CBC.

I did not go back to the other 3 parties. We had no desire to start a bidding war. By now, it was just a light at the end of the tunnel that finally wasn't a train. Let us off.

It did seem right. CTV was professional and trustworthy. They acted with integrity by stepping back while CBC still had our offer open to them. They treated Dolores, her family, and her song just plain nice. A bit of respect was refreshing to see. CTV wanted to keep the song alive for Canadians, and associated with hockey. If they didn't, it would've simply died on the vine and everyone would've forgotten it.

For the record, we did not initiate any of the four offers. In fact, I never would've guessed that they'd come in or I'd at least have explored them over the past year while this whole thing started spiraling into a cornfield. I've promised my confidentiality but hope that someday everyone can know about the others as well. It's quite fascinating.

CBC was fine with finding a new theme. Simply, it's their right to do so.

The bizarre inconsistencies continue to come out of the CBC and frankly I'm not smart enough to know what the hay's going on. But I guess the CBC heard your strong voices after all. While driving to work on Monday, I hear a CBC announcement for both the contest to find a new theme, *and* now an offer to us to go to arbitration. Both in the same news story. So, which is it folks? New theme? Save theme? I simply do not have it in me to try and figure out anymore. I want my central nervous system back :-)

I'm not involved with the song anymore, but I know it's in good hands. With CTV not only the song is appreciated, but the desires of the fans are too.

Let me know if there's anything I can provide further info on.

**This just in**: there's a good article in Macleans Magazine. I understand it's the cover story.

The article tries to point out CBC's handling (or perhaps mishandling) of a number of things and encourages us all to take a serious look. The article can be seen at:



***Your comments and views are always welcome here. I respect your rights to express your perspective and encourage you to keep doing so, no matter what they are.***

***Thanks for letting me have the greatest job in Canada... getting to know you through this song.***

***Best regards,  
John Ciccone***

*June 9, 2008*

*(rev: Jun-12; Jun-13; Jun-14; Jun-17-08)*