

The Pennsylvania State University
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**“I THINK IT’S A WAY OF JUST MAKING US FEEL LIKE A PART OF THE THING
THAT WE LOVE” THE EVOLVING RELATIONSHIP BETWEEN FAN
FILMMAKERS AND MEDIA OWNERS**

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ABSTRACT

This dissertation examines the relationship between fan filmmakers and media intellectual property owners in the contemporary digital age. In the previous decades, fan film, the act of fans making their own video or film with the semiotic raw materials of an intellectual property which does not belong to them, was a largely underground act meant for private viewing. Via the contemporary internet, online distribution of video content has allowed fan filmmaking to flourish. In-depth interviews explore the motivations of fan filmmakers, examine how the contemporary internet has changed their work, provide insights into their relationship with the IP, and examine how money changes the nature of what they produce.

Four research questions discuss the following findings. First, how media fandom is intrinsic to who they are and what they do, stemming from formative experiences in their past and the nostalgia they carry for that past into the present. Second, this contemporary digital age is both disruptive and enhancing to fan filmmakers. They have far more capability than in previous decades to produce high quality work that can be spread far wider than ever before. But with these possibilities comes more responsibility to appease their fandom communities and does not further toxicity back towards the IP. Third, fan filmmakers find themselves in a complex, interactive relationship with IP owners that has become much more nuanced in the contemporary digital age. Finally, some fans explicitly seek monetization of their work while some reject monetization but understand that they have little agency in these matters as the IP and the video distribution platform can and do commodify their labor whether they wish it or not.

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Chapter 1

Introduction: “I wanted to really dive deeper into that universe.”

In the history of media studies, the subarea of fan studies is a relative late comer. The year 1992 was an especially key one for our understanding of popular-culture fandom (Lewis, 1992; Bacon-Smith, 1992; Jenkins, 1992). Jenkins’ *Textual Poachers* explored media fandom from a position of scholarly respect as opposed to the more common air of dismissal found in the popular press of the time (Jenkins, 1992). It focused on issues previously underexplored in terms of fandom’s representation, productivity, and meaning making. Fiske (1992) offered that fandom was a “subordinate system of cultural taste” and that while “official culture” was generally recognized by aesthetic or artistry, fans have a “social” connection to their texts. This personal connection has often been a stigma for media fans.

For example, previous coverage in *Newsweek* stereotyped *Star Trek* fans as “kooks” who obsess over plot minutiae and are engrossed in original risqué fan publications called “slash zines” (Leershen, 1986). Their perceived stigma and hesitancy to speak constituted a silencing of fan behavior and shifting of the “fan” label onto others so as to escape a negative perception (Stanfill, 2013). Because such representation so often minimized media fans and their tastes, when writing *Textual Poachers* Jenkins initially had to convince media-fandom participants he was interested in speaking to of his genuine admiration for the media he and his participants shared (Jenkins, 1992, p.6). Despite this hesitancy, Jenkins was able to highlight some of the voices and perspectives of some of the most productive fans in their communities.

Jenkins offers many useful insights into media fandom as well as a helpful typology of fandom behaviors (Jenkins, 1992, p.2). His typography focused on five distinct dimensions of fandom behavior: (1) fandom’s relationship to a “mode of reception” or how they consume

content, (2) fandom's role in encouraging activism, (3) fandom's role in establishing a distinct social community, (4) fandom's utility in becoming an interpretative lens of that community, and (5) fandom's role in the production of the community (Jenkins, 1992, p.2).

In the decades since 1992, fan study research has been continually revisited for methodological refinement beyond the ethnographic approach Henry Jenkins took with his fellow fans in the 1990s (Evans & Stasi, 2014), and continues to be a multifaceted area of inquiry. Although certainly fan studies continues to produce insights about the activities of fan communities (Click & Scott, 2018; Condis, 2015; Boxman-Shabtai, 2019; Rendell, 2018), since Jenkins groundbreaking 1992 work, fan communities have faced continuities and change. The former includes the continued stigma of passionate fans of popular culture, especially with comic-book and science-fiction/fantasy materials. While sports fans are often celebrated for their loyalty and expert-level knowledge, other forms of fandom find themselves stereotyped in high-profile genre entertainment programs like *The Big Bang Theory* and *Community*. Used colloquially "genre" entertainment is way to categorize film and television which adheres to the trappings of the genre's look and feel, and leans into a pre-existing audience (Landy, 1991, p.4).

There also have been significant changes in media production and reception, given the pre-Internet era publication date of *Textual Poachers*. Pop culture media in general has exploded in diversity and availability, as well as the nostalgic devotion that media engenders (Cross, 2015, p.10-11). In *Consumed Nostalgia* (2015) author Gary Cross examined many of the ways fans have found new community opportunities around media and experiences not previously available. This includes the blurring of the production and consumption of popular culture. Fandom's role in producing content/messages for and by their communities has potentially seen the greatest change since *Textual Poachers*, including productive fans' use of emerging

technology. The book explored fans struggling with expensive and cumbersome tape-to-tape linear editing of the late 1980s and early 1990s to create their works (Jenkins, 1992, p.227). In the decades since, technological advances and affordances have offered productive fans far greater capabilities that include the capture and manipulation of video/images from their fan devotions, the creation of new video/images, and the distribution of this content across a wide range of platforms online. These changes have created fruitful new avenues of scholarly exploration within media fandoms studies. Similarly, corporate media have also been in flux, with new levels of consolidation (see especially Disney), completely new players in the production of media entertainment (such as Netflix, Apple, and Amazon that did not exist in 1992), new distributors of content (YouTube and other social media, in addition to the streaming services listed above), and changes in content ownership and copyright policies (the latter includes the Digital Millennium Copyright Act, established in 1998).

This dissertation explores fan filmmakers, their communities, and the works they create in light of the continuities and changes in the Social/Streaming/Digital Media Era. The rationale for this dissertation is thus split into three key areas. First, it is worth “checking in” on productive media fans as their individual voices are often lost in the narrative around corporate media ownership. Second, the affordances and enhanced visibility of the internet present difficulties for productive media fans as their work has become far more discoverable by a wider audience, whether intended or not. Because of this, new search and surveillance technologies that have developed (even within the past five years) may have a stifling effect on media fandoms. Finally, intellectual property owners look to monetize and commodify fan-created work, with one result being the controlling of fan behavior and practices, a tactic largely unheard of in the pre-internet era.

The Dynamic Nature of Digital Media and Fandom: A Closer Look

Prioritizing the voice and lived experiences of fan filmmakers is critical when examining their work and communities. This includes the challenges they face. Fan filmmakers often experience pushback from the owners of the properties they textually poach. For example, about fan films then *Star Wars* and LucasFilm president Jim Ward said:

We love our fans. We want them to have fun. But if in fact somebody is using our characters to create a story unto itself, that's not in the spirit of what we think fandom is about. Fandom is about celebrating the story the way it is (Jenkins, 2006; Murray, 2004, Harmon, 2002).

This statement in *The New York Times* typifies media-owner attitudes towards fan work. In a chapter in *The Social Media Reader*, Jenkins examines fan films as an expression of folk culture trying to reassert itself against the totality of consumer mass culture (Jenkins, 2012, p.206). Jenkins suggests media owners have adopted “scorched-earth policies” towards consumers and fan participation because the affordances of modern digital technology have threatened their status as the providers of mass culture (Jenkins, 2012, p.206). But despite perspectives which prioritize a single version of the media owner’s work, fan production can serve purposes beyond the commercial nature of the work for fans creators and consumers (Jenkins, 1992, p.223).

The internet has increased visibility of productive fans and complicated challenges they face in creating, sharing, and enjoying the fruits of their fan labor. Previously, the nature of fan production was restricted to what could physically be shared between in-group members and

others via postal service or private exhibition (Jenkins, 1992). The internet, however, has afforded fans far greater opportunity in sharing their work which in lies the danger of drawing the attention of media owners. Unlike the early 1990s, algorithmic technology online is now regularly used for the identification and stifling of content (Zapata-Kim, 2016). The aggressive use of content-scanning algorithms and Digital Millennium Copyright Act (DMCA) takedown notices on the part of intellectual property owners frequently cause issues for fan creators who believe their work falls under parody or private use protections (Zapata-Kim, 2016). Speaking directly to fans about their strategies for sharing their work, creating community around its creation, and exhibiting it to a wider audience while not drawing the wrath of media owners would be fruitful.

Finally, the algorithmic technologies which scan for content that includes IP poached material is just one of the ways media owners have begun to commodify fan labor. Through sites like YouTube and Vimeo, media owners can claim monetization rights over content they feel infringes upon their rights as owners (Zapata-Kim, 2016; DeBlis, 2018). Monetizing this content can be done on videos which the fan creators never intended to monetize in the first place, further removing their agency (Zapata-Kim, 2016). Like automatic DMCA takedowns, monetization away from the content's creator can happen without human oversight (Zapata-Kim, 2016). The platform's process to challenge this commodification of fan work is, unfortunately, onerous and opaque (Zapata-Kim, 2016). Further complicating this is the algorithm's inherent bias as a piece of technology created by inherently biased individuals (Noble, 2018).

In lieu of utilizing algorithmic content controls to either stifle or commodify fan work, other media owners have taken to providing codified rules of what fans can and cannot do with intellectual property. After the producers of the *Star Trek* fan film *Axanar* raised \$1.3 million

dollars in fan support to produce a feature length film, Paramount took director Alec Peters to court alleging that his film went beyond the reasonable expectations of fan work and had violated their intellectual property rights (Axanar, 2014; Despain, 2020). Peters initially tried to argue that *Axanar* was protected under fair use but eventually settled out of court with Paramount and admitted to violating their copyrights (Li, 2020). One of the major consequences to fans to emerge from the case is Paramount's issuing of "fan film guidelines" which it contends fans must adhere to if they wish to avoid similar legal action (Lerner, 2018). These guidelines, however, are an attempt to control the use of their property without much regard for the circular nature of folk culture and popular culture.

These various challenges to productive fans are what spark my interest in examining how fan filmmakers (a distinct productive fan behavior within larger fandom communities) navigate these new troubled waters. Fan filmmaking, as a practice, goes as far back as the 1920s with the Anderson, SC production of an *Our Gang* (also known as *The Little Rascals*) fan film (Young, 2008, p.8). Fan films can be defined as "fictional movies created by fans imitating their heroes from pop culture" (Young, 2008, p.3). Barton (2014, p.10) offers that fan films are a type of amateur filmmaking predicated on a fan's awareness of the source material and an active community of fans supporting the project. A definition which deals with the legality of fan films recognizes them as an "unauthorized amateur or semi-pro film, based on pop culture or situations, created for non-commercial viewing" (Young, 2008, p.4). Understanding this interaction between source material, a community of practice, and a finished work that exists in increasingly visible spaces is critical. With the challenges to fan filmmakers in mind I utilized the following research questions to help guide my inquiry:

RQ1: How do fan filmmakers describe their motivations to create their work?

RQ2: In what ways has the contemporary digital age, with its more mainstream focus on genre entertainment (*Star Wars*, *The Lord of the Rings*, *Game of Thrones*, etc.), the expansive internet, and distribution affordances, changed the nature and audience of their work?

RQ3: How do fan filmmakers describe their feelings about the IP holders whom they devote their labor towards?

RQ4: What are the ways in which they claim to reject or embrace commodification and monetization of their fan labor?

After conducting approximately 15 hours of interviews with ten fan filmmakers working across a wide variety of fandoms and genre entertainment, I identified eleven broad themes which attempt to answer these research questions.

Chapter 4 is concerned with how fan filmmakers describe their personal motivations for creating this work. It shows that media fandom is intrinsic to who these people are. Formative moments and personal nostalgia heavily weigh on why they do this work. For some participants, fan filmmaking is their identity and a path to professionalization as they create work which grows them as individuals.

Chapter 5 delves into how the digital age has been equal parts disruptive and enhancing to fan filmmaking. New tools and affordances on distribution platforms have come with some severe caveats. As genre entertainment has increased in reach and cultural attentions, the

audience for fan films has increased. The flipside of this popularity is that creating fan film work for a fandom opens individuals up to a host of issues with toxic fans. Finally, the contemporary digital age has introduced algorithms into the everyday experience of fan filmmakers. These algorithms are both mysterious and nakedly transparent. Fan filmmakers are often left to navigate these systems which they may not be able to fully understand.

Chapter 6 focuses on the complex relationship between the fan filmmaker and the IP holder. My participants articulated a multi-faced framework where they can be invisible to the IP, offered endorsement (tacit or explicit) by the IP, offered access to the IP (along with the downsides such a privileged relationship may bring), and finally openly antagonistic to the IP which controls the media intellectual property they create fan work for. These relationship concepts are inherently concerned with how the fan filmmaker feels about the official media offerings the IP provides. Some fans walk a narrow path between “doing it better” because they don’t like the IP’s choices and “doing it differently” because they see something missing.

Chapter 7 examines the ways that fan filmmakers grapple with the monetary side of their labor. Fan films cost money to produce, and the fans which create these work find themselves dealing with whether or not to try and monetize their labor to help pay for their films. Fan filmmakers also grapple with their work being commodified by both the intellectual property owner and the video distribution platforms where they generally host their fan films for public viewing. They lose some agency as they deal with these much more powerful entities, despite fan film work becoming so technically refined that fan films have begun to compete with official media offerings in the marketplace. The final chapter, Chapter 8, will summarize findings, discuss limitations, and offer possibilities for future research.

The four analysis chapters and the eleven themes discussed within capture something of the way that fan filmmakers, working in their fandoms on the contemporary internet, navigate extreme visibility both to their audiences and to the intellectual property owner. In the final chapter, I briefly examine some of the shortcomings of this inquiry. There is more to hear in this story, especially from women producing fan films and from fandoms that were not represented in my participant pool. There are also more issues adjacent to the topic of fan films relating to other types of fan labor like fan cams, fan fiction, and fan edits. Finally, we are on the precipice of an artificial intelligence leap forward in fan work. Already one of my interview participants was incorporating AI technology in their work to impersonate the voices of actors from the official media offerings. Another was using deepfake technology to superimpose and animate the face of legacy actors onto the face and bodies of their fan film actors. This technology is only just now becoming mainstream for fan filmmakers but the impact it may have should greatly concern intellectual property owners.

Chapter 2 Literature Review

This dissertation brings together research on media fandom, nostalgia, and critical/cultural theories of media ownership. To do this I start by offering a very brief overview of fan filmmaking to situate this inquiry within this larger field of fandom studies. Next, I will examine who media fans are and how they choose to express themselves by what they make. This area will focus on scholarly understanding of media fan communities and the history of fan films as a specific act of creation. From there I move into some of the motivations of why people make fan films focusing on nostalgia for the media they enjoy and fan work as a path towards professional aspirations. After that I focus on the current landscape of media ownership and how some productive fans have run up against the bounds of what owners consider acceptable fan expression.

Situating Fan Filmmaking within the Field of Fandom Studies

As mentioned in the introduction, Henry Jenkins' *Textual Poachers* (1992) engaged with fandom from a scholarly vantage point. Popular press articles at the time tended to dismiss fandom and fans in much the same way that the academy had treated the subject (Jenkins, 1992). Writing in the same year, Bacon-Smith's (1992) exploration of television fandom via the lens of female *Star Trek* fans brought more attention to these devoted audiences and the ways in which they expressed their media admiration. Despite Jenkins and Bacon-Smith's efforts in the early 1990s, it would be unwise to think that this is where the study of fandom begins. In *Digital Fandom 2.0* Booth (2017) suggests that from the earliest moments of fan devotion around media, there has been some small academic attention paid to the topic in different fields. After *Textual Poachers*, however, fandom studies began to be divided into subcategories of study focusing on individual facets of the field, like Bacon-Smith's (1992) studies of fan conventions or Penley's

(1991) chapter on fan slash fiction writing. Booth's (2017) look at digital fandom attempts to "discipline the field" by thinking of fandom studies as not these individual buckets of inquiry but in more holistic ways. It is in this same view that this inquiry is positioned. Fan filmmaking is a distinct act within the spectrum of fan behavior but examining it critically can take many forms. As befitting any piece of multimedia, it is multi-faceted in the ways in which fan filmmakers interact with each other, their communities of fan viewers, and the IPs. This inquiry can also examine the ways in which fan films can weave in different parts of the IP and original ideas from the fans to create something new, yet familiar, from the poached materials. By trying to holistically examine fan filmmaking as practice, product, and relationship, I hope this inquiry fits within the broader, holistic field of fan studies.

Who Are These Fans and How Do They Express Themselves?

Textual Poachers begins by exploring the myth that the American public "gets what it wants" out of the programming available, in that the public's choice of what to watch dictates the content produced and so if content is "banal" then it's really the audience's fault as consuming tastemakers (Jenkins, 1992, p.30). But the reality is that programming, at least in television and other advertising-supported media, is designed for the "commodity audience" which is always attempting to yield the largest and/or most demographically attractive audience for the lowest investment on the part of media owners (Jenkins, 1992, p.30). Fan studies have evolved since the initial explorations by Jenkins and others, as fandom and fan culture has become more mainstream (Stanfill, 2013). Some fan culture scholars find that while fandom has become more accepted by intellectual property owners, this holds only so far as it does challenge their ownership of the property (Gray et al., 2007). This perspective will be critical to my work as the friction between fan producers and media owners will factor heavily into my inquiry. Given a

potential disconnect between audience desires and mainstream media production, “producerly” media fans, unlike regular passive audiences, actively construct their own texts (whether fan writing, art, song, video, etc.), and their own meanings, via the semiotic raw material media owners make available to them (Jenkins, 1992, p.49). This may be even more complex as some scholars bifurcate the fan label into “affirmational” fans which love and accept the text as is, and “transformational” fans which change the text as needed to suit their own needs (Navar-Gill, 2018; Scott, 2015; Busse, 2013).

The content that media fans of the “transformational” position produce out of their chosen media’s raw materials can take many shapes, especially in the new millennium. Pearson’s (2010) examination of the ways in which media fans have been impacted by the digital revolution highlighted fans’ position of being on the forefront of technological and industry change. For example, Hills and Garde-Hansen (2017) examine fan recreations of lost *Doctor Who* episodes and how being a part of the fan community during the episodes’ initial airing privileges their communal memories. Their study prioritizes the fan community as a site of production and how fans take on the role of activist in attempting to preserve and restore lost episodes. Phillips (2012) looks at fan “vidding” which is a type of production that utilizes existing visuals and music to offer new perspectives outside the text’s canon narrative. These can be understood as short films (less than a minute usually) devoted to highlighting a romantic attraction to a character, or attraction between characters (Phillips, 2012). This study, again, prioritizes fan production as well as how fans choose to interpret aspects of their chosen texts via a process Jenkins refers to as ‘textual poaching’ which he adapted from De Certeau’s ideas around audiences adapting texts to suit their needs (Jenkins, 1992; De Certeau, 1984). Similarly, the community of practice found in Phillips’ (2012) examination of fan editors illustrates how

fans recut the trailers of Hollywood films and refocus them as expressions of textual poaching, prioritizing their version of the media versus emphases in the original commercial version. A key takeaway from these three examples is that whether fans are creating their own form of recreations, “vidding” behavior, and re-edited trailers, this content is solely for the in-group and utilizes the medium of video and filmmaking practices. These examples show the many types of behaviors that can thus be labeled as “fan filmmaking.” Fan activity using the medium of video can be termed “fan film,” “fan editing,” “vidding,” and “fancamming” (Coppa, 2008; Turk & Johnson, 2012; Waysdorf, 2021). Navigating this imprecision of terminology and finding commonalities between practices is a potentially fruitful area of exploration.

Young (2008) offers an exemplary historical retelling of the development of fan films devoted to larger media franchises. Here three well-known fan films can serve as guideposts for how scholars have previously written about fan films, what motivated the creators of the fan films, and how the media owners dealt with them. The origins of the aforementioned earliest recognized fan film, the Anderson, South Carolina production of *Our Gang* (later known as the *Little Rascals*), surprisingly, lay in out-of-town grifters pretending to be a Hollywood production shooting an *Our Gang* short in an effort to gin up financial and material support from the town’s citizens (Young, 2008, p.10). The “filmmakers” even offered acting roles to the town’s children to curry favor from their suspicious parents (Young, 2008, p.12). Young (2008) cannot say for certain whether the con-artist filmmakers were genuine fans of the *Little Rascal* and/or if that factored into their choice of a plot for their underground film. In the end the film was produced, shown a few times for money, and then archived away in the town library as the filmmakers moved on (Young, 2008, p.16; Maachi, 2013). The con-artist angle, however, is immaterial to the movie’s status as a genuine fan film. It was an original creation produced by a group of *Our*

Gang fans (both adults and children) that exists in a slightly less than clear space between authorized work and non-commercial “home movie” (Young, 2008, p.16).

The second work to highlight in this brief history of fan films is Kevin Rubio’s *Star Wars/COPS* parody *TROOPS* (Rubio, 1997). Mixing the armor-clad fascist Imperial Stormtroopers of the *Star Wars* franchise with the docu-reality style look at small-town law enforcement, and all the problematic associations those pairings entail, *TROOPS* is the first of what is widely recognized as the modern fan film (Young, 2008, p.151). Unlike *Hardware Wars*, another early fan film which intentionally affected a low-budget look so as to skirt possible copyright infringement and borrow credibility from B-movie sensibilities, *TROOPS* has the polished, high-budget look of any of the *Star Wars* films (Young, 2008, p.152). The costumes, computer generated visual effects, and sound design exemplifies the high-quality production values that fan filmmakers will later strive for. Like *Hardware Wars*, however, Kevin Rubio and his crew were not all amateurs in the field of film production (Young, 2008, p.63; p.141). Rubio intentionally sought the assistance of other working professionals that happened to be *Star Wars* fans to lift the quality of the film beyond that of a home movie (Young, 2008, p.141). The movie was a smash success at ComicCon that year, even counting *Star Wars* creator George Lucas as a fan (Young, 2008, p.152).

The third and final fan film to highlight in this brief timeline is the aforementioned as-of-yet unreleased *Star Trek* fan film *Axanar* by director Alec Peters (Despain, 2020). In 2014 Peters crowd-funded \$1.3 million dollars on the social media giving platform Kickstarter for a feature-length *Star Trek* film set before the events of the original *Star Trek* television series (Despain, 2020, p.333). Peters, like Kevin Rubio, is a working professional in the film industry and as part of his Kickstarter funding campaign produced the 21-minute long *Prelude to Axanar* short film

which features the talents of many past *Star Trek* actors including J.G. Hertzler, Gary Graham, and Tony Todd (Despain, 2020, p.333; Axanar, 2014). Paramount filed a lawsuit against Peters arguing that his film went beyond the reasonable expectations of a fan work and instead intentionally violated their *Star Trek* intellectual property (Despain, 2020, p.333). The parties settled out of court with the *Axanar* production acknowledging they had crossed the boundaries of copyright (Li, 2020). One of the consequences to fans to emerge from the case is Paramount's issuing of "fan film guidelines" in 2016 which it contends fans must adhere to if they wish to avoid similar legal action (Lerner, 2018). As we will see, both *Axanar* and the Paramount guidelines will be raised several times by the fan filmmaker-participant interviews for this dissertation.

These three fan film examples briefly present a timeline of evolution. As fan films have increased in complexity and production quality so too have they come closer to stepping beyond the realm of fans engaging with their chosen work in a poaching manner for the enjoyment of the in-community. Despite the less than legal intentions of the filmmakers, the 1926 *Our Gang* is ultimately made by the Anderson, SC citizenry who are fans of the media property only. *TROOPS* occupies a midpoint where the evolution of the fan film has one foot in the world of the amateur and one in the professional world, yet still is entirely a work of and for the fan community. *Axanar* represents the final step out of the realm of the fan gift economy and into the realm of the commodification of fan labor. These types of fan films and the motivations their directors may have had in their production would be excellent guideposts when interviewing actively working fan filmmakers about their habits and goals.

Motivations

To study fan films and their makers, attention should be paid to some of the reasons why they would choose to engage in this activity. In previous unpublished qualitative research, I engaged directly with professional filmmakers who had navigated the process of moving from being a media consumer to media creator (Cikovic, 2020). One of the findings from that study showed that media professionals have a certain measure of nostalgia for the content they grew up with, which ultimately informed the work they produced as professionals. Nostalgia, as a concept, thus factored into the questions I asked my fan filmmaker participants and so a brief survey of some of the previous theoretical work done on it as a concept will ensue.

For purposes of this proposal the best framework for nostalgia will be the restorative and reflective nostalgia explored by the late Svetlana Boym in her book *The Future of Nostalgia* (2001). Boym does not approach nostalgia as an inherently negative phenomena but does recognize that it is frequently seen as such and is therefore both hard to grasp and hard to study (Boym, 2001, p. 16). Because the study of nostalgia doesn't belong to any specific discipline (and indeed can touch as far afield as media, sociology, psychology, and philosophy) it is often difficult to clearly define (Boym, 2001, p. XVII). To address this imprecision in the ways in which different fields approach nostalgia, Boym offers a typography of "restorative" nostalgia and "reflective" nostalgia (Boym, 2001, p. 41). Restorative nostalgia puts the emphasis on the missing "homeland" and seeks to recreate the past in the present (Boym, 2001, p. XVII). It takes itself "deadly-serious" and is driven by an "anxiety about those who draw attention to the historical incongruities of the past and present" (Boym, 2001, p. 49). Put another way, restorative nostalgics fear being told their version of the past isn't reality as it existed (if it even could have existed) but work to restore that version anyway. This feels especially relevant to fan filmmakers who are textually poaching a version of their chosen media and recreating it in a way that

ultimately benefits themselves and their community and not the media owners. These nostalgics do not consider themselves as such and instead only work in service of their truth. Alternatively, reflective nostalgia puts the emphasis on the longing and loss, and is more concerned with the act of remembrance and change than any perfect recreation (Boym, 2001, p. 49). Even with this focus on inevitable loss, reflective nostalgia can be humorous, even ironic, as a mechanism for understanding that loss (Boym, 2001, p. 50). A key understanding to both criteria, however, is that both reflective and restorative nostalgia can be community-building endeavors; they just go about that construction in fundamentally different ways. Restorative nostalgics can strive together to build nationalistic societies based on their shared understanding of the past while, at the same time, reflective nostalgics can find solace in the company of others who share their longing for a time and place never to return, and seek to build a better future with those lessons in mind (Boym, 2001, p. 41; p. 337). Boym is quick to clarify that these two types of nostalgias are not discrete categories. What is key is that these two types allow us to begin to understand the kinds of nostalgia present in media and in a productive sense which doesn't immediately dismiss nostalgia as a malady or a detriment. The young fan filmmakers in Lange (2011) turned their longing for media they consumed as young children into reflective nostalgia. Alternatively, by blending his childhood fascination with *Star Wars* and the contemporary *COPS* television program together, Kevin Rubio's *TROOPS* represents the type of atemporal nostalgic "pastiche" that Frederic Jameson suggests is yet another way capitalism dominates culture (Jameson, 1991). Similarly, Ryan Lizardi's book *Mediated Nostalgia* focuses nostalgia on the concept of individual "narcissistic nostalgia" unlike the larger nostalgic groups Boym explores (Lizardi, 2014). For Lizardi, this focus on individual narcissism is the result of contemporary media which endeavor to create an idealized past from beloved media texts (Lizardi, 2014). Media creates

perpetual nostalgia by consistently re-releasing content, creating atemporal “special editions” of “classics” as defined by corporate owners, and allowing the user to create their own personal archives of music, television, and video games which reinforce their previous tastes (Lizardi, 2014). This individual nostalgia plays into the commodification of personal memory. Further research on the motivation of fan film makers and their personal nostalgia could shed greater light on this fan activity.

When considering fan film maker motivations, it would be fruitful here to briefly examine a uses and gratifications research approach to media. Uses and gratifications research generally regards five assumptions of media, that (1) the audience is active, (2) the initiative in linking need gratification and media choice lies with the audience, (3) media competes with other sources of need satisfaction, (4) data on why they chose and use the media they do is supplied by the audience themselves, and (5) critical and/or cultural significance of media should be suspended and audience perceptions therefore taken as earnest (Katz et al., 1973). This research is typically conducted by identifying gratification typologies through quantitative focus groups or surveys (Katz et al., 1973). Ang (2001, p.179), however, detailed why a uses and gratifications approach to audience research is problematic by suggesting U&G lacks the critical epistemological basis which underpins critical and cultural studies and instead emphasizes a neo-liberal perspective of the audience having total choice in their viewing. Ang (2001, p. 181) offers that viewers “encode a text in different ways” and that while they sometimes give oppositional meanings to the program in ways the producers did not intend, this shouldn’t be seen as an example of “audience freedom” but as a moment in “cultural struggle.” While I am interested in motivations, this inquiry focuses on the fan as creator (rather than just on fan consumption as is typical in most U&G work) who poaches meaning from their chosen work in oppositional ways.

This oppositional perspective is critical to my inquiry in the later discussion of “doing it better” than the IP holder versus a philosophy of trying to “do it differently.”

A frequent motivation for media fans is the desire to “take apart the program and see how it works” (Jenkins, 1992, p.65). This speaks to the active component in media fandom wherein the work they produce for themselves is also a way the group creates for and defines itself. This is well explored in Barton and Lampley’s (2013) collection of essays on fan culture. Writing about *Firefly* fan films, the author explains that a successful fan film must include certain elements which only come from a deep understanding of the source material and the support of the community to accomplish the project (Barton & Lampley, 2013). For Jenkins, fandom can blur the line between producer and spectator as even though the work was produced by an individual party “any spectator may potentially participate in the creation of new [works]” because of the way the community at large informs the work (Jenkins, 1992, p.247).

A final motivation for fan filmmakers may lie in the path to professionalization. As mentioned, some of the more famous fan films like *Troops*, *Hardware Wars*, and *Prelude to Axanar* were the work of fan filmmakers who also happened to be working professionals (Young, 2008; Despain, 2020). This, however, is not a weakness of these fan films in the eyes of their respective communities. While speaking of *Hardware Wars*, Young explains:

While it may not have been a true fan film itself, plenty of viewers thought it was, and that, in turn, inspired countless kids to become backyard auteurs, making their own fan flicks. (Young, 2008, p.73)

These films can help inspire people in their respective fan communities to take on a fan film project, and thus gain important technological skills for professional success. Lange’s (2011)

ethnographic research focused its attention on a group of teenage YouTubers who were utilizing the medium and making short parodic fan film content. The young filmmakers produced content as a learning and identity-building exercise and ultimately resulted in professional development skills as they moved into the next phases of early adulthood (Lange, 2011). While not to sound overly deterministic, this path was available to them because of the affordances of the internet and innovations in video technology. Markman's (2005) manuscript exploring *Star Trek* fans' comments upon the bevy of films likely being the result of affordable high-quality production equipment becoming available in the early 2000s to fans as opposed to only being available to professionals which had significant budgets (Jenkins, 2012). By blurring the lines between amateur and professional in the work they create and the tools they use, fan filmmakers complicate the amateur/professional binary that has been well covered in communications research (Lange, 2011). With these ideas around personal motivations colored by nostalgia, a desire for professionalization, and a need for community, my first research question asks "How do fan filmmakers describe their motivations to create their work?"

Commodification, Culture, and Corporate Ownership

The final significant area of literature which will factor into my dissertation is that of the ways fan filmmaking runs up against the corporate ownership of media. This research constitutes a series of case studies in some of the ways that corporate media and fan culture have collided, and the various ways corporate owners have responded. Phillips' (2012) examination of fans' editing of movies and movie trailers intentionally strips away the commercial nature of that media and repurposes it to suit fandom needs. They argue that this textual poaching is often met with unease on the part of the intellectual property rights owners because skilled video editors

working with the materials of a Hollywood film can produce very sophisticated work which may, potentially, compete with the official offering in the marketplace (Phillips, 2012). As a case study they cite editor Mike Nichols' *The Phantom Edit* cut of *Star Wars: Episode 1 The Phantom Menace* and the cease and desist order from LucasFilm despite Nichols releasing his cut online for free (Phillips, 2012; Wille, 2014). Phillips (2012) argues that these recut trailers and films are an expression of the larger debate around cultural ownership of media. In the past, LucasFilm management has said that "fandom is about celebrating the story the way it is" (Jenkins, 2006; Murray, 2004). Despite this perspective which prioritizes a single version of the media owner's work, fan edits, like fan films, serve a purpose beyond the commercial nature of the work for fans (Jenkins, 1992, p.223).

Lange (2011) took an ethnographic look at how a group of young filmmakers developed over time, beginning with short video-game fan films and then later into original content. A key theme the researcher observed in their analysis is how the young filmmakers are pulled further and further into the commercialized space by both their fans and the corporate commercial nature of YouTube (Lange, 2011). This commodification of fan labor is explored via the lens of the "amateur fan" vs. "working professional" dichotomy, which implies the fan film labor the young filmmakers are engaging in should only be a means to an end before they, as one commentator suggests "get off [their] ass, get to Hollywood, and make this movie for real!" (Lange, 2011).

Literature which examines gender issues within fandom is examined to provide context to some of the experiences my participants shared. The contemporary internet has many affordances which foster toxic and trolling behavior (Phillips, 2015). Some fandoms are thought to be gender coded (Ford, 2017; Roach, 2014). Challenging this potential binary are the ways some fans bring problematic notions around gender into fandoms that are coded differently from

the way the fan may present their gender identity, as explored in Hunting and Hains (2019) look into toxic male fans in the *My Little Pony: Friendship is Magic* fandom. Bryan and Clark (2019) examined misogyny in the fan response to the all-female reboot of *Ghostbusters* in 2016. This analysis provides an excellent example of the way toxicity can build within a fandom by angry, “entitled” fans to the detriment of the entire community (Bryan & Clark, 2019). These pieces offer insights into the ways that toxicity around gender have become more and more present within the fandom communities my fan filmmaking participants operate in.

In a chapter in *The Social Media Reader*, Henry Jenkins examines fan films as an expression of folk culture trying to reassert itself against the totality of consumer mass culture (Jenkins, 2012, p.206). In their book *Dialectic of Enlightenment* Adorno and Horkheimer offered that mass media culture was more akin to a “culture industry” wherein low-brow work is produced for a mass audience which leaves little room for independent perspectives compared to “elite” media that offered true distinction (Adorno & Horkheimer, 1993). In the decades since, this dichotomy between high and low cultural media has been challenged in cultural studies with more attention being paid to how all messages within a text (be it music, print, film, etc.) are encoded and decoded in various ways (Hall, 2001). However, as fan work is, by its very nature, an activity outside of the control of the corporate media owners, a certain amount of friction always exists between owner and fan producer. Because of this, Jenkins suggests media owners have adopted “scorched-earth policies” towards consumers and fan participation because the affordances of modern digital technology have threatened their status as the providers of mass culture (Jenkins, 2012, p.206). Some owners, alternatively, have attempted to contain this trend by establishing relationships with fan producers and laying out guidelines for acceptable types of fan work in the public sphere. LucasFilm establishing the *Star Wars* fan film contest on

AtomFilms.com was one such strategy (Jenkins, 2012, p.223). These rules included requirements about how much copyrighted productional elementals could be used, types of acceptable plot and content, and amateur or professional involvement (Jenkins, 2012, p.223). In Jenkins' view, rules like this, and the aforementioned *Star Trek* fan film rules as a result of the *Axanar* lawsuit, create a "two-tier system" of fan film content which is deemed acceptable fan productivity and content which is not (Jenkins, 2012, p.225; Lerner, 2018). Jenkins suggests that media owners do recognize the more they clamp down upon fan productivity the more likely they are to eventually suffer a consumer backlash, and thus attempting to work with fans on acceptable re-appropriation of their content may become more and more common (Jenkins, 2012, p.232-233). With these issues in mind, a guiding research question for this inquiry asks, "How do fan filmmakers describe their feelings about the IP holders for whom they devote their labor towards?" As I will show in the later chapter devoted to this question, fan filmmakers have complex feelings around IP owners, other fans, and the contemporary media environment.

Technical and Legal Contexts

As previously mentioned, numerous technological changes since the early days of fan studies have fundamentally changed the landscape for how fan producers interact with both the IP holders of media and the wider world. These changes can be largely lumped into innovations in content creation via digital technology, distribution possibilities on sites like YouTube, the implementation of the DMCA, and finally algorithmic scanning of content.

The proliferation of inexpensive digital filmmaking equipment to pro-active low-budget filmmakers has hastened the friction between fan producer and IP holder (Jenkins, 2012). Digital cameras which can produce near-cinema like resolution, depth-of-field, and color density have been available to amateur filmmakers since 2002 (Chin, 2002). Because of this, amateur and fan

filmmakers have slowly encroached upon the aesthetic quality of high-production value official work (Despain, 2020). Content sharing platforms like theforce.net's fan film theatre (Jenkins, 2012) and YouTube.com have expanded the ways fans of a media property can view the high-production value fruits of fan labor (Despain, 2020).

Media owners, therefore, have responded to this era of change in several ways. During the 1990s record companies sued the platform Napster for its users' copyright violations (Spinello, 2003). Intellectual property owners understand content distribution platforms can compete with their official offerings in the marketplace, and thus take proactive steps to prevent this (Shanker, 2022). Media companies now employ the YouTube ContentID system to scan for copyrighted material upon the platform (Zapata-Kim, 2016). ContentID allows for copyright holders to quickly identify potentially infringing material upon the platform and server a takedown request (Zapata-Kim, 2016). But as this algorithmic identification is an automated process relying upon audio and video waveforms, it has difficulty in distinguishing parody content utilizing some copyrighted material, content which utilized copyrighted material for educational and commentary purposes, and other content which would fall under fair-use protection (Zapata-Kim, 2016). As the technology of content creation and distribution will only continue to improve, friction between fan producers and IP holders will only increase.

Considering the above, two research questions which guide my inquiry are offered. First, "In what ways has the contemporary digital age, with its more mainstream focus on genre entertainment, the expansive internet, and distribution affordances, changed the nature and audience of their work?" This question specifically engages with the ways in which the world has changed since the writing of textual poachers.

The second guiding research question from this part of the literature review asks, “What are the ways in which fan filmmakers claim to reject or embrace commodification and monetization of their fan labor?” While there are more ways for their work to be seen online than during the tape-sharing era, the ways that fan filmmakers can also become embroiled in financial difficulties as a result of their labor has increased.

A key takeaway from this literature review shows that there seems to be no one strategy media owners and productive media fans have employed to find a way to coexist in the ever-changing digital landscape. Media owners have no more right to say what is and is not appropriate fan behavior than fans have the right to claim content which does not belong to them as their own, and yet more content is produced and released by fans every day. In speaking to these productive fans, we may begin to understand more about who they are, how and why they make the work they do, and how they deal with an increasingly visible and unfriendly media environment. This is the crux of this work, and how, in my mind, it most saliently adds to the field of fandom studies. With all the money and ability available to IP owners, fans are still making fan films in a time when it has never been more dangerous for them to do so. Hearing from fans on their motivations and feelings allows us to paint a fuller picture of how they can “feel like a part of the thing that we love.”

Chapter 3 Methods

These research questions delve deep into fan filmmakers' motivations, their community, and their relationship with the corporate media owners who exercise a myriad of tools to control their labor. To answer these questions, I conducted a series of focused interviews with a small group of fan filmmakers. Afterward I performed a thematic analysis of their responses.

Thematic analysis attempts to identify and analyze patterns within data (Braun & Clarke, 2006). As an analytical method it is flexible enough for use in many different kinds of research with different epistemological and theoretical background (Braun & Clarke, 2006). It does not claim to discover “emerging” themes but instead emphasizes the researcher as the primary instrument of discovery (Braun & Clarke, 2006). As I expected, since that nostalgia for their past was an initial motivator for these productive fans, care was taken in how I conducted my interviews and performed the analysis of their responses. For example, Roulston (2014) explores interview interactional problems in qualitative research. They suggest that interviews in which the interlocutor and participant fail to establish a rapport and mutual trust early are often seen as failures (Roulston, 2014). These failures may stem from moral assumptions on the part of interviewer and interviewee not becoming wholly understood (Roulston, 2014). For thematic analysis of the motivations of nostalgic media fans this could be especially problematic for, as mentioned, some restorative nostalgics do not see their attempts at recreating the past as inherently problematic (Boym, 2001, p.49). Without finding ways to navigate around these moral assumptions, attempting to perform interviews could have become fraught and unproductive.

With this in mind, best practices for interviews in qualitative research can be found in the series of questions Roulston's (2010) typology asks of different conceptions of interviewing in service of connecting theory to method. These conceptions of interviewing, which Roulston

labels as “neo-positivist,” “romantic,” “constructionist,” “postmodern,” “transformative,” and “decolonizing” help researchers understand their specific interviewing framework (Roulston, 2010). These questions include: (1) What are the theoretical assumptions underlying this conception of interviewing and what kinds of research questions are made possible from this perspective? (2) What methodological issues are highlighted in the literature in qualitative inquiry with respect to this conception? (3) What are criticisms of this conception of interviewing and/or research? (4) What kinds of approaches have researchers documented to establish the ‘quality’ of research using interviews from this conceptualization? (Roulston, 2010).

For my interviews, in an effort to head off some of the interactional issues mentioned and include a small measure of self-reflexivity into the inquiry, a postmodern approach was utilized which emphasized the researcher and the participant as co-creators of knowledge. Like Jenkins experienced when writing *Textual Poachers*, a certain amount of “shibboleth” was required to prove to the fan filmmakers that I am approaching this topic from a position of respect and understanding. This was accomplished with a measure of self-reflexivity in my interviews and dissertation. Reflexivity as a methodological tool in both the data collection and later-write up process can position researchers as “co-creators of knowledge” with their participants (Hesse-Biber & Leavy, 2011, p.348). Instead of the researcher being transparent in the process they actively work to guide the interviews and data collection while acknowledging their influence and the influence of the world around them (Hesse-Biber & Leavy, 2011, p.38-39). I am pursuing this topic partly because of my own intellectual curiosity but also partly because I began in media production via fan filmmaking. In the early 2000s my friend group and I began making (truly bad) short fan films as both an expression of our affection for media properties like

Star Wars and *Indiana Jones* but also as a path to professional success. We were also inspired by the work of other fans like Kevin Rubio whose film *TROOPS* showed us what was possible in the new digital video landscape. This experience as a former fan filmmaker helped me gain fruitful participants and contributed to thoughtful analysis of their work. This self-reflexivity, however, did not fully guide my inquiry. I recognized my own experiences in fan filmmaking occurred in a time before the issues fan filmmakers currently deal with came to the forefront. My experience served as an excellent point of origin, but my participants provided direction.

With an eye towards the motivations of these participants, I can again use Hills and Garde-Hansen's (2017) exploration of fan studies and paratextual memory via the recovery and/or recreation of previously lost *Doctor Who* television episodes as an exemplar. Nostalgia entered into this research as "being there" during the initial airing of these *Doctor Who* episodes and the ways that presence influenced the fan recreation was a specific focus for the researchers (Hills & Garde-Hansen, 2017). Methodologically this article is closer to a textual analysis of fan-recreations attempting to examine some of the motivations of the fans who contributed to their recreation. Textual analysis in this cultural studies vein is a method of interpretation of the content, structure, and purposes of works as artifacts (Tracy, 2020). The article offers insights into the nature of nostalgia and fan "ownership" of media by how the re-creations were constructed and whose nostalgia was emphasized in the work (Hills & Garde-Hansen, 2017). This approach was especially fruitful when analyzing the fan filmmaker's work with an eye towards how it is positioned against the corporate media owner's stances.

As a qualitative researcher I am drawn towards methods that emphasize and center the experience of others as an epistemological basis. Thematic analysis of interview data and artifacts emphasizes a rigorous inductive process for generating themes and discussion which is

not attached to any prevailing, existing theory (Braun & Clarke, 2006). The Braun and Clarke (2006) approach, however, is flexible enough to incorporate existing critical theories to help understand underlying motivations and experiences.

With this methodological scaffolding in mind, in late Summer 2022 I sought and gained IRB approval, STUDY00020570. My first step was to find an initial point of contact in the contemporary fan film community. A fan filmmaker in the *Star Trek*, *Star Wars*, and *Babylon 5* community who was profiled in Young's *Homemade Hollywood* book and happened to live in my hometown of Knoxville, TN (Young, 2008). We had previously briefly met on one occasion and so I reached out to him first and explained my project and intentions. Through this first contact several snowball sampling possibilities opened. I also began to monitor the “#fanfilm” hashtag on Twitter which yielded several participants working in various fandoms. Once an initial group of interview participants was identified I conducted virtual interviews over Zoom as per IRB policies. These interviews were focused upon their experience in their fan communities, the work they have produced and will produce, what obstacles they experienced in what they do, and then finally how they overcome them. On average the interviews lasted a little more than ninety minutes to two hours, with the longest over three hours. While I provided interview questions in my IRB documentation (see Appendix B) our conversations were free-flowing. As the questions were derived from ideas presented in the literature review, they served as excellent starting points but were not the end-all of discussion.

The *Star Trek* films Markman (2005) explored were predominantly produced by middle-class white males. Unfortunately, while my goal was to cast a wider net in participants, especially going beyond *Star Trek/Wars* fandoms which have been previously thought of as male, my success here was limited (Markman, 2005). Through snowball sampling and directly

approaching self-identified fan filmmakers, I contacted over thirty people. Despite casting such a wide net, I found difficulty in getting prospective participants to agree to interviews. One such explanation here would likely be found in the sometimes extra-legal status of fan filmmaking. Of note, I intentionally made the decision not to approach Alec Peters whose *Axanar* fan film and legal case was mentioned several times in the introductory chapter and is a well-known event in the fan filmmaker community. Put simply, his experience was so unique when compared to the other participants that there would be no way to guarantee his anonymity per my IRB requirements. I interviewed ten fan filmmakers, nine men and one woman, over approximately fifteen hours. Six Americans, two Canadians, and two citizens of the United Kingdom make up the national diversity in my participant pool. I did not inquire about my participant's race. My participant's age was of interest to me as it could have suggested something of the ways in which my participants understand and utilize the technology of filmmaking. Overall, their ages ranged from the late 50s to early 20s, with the majority of my participant's ages between 25-35. From this data pool, 560 quotes of interest were identified, which were coded with 37 open codes. From this, 11 themes answer the four research questions.

After the interviews were complete, I transcribed the audio utilizing Otter.ai as a paid service. Otter.ai's automatic transcription ranges from moderately acceptable to poor, depending on a specific person's audio quality and accent. I spent considerable time cleaning and double-checking Otter.ai's results to ensure my transcriptions were accurate. From there I began the arduous task of coding my data. Taking a decidedly off-line approach, I printed the finished transcripts and coded the physical pages by hand, highlighting statements of interest and generally applying a single word open code to these highlights. After this was accomplished for all interview transcripts, I utilized the web version of Atlas.ti for the next round of coding. With

Atlas.ti I referred to the highlighted open codes on my paper copy, decided if they were worth pursuing, and then added more codes to the transcripts if necessary. After open coding was completed, I collated the codes into my initial themes. Atlas.ti was helpful in refining these themes for clarity and weighing them against the original open codes for fit. Once this was accomplished, I was left with eleven themes which address my research questions.

All the recording and transcriptions remain on a private server as well as backed up offline as per the rules the IRB has put forth about data collection and handling.

Chapter 4 Motivation and Change

RQ 1

“I think it's a way of just making us feel like we're a part of the thing that we love.”

This dissertation primarily deals with the ways in which fan filmmaking has changed in the subsequent decades. Some motivations for making fan films have changed just as much as the myriad ways new technology has enabled fan work. However, others seem to remain constant. Much like when Jenkins wrote *Textual Poachers* (1992), the desire for fans to “be a part of their chosen media” remains a strong motivator for engaging in fan creation. The fan filmmakers I spoke to primarily expressed a deep admiration for their chosen media content and a desire to engage with it as a means of, for lack of a better term, “communion” with the property. Their chosen media properties represent more than a passing fascination. As the opening quote to this chapter states, my participants wish to be an integral part of their chosen media. As we will see later, these motivations to be “a part of the thing that we love” will take on greater importance as their fan labor puts them in direct concert and/or competition with media owners and sometimes other fan filmmakers. As I will elaborate further towards the end of the chapter, since fan filmmaking and the media IPs in which they poach is so intrinsic to who these people are, they will not stop doing what they do despite the relationships with their chosen IP owners getting more complex.

The first part of this half of chapter 4 will address my first research question, namely “how do fan filmmakers describe their motivations to create this work?” The overarching themes which I explore revolve around two key understandings. First, for these fan filmmakers, media are more than a passing fascination. Fan filmmaking is tied to their identity, their nostalgia for

the past, and their personal satisfaction gained from this work. My participants expressed a wide range of formative moments and personal nostalgia around their media. These moments and the nostalgia they engender are of critical importance to them, often coloring their fan labor. My participants also described the immense satisfaction they receive in performing this fan labor. This includes simply the positive feelings of creating work for the sake of creation, the gained satisfaction of creating fan work which entertains others in their fandom, and the ways in which their work forms sub fandoms within their larger fandom communities. As a primary motivator for creating fan work, and one which speaks to the new era of digital affordances, they expressed an appreciation for the “ease” of this work. In addition, having a world-wide, online audience that is well versed in this media motivates fan filmmakers to delve deep into obscure lore and concepts around their media. This global audience can provide a wider audience for content, something that a filmmaker may struggle to gain when creating their own original content.

A second broad understanding is the relationship of fan filmmaking to careers, whether aspirational or actual. For some, this work is a path to professionalization. As they studied, experimented, and worked to create media in the fandoms they deeply cared for, paths to professionalization began to present themselves to some fan filmmakers. For some, this strengthened their sense of identity around who they are and what kinds of content they are happiest creating. For others, however, it is “coming down from the mountain” of professional success in the world of for-hire or professional filmmaking and allowing them a respite, something easier and rewarding, outside the drudgery of paid work.

The second half of part one engages with what I will characterize as a “cycle of creativity” inherent in fan labor. Motivations to create content become more complex as fan work begins to encourage other fan work, much like how the original media inspired the initial

fan work. This cycle of creativity flows between individuals and projects, inspiring others in both positive and negative ways. My participants described the ways in which some of their own fan labor has become poached by others in ways not always appreciated, mirroring the fan poaching of media content from intellectual property owners. Further challenging the motivations of fans and their labor are the ways my participants described the policing of their borders regarding what is legitimate and illegitimate fan labor deserving of the description “fan film.” This harkens back to Jenkins’ discussion of how fans may battle on what is legitimate television character growth and what is (the unfortunately named) “character rape” in which characters display traits outside of what fans perceive as acceptable behavior (Jenkins, 1992, p.106). Some of my participants describe a modern internet landscape awash in content that at first glance may appear to be fan film work such as “fan cams” and “fan edits,” but instead this content, for reasons explained, falls short in their eyes. Their motivations to both do this work and crystallize fan films as a specific act and creation speaks to the nature of how communities define themselves.

Formative Moments: How Media Shape Their Lives

My participants elaborated on many formative media moments from their past which directly influenced their fan film work in the present. For some, this familiarity of media was borne out of their constant presence within their home growing up. One participant elaborated upon the near ubiquitousness of shows like *Star Trek* playing in their house:

I'm the sort of kid that science fiction was always in the house. To the point of, you know, people say, ‘Where's the first moment [of] *Star Trek*?’ and I have no first memory.

The participant feels that this ubiquitousness wasn't something he alone experienced, speaking (and perhaps, exaggerating) of the impact the show had across the wider media culture:

Star Trek is, you know, probably the most influential TV show ever made... It's part of this tapestry that has been going for more than many people's lives, several billion people's lives. And it's influenced other several billion to billions of people, if not more.

That expansive influence worked across multi-generations of fans within families.

Several participants spoke of how the reruns of shows like *Star Trek* would, at times, bridge the gap between themselves and their parents as both generations would consume this media content:

I remember, you know, racing home to watch *Star Trek* at like, four o'clock on Channel 24. In Memphis, in the afternoons. My parents watched some of the episodes first run, but I don't remember the first run. I remember in the afternoons.

“Genre” entertainment is an informal way to categorize film and television which adheres to the trappings of a genre's look and feel, and leans into a pre-existing audience (Landy, 1991, p.4), Aided by reruns, remakes, and other ways in which genre content is continually reintroduced into contemporary culture, this constant presence of genre media was shared by many of my participants:

I've been interested in [Batman] forever. It's basically, I like to say it like this that I've been the right age for every single Batman. So, like, when I was a kid, there were reruns of the Adam West show on TV.

Another, younger fan filmmaker, notes the influence of a remake of a franchise on their fandom:

I can remember the exact year because it was when the first live action [*Transformers*] film came out, it was back in 2007... My family had just purchased a random movie at Walmart to watch as a family on Christmas night. And it happened to be the 2007 *Transformers* film. And I remember after I watched that film, I was hooked with it, and it slowly grew from just those live action movies... because I had no idea that it was a franchise that was thirty years old.

This affinity for the media they grew up with has had a significant effect upon their identity, so much so that as the actors and crew who produced these shows have aged and begun to pass on, their deaths have greatly impacted my participants.

I watched *Batman: The Animated Series* in the 90s... That is the main event for me. And it's horrible that we're recording this just after Kevin Conroy died, and like it really affected me.... I haven't even been able to talk about it because I've had some other deaths really close to me lately... And so, it feels weird after going through that horrible trauma to be then like 'Batman died as well!'

That sense of closeness to the actor which played their chosen version of the character had a formative effect on the kind of media they enjoy and the messages that content produces. One participant spoke frequently about the voice actor Kevin Conroy and the feelings his *Batman* from *Batman: The Animated Series* produces:

You need that moment of Batman being like, 'No, I'm gonna be there for you. And I'm going to protect you. And I can crack a smile, you know, I can do these things.'

The versions of these characters and the media in which they appeared affix themselves within the participants in ways more cerebral, as in the previous quote, but also in physical ways, including through merchandise:

I've always been a Star Wars fan. I don't think that will ever change me... To this day, I am wearing a Star Wars belt buckle that I bought in 1977. The belts have changed, but the buckle is still the same one.

That they have been fans for such a long time and also have the physical artifacts to show it reveals the ways in which my participants' long history with the media has had a formative effect on them. The above quoted participants all enjoyed this media as children, take it with them through young-adult and adulthood via reruns, physical objects, and the parasocial relationship of mourning the actors of this content and wishing to further engage with it after these deaths (Radford & Bloch, 2012).

As we will also see in later sections, this media fandom isn't limited to just film and television shows. Comic books and video games also heavily influenced my participants and created formative moments which lead to their later fan film work:

I am first and foremost a gamer. [I've been] gaming since I was five, started off with fantasy star on the Sega Master System.

Nostalgia: For Their Childhoods and For Shaping What Comes Next

These formative moments lead directly into the personal nostalgia my participants feel in the present day around the media they both consume and create with. As explored in the literature review, the Boym model of restorative and reflective nostalgia (Boym, 2000) serves as an excellent frame for how these fan filmmakers approach their nostalgia and what effect it has on their work. Their nostalgia reflects their tastes and their values, both in what "kind" of work they produce -- in so much as centering a chosen version of a character from a certain media property and not other manifestations -- and in the messages and values that their chosen version conveys. As an example, I interviewed two fan filmmakers working with the Batman character from the DC comics. Each filmmaker centered their interpretation on a version of the character

from different official products. One was a fan film that was made as an explicit companion piece to the Tim Burton directed *Batman* (1989) feature film, while the other was made as a homage to the later DC Animated Universe interpretation of the character which began in 1992's *Batman: The Animated Series* and ended in *Justice League Unlimited* in 2006 (Timm, 2004). As we will see, their personal nostalgia – including their love for one particular version of a franchise or character with many iterations -- is often the determining motivator for why some of my fan filmmaker participants made the films they have made. For some, fan filmmaking fits the restorative model of nostalgia, as they are attempting to recreate what has come before other versions that later circulated:

I think it's nostalgia for my younger self experiencing it for the first time. And just nostalgia for being back in that place... I've never been able to recreate that exact feeling of watching a *Harry Potter* movie for the first time... Anything that can kind of give you that warm butterfly feeling of being like, wow, 'I love this so much!' is really cool.

The fan filmmakers I spoke to are by and large aware of this. They understand that what they create is specifically framed around their nostalgia for the media they loved as children and often accept this as a motivator for their work.

There's a reason that all my favorite films of all time, I think, were made in the same 10 year window, which, as a filmmaker, I look back on that... That says also a lot about [my] nostalgia... I remember how they made me feel at that formative age, right?

The desire to engage in restorative nostalgia, the kind which attempts to recreate the past, motivates their choice of projects but also tastes. In this quote, a fan filmmaker describes a childhood moment when he felt frustration that his Batman toy did not match the look of the film he had just saw. Later, when a friend purchased a replica Batman costume from the 1989 film, he

attempts to recreate this moment of childhood play and the nostalgia of the look of the film in his own creative efforts:

I specifically remember as a nine-year-old kid... I would sit in my bedroom floor on the carpet and play Batman. But it didn't look right to me... I grabbed a flashlight, and I put the flashlight above Batman, so it shone directly down... And now I'm like, 'there it is, that's Batman.' ... So long story short, like when I had [my friend] over here in the Batman suit for that photoshoot. First thing I did was turn the lights off, and I put a light right over his head. And it's like I'm nine years old all over again. It took me right back to sitting in my bedroom in the dark. Because Batman looks better in the dark. It was like no time had passed. Now my action figure is like six feet tall, and I'm gonna have to feed him lunch.

In another example, a fan filmmaker is motivated to make a fan film around a favorite video game from his past, but instead of a 1-to-1 recreation of the game and its plot, he considered the ways in which the story could be expanded to appease his personal nostalgia while, simultaneously, reflecting upon the values in which the game suggested:

One [fan film I'd like to make] that's clear in my mind is a *Punch Out* fan film. I've always wanted to play Little Mac [who] is one of my favorite video game characters... There's something about the little guy, you know? I've always been short. I'm five foot seven. And when I used to go to the club... the guys were all taller than me and the girls were all wearing heels. So, it's about the little guy succeeding that I always am drawn to.

Motivated by reflective nostalgia, fan filmmakers are also able to reclaim aspects of the media from the past which isn't always as universally beloved or well-regarded in comparison to other interpretations of the character:

Batman & Robin was when I was just starting to get wise and kind of a little bit like, 'Oh, this is actually not a good film. This is made just for to make toys.' Luckily, I managed to reclaim [the film] as an adult as a comedy classic.

Because he was able to reflect on this version of the character, that fan filmmaker was able to incorporate aspects of the film which, while not always popular with the larger fan community, helped motivate him to create something new from the pieces of the old:

I love *Batman Forever*, I wear it on my sleeve. That's why Two-Face glows in the dark in my film. It's a reference to the Schumaker films, I think it looks really great in animation. It's not cheesy, but it's definitely a deliberate homage. You know, because those films are valid.

This nostalgia, of course, bleeds over from his fan-film preferences into the types of depictions produced by industry sources:

One of the things that made me cry in the cinema is the bit at the end [of Matt Reeves' *Batman* (2021)] where he lights up the flare, and he starts saving people. I'm just there in the cinema about to water up [because] that's what he's supposed to do: save people. He's not just supposed to hurt people. He's supposed to save people... It was just what Batman needed at this point in history after so much sadism and death had been put into the character.

The key takeaway from this quote is that this fan filmmaker's personal nostalgia about what this interpretation "needs" to be a successful rendition of the character will factor into later motivation on the part of other fan filmmakers to either "do-it-better" or "do-it-differently" than the official interpretations.

In many ways, fan filmmakers centering their personal nostalgia as motivator to create their fan films mirrors the modern era of film and television where reboots and nostalgia is everyday box office fare (Jones, 2023). Lizardi's (2014) notion of the media induced idealized past would flow both ways as studios mine their vaults for the cherished intellectual property from within. Some of my participants even remarked upon a pseudo "fan film ethos" being present in some recent official media in the *Star Wars*, *Star Trek*, and *Ghostbusters* properties. They believed that the people who are making the official reboots and reimagining of old

properties are centering their nostalgia for the originals in the production process, whereby these reboots are “fan made” despite these people being paid employees of the intellectual property owner.

Is *Ghostbusters Afterlife* a fan film? Obviously, Jason Reitman is the son of the creator, but he was a fan of *Ghostbusters*, and he wanted to see this story told. He was in a position to get the owners of the copyright behind it. You know, some people would argue that the *Star Wars* sequels were fan films... We're in an interesting position now where a lot of the fans of these properties have moved into positions where they can control the official destination of these properties.

This nostalgia-focused media landscape is a key difference between the early 1990s, when *Textual Poachers* (1992) was published, and now. As we will later see, both fan and official production drawing upon nostalgia as a motivator for creating and recreating certain stories and themes will bring these two parties into greater conflict. Despite this, fan filmmakers gain great satisfaction from creating art which draws upon their loved, formative past.

Satisfaction: Hanging Your Art on the Fridge

The above section focused on nostalgia, which motivated some of my participants' creative efforts. But other motivations, some intertwined with nostalgia, were evident. These include the personal satisfaction for simply finishing the difficult task of making a film or the inner joy they feel in having a small connection to the media they love so much. Certainly my participants recognized that there is, potentially, monetary and notoriety gain to be had in doing this work. Yet through many of my interviews my participants overwhelmingly responded that most pursue fan films because they simply make them happy. This joy was also seen as infectious, as many of my participants discussed how fan communities online would spring up around the work they did, which provided further satisfaction. Online communities will be discussed in greater depth later in this chapter, but my participants felt that the drive to do good

work which entertained and uplifted their small fan communities was a motivator of extreme importance. In this section I will elaborate on some of the aspects of personal satisfaction that my participants elaborated on as a primary motivation, before expanding outward to discuss some of the satisfaction they gain from creating fan films for their fandom communities.

This following participant, unlike the other participants I interviewed who utilized live-action filmmaking, created an animated, hand-drawn, fifteen-minute long Batman fan. This project was thus incredibly complex and difficult due to the nature of animation as a medium, and so the satisfaction he gained from learning these skills and finishing his film after two years of production was considerable:

[My film] is weirdly, the first project of my own that I've completed in years... And so it was a huge, personal achievement for me. And it was more about doing that than it was about, you know, righting the wrongs of what Warner Brothers or... which ever director is not understanding the character... I just animated a shot of Batman beating up a goon, taking out a light and then a goon and then then punching a goon... That's the first shot I ever animated and it's in the film. And it was just this thing, like, 'if you're going to animate something, why not animate Batman?'

The online fan reaction to his animated fan film highlights some of the immense difficulty he went through in its production. Quoting these pages would reveal the fan filmmaker's identity, and therefore would be out-of-bounds per my IRB agreement, but suffice to say the reaction garnered is a testimony to the difficulty in creating the work and thus informs their above quote about simply making and finishing the film as being a personal achievement from which he gained immense satisfaction.

Other participants I spoke to elaborated on how the process itself, the physical act of making a fan film, gave them great satisfaction and motivated their work:

I love the journey watching it go from basically a single picture or a single shot to the full film. I adore that.

In the following quote, this participant elaborates on how while they were always creative, they did not “click” with the act of creating media until they began making short fan films. Creating this specific type of media which was heavily informed by their appreciation for the intellectual property is what ultimately made the difference between making something for work or study and making something from which they derived satisfaction:

I found I was never really artistic... Then I picked up a camera one day that my parents had... and I just started making these home movies with them... filming little LEGO dudes moving at one frame every five seconds... When I create something, it's like looking at a completed puzzle. When you put that last piece in, it's the same feeling as hitting export on a final shot or a film. It's so satisfying.

As they began creating this work, my participants found the contemporary internet's affordances towards communities a perfect place to share their work. While media fandom communities are by no means an unexamined topic -- indeed most of *Textual Poachers* (1992) is concerned with the groups of people who share their love of media together -- the ways in which the contemporary internet has facilitated this sharing of fan labor via video hosting sites like YouTube and social media sites like Twitter has greatly expanded the reach of this content. This will be explored further in this chapter as I address Research Question 2, but here I wish to highlight some of the ways my participants spoke about community response to their work and the motivating satisfaction they gained from it.

This participant recognized that the size of the fandom community online had a direct impact on the popularity of the work to a large audience. Larger fandoms, like *Star Wars*, can draw in more potential viewers to fan films than a smaller fandom. It is, ultimately, the scale and scope of the fan film work which mattered most to them:

Star Trek is the biggest of the fan film communities. It's not the most famous in that *Star Wars* has the bigger views because of the 'Lightsaber Fight,' but the scope of [*Star Trek* fan films] is like this [the participant held his hand parallel to his collar bone] where *Trek* is this [the participant held his hand over his head]. *Trek* probably is the biggest fan filmdom out there.

Similarly, this participant elaborated on how the community response to their fan film, a *Transformers* and *Back to the Future* crossover, was split due to the size of the two communities being so broad. Here, then, the challenge was that the two fan communities may expect certain content patterns that may be incongruous with each other, a potential hazard of the mixing of franchises. The participant derived satisfaction in hearing that these disparate communities found his work challenging and felt pride that despite this response, their viewers wanted more:

All three of our films got a great reaction. One of [them] got a mixed reaction because, as we know, the second *Back to the Future* deals with a messed up present time... We took that same concept where the character goes back to the future, and it's completely swapped over the good guys, the bad guys and vice versa. And it deals with a lot of mature themes that we've never really delved into before. It split the audience because mature themes are not what we delve into all that often. Half of the community was like, 'This really works for the setting.' And the other half was like 'that maybe that's a bit too far for us.' That was a major lesson, I had to learn that you will split your community sometime with the stories that you tell... I think got the best reaction of them [with the third film] ... By the end of the trilogy, people were saying, 'Can we have another one?'

In the following quote a pair of participants (who are creative partners producing fan films together) offer a slightly differing viewpoint in that while the community response to their work is important to them, they see that work geared towards pleasing the online community as intrinsically different from what they are trying to accomplish. Although certainly the emphasis on the word "entertainment" implies an audience orientation, they also seem to indicate that it is not the sole motivation, and this is a difference between their films and others. For them, the product matters as much/more so than appeasing a group of fans online:

The fandom isn't always the reason we do it, but the fandom does help us do it, if that makes sense. Because in our heart, we are entertainers. YouTube has really given us a good place to do this and *Star Wars* has provided an excellent vehicle to do [it]. And so, it's not like we're using any means necessary to get our [films] out there... When I see newer fandom content [geared towards the community], it doesn't feel the same. I'm not saying we're different or better than them, it just doesn't feel quite the same. We're still just trying to be entertainers at the end of the day.

These participants having a clear sense of their identity as it relates to the satisfaction gained from working in a specific fandom community leads to the next important motivating factor which fan filmmakers describe as the reasons for why they create their work. In the next section we begin to see how notions of identity, affected by the previous discussion of formative moments, nostalgia, and satisfaction, greatly motivated my participants to perform this fan labor.

Identity: Professional Amateurs

My participants did not universally share the same concept of what is and is not a “fan filmmaker” but, as befitting any facet of personal identity, described many of the same understandings which contribute to the idea of who a fan filmmaker is and what they do. In any case, my participants did see their own self-described “fan filmmaker identity” as a motivating reason for creating their work. For example, many of my participants attempted to differentiate between their fan film labor and professional labor, if they happened to work on original content.

I never wanted to get into fan films, ever. [But], all of my original ideas, original content, creative ideas, which I have a lot of for my future films, that's actually all taken a backseat because all these fan films have jumped in the way... I never wanted to be a fan film director. It goes back to my time and my energy which there's a finite amount of, and I never wanted to spend that on somebody else's IP. It didn't make sense to me. I love Batman, I love *Star Trek*. But also know when I go all in on a project, it's going to be all consuming. I think about it at night. I think about it in the morning before coffee when I wake up.

As can be seen, there's an ambivalence in this participants' reflections. His love of his media fandom seemed to override his desire to not be identified as a fan film director and to even be a distraction from their own completely original creations. Yet his love for Batman and Star Trek pulls him to make those films and that becomes "all consuming." The passion he feels for his fandom in some ways is described by him as irrational or not necessarily in his best interests ("It didn't make sense to me"). But the love seems to be the deciding force.

"Love" was also evoked by another participant, who makes clear that while their identity as a fan filmmaker runs more as hobby, and not their profession, it is an act which they tie to themselves and their personal joy explicitly:

I'm not happy doing filmmaking as a job. I'm happy doing filmmaking when I'm doing it because I want to. I've decided that my hobby is not really my career. But it's something that I identify my life as. I don't identify by what my nine-to-five job is, I identify myself with my [fan] filmmaking hobby... I love it too much [for it] to be ruined by a job working on movies.

A key takeaway from this quote is a recognition many of my participants shared, that being a fan filmmaker works better for them as a hobby. If given the chance to move into more professional, original content, they would still lean into their amateur identity or, if never given that opportunity, they would be happy with their non-professional relationship to filmmaking, as this quote indicates.

I am wishy washy about what I want to do in the future. When I was in high school taking film classes, all I wanted to do was be a big-time director and filmmaker and work with Steven Spielberg and Michael Bay and all those guys. That was my dream... But I also don't think I could do filmmaking as a career because I don't want to be obligated to make films... I'm actually very, very content with just working the usual everyday nine-to-five job, doing whatever. But, then on my free time, that's when I delve into [fan] filmmaking under my own terms, because that way I'm my own boss.

For other participants, it is not so much “professional/not professional,” but rather “serious fan/casual fan” that is the identity marker. For one participant, despite making a fan filmmaker focused on a particular media, they feared that their identity as a “casual fan” was somehow not enough:

[I’m a] bit of a fraud, don’t tell anyone. I’ve only played the first *Monkey Island*. And I played it specifically because I knew I was gonna make this [fan film]. I didn’t write it, but, that being said, I grew up playing, amongst a lot of other things, *Day of the Tentacle*. Which was also [from] Lucasfilm [Games]... So, I have a big point and click soft spot.

Describing oneself as a fraud in this way is likely hyperbolic as, again, this participant made an expensive, well-crafted fan film around a very niche video game property. That they didn’t feel deserving because they didn’t previously experience the Lucasfilm produced *Monkey Island* video game series before working with their partner to make their fan film says something of the importance my participants place on identity as a motivator for this work. In this case, although the filmmaker wasn’t a previous fan of the specific video game (*Monkey Island*), they were a big fan (their “soft spot”) of that type of adventure game (“point and click”).

These quotes speak to how specific identities as a fan filmmaker (whether best for their career or not) and a hobby (whether sufficient credentialed as a fan or not) and the respective motivations can be very individual. But a common theme across all of the above is the passion and love for these media artifacts and their need to create with them; it is a key motivation and a part of their personal identity.

As this inquiry develops, we will often see the commodification of fan labor in both explicit ways (like IPs commodifying the labor of fans who uploaded their fan films to YouTube) but also in implicit ways, like the notion that fan film labor and the identities of those

who perform this labor must inevitably evolve into a professionalized form. However, the above quoted fan filmmakers see their identities as existing outside of cycles of capitalism, unlike one participant whose work and identity are greatly influenced by notions of professionalization. In this quote, my participant discusses their work and identity in ways far closer to a professional filmmaker describing the range and capabilities of a movie studio versus the ways in which an individual, amateur fan filmmaker would talk about themselves:

At the end of the day, as [official] media gets better, you don't want to stay static. We're all staying in our lane [as fan filmmakers]. That's the most important thing. It's just the lane has expanded past the [*Star Trek*] guidelines by a large degree. But the [fan filmmakers] who [through their fan film content] are making fans of the [official] show runners are all of them, except one, really good people. Most of them 'filmmakers.' They put all their money in the crowdfunding, but it's real. It's interesting to see how far we [fan filmmakers] [can] push it.

I believe this quote to be a rich text unto itself which reveals quite a bit about the sense of identity this participant has about their identity and their work. It paints a stark difference between their notion of a fan filmmaker identity and that of the afore-quoted participants, especially as it relates to the motivation to do this work. First, this participant discusses the improvement in skills and capability they and others have as setting themselves apart from others and closer to that of the official media. They also explicitly call some of these other fan filmmakers “filmmakers” alone without the “fan” moniker, implying a difference between some people who approach this work as amateur and the more experienced people who could be considered professionals. They highlight a relationship between the official show runners of the media properties they work in and their work, implying that their fan labor has earned them “fans of distinction.” As we will see later in Research Question 3, my participants have a complex relationship with IP owners around access and endorsement of their work. This participant also highlights the risk that they and others undertake as they involve crowdfunding in their fan labor,

a method for gaining funds which falls squarely on the professional end of the fan labor spectrum. This same participant later expanded upon the difference between what they consider professional fan filmmaking and fan films which are more amateur:

I'm also a 'filmmaker.' If you throw me any fan film, I can tell you why the camera's wrong, I can tell the lighting is wrong, the sound is wrong. I can give you a list of problems, because there's going to be those problems. But you have to take that sharp edge off and say, 'but they're not filmmakers.' So, they could get that stuff, right. But they just didn't, so take that right off the edge.

This participant wasn't the only one who viewed fan filmmaker identity in an amateur/professional dichotomy. The following participant made it clear that while a person can view themselves as a "professional" fan filmmaker, what they do is still limited by the nature of this work:

I think that what [fan films] end up being is a calling card. It's a portfolio, that's basically all that [original] web series and [fan] YouTube videos are. And then occasionally, there's the unicorn of *Broad City*, or something that start's off as a web series that gets turned into a show.

This quote then highlights that while many see love as a driving force and as a key element of their identity as a filmmaker, there is still the possibility, however remote – as rare as a "unicorn" in fact -- of career advancement. For those with this motivation, fan filmmaking serves as a kind of "hope labor" (Kuehn & Corrigan, 2013) for possible future professional-media employment.

Professionalization and Motivation

As previously shown, nostalgia and love play key roles in why fan filmmakers do what they do. But for some there is also the salience of honing a craft, of learning. For this following section, I will use a definition of professionalization which emphasizes process (Swerczenski,

2021). In this frame, participants find motivation to create their work both as a process of expanding themselves and, as an end-goal, moving beyond the realm of fan or hobby labor and into the realm of the paid professional. However, that the relationship to professionalization is a complex one. Some already have professional careers. For some of them, they see fan filmmaking as a kind of escape from professional pressures/constraints, or even as a potential threat to their professional livelihoods if not kept separate.

The various ways fan filmmaking offered a path towards professionalization motivated some of my participants. For example, the work they did on their films offered experiential learning in a pseudo-educational environment (Kolb & Kolb, 2009). As befitting fan film's sometimes extralegal status, some fan filmmakers resorted to less than strictly legal methods to fulfill their goals of professionalization:

People cut their teeth on things like [Adobe] Premiere. I know a lot of people bought pirated versions and taught themselves how to use it and ended up getting decent careers. Ryan Wieber: I think he started with a version of a pirated version of Premiere before he finally taught himself how to do lightsabers and eventually ended up buying the program. And you know, now he's an Emmy winning visual effects artist and went on to work for Lucasfilm.

This participant's experience making fan films taught them musical editing skills which are often more difficult to achieve through watching the content of others. Because they were motivated to learn these skills, they personally grew in their capability, even via the informal process of fan filmmaking:

Oftentimes I worked with the beat of a song. This was around the time that [the band] My Chemical Romance came out with their 10-year anniversary of The Black Parade. And they had just released the piano [arrangement] of The Black Parade. And so I took that song and just used that. Just the constant beat of the piano: it was very easy to edit to that.

Fan filmmaking as education does not necessarily need to be something undertaken informally. In the following quote, my participant explains that he was only introduced to the concept while attending university classes:

In uni my friend Greg made a 24 fan film. And at the time, when I was in uni, I looked a bit more like Keifer Sutherland than I do now. So, he cast me as a young Jack.

These participants focus more on what they learned on the path to professionalization via fan filmmaking. But for some participants, professionalization as motivation wasn't just a goal to strive towards: it became reality. They emphasized that the fan filmmaking labor and process became analogous to what the official media creators experience. This participant spoke of the difficulties in managing a fan film which became complex and well-staffed over a long production cycle:

Our crew was probably in the range of somewhere between 30 to 50 people. And all these people are working quite hard. And I mentioned before, it will be a marathon, not a sprint. This is not a two-week concentrated burst. This is going to be a year of our lives, at least.

The participant later elaborated on some of the guilt they felt that the fan film production had begun to encroach upon his crew's lives:

There are weekly production meetings, the sets the guys are constructing. [This] literally takes time away from their families that they could be spending right now by the Christmas tree.

In this case, while my participant was motivated to do this work because it was so analogous to a professional experience, they recognized that it was not without personal costs to his crew's lives. Fan film labor which emulates or fosters a more professionalized experience is

often difficult. But since there is actual money being sent in the pursuit of this fan labor, the onus falls upon someone to “act as the professional” and ensure the project gets completed:

There were two days of shooting we spent to set to shoot the [constructed set] and within 36 hours of the shoot, three of my six crew members got COVID. Now that there's only six crew members, this was as skeleton [crew] as you can come. And that was the first time I've ever worked on a set where there was more cast than crew... So, I ended up directing, assistant-directing, gaffing, and doing the lighting all myself.

In the previous quote, the project had become so complex with a constructed shooting location, a large cast, and a dedicated timeline where work had to be accomplished before a deadline, the fan filmmaker had no choice but to undergo some professionalization in the way they met their objective. The project’s quality could not simply be compromised because it was a work of fan labor. The motivation to treat this work as a professional would, and thus reap the benefits in the final product, was a benefit to my participants. This approach to fan filmmaking naturally led to my participants making financial and content decisions well past the “friends and family with a camcorder” model of fan films that was the previous standard. In the following example, my participants speak of hiring a voice-actor who previously worked for Hasbro on the *Transformers* IP. As fan filmmakers they were motivated to put out the best form of their film as they could, and by hiring a professional known for his previous work on the IP they saw an easy way to use some of the actor’s standing to elevate their work:

He voiced an official character. We didn't want him to get in trouble with Hasbro in any way for voicing in a fan film. I had told his agent and him: what we'll do, just to be safe, we're taking a really old figure from 2007 and we're re coloring it in post-production... And we're giving it an original name so that Hasbro can't say "that's a named character and that is one of our voice actors who should not be voicing named character." He saw that and said, 'Yeah, no issue with it. It's fine.' And I remember when he sent the last recording, he said... 'please send me a link to the final cut when it's done, because I would absolutely love to watch it.' I sent him the link and he responded 'Thank you again for the opportunity. It's turned out really well.'

In this situation my participants had to navigate a system that fans are not experienced with. They knew that there was a potential for legal trouble by involving an actor who had previously worked for the IP and so they took steps to protect both themselves and their actor and made sure to involve the actor's representative while still getting what they needed for their film (and paid for, as they did pay the actor for this labor). This is a level of professionalism that fan filmmakers are showing in their work which, returning to our central thesis on how fan filmmaking has changed in recent years, is wholly different from the time of *Textual Poachers*. As we will see in chapter 5 when exploring legal issues between fan filmmakers and IPs, this evolution of fan filmmaking is not without controversy. But the key takeaway from this quote and my participant's experience was that despite this potential legal pitfall, the motivation to elevate their work to that of a professional was too great to ignore.

In the previous example, my participants would self-describe as amateur filmmakers. They do not have professional filmmaking or media content creation in their backgrounds before undertaking this work. This is not universal, however. Some of the participants I spoke to describe themselves as professional filmmakers and have the official credits to show for it. For these participants, the act of fan filmmaking was a step away from the world of original content which they were paid to produce, and into the realm of fan labor.

We were heavily involved in the commercial advertising world. We came from filmmaking and then sort of, if you want to look at it from a professional standpoint, reduced ourselves to YouTubers. It's like a little backwards in that journey... It's been interesting to see how much is relevant from what we did from the quote unquote 'pro world' and you know, what had to change about that. What we had to unlearn, you know?

For these participants, one could describe their motivations to pursue fan filmmaking as a sort of "reverse-professionalization." They had the previous experience that some of my participants may be striving towards on their path to professionalization but chose to step back into a fan labor form of content that was no longer their original work, or work-for-hire. Stepping away from professional work and into fan spaces, however, still had professional benefits they were able to achieve:

[Fan film work has] created a lot of opportunities that I don't think would have been there. And I don't think it's any secret that we sort of tuck original pieces of music into our content. Part of that is because it's a creative choice. And another part of it is because we are a band and are trying to put [our songs] out there in this [fan space]. But there's a different credibility to the [fan film] material that we have than anything that [we] have done in the industry, and that's fascinating. Sometimes there's been a little bit of a criss-cross. Sometimes there are people who know who I am in the industry and know who I am [in our fan filmmaker capacity] and they will approach me for a project for that reason. And that's interesting. It definitely has not hurt, I'll say that.

What motivated the previously quoted participants to make fan films wasn't professional gain, but it did occur. Other participants, however, were cautious about how their professional lives would be perceived if they were more closely attached to their fan-film labor.

I do kind of keep that professional personal wall up. It's also why don't use my real name directing [fan] films. I work with the government here in DC as a contractor. There's a lot of things going on that I don't necessarily always want my real name out for reasons we won't get into. But I've always felt more comfortable having that wall up between, you know, personal stuff and professional stuff.

Given that the concern was about protecting a government rather than Hollywood career, this situation is different than the typical concerns about being labeled a “fan filmmaker” by industry professionals. But there is still an element of professionalization to their motivations. They wished to keep a firewall up between their fan work and day-job. They had to make choices about the kinds of fan film content they produced, how they would be credited, and even how they wished to discuss the subject during our interview. For them, this was a process with an end-goal in mind. They wanted to do this labor but also wanted to set expected results for what the work could reward them:

I do a pretty good job of building a wall between fan filmmaking or filmmaking in general, and my profession, I feel like when I get burned out with one, I turned to the other as a relief.

Their motivations are clear, even if separating these parts of their life is tricky.

This section began discussing professionalization as a process of learning and growing beyond one’s capabilities. And so, as a final quote touching on professionalization as motivation, some of my participants spoke of the joy they witnessed in including others in their fan film work. Sharing the opportunity with less experienced individuals and seeing their skills and capability improve was a rewarding experience for my participants and motivated them to seek out these opportunities:

One guy scored some original stuff for the movie... I [had] hit him up on Instagram [and said] ‘I hope you're a Batman fan because it's going in our Batman film.’ And this guy's like young: 20s, early 20s. And he was blown away! He's like, ‘Oh my God, my music is gonna be in a Batman film!’ He didn't care it was a fan film. He was just excited to be in that world and universe and now he's posting screen shots with his name circled in the credits.

Extending an opportunity to others to work in the fan film space and help them grow in their capability became a motivation unto itself. In the next section, we will see how the act of collaboration between fan filmmakers takes explicit and implicit forms via a “cycle of creativity” where fans influence each other to improve their work creativity.

The Cycle of Creativity: A Complex Interaction Between Fan Filmmakers

Of all the previous motivating factors the “cycle of creativity” may be the most nebulous concept to explore, but my hope that its strength as a motivating factor, and indeed the importance to the major themes which answer the first research question, will become apparent. Nothing happens in a vacuum. All my participants expressed how often they felt inspired and influenced by others within their fandom and fan filmmaking communities. This “cycle of creativity” works in complex ways and describes many behaviors that my participants found motivating.

One such behavior is fan filmmakers finding inspiration from others within their fandom communities. In some instances, it’s simply a matter of seeing how others present their fan labor and trying to understand the technical prowess at work:

I started back in 2007. But I didn't start contributing as a fan filmmaker until 2013. I remember I used to go online and watch other people's fan films and be like, ‘Oh, how do they get the toys to move on their own? Like, is it some kind of magic or super expensive software?’

Other instances, though, may involve fan-creator interactions and collaborations. While not always harmonious, as we will see later when discussing online communities in greater depth, my participants described many interactions where someone reached out to them because

of their fan filmmaking labor, either to ask for advice or attempt to pitch ideas to them. For example:

[Another filmmaker] called me up and said, ‘you've kind of inspired me here [with your fan film]. I want to get back into making *Star Trek* fan films and I want you to shoot and direct it would you be interested?’... I told [him] I would not be a good guy to do the 60s [*Star Trek*] stuff, that's just not me. And he said, ‘No, no, we're jumping into the movie era, like *Wrath of Khan*. We're doing the monster maroon uniforms!’

I highlight this quote as a perfect encapsulation of the concept of the “cycle of creativity” that I wish to relay. One fan filmmaker finds inspiration in another’s fan film work, contacts them, and something entirely new gets added to the fandom as a result of collaboration.

Other inspirations and interactions may involve close friends who serve as an entry into fan labor. These familiar relations are especially useful when it comes to tricky issues like how to approach describing your work and what legal disclaimers a fan filmmaker may wish to employ:

One of my friends from high school had made fan edits of Disney movies. And she had sent me the thing that she put [in the YouTube video description], and I just copied and pasted it. And it just said, like, ‘I don't own any of this.’... I said, ‘it's for fan consumption/not for personal gain.’

This harkens back to the concepts of mentorship previously explored, but a key takeaway from this quote is how this participant found guidance to do this work from others, furthering the cycle of creativity. Later we will see that intellectual property owners, outside of the very recent addition of fan film guidelines, do not offer much in the way of guidance. It is thus incumbent on the people within the fandom to help each other out by navigating these sometimes-troubled waters. Frequently my participants spoke warmly about the contributions of others to their work:

My film had no budget. It was just me animating for two years... My girlfriend did the score. She's amazing... I said, 'Well, I want to make a short film. If I make the Batman thing, would you do the soundtrack?' And she said, 'Yeah, I'd love to do that!' I got my brother to be in the cast. I got a friend from uni to be in the cast. I got my brother's friend to be Batman. I played a role. We got a [sound recordist] just by posting about it on Instagram. And a professional [sound mixer] sent me a message saying, 'Hey, if you need help with the sound, I'll happily take a look at it.' The soundtrack is actually better than it would have been if we just released it on our own!

A key takeaway from this quote is how my participant leaned on different networks – significant others, family, school friends, friends of family, strangers responding to social-media posts -- to accomplish their fan film. For the participant, this effort paid off, greatly improving the finished product. Their film was so successful that it inspired viewers in the fandom to reach out to try and get my participant to follow-up on their film with an idea pitched by the viewer:

It's nice to see people actualizing themselves. You'll get people who will say 'I have this Batman story. And I've never thought I'd be able to do it. But then I saw [the quoted fan filmmaker] make an animation. Now, maybe [the quoted fan filmmaker] will make my thing. Oh, I'll message him!' ... It's almost the reason why people like...I'm not a celebrity... but the reason why people like celebrities. They almost feel like, 'you make something that makes me feel like I can do something. And as a result, you've inspired me!' I think the good side of that [is] you see people go and make their own things.

My fan filmmaker participant earned their own fan through the making of their film and, as a result, became a focal point for the fan labor of others. Another pair of participants similarly experienced this through their fan film work, but their experience expanded the cycle of creativity past fan film into other forms of art:

[Our fan film] overdubbed a scene in *The Mandalorian* of two bike troopers having a conversation... We were using footage from *The Mandalorian*... A drama teacher who is doing a summer course transcribed the whole thing, and then gave it to his students to do as a stage play. They built an entire set and built these beautiful 3D printed costumes [and] these speeder bikes. And they actually performed it as an onstage production... But what was so cool about it was that the students brought their own characterization to those people just from the script as you would expect any good actor, you know, who's jumping into a role to do. They weren't aping our overdub. They were doing their own [version] bringing their own nuances to those characters but, of course, working off of the script. It was amazing... And now we've got this thing that is like how many steps removed from the original thing?... And now it exists as a separate piece of video content. Like a fascinating expression of how bizarre fandom and fan filmmaking can really get.

I find this story a captivating example of the ways in which fan films can inspire creativity in others in and out of the fandom at large. My participants felt great affection for the theatre teacher and his class who transformed their transformative content based off an established intellectual property. In this case, the transformative nature of fan film created something unique while still maintaining the links to the original media intellectual property. The cycle of creativity on display is a positive example of the diffusion of culture via fan work.

However, the various ways this expression of fan work could have been blocked should not be ignored. The original IP owner could have had an issue with such a transformative piece of fan work in such a public venue. My participants could have had issues with their fan labor being adapted. Even though they are working in the fandom space, they are aware that such adaptations of fan work can and do happen and could be undesirable:

If somebody decided to do their own [version of my participant's fan film character] short, you know, [he] is a character that we created based on a *Star Wars* character. If somebody was making [this character] content that was so close to what we were doing, using the same process, the same types of overdubs, I think that we'd be like, 'This is an original character that we created, you know?' I mean, just from my own perspective, I think that we would probably have an issue with that. Especially if they were making money. If they're pulling a certain amount of financial support. And then what are they going to do next? Are they going to release a full [this character] feature film? What right do we have over that? What if that what if they decide to do something with a character that we would never write? What if that character in that iteration starts becoming the version that people know the most? There are definitely gray areas where, as the creator of something, it's not just the copyright holder in this case, it's the person who has molded that thing. Boy, it's tricky. It really is.

In this quote my participants recognized a potentially dangerous nature of the cycle of creativity.

While, as evidenced by the story of the theatre teacher, they do get motivation from this cycle and the free-flow of ideas between fans, they know that becoming popular in their fan work they may run the risk of becoming an intellectual property owner themselves, dealing with the same issues as the official media intellectual property owner, and feeling protective of their work and concepts. Kirby (2022) addresses fans poaching from other fans finding that this practice still fits within Jenkins' model of textual poaching. This situation is not hypothetical, as fans appropriating the content of others and reuploading them to their own channels and online spaces has been happening for some time. Speaking out their fan film, one of my participants shared:

I hear that there's already people in China who put [my fan film] up on a Chinese website without my permission, which is hilarious, because now I'm like the IP holder... I thought maybe I should be angry. But then I thought 'no, I'm not angry,' because my victory is people seeing the film. And I'm not saying please go out and pirate my movie, because I would like all the [YouTube] likes. And I would like all the kudos. At the same time, I'm not going to get litigious.

Another one of my participants recognized the strange position of fan filmmakers who may find their content poached:

I'm sure it's weird to see fan films about your own content. I don't know how I would feel if I saw fan film about [my fan film]. I'm sure actually I'd love it... It's one thing to do a fan film because that's like, a compliment, you know? But if someone's trying to make money off of an IP, I understand why that's really no bueno... And when someone is trying to pass something off as their own, or just copy you?

If this cycle of creativity inspires fans to help each other in the making of their films, to adapt each other's work into new forms, and finally, potentially, to profit off the movement of these ideas, what is the next logical step of this content transformation? One of my participants felt that the adoption of fan film characters (based on an original media intellectual property) turning up as an explicit feature of an official media source represented an evolution of this model:

You look at something like [the fan film] *Pink Five*, which ended up for a while becoming actual canon because Timothy Zhan was such a fan that he wrote [*Pink Five's* main character] Stacy into one of his books. Lucasfilm was like, 'we have no problem with this.'

In this example an argument could be made that the media intellectual property owner is commodifying fan labor. This will be explored in greater depth in chapter 6 as the relationship between fan filmmakers and the IP holder is addressed, but I use this example here to, again, discuss something of the motivational effect the cycle of creativity has on fan filmmakers. This participant was well aware of this specific example, the IP using a fan film character in an official media product, and viewed this situation as a positive example of the relationship between fans and IP owners. This positive example could offer him motivation to do similar work and continue this cycle of creativity.

Recapping Research Question 1: Motivating Fan Filmmakers

With these concepts explored, I believe I can now attempt to answer this first research question around what motivates fan filmmakers to create their work via some generalized themes. First, a major theme centers around media fandom being intrinsic to who these people are, and what they do. The formative moments that my participants experienced weigh heavily on why they enjoy their chosen media content and do the work they do. Their personal nostalgia, whether reflective or restorative in nature, motivates them into action. Liking media from your past is one thing; recreating it or transforming it into new things is an entirely different level of media fan. Their nostalgia for this media and their drive to take part in it leads directly to the satisfaction they gain from this act. As shown, they can describe this intensely, with “love” being a common term or concept. Whether they derive this satisfaction from their own sense of nostalgia aesthetic, a community response to what they’ve made, or to the professionalism opportunities fan work offers, making this content offers tangible benefits.

A second major theme is found via this path to or from professionalization. In some ways fan film work is a niche act within an incredibly immense community, and my participants reap benefits from this. They can be influential to a small set of people within their fandom, free of regular professional obligations around official media, and that motivates them to this work. Even as a fan filmmaker, there are some pseudo-professional practices my participants had to explore around the involvement of others in their work. Offering learning opportunities to others, extending and accepting help for complex projects, and finding ways to partake in a cycle of creativity around this work was strong motivation.

Finally, the last major theme revolves around the “cycle of creativity” my participants experience as they do their work. For them this process is rewarding. They find joy and gratification in exploring their fandom with others and the work they produce. They recognize

that this cycle could have consequences, as evidenced by the potential of their fan film interpretations being adapted or outright stolen by others but see this risk worth it for the tangible benefits of producing work in their fandoms.

“How do fan filmmakers describe their motivations to create their work” is analogous to the question that I implicitly wish to answer throughout this dissertation: “*why* do fan filmmakers do this work?” As evidenced in the previous chapter, I take for granted that my participants wish to do this work: they clearly do. But in this chapter, the breadth of their answers speaks to the many varied ways my participants find their motivations to do this work. My participants did not point to a single concept described above as “the reason” they make fan films. The closest notion to a single reason I quote at the beginning of the chapter: “I think it's a way of just making us feel like we're a part of the thing that we love.”

These three major themes -- “media fandom is intrinsic to who they are and what they do,” “for some, this work is a path to professionalization and for others, it's a step down from the mountain of professional work into something wholly different,” and “the cycle of creativity fan filmmakers experience offers tangible rewards and tangible risks” -- I believe touches on this quote. These themes and their subsequent concepts allow my participants to take part in what they love. That is their motivation. In part two of this chapter, I expand this inquiry from the realm of personal motivation into the contemporary digital landscape. Now that we've establishing something of why they are motivated to do this work, how does a contemporary internet impact them?

Chapter 5 The New Frontier

RQ2

This section deals with the second guiding research question, asking: “in what ways has the contemporary digital age with its mainstream focus on genre entertainment (*Star Wars*, *The Lord of the Rings*, *Game of Thrones*, etc), the expansive internet, and distribution affordances changed the nature and audience of their work?” To address this question, I will lay out the ways in which my participants are either carried along with or battered around by these sea changes in our technological culture. In their responses it became apparent that no one facet of our contemporary digital age fundamentally changed their work since the time of *Textual Poachers* (1992). Instead, a complex interaction between different parts of production technology, distribution opportunities, and audience interaction has greatly affected what they do. All these things, however, are increasingly affected by the algorithm on their chosen distribution platforms. Perhaps even more than guidelines handed down from the intellectual property holder or fan gatekeeping around the chosen form of some characters and stories, the algorithm is increasingly impacting their content. As we move through these sections, hearing how my participants feel about this subject in their own words, I must caution that the quickened pace of technological change may mean that many of their issues could have been exacerbated, minimized, or even wholly different from the way they describe by after this project is completed.

I center my participants’ comments around three major themes. First, the digital age has been equal parts disruptive and enhancing to fan filmmaking. These new tools and opportunities come with serious downsides with which some of my participants have absolutely struggled to grapple, including an “arms race” around new production technology. These new platforms for

distribution require serious time investment as fan filmmakers work to maintain audience interaction, search-engine-optimization responsibilities, community collaboration, and education offerings. Second, more genre entertainment means a wider audience for fan work, but opening yourself up to the masses puts the fan filmmaker into the position of a pseudo-intellectual property owner having to community-manage their viewers. While there are plenty of positive collaborations and interactions between fan filmmaker and fandom viewer, there is increasingly more gatekeeping and negative online campaigning with which the fan filmmaker must deal. Finally, the algorithm on the distribution platforms is equal parts mysterious and nakedly transparent; harsh and ineffective. At the same time, it is not necessarily all-powerful. It is the strict schoolteacher which can be tricked by the class clown. Its opaque nature means that fan filmmakers may find themselves guilty until proven innocent when dealing with IP holders which, in turn, greatly affects the content they produce. And yet some of my participants feel that this algorithmically determined content control system and content-advertising system is better than nothing. It is, in one respondent's view, ultimately easily fooled with the right know-how.

Same Craft, New Tools

In exploring these themes the guiding principle must be that of change. *Textual Poachers* (1992) is not the only work of fan studies that deals with productive fans (in our case, fan filmmakers). As mentioned in Dugan (2020), there has been plenty written about fan labor over the years since the earliest look at fan cultures by people like Jenkins (1992) and Bacon-Smith (1992) and even more is written about the recent distribution affordances offered to fan fiction writers on sites like AO3 and fanfiction.net (Kirby, 2022). But the pace of technological change my participants describe and the increasingly complicated relationship between them and the media owner progress this topic beyond where Jenkins' left the subject in the early 1990s. In that

era, fans dubbing clips of episodes tape-to-tape via analog VHS machines is more than a single generation away from our current media production landscape -- it might as well be a different century:

The very first thing I ever made... was a music video for Weird Al's *Yoda*... And I only had footage [from] *Star Wars* and *Empire*. This is so far back *Jedi* wasn't even available on video cassette yet... Back then it was really hard to do [this work] because the average person didn't have editing systems. I had to transfer the stuff from VHS to three quarter inch.

In addition to their contemporary fan film work, this participant was able to offer me some of the history of fan filmmaking from the time Jenkins was writing *Textual Poachers*. That they were limited by the material available to them for video rental (as some footage was just not out on home video tape yet) and limited to the technology they were fortunate enough to have, paints a stark contrast to the sheer mass of content and editing technology currently available to anyone with a smartphone, tablet, or computer, and internet connection. Editing from video tape, for example, was linear and analog, and required expensive and bulky equipment, and, even when accessible, could be very time intensive, including extensive advanced planning.

Comparatively, to currently working fan filmmakers, the depth of what is now available to them technologically is staggering. As explored by Pearson (2010) fans have always been on the forefront of new technologies changing the media landscape. Focusing on cameras, for example, one participant noted the following:

It's the powerful computers, it's the 4k [resolution] cameras. And the fact that a lot of 3d animated programs are also readily available for people, too... Back in the day, when 4k movies started happening and Blu-ray movies started happening, a lot of people were still filming [fan work] with little camcorders and such. But now we have the 4k cameras. [They are] tiny, but [are] 4k. And it's got that great high dynamic range. I feel as time goes on we're just going to get better and better equipment... I think just what's coming is just great movie theater quality in the hands of the average consumer.

This sentiment about changes in accessible and high-quality options was shared by many of my participants. They felt that video resolution was an excellent benchmark in which to judge the progression of video technology and fan filmmaking:

There's a level of equipment out there called prosumer, right? It's a step above consumer, but it's not Hollywood. And the prices of prosumer gear have just plummeted to the point that now you're not just out there shooting on a camcorder or even on your iPhone. You can go out and shoot a 6k high Ultra High Def Movie that's on par with a lot of what's being used in Hollywood right now.

Video resolution is on the rise for consumers and prosumers (Schulz et al., 2021) and, for relatively low cost, near-Hollywood quality is accessible to fan filmmakers. Whatever differences that do exist may also not be that significant given changing viewing contexts. The above participant felt that increased resolution alone does not do much for the average viewer who may not be sensitive enough to see this expanded detail on a small screen. In their view this should be an issue of concern for intellectual property owners:

You can go shoot a 6k fan film that to the average person is going to look exactly on par with anything that's being shot in Hollywood. And if I was Hollywood, if I was Warner Brothers and Paramount, and CBS, I would be really nervous that somebody can buy [that] \$3,000 camera. And to the average Joe on the street, who's probably going to watch the damn movie on his phone anyway, the quality that you're getting out of that you can put that next to Hollywood and say, 'You know what, this is close.' It's close and in some cases, you hear really nice people say it's better.

The flip side of this research question could ask how intellectual property owners are dealing with the same technological changes fan filmmakers are. That is a question for another time (or dissertation). What my participants do see, however, is something of the data around how their work is viewed online. Later we will explore more about the affordances of these platforms, but to preview, this participant highlights the information they were able to gather

about exactly how their fan film was being viewed, even if, to this participant, it's not doing justice to their creative efforts (that, we previously established, they do out of love):

I keep track of the YouTube stats for nerds stuff, I like looking at that stuff. [My film] we shot it in 6k, we put it out in 1080p. The vast majority of the people who have seen that movie, watch it on their phone. I hate that, I hate it. As a filmmaker, I absolutely hate it, but I accept it. I would rather they watch my movie on a phone and not watch it at all... It gets really blurry on a small screen like that, [but] a fan made production can look every bit as good as anything Hollywood's doing because the small screen can hide a lot of the little flaws.

The irony of shooting a film in a 6144 x 3160 resolution that will then be watched a small phone which can only display a fraction of that picture quality was not lost on my participant ("I hate that, I hate it"). They viewed this in realistic terms, however, as they recognized progress in some facets may mean unintended benefits in others. The smaller display resolution that can hide flaws is just one of those unintended benefits. Being able to display fan film content in many different venues is also seen as a benefit:

I feel like it just gives more power to them. You have amazing produced looking fan films that some people straight up think are Hollywood blockbusters, and I feel like just having multiple outlets to be able to share that on or view it on... It's not hurting [fan filmmaking], it's helping if anything.

Camera technology is not the only benchmark of progress in fan filmmaking that my participants feel has a strong impact upon what they do. Advances in the tools which work in conjunction with shooting their films, like drones, editing packages, and visual effects, have become cheaper, more effective, and higher quality:

[My creative partner] recently got a hold of a 4k recording drone, which is what we're going to be using for the majority of our *Top Gun* fan film. That's basically taking it to that next level that the average person can't get: those aerial shots. [Only] somebody with a whole crew and one of those cinema planes or, a helicopter can get that... I think technology that like the everyday filmmaker uses is going to become accessible to the average consumer very, very shortly.

Aerial shots have become quite popular due to the advent of low-cost, high-quality drones (Borowik et al., 2022). For the previously quoted fan filmmaker, the drone is the tool which specifically allows them to create a type of fan film (in this case, one involving lots of aerial dog-fighting shots) that would have been incredibly cost prohibitive even a decade ago (likely, for example, involving renting a crane). Other technology, including in post-production, has greatly expanded the creative reach of my participants:

The actor did such a poor job with their makeup [that] I had to fix it entirely in post using enhanced AI software to manually repair every shot. I re-color graded her face, fixed her hair, fixed the eyeliner, fixed the eye makeup. I didn't brush her hair. And compositing is key when it comes to clean hair... I had to entirely change their hair. [I had to] entirely digitally alter her neckline. It was a fucking nightmare, took over a day to fix her footage and the [camera operator] knows better. But, honestly, [it was] just something that happened. And she's in three films unfortunately. She filmed three in one go and I have to do it for everything. I'm not excited for that, because it's going to be a lot of work.

For this participant, new editing technology to completely change the look of their performer offered quite a bit of flexibility in shaping the look of the character on screen. What this participant describes, changing makeup, hair styles, and a neckline, is an incredible amount of work for a fan production. And, yet, this digital work was likely faster and less expensive than having to reshoot the actor to get a corrected look and performance. This technology is fairly new to the fan filmmaker and had previously been the domain of only the highest budget Hollywood films with money to hire experienced artists that can subtly change the camera-captured reality of a shot (Cram, 2012). This participant felt that their effort to stay abreast of new technology for use in their fan films made the difference in quality between them and other fan filmmakers. Describing another fan film they are producing which utilizes de-aging CG to expand the narrative scope of their story in an effort to follow a single character through multiple time periods in their life, they see themselves on the vanguard:

That was a new skill I learned as well: doing AI recompositing techniques, which is part of the de-aging I'm doing. That's the high-end de-aging tricks, which is a huge deal. Not used in that [last] film, but that's used in almost every other film since in one way or another. And that's a huge pioneering thing, as I'm sure you know, for fan films.

As this advanced technology becomes more adopted by fan filmmakers, some already see the potential for it to compete in the marketplace with media from official sources. Low-cost, high-quality video game engines like the suite of Unreal Engine tools allow fan filmmakers to go beyond changing the look of a shot (like the aforementioned hair and makeup examples) but into creating entirely new shots in CG which match the previously released films from the IP holder:

You can do it by yourself like the number of *Spider-Man* [fan films]. [With] the Unreal Engine movies you can make now, you can make these films that are basically 'Oh, I really wish this had happened in the [official] movie. So, I'm gonna do a version where it does happen!' and [fan filmmakers] can make that happen.

My participants expressed that though this new technology offers many possibilities, they do come with some drawbacks. One participant felt that as the quality of fan films, in an aesthetic sense, have increased, so too is the pressure put on the filmmaker to improve the quality of their work and stand-out to a fandom audience. Audiences now can be more choosy about what fan film content they support and consume:

I was number three in the lineup of crowdfunders ever in [fan film] history which wasn't so long ago. It's hard to think that way. And my crowdfunding campaign is embarrassing because it was what I could do versus what people wanted and I got super low funding. My friends and family mostly gave... [But] the fact was, I was great at the camera, good at script, I'm good at directing, but to do all the green screen, 100% green screen, and ships, those are skills I didn't really possess [beforehand]... And it took five years [after crowd funding] to finish because I kept improving my skills drastically, to the point that I would potentially finish it, scrap most of it, and restart.

Other new technologies offer support to other parts of the fan-filmmaking process but require significant literacy investments. Some of these are key to building fan support, beyond

just the pressure to increase production prowess. Community building online, whether to raise money or to generally stand-out amongst their peers, is a by-product of their craft that some of my participants feel they are unprepared for:

I'm not particularly excited in terms of what [community and distribution platforms] offers to fan film. I guess one thing that is nice is you see the stats, people spend more and more and more time on YouTube. So, I think that if you're going to be doing this kind of stuff, you really have to start leaning into community creation, which I suck at. I would probably have to hire or team up with someone who can start creating, like Discord and community and whatever. But Discord is an interesting thing. [It is] community building on new platforms that we didn't have before. So, it's not about [where] the content lives, it's where the people gather. That's what's evolved a lot in terms of technology.

Through these online communities some of my participants feel that the ability to narrowcast, or tailor their content to a select group of fans within the fandom, is a much more fruitful endeavor than trying to appeal to the widest selection of people within the larger fandom. For some fandoms, like *Star Wars* and *Star Trek* that encompass so many different media properties made over decades, attempting to appeal to everyone all the time is a troublesome act. Narrowcasting allows them to find niche, dedicated viewers. Earlier I noted the problems that can arise from trying to combine two different fan bases (with the example of Transformers and Back to the Future), but sometimes the right combination – especially with two different versions of the same franchise -- can be successfully merged with the help of digital distribution:

We can make a film that delves into, say, the [*Transformers*] *Fall of Cybertron* games, and that community will go to that film. We released a short film that kind of bridges some of the gaps between the *Fall of Cybertron* games and the prime [*Transformers* universe] because Hasbro tried to make that canon. So, we made a film to slot in between that. The prime show fans came in and the *Fall of Cybertron* game fans came in.

This narrowcasting of content represents something of an oxymoron when viewing fan films through the lens of our research question. Fan filmmaking has always been a niche act,

both in creation and viewing. The contemporary internet affords fan filmmakers the opportunity to gather a *wider* niche audience. This gives contemporary fan film viewers within these fandom communities a greater variety of content to explore:

We are in the golden age, I think, of fan film. Because the mid-levels [of film quality] are so strong. We don't need the blockbusters. But the mid-level is so good. And so many people have been brought into the mid-level that we are getting more fan films at a better quality from more teams than ever before, because the giants [who were able to raise large sums of money from fans and cast actors from the original properties] have been toppled. But, also, those that remained kept going and tech got better.

This sentiment, however, was not shared by all my participants. Some, alternatively, felt that because there are so many more people making fan film content, their quality matters little as it's much harder to stand out. In one participant's view, the availability of different distribution platforms can be a burden since there is no centralized hub for the curation of fan films nor a dedicated community within the fandom itself dedicated to their promotion:

Unless you're gonna see somebody using, like a preexisting celebrity using their platform to help promote their own or to help somebody sell a fan film, I don't think you're gonna see [huge] fan films [anymore]. I mean, I could be wrong, but you know, I think the glory days of fan films were the early 2000s. Because they were centralized. There was really one or two locations to go back then.

Despite this difficulty in standing out, some fan filmmakers have leaned into the technological change available to them. This participant describes the ways in which they narrow cast their content to a certain group within the fandom through consistent work and by utilizing a signature style only available to them through new digital editing techniques:

Today you make a fan film and odds are it might not really get noticed because there's just so much in front of it, you kind of have to climb up. And it's a lot harder to start today than it was back then. But, at the same time, you have a lot of tools to use today... You cannot go in expecting to create a one hit wonder and suddenly be known. And, I feel like it's harder to stand out more because almost every style has been done. A lot of people do stop motion, people do green screen... So, for us to stand out, we went with the nonstop motion style where it looks live action. We use real sets, real rain, and snow and I make effects and that helped us stand out. You have to find that uniqueness. So, I don't think the glory days are over. But I do agree that it's harder to stand out today, despite the fact that we have all this equipment to use.

In this way new production technology and distribution platforms promise much while still offering challenges. These tools democratize in that they offer everyone who wishes to produce a fan film the opportunity, but the drawback is found in the loss of “specialness” around this work. Sophisticated looking fan films are no longer inherently special.

The Fandom Talks Back

With some of ways that the contemporary digital age has changed how fan filmmakers produce their work through new technological innovation, and some of the difficulties involved in standing out with that work to a wider fandom audience online, we can move into how the affordances of the contemporary internet have changed what fan filmmakers hear about their work. Previously, much of fan film work was made for private, personal viewing or within small fandom-oriented groups (Young, 2008). The previous participants quoted have lamented that lacking a centralized hub for this content can make it difficult to stand out. And yet, many of my participants highlighted the increased audience interaction their work receives as well as some of the broader cultural shifts around media fandom within the past decade. This section will continue discussing the technological changes that my participants have experienced when considering their audience. The perspective broadens outward later in this chapter to look at

larger issues of online culture and community around fan filmmaking from a more expansive vantage.

To begin, most of my participants are happy with any feedback they receive on these video distribution platforms. Platforms like YouTube offer features to track how many views they get which sometimes may disappoint them, but they are often pleased with any attention:

I'm very happy with the feedback, the positive remarks. All that stuff is really really, really fun. I wish it had a lot more views. But what are you going to do? It's not dead yet, but still.

For the previously quoted fan filmmaker, the positive attention they received had an uplifting effect. Many of my participants spoke of the self-esteem boost they received from viewers via the positive comments, as well as their work improving despite also receiving some negative, hyperbolic feedback:

It feels great to release a project. And you get those comments that say 'this was great,' 'that was amazing,' or 'this was the worst thing in the world, quit filmmaking forever.' You're gonna get all those comments, but it's part of the journey. It's part of how you grow and I don't think our style would have grown as much as it did without the feedback of the of the community.

Not all feedback was negative. Positive feedback is often offered for which my participants valued highly:

I often say also that we have the best fans in the world. I know people will say something like that, and it's kind of flippant, but I really believe it. Our fans are so supportive, and they really love what we do. And we respect our fans, we respect their intelligence, we respect their feedback. We respect the way that they engage with us.

For some, hearing the feedback from fans via these platforms was a critical part of their creative process:

Creating the film and watching it go from just a bunch of figures in front of a camera to an actual quote unquote 'motion picture,' whatever you want to call it, and having it be complete with voices, music, sound... to see it all come together is such a satisfying feeling just as the creator. But to be able to see everyone else's reactions by uploading it on YouTube, seeing comments, likes, all of these people supporting you... It adds to it.

Other participants, however, felt a certain amount of caginess around whether to publicize their film and engage at all with viewers:

I actually didn't want to tell anyone I'd made [my fan film]. It was my girlfriend that convinced me. She said you need to get on Instagram right now and tell people that the film's coming because otherwise no one will be waiting for it. And I'm such a self-deprecating Englishman, I [said] 'I'm going to make it. I'm going to put it on YouTube. And I'm just going to leave it. And if people like it, they'll find it.' My girlfriend was like, 'what are you talking about? You want as many people as possible, because you want people to see your film!' And I [said] 'no, no, no because if I do that, then I'm just another person trying to suck everyone dry!' She was like '[participant's name], for fuck's sake!'

Some participants saw this feedback as being tailored specifically to them and equaling their own passions for the project. That what their viewers said in the comments was hyper-niche to their fan film and to the kind of person who would watch their movie:

But a lot of the people who have seen our film, get it, you know? They get it; the people who really get it, really get it. So, I love all those comments.

Again, I highlight the previously explored concept of narrowcasting of media content. The viewers this participant is speaking about are, in their view, as tailor made for their fan film as, potentially, the fan film was tailor made for them. The nostalgia that my fan filmmakers have for their chosen media is also apparent in the choice of content that viewers of these fan films have. My participants recognized that, through the affordances of the modern internet, these nostalgic fans can seek out fan films which appeal to them much easier:

You can make a lot of money with people's love for nostalgia. Check out the comments [on my film]. Like, it blows me away. Every time I read through the comments it's like some guys [saying] 'oh my god, I've waited for a movie like this for 30 years.' And 'this takes me right back to the first time I saw *Batman* in the theater in 1989.' I had one guy say 'the opening score just gave me chills!' I feed off that stuff, man, because it's like, that was the point, you know?

Nostalgia for fan film content may have something of an effect on what the intellectual property owners choose to emphasize in new offerings. One of my participants felt that fan films which put viewer personal nostalgia front-and-center may offer intellectual property owners something akin to free market research via the types of fan films uploaded and the comments posted about them. For them this is a distinct possibility, not necessarily an already occurring event:

I'm not saying that we're going to affect the stories, but I think people think, you know, companies like Warner Brothers do keep an eye on what people are talking about. And if 5 million people liked my [fan] film, maybe they'd end up making a film that's slightly like my film. But I don't think that's going to happen. Partly because they've they're not completely bereft of ideas.

The previously quoted participant felt that fan discourse around media properties posted on fan film content may not move the needle concerning the intellectual property owner. Another participant, alternatively, thinks that these spaces may have a positive effect on the discourse overall, and that the affordances of this contemporary internet may help fans reevaluate unpopular work faster than before:

One of the biggest cognitive distortions is using words like 'always,' and 'never,' so then it becomes Disney will never understand *Star Wars*. They'll never make good *Star Wars*, because they don't listen to the fans. 'They're not us. We know, [and] they don't.' I think it's unhealthy. I think it's not the right way to look at it. The right way to look at it is George Lucas made three prequels that the world universally hated. And now everybody loves them. Like, how cool is that? That's a fucking democracy, man, that's living in the world.

This same participant later expanded on this comment saying:

All you have to do is wait 20 years. They announced at Comic-Con that Hayden Christiansen is coming back to play Darth Vader and everyone in fandom goes nuts. 'Finally, finally, Hayden Christensen has returned to the role that he made a legend, the best Darth Vader ever!' But you know [I] kind of feel like maybe we don't know what we what? Maybe we really don't? All you gotta do is wait. You just wait 20 years. It's almost like everyone's so premature in coming up with their hot take.

I highlight these two quotes because I believe they challenge the previous notion that fan work could be observed by the intellectual property owner who then could adjust their content accordingly. In some ways, we cannot know whether this is happening or not without explicit statements from the production teams involved in these official media offerings. In chapter 5 we will explore more of the fan filmmaker's relationship to the IP. But including these comments here returns us to the second research question about the ways in which the contemporary internet's focus on genre entertainment and affordances have changed the nature of fan work. I believe it can be inferred from the previous quotes that my participants feel the potential is there for the ways their work is spoken about online in comments and viewership to have an effect on this official media, but they seem unsure of the reality of it happening.

Collectively, these quotes seem to offer differing views on what the discursive nature of online platforms like YouTube can offer. For some of my participants, the feedback was more than welcome. It greatly impacted their future work. For others, they seem to prefer an older version of the fan film release model where once the film is out to a certain group, its lifespan has run its course. Neither approach can definitely be said to typify how fan filmmakers view these online platforms. What all of my participants have expressed in this section, however, shows some of the uncertainty around the efficacy of discourse on these platforms. In many ways, their uncertainty may be related to a certain amount of ambiguity on how to use these platform's affordances effectively to carry out their fan labor.

Specialists No More: The New Fan Labor

A consistent issue my participants expressed to me concerning the contemporary internet and how their work is to be viewed, shared, and commented upon was an uncertainty around using platforms like YouTube and other social media as effectively as possible. By and large my participants were aware that, under the right circumstances, their fan films could become quite popular and, unlike the recent past, these platforms offered some measure of certainty of impact as measured in view count:

I'm [as a creator] too small. I haven't even got a million views. You know, a lot of people like [my] film, but it's actually quite low on the view count. It's like 40,000 or something. My YouTube channel didn't even exist a week before the film dropped and now has 1000s of views. So, in that way, it's like the most amazing thing I've ever done. But then you'll also see comments that say 'needs more views!' and 'Well, this should have like 10 million views.'

My participants are also aware that their film's view count can be heavily affected by the fandom-centric content they produce when compared to an independent filmmaker's content that is an original idea:

The difference between a fan film and an average [original] film is that... you have an inbuilt audience: you can get 10k [views] in a week. You can also be an original [content filmmaker] and you will not get 10k ever potentially.

This view count data represents some measure of certainty to my participants, while other metrics (like the viewer comments and feedback explored in the previous section) may be more ephemeral. In the following example, one participant felt that their view count directly correlated with garnering access between the intellectual property owner and themselves:

I'm satisfied with [the views I get]. And 10k views is fine by me because I've got 500,000 view videos. [My] views aren't great compared to other YouTubers, but I know the showrunner of *Star Trek: Lower Decks* watches us, I know the show runner of *Star Trek: Picard* watches us.

Access to the intellectual property holder will be explored further in chapter 5 when discussing the contemporary complex relationship between fan filmmaker and property holder. But I believe this quote speaks to some measure of certainty around the affordances of these platforms that my participant was able to utilize. Not all my participants were able to parlay view count into access. This participant attempted to reach out to the original creator of their fandom but with no success:

I tagged them... Who did I tag? I tagged three of them [and nothing].

Other participants spoke to a certain amount of anxiety regarding how to best use these platforms. In the following quote, this participant expressed some frustration about the lengths they went to try and share their content:

And the fact that I [had to use] like, 12 hashtags in order to get people to pay attention to it. But you know, whatever. Neither here nor there.

The final quote of substance that I include in this section refers to the strategy one participant employed around debuting their fan film to a wider audience via the affordances of Instagram and then, later, YouTube:

I started doing social media on Instagram, and that's how I started connecting with the fandom. I just went on Instagram and we just dropped a 10 second trailer. And suddenly people were paying attention. And then we dropped a 'week before trailer' and a 'day before trailer,' and each one was 10 seconds. And it didn't give away any of the spoilers, but it had little teasers in it... And by the time we got came to the premiere, there was a good 100 people who were watching it live because they'd heard about it on Instagram... And they're like the first comments. And they're just like, 'oh my god, I was waiting for this, and it was great.'

Taken together I believe all these quotes reveal a bit of unpreparedness on the part of my participants for how to successfully navigate the affordances of these platforms. Understanding view count statistics, comments, and social media strategies are not skills traditionally associated

with fan filmmaking, or the nuts-and-bolts practice of filmmaking in general. Fan filmmakers, however, are left to navigate these systems in this contemporary digital age because these are important aspects of fan filmmaking which cannot be ignored. View counts, as shown in one of the previous quotes, can potentially garner access to intellectual property holders.

Despite this unpreparedness, my participants saw many benefits in utilizing these platforms for practices outside of the presentation and sharing of their content. Several of them recognized the educational benefits of sites like YouTube to help fan filmmakers find their way into this practice:

Five years from now there will be just as many tutorials on YouTube to help 17 year olds learn the software to de-age people. That's here now, you can go to YouTube and learn how to do all that. It's a matter of time before that technology is just really out there for anybody. In that respect, if I was CBS, Paramount, Warner Brothers, the big studios, that's what I would really be nervous about.

Learning how to accomplish this work via the platforms also goes hand-in-hand with utilizing these platforms to collaborate with others who are not geographically located near the fan filmmaker. This is certainly a change from how fan-film labor was practiced before the contemporary internet, but now with high-volume file-sharing services, digital materials can be spread across the globe:

I've been working with another close friend of mine who delves more into actual 3d animating. We've been going through the test phases of: I'll animate something in the style of stop motion animation and then I'll have him translate it to 3d animation. And that way, we're both crafting our animation skills. I'll work on the physicality aspect of the stop motion: physical movements that look real and fluid. And then I'll watch him translate that into an animation. And then I'll have to say, 'well, what should I improve on?' And then he'll have his 3d animation. And he'll ask himself, 'what does he improve on?' It's a learning thing for the both of us.

This filmmaker is learning and collaborating with a partner not physically located anywhere near them. In fact, they frequently collaborate with a partner not even in their home country. All of this is possible via the digital affordances of the contemporary internet. To offer a historical comparison, the following fan filmmaker describes a situation where they and another fan filmmaker made almost identical fan films on either side of the country in roughly the same time period, with both completely unaware of what each other had produced until later:

Back in 1989, I did a thing called *The Empire Strikes Quack*, which is the audio of *Duck Dodgers in the 24th and a Half Century* completely lip sync to *Star Wars* footage. And, in a strange coincidence, [a] person who is now one of my friends on the other side of the country... also did a video called *The Empire Strikes Quack*. Which is the audio of *Duck Dodgers in the 24th and a Half Century*. So, you're gonna have *Star Wars* footage. You look at the two of them, you can tell neither one of us ever saw the other's [fan film]. They're completely different in how they were put together, but it's just the same basic idea. He did his first by maybe like a couple of months.

It is not a guarantee that the hyper-niche nature of fandom spaces on the contemporary internet would have allowed my previously quoted participant and their friend to find each other before they both spent time making similar fan films. These spaces, however, can appeal to fan filmmakers who are attempting to home in on a specific sub-group of a larger fandom. In the previous section some participants lamented that the internet had grown too large for fan filmmakers to find an audience, but in the situation described in the following quote, these niche spaces can become so targeted that they appeal to the exact type of fan that a fan film could be geared towards:

I think the one [fan group I am in] that's most active is a Facebook group called something like 'Michael Keaton is the Best Batman.' It's not just like a big Batman group, it is very specific to the Michael Keaton films and it's still huge. Even the people who just like this one little sub-genre of Batman are still probably 20,000 people or something.

Returning to our guiding research question for this part of the chapter, the contemporary internet offers much in the way of change when regarding fan filmmaking. But as seen in the previous quote and in the following section, because genre entertainment has become such a focus of intellectual property owners, this focus has allowed groups online to flourish in their niche tastes. My fan filmmaking participants, however, grapple with this content's popularity as they perform their labor.

Genre Popularity: Upsides and Downsides

This section unpacks how my participants feel and operate in a communal digital space that is far, far more focused on genre media than popular culture was even two decades ago. The success of genre franchises like the Marvel Cinematic Universe, *Star Trek*, and *Star Wars* in television and box office sales and viewership speaks to how ubiquitous these offerings have become, compared to the previously quoted *New Yorker* article which characterized *Star Trek* fans in the 1980s as “kooks” (Leershen, 1986). To paraphrase Landy (1991, p.4), a genre film is defined by its purpose of fitting into specific aesthetics and appealing to pre-existing audiences. In recent decades, film franchises like *Star Wars* and the Marvel Cinematic Universe are well-represented on modern internet platforms (Shefrin, 2007). For my participants, however, while more genre entertainment means a wider audience for their fan film work, they find that opening themselves up creatively to the masses puts them into an often-difficult position. This is not a wholly negative experience, as some participants point to very positive interactions between them and the larger community, even rising to the level of collaboration. But, unfortunately, because of their visibility, fan filmmakers are often faced with dealing with toxic fans, with people attempting to police the borders of the fandom concerning their content, and, in some of the worst situations, having to grapple with online harassment campaigns.

In general, my participants articulated a measure of hostility within these genre fandoms. Some of it they ascribed to general issues within the larger culture that manifests through a person's fandom affiliation. Some genres are associated more with a specific gender than others. An easily highlightable extreme would be the perceived masculinity surrounding professional wrestling and its fandom (Ford, 2017). Alternatively, romance fiction fandom is generally heavily feminine coded (Roach, 2014). What the following participants will express, however, is how some within these fandoms will bring problematic preconceived notions around gender into their discourse around fandom and fan film, an issue in many fandoms. As an example, Hunting and Hains (2019) article on male sexism present within the *My Little Pony: Friendship is Magic* showed the ways fans can bring their problematic notions about gender along with them into their fandoms, even if the fandom is coded in a way which does not match their demographic. The following quote is quite extensive, but for full effect I wanted to include as much of this participant's personal story as possible. He describes originally being the kind of angry person my participants feel is all-too-common online in fan spaces. But, through hard work on himself, he has overcome these issues. My goal in the retelling of this full story is to set the stage for the type of person online that my fan filmmaking participants are often interacting with:

I went through a large period of being very angry when I was in my mid 20s... a lot of personal problems. Body issues, things like that. And, I was deathly shy around women. I was like 'this close' to becoming a toxic men's right's activist douchebag... I went through a long period of being quite bitter and resentful. And whenever anyone asked me, I would never be aggressive, but I would say, 'it's not fair.' Like 'nothing good ever happens to me,' all this kind of stuff. And it took me years to realize, when I was about 28, 'oh, you have depression, you need to go and get a medication for it. And go through some cognitive behavior therapy, maybe even psychosexual counseling.' But I was so angry and I remember having a screaming match with my twin brother. [I was] a bit drunk, and we're standing in St. Giles, in Oxford, and we're waiting for a taxi. And I've had a bit too much to drink and I just start yelling, and I'm yelling so much that a cyclist told me to shut up as he was coming by...

And at one point, my brother had this genius moment where he just said to me, 'what do you want? Just what do you want? Like, quickly? Just what do you want? Say it? What do you want?' And I blurted out, 'I want someone to blame. I want someone whose fault it is'. And [he] said 'there's no one. There's no one. It's not even you, not even. There's nobody, you can't even blame yourself. There's literally nobody to blame. You're just angry.' That was genuinely a watershed moment in my life when I just let go of things. And I think that the problem is, there's a real propensity in fandom, especially male fandom to slip into this angry young man syndrome where, 'oh, God, all I know is that I'm really angry. I'm just so angry. What do I do? Why am I'm so angry? What do I do? Oh, what's the reason?' And they go, they go online, and someone on the internet goes 'oh, it's women. Women are the reason. Brie Larson is the reason that you're so angry. *She-Hulk* is the reason that you're so angry. A black woman in *Star Wars* is the reason you're so angry.' But that's not why.

This story clearly represented an important moment in my participant's understanding of himself and, later, the kind of fan film work that he will create to address these issues within his chosen fandom. The kind of person he identifies was often discussed by my participants. Some fandoms, unfortunately, have been consumed by the misogynist toxicity of only a small portion of their fan base, which deteriorates the fan experience for the entire community (Bryan & Clark, 2019). As a response, some fan filmmakers guard themselves from letting overly negative/demoralizing sentiments from their fans affect their work:

[Our work is] a way to sort of humorously or positively engage with the content. We can be a part of it and still have something to say about it, but still being entertaining about it. I think that's one of our ongoing things, maybe not our primary goal, but just something that we always try to focus on. We're like, 'okay, we have something to say with this particular scene. How do we say it but not be mean about it? I guess something what we tend to observe with a lot of critique and fan filmmaking is just pure vitriol. You know, like, 'we hate what they did with this! We don't like the people that made it!' It's just that we don't feel that way in general. So, we just try to we try not to let those feelings come up, or like even accidentally creep into what we're doing.

This participant recognized that how their viewers discuss the fan film content they produce could later have an effect on what they make next. In this case, collaboration between fan viewer and fan filmmaker is not sought if it is feedback of a toxic nature. The nature of the

internet may be amplifying this toxicity in a broad sense, but for my fan filmmaker participants this is already reality:

Not to get overly political and stuff but I think a large problem with society these days is a kind of, and I'm wary of using too many kinds of buzzwords, but there's this whole kind of toxic masculinity thing. I think that there's a real feeling that men can't be vulnerable, and men can't be compassionate, you know?

To be clear, my participants did not only have negative things to report about their respective fandom communities. As discussed in a previous section, fan film viewer comments and community were a motivating factor for them to do this work. Some specifically pointed to the toxic comments occasionally being addressed and challenged by other fans. In the following quote, a participant had relayed some of the negative comments they received on their fan film about a moment in a fight scene being unrealistic compared to the source material, and the community response that comment received:

But then you get other people jumping to my defense being like 'actually, Two-Face was trained by Deathstroke and Batman in the comics!' My girlfriend would make fun of me, because every time someone would do that negative feedback, I would wanna write them an essay about why it actually does work...

In this situation, my participant did not have to write a response to the viewer who left the negative comment thanks to their community's defense. This defense is greatly appreciated by my participants:

I find a film that you share with the community can be only as strong as those who support it... So, when we release a film, I read through every single comment, because I love hearing the feedback, and we'll get some constructive criticism, some that we'll agree with, and some that we won't.

Not all of my participants feel comfortable, though, with anything resembling a close relationship with their audience. While receiving a defense by the community against toxic

comments was welcome, some felt a certain amount of distance between them and the audience was more preferable:

I think one of the good things about about fan films is it's kind of anonymous, you kind of just get to do it... I saw a couple of reactions to my film, and people will be like, 'who the hell is [this fan filmmaker]? Like, who the fuck is this guy?' And it made me feel really special. Like I had this mystique. I don't exist on the internet... As a result, I get to just be this guy who made this film, and they'll be like, 'oh, that guy, I like his Batman film,' but they don't know me. You know, it's scary to be known by people.

This relationship between fan filmmaker and viewer, whether one of mutual appreciation through work and community-response policing, is not without its difficulties. As these fan film projects become larger and more elaborate, so too does the difficulty increase between viewer and fan filmmaker. In this next quote, my participant explains something of the complex relationship they feel they have between themselves and their viewers. They are grateful for their attention and support, of course, but recognize that as their work has become more expensive to produce, expectations begin to creep in on how both parties should act:

If you if you start to toy with people's expectations, and it comes down to some type of monetary hold up somewhere, that's always grim... We know, as creators, the amount of work that we do is not right now really proportional to what we get in support, meaning we put in more work into our projects than we ever could get in support... We love the people who support us, they're incredible, and they do help us keep going. But the amount of work that we put into our projects is insane. We're working what amounts to a full-time job on these YouTube videos, and we are not getting support or ad revenue that in any way even comes close to that being manageable. But, still, we feel beholden to those people. We want to impress those people we want to give as much as we can, so that the people that are supporting us, you know, see that work. Well, they sense it and see it... It's complicated.

These participants recognized the complicated nature of what they are doing, as it relates to their community of viewers. Unpacking this issue relates directly to the research question under discussion, that of how the internet has changed the nature of fan filmmaking work. My

participants, as described and quoted above, find themselves in the position of a pseudo-IP owner. They are managing expectations and reputations between themselves and their viewers in ways that individuals making fan films decades ago were not. Later we will see this complexity balloon outward as we delve into the contemporary relationship between the fan filmmaker, their viewers, and the media intellectual property owner in chapter 5.

Acting as a pseudo-IP while attempting to moderate within their communities, my fan filmmaking participants elaborated on issues around fans attempting to police the borders of the fandom as gatekeepers to the exclusion of others, on online campaigns that often skewed toxic, and the various responses they have had to employ to grapple with these issues. As members of their respective fandoms, performing time-consuming and expensive fan labor, I believe their perceptions on the issue of toxic fandom to be nuanced and sensitive. Through their work, they are in the prime positions to experience different facets of this issue. For example, the following quote speaks to some of the ways that my participant felt constricted by how the larger fandom community online may react to the choices they have made in producing their fan film:

My fear of backlash affected what I did, you know, and that's almost a kind of a little microcosm of the type of decisions you see, writ large, in multibillion dollar productions now. Everyone loves this character. So, this character has to do this at this time. Whereas it doesn't really suit the plot, and it's shoehorned in, and you know, but we're afraid that if we don't do it, people are going to be angry. Then people are angry, but regardless, you know, because you kind of can't stop people from being angry at whatever decision you've made.

The previously quoted participant saw themselves in the same situation as the media intellectual property owner. It was not lost on them that some groups within the fandom will try and center certain texts over others:

I like *The Batman*, I loved it. I'm so easy to please when it comes to Batman, you know what I mean? I could watch just about any version of Batman and I will probably be okay with it... I didn't dislike Ben Affleck [as Batman]. In fact, I think he and Gal Gadot, ironically, are the best thing in [*Batman v. Superman: Dawn of Justice*], especially after they both got so much outrage about them being cast. And now all the fans are like 'bring back Ben Affleck and Gal Gadot, they're the greatest!' It shows just how fickle the fandom can be.

Centering certain texts can, unfortunately, cause strife within fandom as people push against each other around which version of a character or interpretation is the 'correct' one for fan labor:

[*Star Trek: Discovery*] was bad for the fandom in general, in the broadest sense of the word, right? It's like, in a broader sense, *The Last Jedi* was bad for the *Star Wars* fandom. Because it shattered them in a way it's never been done before, and it's not going to heal for a long time.

One of my participants specifically pushed back about an online fandom's centering of certain texts. In their view, the tastes of others should not define the work they produce, even if these tastes center around an unpopular interpretation of the character or property. Their personal nostalgia (as explored earlier in this chapter) far outweighs the community's preferences:

Batman Forever comes out and I'm just the right age for it. People find this a bit weird when I say this, but I actually fucking love *Batman Forever*. It's one of my favorites. I was basically just on the edge of becoming a teenager and Nicole Kidman was the first time I'd seen like a sexy woman in a film. And it was it wasn't, you know, cruelly made [or] bad that she was sexy. It wasn't a slut-shaming version of a fem fatale. She was kind of vampish and cool and a doctor and so in a way that was like a big moment in my development as a teenager.

I include this quote as this dissertation will only barely scratch the surface when it comes to gender issues around fan films (Markman, 2005). As mentioned in the methodology section, I was only able to find one woman who would speak about their fan film work. And while the further research section of the conclusion will take a brief look in this direction, the toxic, male-centric fandom community is a topic worth more study. My one fan filmmaker who identifies as

a woman only offered a few statements about operating within a primarily male fan filmmaking space:

But growing up, I think it was always the people who I knew that were very vocal about being [genre media] fans like that were men. And the women, I feel were more quiet about being fans about something like that. Because they were always like, 'well, that's weird.' You know what I mean, to be like 'I'm a super big *Star Wars* fan!' because I was a big *Star Wars* fan.

This participant felt that women were more likely to keep their genre media fandom a secret. This parallels Orme's (2016) examination of female comic book fans and the propensity of women rendering themselves invisible as fans out of fear of stigmatization. They followed up this statement by addressing how often they encountered other women performing fan labor:

I feel like women were more judged for [making fan work] than men were when it came to fan films. And I think [with] fan edits, it is a way for women to do this creativity without necessarily you know, being like, 'I'm a woman, look at what I'm doing.'

For some participants, how women were treated in and out of the fandom was a primary concern when it comes to the changed nature of the internet. One participant commented on the larger fan response to a divisive official media product, and the ways in which the contemporary internet may amplify toxic behavior (Lopez et al., 2016). Again, as someone operating in the fan space to perform their labor, this participant, and others like them, are situated perfectly to see these conversations play out:

Most people in fandoms become a community and then people will repeat themselves so often that things become true, quote, unquote. You know, ‘*The Last Jedi* was bad.’ ‘The character of Rose in *The Last Jedi* was a terrible!’ First, she’s wonderful in the film, and really beautiful. Her smile lights up the screen. [But] that’s not even the point because you shouldn’t watch a film and just want to [have sex with] the female character. That’s not what a film is supposed to be... But people say these things so often they just assume that everyone else agrees with them that it’s true. It’s like an echo chamber, where ‘everyone I know thinks that Zack Snyder’s a legend,’ and that ‘Warner Brothers is the devil.’ And ‘everyone I know believes that changing the race of this character is political correctness gone bad.’

By definition a fan is someone who is “fanatical” about their chosen topic, whether sports, media, or object (Jenkins, 1992, p.12). That my participants must deal with intense media fans who are amplified by the contemporary internet is no surprise, but the lengths some of these intense, toxic media fans will go to campaign for their chosen issue can be startling. In some cases, it’s only a minor dispute:

At one point, I had made a fake trailer and people thought it was real. And it got a lot of hits very quickly. And then people were upset because it was fake, even though it says ‘fan edit’ on it.

In this situation, the negative comments, while annoying for the participant, were minor and others in their viewer community came to their defense. In other situations, however, toxic fans campaigning can be far harder to grapple with:

Batman fans are said to be like the scariest. They’re the ones who do a campaign against you, you know, like the ‘Release the Snyder Cut’ [campaign]. They’re quite a threatening bunch. And not only are they opinionated, they’re opinionated within themselves... ‘Oh, I like this.’ ‘I like that.’ ‘This guy’s the best Batman,’ ‘who’s the best Batman?’ It’s just people going to war with each other. So, in a way, it’s kind of a stupid fan film to make, because surely no one would be happy with it.

In the previous quote, the spectre of the Release the Snyder Cut Twitter campaign left an impression on my participant who felt a measure of apprehension on producing work in the

Batman fandom (Fallon, 2021). This threat of this campaigning against them even made it into their finished fan film:

I had this dilemma... as we got closer and closer to the film released, I started getting nervous, because I thought someone on the internet is gonna say 'you can't sneak up on Batman.' Like 'it's physically impossible. He's a ninja, you can't sneak up on him.' And suddenly I had this, this nightmare of like message after message of angry people. So, what I did was I went in, and I made it so that Batman is in the shadows, you see his head move and turn towards the door, then the light turns on. Batman hears the guy coming, looks at him, then the light turns on. Batman knew the guy was coming about a half second before he arrived, just so that no one could say 'that you can't sneak up [on him] ... But it genuinely affected the way I [did it]. It was almost like I was a studio, it actually affected the story.

For this participant the specter of fan backlash, even over a minor plot detail, is amplified by the mass of genre media fans now found on the contemporary internet. This is not to suggest that fan film work twenty years ago did not garner controversy, but the potential for incident has grown just as large as the potential audience for these fan works. Angry fans redirecting their ire towards the media intellectual property owners also may directly affect how the IP owner interacts with their fan communities:

Once [*Star Trek*:] *Discovery* hit, and the fan backlash started, the reasonable fan backlash, CBS closed down its borders, they were not as friendly. Because they were getting hit I would say by 65%, to 71, disliking *Discovery*... And so they became far more in a bubble... so defensive. I met [a member of the *Star Trek* production team] a year later, and he was shorter with me. Didn't want to talk much, not in a mean way by any means, just not interested in dealing with the fans in the same way.

This quote highlights this precariousness fan filmmakers find themselves in because of the larger community's behavior. By definition fan filmmakers are members of the fandom community, and if that community acts in a way contrary to how the IP holder wishes, the tenuous connections between the fan filmmaker and IP owner can be severed. The actions of others online add to the labors my participants feel when trying to work in the fan-film space:

How terrible would it be? If somebody else out there in the world does something you know, to upset CBS/Paramount, and then maybe at the 18-month mark of our production, CBS/Paramount goes back out and says 'hey, guess what? We're cracking down on fan films again, shut them down. We'll revisit this five years from now or whatever.' Now, that would be a colossal chunk of my life, of my creative energy. It's not all about me, it's all those other people. But that would be such a huge chunk of life that I won't get back.

Some of my participants recognized that the intellectual property owner is in a difficult position when dealing with the toxicity of fan communities. The aforementioned fan-film guidelines CBS/Paramount put forth concerning *Star Trek* fan films only address the issue of fan film labor, and not the various ways that fandom communities could behave poorly, including the ways in which that fans could stoke outrage about social or political issues. In this quote, my participant discussed the at-times over-the-top defense of *Axanar* producer Alec Peters, characterizing his support as another front of modern culture wars and the Gamergate movement:

You know, the Gamergate people, they latched on to [Alec Peters] as something they could fundraise off of to make money, build their viewer accounts up, energize, you know, the asshole fan base. Basically get their get their view counts up, their subscribers.

The potential to whip an angry fandom community up to make money is a well-known possibility for my participants:

With that [fandom] audience comes an enormous amount of power. Because what's more important? That you say, 'Hey, don't make a couple of bucks off our thing' or 'make some followers and have a million angry Trekkies?'

These two previous quotes speak to the realities that my participants face when dealing with a potentially toxic fandom community, the intellectual property owner who may not be equipped or willing to reign them in, and simply the sheer mass of fans discussing, arguing, and engaging with this genre media on the contemporary internet. Even on projects that the

intellectual property owner may feel good about, and willing to engage with in a small moment of endorsement, can turn sour:

[Spider-Man:] Lotus was a very anticipated Spider-Man fan film that Kevin Feige even said, 'this looks great.' Andrew Garfield even said 'this looks phenomenal.' And then the director and three of the actors [of this fan film] came out as blatantly racist. And so the film completely went downhill. The director took all the GoFundMe money and ran.

My fan filmmaker participants were also aware that this potential for campaigning can work in their favor. In the following quote, one of my participants hypothesized on how a potential cease-and-desist letter from an IP could be publicized to their viewers to gin up support and outrage:

So, I make a fan film... and [the intellectual property owner] sends me a cease and desist. I've already started advertising that [my fan film was] coming. That's something that can drum up online attention, you know? It's not bad press, it's press. And they say any press is good press. I don't think that's true. I don't want that press. But some press, you know.

The potential for moving a fandom community to outrage as a means of generating controversy is not a hypothetical situation, when taking the examples of the Release The Snyder Cut campaign and other social media movements into account (Fallon, 2021). Ultimately, my participants recognize that they have an obligation not to use their platform to stoke toxicity online and, in some instances, can address this toxic potential through their fan film labor:

[My film] was almost me making a statement about angry people on the internet. What do they want? They just want someone to come along and tell them why they're angry. They know that they're angry. That's all they know: that they're full of anger and they don't know why. And then if you want to tie it back into fandom, someone comes along and says 'it's Disney. It's Warner Brothers. These are the people who are the reason you're angry.' And so, you get these people who are like, 'release the Snyder cut and everything else is bad,' or, 'Kathleen Kennedy produced this and so it's bad,' and you get this kind of weird polarization.

Including anti-toxic fandom themes into their fan-film labor is just one of the strategies my participants employ when confronting the realities of the contemporary internet and genre media fans. Other strategies include keeping a certain amount of aloofness about the opinions of others:

I just feel like if the worst thing [a viewer] can say is that our [villain] is too good at fighting, and the sounds and punches should be louder, then I'm like 'fuck you, it's not [a video game].' The one comment that I had recently that actually got me angry, was just said 'resound, please.' And I was just like, 'how is that not the rudest thing?' What am I gonna do? Get back to him and be like, 'Oh, yes, no, I think I will do that. Thank you.'

Participants also tried to keep perspective about the fact they are releasing their labor for free to a viewing audience who is under no obligation to watch it, if they don't actually enjoy the work:

In a way, you can have issue with a studio movie for not looking good, right? There's no reason to have a problem with a fan film. Why are you watching a fan film? Why do they owe you anything? You didn't buy a ticket? You get it for free; fuck you.

Some of my participants opted to head off negative comments before they grew into anything larger. One participant who produced fan edits discussed their viewers sometimes misunderstanding that what they were watching was fan labor, and not an official media product. These mistaken viewers were often moved to voice their displeasure, which the fan filmmaker felt needed to be corrected immediately:

There was a decent amount of people who were like, 'Oh, this was super good. I thought this was real.' This was great. And then some people who [commented] 'this is fake, disappointed!' I would always just comment back and say, 'it does say [that it is a fan edit.] I always put that because I was not pretending that this is real. It obviously is not.'

My participants recognized that their options for responding to toxic viewers and the proliferation of toxic fandom communities were limited. In the final quote of this section, this participant recognizes that the nature of the contemporary internet just offers too much in the way of affordances which amplify this behavior (Phillips, 2015):

I think for a lot of the worst things in the world I think could all be traced back to people being angry and not knowing why. I think fandom gives you a chance to do that, because the internet has no rules, really. And you can scream at somebody on the internet, just by using all caps. ‘Oh, it feels great to scream at someone I’ve never screamed at!’ It’s tough because people secretly want to be unleashed.

Robots in Disguise: The Algorithm

In this last section that attempts to answer how the contemporary internet with its new distribution affordances has changed the nature of fan filmmaking, we grapple with the concept of the algorithm. Our previous discussion of genre media’s surge in popularity online was argued without the consideration of the ways in which genre media may have been amplified by the content sharing and content restricting algorithms on the contemporary internet. In this section, I will explore the algorithm and how my participants interact with it in their labor. As mentioned in the literature review, the algorithm is simply a set of logical considerations programmed into a platform, but one that is shaped wholly by the biases of the programmers and engineers who produced it (Zapata-Kim, 2016; Noble, 2018). On its face, the algorithm is often spoken about as an impartial judge but as we will see, my fan filmmakers find themselves in a tenuous relationship with it on their chosen distribution platforms because of the opaque nature of how these algorithms are deployed, what they are programmed to highlight or restrict, and how participants are often burdened with dealing with them in lieu of an actual human. Some of my participants found comfort in the algorithm in that they relied on it, like the official intellectual property owner, to scan for and flag their content that could have been stolen. Some participants

find the algorithm something of a “mark” to fool, if employing the right strategies. All of this contributes to the ways in which fan filmmaking has changed within the last few years as more and more of the contemporary internet is run by these programs that remain enigmatic to the end-user.

To begin, my participants felt that the nature of the algorithm is not intentionally explained to them by the platforms they deploy their fan film content on. They expressed that the algorithm is generally quick to flag them for copyright violation of music as the platform’s algorithms can flag content by the audio waveform of a piece of music:

I did [get flagged] once. And it was just because of the song I used... I think I used a Panic at the Disco song... I think that they were flagging more things that were using that newer content.

On its face, this seems reasonable. Using a piece of copyrighted music in a fan film or fan edited trailer, either in its entirety or in part, could be seen as competing with the intellectual property holder in the marketplace (Shankar, 2022). In the above quoted example, a YouTube viewer could simply watch my participant’s fan edited trailer and (while ignoring the sound effects and character dialog laid under the music track) hear the song there as opposed to going to an official source. What challenges this, however, is the automatic nature of this process. Some of my participants articulated to me that this automatic process is not enough, and that while the system works occasionally, they would rather see a human involved, especially when having to challenge copyright strikes:

I do think YouTube needs to have a way where you can get a human involved after a certain level. I think the basic system works just fine, you know, but I've never tried to push it using too much of somebody else's stuff.

Ultimately, the opaque nature of these content-scanning and flagging algorithms left several of my participants frustrated around what they did not know. In the following quote, my participant expressed that he wasn't at all sure of what will trigger a content flag, whether music or imagery:

I don't I don't know enough about [the algorithm]. Right? There's plenty of bat symbols all over YouTube. I didn't really think we were gonna get [flagged] but also knew that you never know... It didn't occur to me that somehow YouTube might find something wrong with this.

Without explicitly knowing how and why the content identification algorithms target content my fan filmmakers produce, several of them articulated feeling like they were often “guilty before being proven innocent” in the way the platform treats their work. In the following quote, my participant elaborates on their strategy for dealing with both the intellectual property owner and the content-flagging system. In this instance they employ separate strategies for when their work is flagged because of copyrighted audio or footage:

Occasionally we will push back on a claim if it's a studio, and we will cite Fair Use with the use of the footage. We have never pushed back on claims of audio. If anybody comes in and claims that we're using a piece of music and it is true that we are using that piece of music, yeah, we will never fight that claim. We respect the copyright holders. And we completely understand how this flows outward into what we're doing, and how it lives on YouTube.

This quote illustrates a level of savvy awareness about how to deal with IP owners and platform algorithmic flagging systems. If their fan film falls under fair-use protection (for example, being more of a parody than an original narrative set in an established universe) one would think that all parts of the uploaded work, video and audio, would fall under fair use. But they recognize that copyrighted music, by its nature, is more easily identifiable via these algorithms which scans for music waveforms. A greater likelihood of a “competition of the

marketplace” rebuttal on behalf of the IP holder results. On YouTube, copyright strikes are cumulative (Google, 2023). The more strikes your account accrues, the more likely you are to lose monetization or your account entirely. In this instance my participants recognized that the smarter method for dealing with the algorithm was to accept guilt in these situations and not choose a riskier path with the platform. My participants also expressed that this automatic, algorithmic flagging system is not always clear on who is leveraging a copyright violation against them:

We did a fan film... and the end credit music was picked up on copyright. And a year later, that [same] film we did [became] blocked worldwide for a month. I didn't even realize it. Someone came in [to the comments] and saying, 'hey, where's the [fan film]? I saw that it was copyright blocked. It wasn't a strike, but it was blocked. And it said the end credit music [was the issue]. I don't think that was particularly owned by Hasbro, but the copyright of the song was still held by [an another] Transformers company. And they have blocked that song worldwide on any other YouTube that wasn't theirs. So, I had to actively go in the YouTube editor and remove that music for the video to be public again. I think that was my only negative interaction with the IP holders. And it's usually with music.

This participant’s film went through several different copyright states on YouTube well after it was initially released. This uncertainty around how their work might change (whether it be copyright struck, blocked, demonetized, or monetized against their will) lends itself to the aforementioned feeling of “guilty until proven innocent.” As the goalposts change on fan filmmakers, they are often left with attempting to work out these violations by themselves.

Unfortunately, not every copyright flag or strike is algorithmically determined. In the following example, my participants recount a story of a fan-film parody they created of a well-known Hollywood director providing “commentary” for one of their films. This fan film utilized original footage from the film while a completely new voice-over track of the “director” played

over it, for humor. In this specific instance, the existence of this parody fan film became known to the copyright holder and was actioned manually:

It released eight years ago. It was blocked for seven years... It was manual, the algorithm didn't have anything to do. The algorithm may not have even existed to the extent that it does today. I don't think the Content ID was even a term that existed at that point. When you get a copyright claim. It explains to you what the claim is for. You know, if it's visual or audio. I think in this case, it was something different. I think [the IP holder's position] was like 'you guys are assholes, hard block.'

That the film wasn't algorithmically flagged on its own before the blocking left my participants curious about how it became known to the IP holder:

There's some funny moments in it for sure. But I would go so far as to say it isn't even anything noteworthy from our body of work... I mean, it had a little bit of a presence. Questlove tweeted this one out, you know? It definitely had some legs at the beginning. And maybe that was what got the attention.

This fan film was left blocked worldwide until it suddenly became public again, without any intervention on the part of my participants. That their work became unexpectedly unblocked contrasted against the harsh treatment the manual flagging entailed:

Sometimes we get a copyright claim and it's like a soft check. They're like, 'listen, this video could still be viewed, right? People are still gonna be able to comment. There's nothing to worry about.' This one was like, 'fucking start worrying, your channel is in jeopardy as of today!'

If the system, whether manual or algorithmically driven, is capricious in its interactions with fan filmmakers, then it does nothing to firmly set boundaries for how people like my participants work on these platforms. While these participants did get their fan film unblocked seven years after release, it could have easily never been released and their channel actioned.

My participants feel their content is affected by this uncertainty around how the algorithm works on distribution platforms like YouTube. Whether the content is outright chilled is likely harder to say, but my participants expressed a measure of certainty that the algorithms influence their choices. In this example, the way the recommendation algorithm previously worked on YouTube was potentially forcing a creative decision on the length and format of my participants fan film:

There was some debate on how to present [our film] because it was an eight-minute video and now YouTube really encourages length, they want you to have long videos because they can keep you on YouTube longer. But [back] then, it was like anything over a minute and a half was suicide. So, we had a lot of doubts about putting something that long on the channel. And we just eventually [decided] this is a complete piece. If you break it up, it kind of falls apart. So, let's just have a little faith in it and put it up there at eight minutes and see how it does.

In this situation, they opted to not compromise how their fan film presented on the platform, despite the algorithmic risks involved. In another situation, the same participants were forced to acquiesce to how the platform prefers where the algorithmically determined advertisements must fall during the total run-time of the piece:

YouTube basically said if you use mid roll ads you're going to be put in a better algorithm that goes to more people. And you know, you'll get more views on your content. So, we had to do it, because we didn't want to be relegated to some part of the YouTube space where we were being squeezed out. But when we started, we were even against using mid roll ads, because we just didn't want [the platform] to be like, 'oh, let's do an ad right in the middle of their thing.' You know, because they're money grabbers. It was more important for us that the jokes were connecting fluidly. That may be to our ultimate demise. I don't know. I guess we'll see.

My participants were forced to present their content in a way which better pleased an algorithm and the advertisers who utilize it. Since their fan films were comedic in nature, acquiescing to the algorithmic demands likely affected the tempo of humor and overall quality of the work. I also highlight the previous quote for the concept of a part of YouTube which fan

filmmakers get “squeezed out” in, because they do not adhere to whatever best practices the platform currently recommends. My participants are aware that this “edging-out” occurs and are frustrated that there isn’t more clarity on how this happens:

I think the other side of it is that we don't know what algorithms are using to push anybody's content. And that's a huge disservice to independent content creators. I mean, it's incredibly disheartening to make a video that you've poured months into, and then somehow you just get a sense that it hasn't entered the right algorithm. Suddenly, subscribers are saying that they never received a notification, things like that. And you don't know if somebody on the other side is flipping a switch ‘for Tuesday.’ Because Tuesdays are secretly designed for a certain type of content or something like that. Because maybe that's what makes the most money on Tuesdays, or something like that. And that is incredibly frustrating. I totally agree with the sentiment that when that black box is closed off from content creators, it's hurting everyone. I do believe that it's hurting the content creators the most, because they're, they're the ones that are in the dark.

Despite this uncertainty about how to make the platform’s algorithms work correctly for my them, my participants have found ways to circumvent some of these processes. One participant summed it up as:

It's kind of like being the class clown. And you know exactly what pushes your teacher’s buttons. When you get away with it, you're still in the class, and you still adhere to the rules of the classroom, you're not gonna get kicked out. But you do, you know, walk the line, just for the sake of entertainment purposes.

Some of the ways they’ve circumvented these systems is by trying to become more aware of the ways in which the algorithms operate, like by utilizing waveform analysis of copywritten songs to identify offenders. In this example, my participants discuss some methods they have employed to fool the system:

If there's a music track that I really want to use, and if that copyright strike is gonna hurt the viewing of the film, I'll slow down the music. I'll slow it down. But now the algorithms picking those up too... I'll slow down a song and I'll increase the pitch a little bit. And sometimes the music sounds better like that. It gives them a more atmospheric feel.

This is a rather minor example of trying to circumvent the system. Other participants have employed far more aggressive strategies for dealing with the algorithm:

We've tried to occasionally short circuit that system. For example, if it's content ID, it's an automated machine doing it. No, [YouTube was not helpful in understanding the platform.] One question [we had] was, 'is there some way for us to have our own videos picked up in the content ID system?' which a lot of YouTubers, if they're not affiliated with an MCN, with a multi channel network, then they don't have access to any tools that allow them copyright access to that copyright ID system. So, for example, when we upload anything to YouTube, if someone else uploads any of our content, be it original music or whatever, to YouTube, it won't get picked up. Because we cannot use the copyright ID system, we are beholden to it. And that's, that's just a matter of access. So we don't have access in the same way that other people do. We have occasionally tried to short circuit the system. And one example of that was the copyright claim challenge, which [was when] we used a third-party program to enter the copyright ID system with a track that would be picked up. And then we asked other people to use it in their videos so we can claim their videos. I think that was more of a class clown kind of thing. Rather than an attempt to actually change or, you know, use the system for nefarious purposes.

These participants found their position on the YouTube platform lacking when compared to others who were part of a larger corporate-based YouTube channel network. By trying to create confusion in the system in this way they were making a powerful statement about the opaque nature of these platforms and the algorithms they employ. Returning to our research question, this kind issue with a third-party who serves as an intermediary between intellectual property owner and fan filmmaker did not exist before online video sharing platforms. Fan filmmakers find themselves in the unenviable position of attempting to navigate these troubled waters alone.

Despite these issues, however, many of my participants felt that the algorithmic scanning and flagging of content was better than nothing on platforms like YouTube. Some participants even find themselves relying on the system, as opaque as it is, to keep their content from being monetized by others without their permission:

I kind of like the ContentID system, I've used it in my favor. I've had people completely upload [my film] to try to monetize it. I'm like, 'fuck you!' I've had it taken down. And this one kid had completely uploaded [another of my fan films]. It was on his channel. And I had a taken down. And that was like his third strike. And he [messed me saying] 'please take away your copyright strike. I've lost everything!' And I'm like, 'you took my work without asking? It's not my fault it was your third strike. Sorry.'

This participant found themselves in the position of an intellectual property owner, having to employ the tools of the platform to keep their fan film work from being monetized by others. To unpack this situation further, there were four parties. (1) The original intellectual property owner, (2) a fan filmmaker who made a fan film from that IP who then monetized it on the distribution platform (3) YouTube, who also takes a cut of the revenue the fan film generates, and then finally (4) the person who stole the original fan film and reuploaded it to YouTube where they attempted to monetize it. These four entities are all interacting with each other via the distribution platform, which, as will be discussed in the next chapter, has become more and more of a force between IP holder, fan filmmaker, and viewers. Because in this situation, YouTube the corporate entity benefits from all three parties. It does not own the rights to the original IP, but it benefits from having that IP on its platform via fan films, no matter which party, either the original filmmaker or the person who stole their work, has uploaded it. My participant suggested they like the ContentID system because it provides them the tools to prevent someone from prospering off their work, but to borrow a gambling analogy, no matter whose content it is, "the house wins." I understand my participant's point of view, but my critique on this matter is that the Content ID system is not protecting my fan filmmaker's work, it's merely providing coverage for the platform. No matter who is using it, the platform is still prospering.

Mirroring the previous participant, the following quote offers a similar position that the tools offered by the platform are better than nothing. They recognize, however, that they are not

provided for the fan filmmaker's total benefit. But, by offering some of these tools to fan filmmakers, it does seem like a good faith attempt on the part of the platform to not totally reject the fan filmmaker's point of view when a copyright issue arises:

I guess in some ways, those automated systems that [use] AI have helped as much as it's hurt... I think that there's been an attempt by the people that are implementing these systems to at least hear the content creators, you know? [But], obviously, they're going to be taking orders from the corporations, the people that are at the top of the system who created it in the first place to look out for their own IP. But yeah, it's a mixed bag.

Research Question 2: Everything's Changed

This chapter asks in what ways has the contemporary digital age, with its focus on genre entertainment, the expansive internet, and new distribution affordances, changed the nature of fan filmmaking. As previously mentioned, the main themes which best answer this research question fall around three central ideas.

First, the digital age has been equal parts disruptive and enhancing to fan filmmaking. To the people who made the *Our Gang* fan film in the 1920s, the 1980s analog era of fan filmmaking with tape-to-tape deck editing could have only been science fiction (Young, 2008). But I would argue that there has been a greater leap between now and that 80s analog era than the previous 60 years between the analog era and the first fan films shot on celluloid. No single tool has had a greater impact on the practice fan filmmaking than the video distribution platform. Despite being fan filmmakers of some pedigree and experience, my participants still find themselves grappling with how best to use these new tools and navigate the rapids of technological change. The platform asks them to be everything. To stand out on the platform they must present fan film work which is technically and aesthetically superior, while, simultaneously, understanding that no matter how good their content is, the opaque nature of the

algorithm is always present. New filmmaking technologies, however, will increasingly put pressure on the intellectual property owners as fan work becomes more and more technically proficient and expertly crafted.

Second, with more and more people taking part in genre media fandoms on the contemporary internet, fan filmmakers find themselves in the precarious position of trying to be “everything” for “everyone.” They must moderate the viewer communities that spring up around their content for toxicity. They must be on guard from letting the broader fandom appraisal of official work affect their content in ways they don’t intend. They must tread carefully and not incur the wrath of the fandom which might suddenly campaign against them in the ways media fans have campaigned against the official sources. They must do these things while still producing work that satisfies their original intentions for the fan work and hopefully connect their viewers with their chosen media in a meaningful way. Thirty years ago, work was produced on such a smaller, more intimate scale. The audience for a fan film may have only extended to dozens of people. Now, the world is the audience.

Third, they must create complex work, while interacting with this larger community, while at the same time satisfying the somewhat confusing and opaque nature of the algorithm on their video distribution platform of choice. They know that, given the choice, acquiescing to what they do know about how the algorithm works could help their content extend further. But with that understanding comes the knowledge that acquiescing to the algorithm must then affect their content. Some see this as a necessary reality in the contemporary digital age, and even find themselves benefiting from how algorithms operate on the video distribution platform. Thirty years ago there was no algorithm or video distribution platform to get in between the fan

filmmaker and the ideas they poached from the intellectual property owner. The technology of the day did not shape their content in such overt ways for the benefit of others.

In attempting to answer how the contemporary digital age has changed fan filmmaking, I've tried to frame my argument on the reactive labor of my participants. Ultimately, they are the people whose work and perspective matters most to this inquiry since the effort they put into their labor is both fascinating and worth exploring. An even deeper look into this changing landscape could include the perspective of media intellectual property owners and distribution platforms but based on some of my participants' statements and the literature review I believe most of their positions would devolve into a capitalistic perspective. I don't wish to imply the fan filmmaker's position in this relationship is passive. As previously discussed, some of the new techniques and concepts they bring to their fan labor challenge the IP owners and platforms just as much as they challenge the validity and existence of what fan filmmakers produce.

In the next chapter, I delve further into this relationship between IP and fan filmmakers. This relationship is every bit as complex as the personal motivations which drive fan filmmakers to produce their work and ever-changing as the contemporary digital age's pace of new technology.

Chapter 6 The Fan Filmmaker and the IP

RQ 3

This chapter discusses the results of my interviews with my fan filmmaker participants by delving further into their relationship with the IP holder. Like the previous chapter and research questions, change still frames much of this discussion in how they navigate new challenges and relationships where before the fan filmmaker and intellectual property owner were largely separate. Fan filmmakers find themselves more visible to the intellectual property owner by nature of the contemporary internet (Zapata-Kim, 2016). This visibility can precede major issues between these parties if the intellectual property owner takes issue with something the fan filmmaker is doing which they perceive as competing with the IP owner in the marketplace. The example of *Axanar* raising substantial money and drawing the ire of the IP shows an extreme reaction on the part of the copyright holder (Axanar, 2014; Despain, 2020). But as the following participants will describe, their relationship with the IP is far more nuanced and complex than the single *Axanar* court case example.

The research question that is the focus of this chapter asks, “How fan filmmakers describe their feelings about the intellectual property owner?” To address this, I will attempt to describe a complex set of relationships between these fan filmmakers and the media IP holder, divided into three themes. First, it can be characterized as “ambivalent invisibility” where they are unnoticed by the IP, which they either acquiesce to, strive for, or fight against. Second, it could be described as “endorsement” whether their work achieves tacit or explicit endorsement by the IP holder. Third, they describe “access” where their work has earned them a special relationship with the IP and the steps they take to maintain that access. Finally, they sometimes

describe an antagonistic relationship where they and the IP are at odds with each other about their fan work and the media property.

An additional theme involves the fan filmmakers' description, from their perspective, of the legal issues stemming from what their fan-film labor creates. They desire an end to the legal ambiguity, whether via CBS/Paramount style guidelines, stricter laws around fair use, or explicit messaging about what is and is not acceptable. Some see these guidelines as onerous, even to the point of having a chilling effect on their work. Others view the guidelines as beneficial and describe the relief they feel when navigating the "marked minefield" the intellectual property owner has laid out for them. They see other fan filmmakers at work and often worry that their legally dicey actions will influence the wider fan filmmaking community, especially when it comes to skirting the rules.

Finally, the last major theme refers back to the two previous chapters by returning to some of what Jenkins' describes as the motivations for people to textually poach from their chosen media (Jenkins, 1992). Jenkins noted about early Star Trek fan fiction that women writers would emphasize the gender-equality themes in the original series (the prominent role of women in key positions, for example), and downplay or correct the sexism (such as Captain Kirk's philandering) (Jenkins, 1988). Similarly, my participants elaborate on the narrow path they walk where they approach their labor as "doing-it-better" than the IP because they don't like the IP's choices or, instead, "doing-it-differently" because they see something missing from what the IP offers. However, they also recognize that because of the IP walking this path comes with the recognition that everything they do is fleeting and ephemeral. It could all go away because of something out of their control, which is psychologically taxing to them.

These three major themes will seek to address how the nature of fan filmmaking has changed regarding the relationship between parties. For Jenkins, the act of textual poaching meant that the semiotic raw material was taken by the fan and there seemed to be little the intellectual property owners of the time could or would do. Fan production was largely underground and full of ways to avoid legal restraint (Jenkins, 1992, p. 32). As I will argue, in the contemporary digital age the distance between fan and intellectual property owner has become worryingly small. Productive fans are no longer granted anonymity, whether by the technology in use or the reach of their content. As this distance between parties reduces further, fans will increasingly find themselves dealing with the consequences of copyright infringement. Likewise, media intellectual property owners must attend to the fervor fans bring to their chosen media, a fervor the IP owners have been glad to induce for financial gain even as it may be also involve increased perceived copyright violations.

A Dance of Relationships

To begin, the ways in which my participants navigate their relationships with the media intellectual property owners is not completely typified by any one of the above-discussed concepts (invisibility, IP “corrections,” etc.). While individual participants may have expressed a single relationship concept as the one that best describes how they and the IP interact, all these concepts can apply to how my participants and the IP holder coexist in this contemporary digital age. My goal in arranging these relationship concepts is also not to suggest one is more or less typical of the relationship between fan filmmakers and IP owners. Alternatively, I arrange them in this way because I believe each concept following the other decreases the distance between fan filmmaker and IP owner. The further into his section and the way they describe their

relationship we tread, the closer we will bring fan filmmaker and IP owner together, even if that final relationship concept is one of antagonism.

Ambivalent Invisibility

Given the large number of fan films that may not even be distributed, it is probably safe to conclude that most fan filmmakers are likely invisible to their film subject's original IP holder. As previously explored, view counts and online communities are an excellent measurement of how effective they might be at their chosen fan labor, but there are fewer non-overt ways to know if the IP owner has taken an interest in what fan filmmakers produce. At face value invisibility is not a concern to most of my participants:

I have the best possible relationship with Warner Brothers, which is that they don't know I exist, and they treat me with complete neglect. Like they have no idea. Like, I have had no comment from them. There's the reason I never get copyright issues. Nothing like that.

For the previously quoted participant, this invisibility is somewhere between tolerated and welcome. They would rather not engage with the IP owner and especially not deal with copyright issues between them. However, their use of "complete neglect" – which has a negative connotation -- may hint at a different kind of relationship this participant might wish they could have. Other participants actively do not seek visibility:

We're not pursuing [a relationship]. Let's put it that way. Yeah, that is not our goal. It's not it's not our goal to create something that gets the attention of Disney and they want to make whatever we're making. There is no conversation happening behind the scenes for us that is anything like that at all.

As their stated goals do not include any relationship with the intellectual property owner, invisibility suits them just fine. Yet, the "let's put it this way" statement also may imply ambivalence towards this point of view. These participants may be expressing some measure of

acceptance that an ideal relationship of recognition without IP interference is unlikely, and so they must be content without any recognition. Their statement about not wishing Disney to “make whatever we’re making” also offers some insights into how they view the purpose of their work, whether they are attempting to “do-it-better” or “do-it-differently” than Disney. These two concepts will be explored later in this section, but what I believe is telling about the above quote is the explicit rejection of any deeper relationship. Some of my participants do see their invisibility as a something of a mystery:

Maybe they have [seen my film] and they just they thought, ‘Okay, we’ll just let that exist.’ I mean, in a way my film’s not very aggressive, it just kind of acts like it’s an episode of [the original source material]. You know, one and done. It’s got a beginning, middle and end. It’s not trying to create a [fan film] franchise.

We’re just making it, hoping that that they’re okay with it. We’re making what we make and hoping that they don’t block it as our relationship.

Here there’s speculation about whether the intellectual property owner has seen the work. A key takeaway here is that in the contemporary digital age an assumption may now exist where IP owners have seen fan work and choose to remain silent, versus the previous assumption where they could not have seen it because of fan work’s underground nature. View counts, online distribution platforms, tweeting, hashtags, and other affordances actively spread fan film content creates the possibility of being noticed, but of course they cannot know for sure. Other participants do not need to speculate on whether the IP owner is aware of them. They know this happens and see their silence towards them as an active choice:

Our relationship with Disney is pretty live and let live. I wouldn’t say it’s good. I don’t know where it stands, you know, health wise, but it’s definitely a live and let live They are aware of us; that we still exist.

In this case, the assumption is the relationship is of being ignored, but one in which there is still some ambivalence (“I wouldn’t say it’s good.”). Through backchannel contacts with the IP they know that the IP is aware of their work, but that does not offer much in the way of certainty. Ultimately, my participants still carry the same worries about what the IP owner could do to them, and their content should the IP owner react negatively. Thus, being invisible or being ignored seems preferable to any threats or demands to cease content creation, but at the same time there are hints in the filmmakers descriptions that they hope for a more affirming relationship, as described in the next section.

Endorsement

For some participants, the relationship between them and the IP owner is not negative, nor do the fears of getting their work blocked factor into their choices. For these participants, a relationship based around the endorsement of their work best describes how they and the IP owner react. This endorsement ranges from tacit to explicit, in ways that ebb and flow depending on several factors. For some participants, the perception that the *media*-based intellectual property owner is “better” than other IP owners is implicit endorsement for fans to produce fan film content:

[George] Lucas is interesting, actually. I think for all the things people say about Lucas, his stance on fan films has always been one of the best, most user-friendly and I think that carried over into the relationship with Disney. Because they've always been pretty good about the visual [copyright] claims [on our work]. Anytime we've ever even had one it was released almost immediately.

For this participant, the knowledge that George Lucas had previously endorsed fan films in the past through the *Star Wars* Fan Film awards carried enough implicit endorsement for them to feel somewhat secure in their dealings with the Disney Corporation (Jenkins, 2012, p. 203). As Disney bought Lucasfilm and all its properties in 2010, the ways in which they treat fan

filmmakers and their work could have completely shifted, but in my participant's experience this has not happened (Snider, 2012). They firmly see this IP owner as more likely to offer endorsement than others.

In the following quote, my participant suggests that silence on the matter of fan films represents tacit endorsement since fan work furthers the brand and intellectual property. That they have not clamped down on fan behavior in the past suggests fans are welcome to move forward on their fan films in the future:

I think Warner Brothers probably likes people making Batman movies. You've got the 'Bat in the Sun' people. They get money. They Indiegogo their movies. They get huge budgets to make fan films. And I think the Warner Brothers think whatever's good for the IP is good for us. It's like if people are making films about Batman, it means that they really like Batman which means that we can continue making Batman movies. I don't think they have a problem.

This participant highlights a fan filmmaking group which has produced several fan films that utilized large crowd-funding campaigns. The IP's lack of action against them suggests tacit endorsement even to the point where the IP is comfortable with the fan filmmakers profiting off their property. It is also worth pointing out that my participant recognizes the IP owner's motivations in this act are likely not to further disseminate popular culture in a fun and exciting way, but instead are ultimately to serve its corporate needs for brand expansion. Thus, the line between a tacit endorsement born out of support for fan labor like the previous participant suggested George Lucas may have employed, and a tacit endorsement where they do not crack down on the fan filmmaker actually representing an explicit endorsement that is about the corporate bottom line, may be blurry.

Explicit endorsements were contentious to my participants. Some suggested that while they understand why IP owners do not offer them to fan filmmakers, they would, personally, be very welcome to receiving one:

If I was them, I would never do that... [but] if somebody from Warner Brothers reached out to me and said, 'Hey, great job. We really loved your fan film. We just want to tell you that,' like, don't get me wrong, I'd be blown away.

Acknowledgement of their effort would be enough explicit endorsement to move this participant out of feeling invisible to the IP. They recognize why the IP owner may never do such an act but feel that receiving one would be of value. This is not surprising as while my participants are poaching their chosen material from the intellectual property owners, they still remain fans of the official media source and by extension the people who create it. Explicit endorsement in this way would provide something of a thrill for those who spend so much time and effort on their chosen media.

I actually have [a relationship with the IP], which is unique. Most people don't. It's funny when you know the head of CBS licensing, [and he] knows you... They noticed [my YouTube channel] super early. And they had their eye on us... And it's interesting that other creators sometimes get copyright claims or whatever. There is not a single copyright claim on I'm gonna say 7000 videos in eight years or something. Because we know we've always toed the line.

This participant elaborated on the specific way they have received explicit endorsement from the IP owner. In this case, their explicit endorsement falls along two vectors. First, through their work they garnered access to the IP owner. Second, the continued success making their work free of the IP owner's interference suggests to them that they have received endorsement, compared to other fan filmmakers or creators who have received legal challenges to what they produced. This participant's access to the IP owner will be discussed further in this chapter when we examine access to the IP owner as a broader concept, but for this section the key takeaway is

how secure they are in their knowledge of endorsement. There is no ambiguity here. They know the IP owner is aware of their work and has been for a while. This awareness without any sort of repercussions is an active choice on the part of the media IP owner.

For some participants, there is a fear that explicit endorsement could change the nature of their work:

If we were approached [by the IP owner], I think we would take an entirely different tact on the whole thing. I think that we would approach a project [differently]. And if it was official, you know, we can use the same tricks and craft [that we currently employ] and process probably, but I think that we would reassess how we would approach it.

These participants felt that explicit endorsement could affect the nature of their fan film content. I would characterize this as an unreasonable concern, given the type of content and brand consciousness a media IP owner might insist upon. But I highlight this quote as these participants later elaborated on a peculiar situation they found themselves in. A member of the official production team from the media IP they make fan content from reached out to them and did work on their fan film:

They're currently working on *Obi Wan*. Like that was their most recent project. So they were working on [our film] and on *Obi Wan* they did visual effects... They're like, 'I may be the only person that has credits on both [the fan work and the official product].'

In this situation the volunteer from the intellectual property company publicized their involvement in both the fan work and the official product. Again, this could easily be viewed as explicit endorsement since the media IP owner did not prevent this employee from taking part in the fan work. It is not as intimate of a relationship as these participants originally feared explicit endorsement could influence their content. But this endorsement does offer something of a

remarkable situation when compared to the production of other fan films. Other participants wish for more overt endorsement on the part of the media IP owner. They would prefer the IP owner actively seek out ways to further tie the company and property to fan filmmakers:

A lot of people have suggested Paramount [seek out partnerships] with *Star Trek*. If *Axanar* had not happened, that might have happened. Because I know there were some discussions with James Cawley [the producer of the long running fan film series *Star Trek New Voyages*] along those lines, but I don't think it ever went anywhere.

For this participant, the extreme case that was the *Axanar* incident prevented the media intellectual property owner from more closely tying itself with fan filmmakers and offering explicit endorsements. They lamented this since they believed that *Star Trek* could have likely been one of the few media properties where fans would have paid money for explicitly endorsed fan film work:

When you when you get right down to it, there's not a lot of fandoms that can support the type of money where people would pay just to see [a *Star Trek* fan offering].

Explicit endorsement on a larger scale as this participant suggests could have been a reality. In the following quote, my participant recounts his experience making his popular fan film which debuted over twenty years ago. The attention they received certainly suggests official, explicit endorsement:

I honestly don't think we've really had any roadblocks from Lucasfilm. They were very encouraging and helpful. Once we started winning [fan film awards] [we received] open invitations to come visit, [offers to appear] on panels, stuff like that. Hell, I remember walking through San Diego Comic Con one year after the awards, and they're playing the [my fan film] in their [the official media IP owner] booth. It's like, 'damn!' So, my [experience] is probably not normal.

Some favor simply keeping the lines of communication open and not letting the relationship between fan filmmaker and media intellectual property owner devolve into legal challenges. One participant views the potential scale of the fan production as being the determining factor if a project should be offered some form of endorsement:

There should be a conversation with the copyright holder. If you're pushing things to that level what's wrong with communication? If you're doing something that is on a production level that starts to match the original content, you're using actors and characters from that original content, at some point [the media IP owner] should open the doorway to communication to find out what the relationship is [to the original media] and what you're building just seems appropriate at some stage.

For this participant, the issue of endorsement also raises the issue of access. In making the hypothetical large-scale fan film described above, the need to seek endorsement meant that they, the fan filmmaker, also needs access to the media intellectual property owner. In the following quote, this participant recounts how they sought endorsement for their fan-film work via the access granted to them from being known to the intellectual property owner (as mentioned at the beginning of this section) and because they approached the IP in a public setting:

After guidelines [the guidelines were released], after *Axanar*, after all that stuff, I saw [a Paramount representative named John] again at the post guidelines convention, I said to him, point blank, 'John, I'm gonna make a fan film. It's going to be continuing characters, part of a larger narrative. We're gonna raise this much money. I think it is this long.' [He said] 'So? We know, we saw Indiegogo.' The balls [I had] to walk up to the guy that invented the guidelines tell him that I'm adhering to some [guidelines and] not to others. Because I'm not ashamed of it. And he knows the reasonable answer's the middle ground.

This quote bridges endorsement and the below-discussed concept of access. This participant recognized the potential for legal trouble their fan film could create under the new guidelines from Paramount/CBS and leveraged his previous tacit and explicit endorsement to

gain access to the Paramount representative. From there they received explicit endorsement to continue their fan work. Not every fan filmmaker is afforded the same opportunities as this participant, but I do believe it speaks to the general theme of ambiguity around the rules which will be explored later in this section.

Access

As another facet of the complex relationship between fan filmmakers and intellectual property owners, access may be the most tangible. My participants described many situations of one-on-one, face-to-face or virtual interactions with the IP owners of the media fandom in which they labor. More than a tacit or explicit off-the-cuff endorsement of their work by the IP, these participants were able to parlay their access into several concrete benefits.

One such benefit of access to the intellectual property owner is insight. In the following quote my participant describes getting to know the production teams making the official offerings from their media fandom:

I mean, I know both [*Star Trek Lower Decks* and *Star Trek Prodigy*] teams quite well and they're phenomenal people because they're not being wanted as much. They're given far more rope because they're given far less budget. And aren't they doing the best? I mean, holy fuck in comparison? I mean, *Lower Decks* is by far the best the new *Trek* show. I know where the project's going. So, I know it's going to be great. It's good now, [but] is going to be great because I know where it's going. So, I have that in my head. I talked about it. So, do watch *Prodigy*, get invested, it is going to be really, really good.

In this previous quote, my participant is claiming a large amount of insight into both what is going on behind the scenes at Paramount/CBS around their *Star Trek* properties, and where one of the currently airing *Star Trek* shows is going in its future episodes. Based on my conversation with this participant and knowing their place within the *Trek* fandom, I can attest that this is not exaggeration. This participant most likely does have this level of insight and

access to the showrunners. Indeed, during our conversation earlier he stopped mid-sentence and said: “Oh, just got emailed by the [*Star Trek:*] *Picard* show runner, by the way.”

There also was some basic political economic and media-production theory in their assessment: that smaller budget productions have more ability to be unconventional in their relationships to fans: “given far more rope because they're given far less budget.” They also notably did not essentialize budget with quality, noting that *Lower Decks* was superior product despite its lower budget.

Modern fan filmmaking does not only provide access to the current production teams of media properties. Several of my participants described situations in which their fan films drew the attention of production team members from older offerings of these media properties, some of whom worked on the very properties my participants were nostalgic for. In the following quote, my participant describes the situation where, after they posted their fan film in a nostalgia-focused *Batman* Facebook group, they were contacted by original crew members from Tim Burton's *Batman* (1989):

I joined all those Batman fan groups and I ended up meeting people who actually worked on *Batman 1989*, which never would have happened if I hadn't made this film. I got to know a gentleman named Carl Newman, who was actually Michael Keaton's movement double in *Batman 89*. He's not a stunt double. He's a professional ballet dancer. They hired him to work on *Batman 89* anytime they needed Batman to be elegant, and have grace and poise, you know, things you can associate with a ballet dancer. Carl has a super interesting story and he's only just recently in the last couple of years come out and claimed his place of honor that he was the movement double for Michael Keaton, because so much of the credit always goes to the stunt guys... I heard from Bob Ringwood, who is an Oscar nominated costume designer. He also did *Batman 89*... I joined these fan groups just to kind of promote the movie and next thing you know, I'm hearing from literally Oscar nominated costume designers who worked on one of my favorite movies of all time.

For my participant, this wasn't simply a short conversation with these production team members of the past. The access they gained offered tangible insights into aspects of the original film's production:

Bob Ringwood shared with me his original designs for the Gotham City Police costumes back in 89. And I did a Google image reverse image lookup and I don't think the images that he shared with me have ever been posted online. It's insane... I just wanted to make a film, but through the making of this film, I had a lot of unexpected outcomes... That wasn't a goal of this. I never tried to reach out to people who worked on *Batman 89* but it just kind of happened that way. And it's kind of a cool thing.

Forging this connection with the original production team members who worked on the original film allowed them to incorporate insights and details into their fan film that they would not have been able to gain otherwise:

Bob actually commented on a behind the scenes photo we posted of the police uniforms where we compared our Gotham cop uniforms to the originals. Because we tried to really knock those out of the park.

Access to the intellectual property owner is also beneficial for the ways in which it can be leveraged to skirt around issues stemming from the extra-legal status of producing a fan film. Legal issues and fan filmmaking will be explored further into this chapter, but in the following examples the key takeaways involve how my participants were able to leverage their access to find more understanding between themselves and the intellectual property owner. In the following example, my participant describes how they approached dealing with the IP after receiving a firm cease-and-desist letter involving one of their *Star Trek* fan films:

At this point, *Axanar* had been sued and there was anti CBS ire. Other fan films who aren't on *Axanar*'s side were also being negative so I could have easily put out that CBS has C&D'd us, and 'they're ruining fan films!' I could have gone that way. And they might have expected that, but I didn't for obvious reasons. My response was to go the exact opposite route. Be super positive. And so I got on the phone with [the Paramount representative] and again, I vibed through how do we get this out? This is gonna get released with your, [Paramount's] help.

My participant's known status at Paramount/CBS likely assisted in working through the cease-and-desist they received. That they did not intentionally antagonize the IP owner and sought a resolution that would benefit both parties likely hinged on their previous access:

They're not there if not for the fans. So I pitched them what I could do. I didn't pitch everything... I changed the name [to fit the Paramount guidelines]... The big cherry on top to get the deal [was to do] an original score. They didn't ask for it. But, also, as a sign of good faith, I took off some [copyright material] clips. And that was all I had to give.

In the previous two quotes my participant recognized that maintaining the access they enjoy from the intellectual property owner must necessitate finding common ground between them. In several instances my participants described situations to me where they chose to protect their access to the intellectual property owner. Here I must return to our guiding frame and the changes that the contemporary digital age has brought to fan filmmaking. In *Textual Poachers* Jenkins' suggests that productive fans are at odds with intellectual property owners by nature and the act of "poaching" (Jenkins, 1992, p. 19). But the access my contemporary fan filmmakers seek to protect runs at odds with this antagonistic relationship. In the following quote my participant describes holding back some insights they've gained via their access from the viewing audience to protect their relationship with the IP owner:

We occasionally get a spoiler that I have to edit out. Like, ‘oh that’s close to a spoiler we know! Let’s just take that out.’ Yeah, I love it when I can tell when we both know something [privileged and] we’re both lying. We’re actually doing an opposite opinion to the reality.

Protecting the fan filmmaker’s access to people and insights is an active process. The above participant is constantly guarding against a slip-up which could change the nature of how they and the media IP owner interact. While Jenkins’ (1992) did not see such a relationship quite as harmonious as this in the early 1990s (calling fan culture an open challenge to “authorial authority and a violation of intellectual property,” p. 19), the contemporary digital age helps foster a potentially more friendly back-and-forth. In many ways, access to the intellectual property owner is a two-way street where the benefits of such a relationship are conferred on both fan filmmaker and media property. My participants described many situations wherein they, through their access, were able to help the IP owner solve production problems on the official media offerings:

There was an episode of [*Star Trek: Enterprise*] where they borrowed props from James Cawley [the producer of the fan film series *Star Trek New Voyages*], for the two parts that were they needed for the mirror universe.

Intellectual property owners can also use their fans’ access to accomplish production needs by utilizing the affordances of the better digital technology, in the same way the fans described in Chapter 4 do. One participant describes a conversation they had with a member of the *Star Trek* production team where they offer the use of 3D model assets that were created for fan filmmaking purposes:

I told him, you know, well, I have 3d models. I was overly open with him to the point where he’s like, ‘Oh, nice. We might need that someday.’ And he did. They did use me for stuff.

In this situation and in the previous quote, access was a two-way street. The fan filmmakers found their relationship to the IP to be mutually beneficial for both parties. Several even described gaining employment opportunities via their relationship with the intellectual property owner. This harkens back to the discussion in chapter 4 around professionalization as a motivator for producing fan film content.

I almost got a job on one of the *Trek* shows. I was past NDA (Non-disclosure agreement) and then they decided that the specific job placement didn't specifically equate to my singular skill set. Even though I'd be better at the job than the person they would hire.

While this specific job did not pan out for my participant, later opportunities arose, including employment not solely in their capacity as a fan filmmaker:

Yeah, [it has happened a] couple times. I have a whole backdoor CBS project list I can't talk about. [This] helps [me get work], as you can imagine, because I don't tell people.

In the following quote my participant speaks about the long process of getting hired to produce work for the *Star Wars* IP, stemming from previous work they had done in the fandom and on other projects adjacent to the brand:

When they were making the pitch for the *Star Wars* license, they knew the work I did. They knew that I already had done, a lot of it 10 years ago when the source book never happened. And so, they asked for my help in making some visuals for their pitch for the *Star Wars* book and model... And then, of course, you know, Lucasfilm knew me because of the *Star Wars* fan films at that point. 'Everybody was like, 'okay, you know this work.' I was in a lot of the right places at the right time for stuff like that. I will admit, I have gotten lucky several times.

This participant parlayed his access into employment and financial gain. Other participants have sought similar deals where, through their access and status as a known fan filmmaker producing content which is not objectionable to the IP, they attempt to get a special

status to monetize their content. Another participant recounts trying to get their YouTube channel and the content they produced officially licensed by CBS/Paramount and the discussion they had with the IP:

I've done many things with CBS over the years. I just don't talk about them because, you know, best not to. I'm not a bragging sort of person. [The CBS licensing representative] understood that and he saw you know, there was no leaks [from us] or whatever. [He said] to get you a license with flexibility would be so impractical and expensive. [To make it worth it to us] you'd have to sell fuck ton of merch, which we weren't even doing. And he said, 'you are better off doing what you're doing, the way you're doing it, and just doing it for the fans. Have at it.' And that's from the guy that ran that ran that part of the company. It was a great conversation, as you can imagine.

While, ultimately, this did not pan out for my participant, their access to the IP led to previous collaborations and opened the door to this possibility. This is an example of a very positive relationship between my participant and the IP. However, when I delve further into the legal issues between fan filmmaker and IP owner later in this chapter, we will see not every fan filmmaker enjoys this much access and dialog between parties.

A final facet of the concept of access is the ability of fan filmmakers and intellectual property owners to connect at comic book/tv/film conventions. Conventions are by no means a recent phenomenon, as the aforementioned *Star Trek* "kooks" of 1986 reveal (Leershen, 1986). The later mainstreaming of these conventions, however, ties into the contemporary focus on genre entertainment discussed in the previous chapter. At these conventions my participants were able to access intellectual property owners which offers several benefits to both parties. Below my participant recounts when a CBS/Paramount employee admits to watching their content as light market research for the effectiveness of their official offerings:

I did go to Vegas and I spoke to a CBS higher up... It was funny, because we all got drunk together. They were at a party and we're all there. And we talked to them. I remember I was quite drunk, but I was like, 'I need to remember this. I need to remember this conversation.' They were spilling their guts: 'Oh, I was watching [your fan content] every single week in case there was something wrong. Part of my job was the social media stuff and I was literally watching your guy's stuff... [We] didn't agree with everything being said, obviously but you were doing good stuff.' I can't really give you specifics after that point. I don't remember too much more. I was drunk.

This is a fairly remarkable quote in what it suggests about how some lower-level members of the intellectual property owner may view fan content. Both parties benefited from their access to each other in this specific case. The production team member admitting that part of their official duties included keeping an eye on fan content reinforces the aforementioned concept of a change of assumptions where fan content is not automatically underground and unknown to the IP as in the past. The assumption now could be that fan content is known to the IP holder and their silence or stance is a specific choice.

My participants also described situations where conventions provided them access to the IP in ways outside of the production team. In the following quote my participant describes how their chosen fandom generally feels about the actors on the project, whose continued attendance at these conventions provides access to fans:

I think the *Supernatural* fandom is a little bit harder, because there's such a blur between the lines of the love for the show and the love for the actors, because they do so many conventions, and they're so in touch with their fans... They go to all these conventions every year, all the time. I think 10 conventions a year. And they sit and they talk to their fans and they answer the same questions over and over and over again.

This participant later elaborated that these conventions where access to the show's cast was common helped motivate them to produce their fan film work:

The Supernatural conventions have a contest for fan videos. And so I decided that I wanted in there.

Antagonism

Invisibility, endorsement, and access all run along the neutral to positive end of the relationship spectrum between fan filmmakers and intellectual property owners. This is not to suggest, however, that my participants did not ever express some level of antagonism between themselves and the media owners from whom they poach. In the following quote this participant suggests that the best way to grapple with the IP's ire is to not antagonize them to begin with:

If you play nice and play by their rules, such as they are, you don't try to make money off of them, and you don't disparage them or present their product in a poor light, they're pretty much going to ignore you, or let just let you play. It's only when you're potentially damaging their IP, or their ability to make money with their IP that they're going to look at you. And most fan films aren't going to have that kind of pull or that kind of draw. Things like *Troops*, *George Lucas in Love*, *Axanar*, *New Voyages*, those are the outliers.

Challenging this perspective, however, is the previous example of the capricious blocking and unblocking of another participant's video elaborated on in Chapter 4. An argument could be made that those participants' fan film was somehow presenting the director's fake commentary in a poor light and that reflected back on the IP, but ultimately those participants felt that antagonism between them and the IP owner with little provocation: "We never we never claimed to be [the director] in the video."

As my participants suggested earlier, they were worried their fan film could have been construed as "too mean" for the director and the intellectual property owner who represented him. Trying to navigate the mood of a massive media conglomerate is labor beyond the regular skillset required of a fan filmmaker, and yet my participants expressed several times the fear in

accidentally sparking an angry reaction. Worse still, they recognize that while they may not be antagonizing the IP, others in their fandom can use their work to antagonize:

I would not do that. I would not tag Warner Brothers and say, ‘hey, look what we did, why can't you guys do this?’ Like, no, that's not me. But the fact that other people were doing it... I'm sure I'm sure Warner Brothers or whoever checks the Twitter page at Warner Bros probably don't appreciate it too much.

This constant dance of relationship between fan filmmaker and intellectual property owner speaks to the complexity of producing fan work in the contemporary digital age. The barriers between fan and IP owner have not fallen entirely but are far more porous than in previous decades. No matter which relationship my participants expressed as their preferred, there is labor involved in maintaining it. Even being invisible to the IP requires effort when the primary mode of sharing your work is to utilize the open, visible internet.

“Doing-it-Better” vs “Doing-it-Differently.”

In Chapter 4 we examined the personal motivations for why fan filmmakers do the work they do. In this section, with the multi-faceted relationship between fan filmmaker and IP, we shift our focus into how my participants describe their reasons for performing this work as it relates to the IP. For some, their reasons are classic Jenkins: they’re poaching what they want to do it the way they want. For others, they’re specifically addressing shortcomings they see in the IP’s official offerings. These reasons have become more complex when viewed from the lens of the contemporary digital age.

I offer a dual framework for how my participants describe their IP motivations to create fan films. The first framework outlines how some of my participants are explicitly trying to “do

it better” than the IP. For various reasons they view what the IP offers as lacking. These can be creative choices, nostalgia reasons, political preferences, and many other dimensions. This, again, is a long-established motivation for fan content-creation, including from the pre-Internet days of fan fiction circulated in the early Star Trek conventions (Jenkins, 1988). This first frame, however, can be explicitly embraced or rejected by my participants. As we will see, some fans will clearly articulate why they think their work is better than what the IP offers. Other participants, however, are aware of the perception that fan films are somehow commentary on official media offerings and firmly reject this as motivation. This is not to suggest that they are always content with what the official offerings are, but they explicitly reject their work as commentary.

Doing It Better

Some of my participants view attempting to “do it better” than the IP as an act of a small sacrifice. They have the ability to do this through their skill, money, and time and feel that this task is uniquely theirs to perform:

As long as they leave us alone, it's fine. It's very rewarding to stare at these high-end props and write this stuff. [Especially] when I've got my own developed characters, and I'm writing myself as it was [official] canon. I'm very careful to the universe, to the ideas, to the development. I'm fixing potholes in real *Trek* in my stories, because I can. Why wouldn't I?

Building off this notion that some fan work’s success offered commentary on the official offering, in the following quote this participant laments that there was a moment before the Paramount Guidelines hit where fan film offerings utilized the original actors of media intellectual properties more effectively than the IPs could have. They argued that fan work with

these original actors were more legitimate because of their attention to what a sub-group within the fandom wished for:

[Utilizing legacy actors] has always been forever lost to the community. Especially with *Discovery* being such bad *Star Trek*, at least for its first two years. Fans could have made better *Star Trek* with original actors. And they did with some fan films. I don't think [that is] disputable, because the original vibe [of fan film work utilizing these actors] was 'let's make *Star Trek*' versus just make whatever *Discovery* is. And they've killed that now.

This participant further clarified that they viewed some fan films attempting to “do it better” as providing a legitimate marketplace offering when they and other fans found the official versions so lacking. In the following quote, they touch on a bifurcation of fans within the fandom around who official offerings may be geared towards, and how some fan filmmakers attempt to address this:

Most people don't want [*Star Trek:*] *Discovery* season one, most people didn't like [*Star Trek:*] *Picard* season one for its vibe. But, a lot of people don't like [the fan film series *Star Trek:*] *Continues*, etc. So, if you can keep some niche for the audience, the super hardest core [who] watch fan films, most people don't obviously, but you keep them happy [and] that's good. We [fan filmmakers] can do our own thing, you [the IP] can do your own thing, which was absolutely fine.

Fans are engaged in producing fan film work to explicitly offer something else in the marketplace for a niche group within the larger fandom. For some participants, they feel that the IP could make use of these fan filmmakers via some endorsement and expand official offerings:

You know Paramount+, if I was them, I would not hire [James] Cawley, but I'd hire his sets. I would be filming a webisode on his sets every releasing every week or every fortnight... It's a [fan created] full standing set... And boom, you've got you unlimited fan goodwill... Maybe we'll fly Nichelle Nichols, when she was alive, to come over and film on your set briefly. That would have been forward thinking.

My participants recognize that official offerings from the IP can be limited by time and budget. They, however, as fan filmmakers working with their own money and passion, can offer

more details to satisfy hard-core fans whom they consider more sensitive to canon inconsistencies than an average viewer. In the following quote, my participant asserts that current *Star Trek* official offerings are lacking in aesthetic fidelity to what came before. Aesthetic fidelity to “canon” has been an issue within segments of the *Star Trek* fandom since the return of the franchise to television with *Star Trek: Discovery* in 2017 (Stowe, 2023).

It's not just about the fun, cool factor... I am not beholden to licenses. [*Star Trek:*] *Discovery* was not able to bring in [certain elements from the IP] and nor do they want to. [*Star Trek:*] *Picard* doesn't have access to every ship model. They could build them, they don't. They have vendors that are very expensive. They shouldn't be, but they are. [But] I have so much in the bank. I could throw in a random Oberth class just flying past the camera... But they don't have an Oberth. They can't include it without committing to a build. So, I'm able to utilize these things in a way that they can't; can't and won't.

An important take away from this quote is the assertion that, as a fan filmmaker, they can provide a more canon faithful product than the official offering. They also assert that they can accomplish this cheaper and with more flexibility than the intellectual property owner. This runs contrary to the way Jenkins (1988) described fan fiction about *Star Trek* as a means of addressing ideological shortcomings in the official product. The fan fic writers and this fan filmmaker are both attempting to do it better than the official media, but the fan fic writer is trying to make a *Star Trek* which is more accepting at the expense of its previous canon while the fan filmmaker is trying to make a *Star Trek* which is hyper-faithful to its previous canon.

Perhaps even more blunt is this quote that reveals something of the fallacy of “professional” fan work.

I think there's a reason why people make fan films. And it's because people who officially make things don't always get it right. And if you want to become those people, you are going to have to come to terms with the fact that you probably won't get it right, because you become them.

Both this and the previous quote seem to have critiques of industrialization. Producing fan films simply for the monetary return in an industrialized fashion would simply begin to offer the same mass-produced product that some fan filmmakers are attempting to supplement or supplant. For this participant, trying to please everyone is a dead-end.

Despite these perspectives, some of my participants outright reject the idea that they are attempting to “do it better” than the IP.

There's an interesting thing that's been happening with our most recent series which is that we're getting a lot of comments suggesting that what we're making is better somehow than the source material. And they're saying, like, we're ‘making it better.’ We see that quite a bit. You know, ‘you've improved it,’ or ‘you've saved it’ or something. This is not our intent, ever. That is not our goal at all. We have never set out to try to rope people in with this promise that we're going to make something somehow better than the original source material. In fact, I think that idea is kind of absurd.

As the next section details, at most they see their work as a supplement or enhancement to the official offering, and never a replacement. For some, fan films do not need to rectify some slight:

I just think that that's the beauty of fan films... It's almost like when I made [my film] someone came to me and said, ‘you get to do an Elseworlds...’ It still has to be Batman, all the characters have to act in character, but you're completely free from any need to please anybody, or to adhere to any kind of canon. And it's a lovely writing exercise.

The act of creating a version of the IP was impetus enough for this participant. They were expanding a universe, not trying to address any larger issue within the fandom or the media property. Later they further elaborated on this, explaining that they too often see division within the fandom when there doesn't need to be. For them, they believe their positive mindset about

why they produced their fan film as it relates to the official IP, made a difference in quality in their finished piece:

I think that when you think about fandom today, a lot of problems is that you can almost link it to politics, or just any kind of discourse in the world today, which is us versus them. And what they do is they make the big corporation, the boogeyman, and they are the hero. I'm not saying that corporations don't make shitty products, they definitely do. I feel like I'm gonna have to do the counterpoint to this, because I don't want it to just sound like I'm saying the fans are a bunch of idiots, because they really are not. I know that people seemingly like my film. And I'd like to believe it is because I had good intentions.

Fan work as a joyous exercise, and not a critique of the intellectual media owner, was a frequent theme in my discussions with fan filmmakers. They recognized that their work could always be perceived as a critique, but ultimately that was not the point of their labor. For the participant in the following quote, rejecting “doing it better” goes hand in hand with trying to boost the love of the official offering:

I think it's important for us to be able to make these critiques, but also to always remind people that are watching it that we do love these things. And we want you to love them too. We're just trying to be funny at the end of the day. We're not seriously trying to change how these films are made or anything like that. We're just adding to them in a way that maybe will make you think a little bit about the source material.

In explicit language my participants rejected what some refer to as the “arrogance” of trying to improve upon the official offerings. They find that since so much raw semiotic material has been provided to them, to suggest that what they are doing is somehow greater than the official offerings is problematic:

Because we're taking so much from the source material in terms of what's already been produced, we're totally building things off of the guardrails that have been set down by the original material. I feel like it would be incredibly arrogant to suggest in any form that we are doing something that is like improving [that work]. If it comes time for us to make that claim, it's going to be because we've sat in the writer's room with the actual producers of the show.

This dueling perspective between participants who look to fix versus those who look to complement speaks to something of the broad swath of people and idea behind fan filmmaking. The aforementioned fan filmmaker working in the *Star Trek* fandom explicitly believed they were working to correct plot holes created by *Star Trek* production teams, and offer content that appealed to, in their view, hard-core niche fans. This participant rejects this view, and is guided by what has come before from the official media offerings. Both viewpoints are intrinsically tied to how the fan filmmaker views the media IP owner. This viewpoint is their own, but another facet complicating this relationship is the perspective the viewers of the fan filmmaker's content brings to the table:

There's a lot of [YouTube] likes, and people like yourself, have asked me to come on podcasts and things like that... That's my first time dealing with fans; talking to people who've reacted to [my fan film]. Which is really funny, because then they'll be like, what's your opinion on and they'll say, 'dot, dot dot,' and I'll be like, 'I liked it!'. They'll look disappointed because they wanted me to dunk on it or something.

The fan film viewer's assumption that fan film work must be commentary tends to be a frustrating reality for my participants. Some viewers even take the extraordinary steps of making my participant's fan films known to the IP via social media. Ostensibly they are trying to pay my participant's films a compliment, but this may embarrass the fan filmmaker, misconstrue their intentions for producing their fan film, and even antagonize the IP:

We have had some guys on Twitter that have tagged Warner Brothers and put our URL to the movie in there. And they're like, 'hey, by the way, Warner Brothers not telling you how to do your job, but this is what fans want!' And I'm like, 'oh, my God.'

This participant later elaborated on how the propensity of other fans to use their fan film to make an anti-intellectual property critique became an issue for them:

Because one thing I find about fandom that I don't like, fandom is about how that was not just about what you liked but about what you hate... My brother likes to tease me about this because he'd be reading through the comments and tell me 'there's some guy who really loves your film, but he thinks that you're on his side about how that hack [*The Batman film director Matt*] Reeves ruined Batman!'

In the previous quote, my participant's brother was humorously affecting an impression of a viewer of my participant's fan film. This assumption that some of my participants feel their viewers have about why they produce the fan film work they do and how they must also share in the viewer's opinions on their fandom becomes a larger problem when extrapolated out to a whole fandom. For some participants, the rejection of their work as critique includes a rejection of their work as a lobbying of the official media offerings:

There's this kind of feeling of now that if you're Disney, if you're Warner Brothers, you are the enemy. And if you're a fan, you automatically know best... I think that in the best version of life films are good and films are bad. And fan films are good and fan films are bad, just like actual art. And I think that at the moment there is a growing narrative that I am a bit wary of. And the narrative is [the IP] are always going to make the wrong choice and be cynical about it. And we [the fans] need to stick together because we are an army that wants to see the Snyder Cut, or we are an army that wants to see Henry Cavill back as Superman.

Indeed, some of my participants feel that the IP may listen to fan complains and critiques too much, and they have potentially damaged their own artistic integrity:

I've really enjoyed a lot of the Marvel shows, but there's desperation of like 'you wanted that, didn't you? We gave it to you. You wanted that. Right? That's what you wanted. We listened to you, and we gave you what you wanted.' And it's like, no, no, no, no, no, it's not.

This is, potentially, just another form of a fan suggesting that the IP is doing it wrong and could be doing it better. But I think including this quote and perspective in this section is important because it reveals something more of our research question around the relationship between fan and IP owner. Official offerings are no longer completed in a vacuum, if indeed any ever were. As an example, in the decidedly less connected Victorian era Arthur Conan Doyle brought Sherlock Holmes back from the dead ten years after the character's death due in part to fan lobbying (Vranken, 2015). The affordances of the internet, however, let fans and IPs communicate closer and faster than ever before. While this dissertation is primarily concerned with the fan filmmaker's perspective, the creative choices the IP makes are in some way colored by what they perceive fans to want. For the previously quoted participant, the same negative voices that misconstrue the intentions of fan filmmakers could also be leaving IP owners with the wrong assumptions.

At the moment we're kind of halfway... in that fans can't make official content, but they're affecting official content. They liked *Thor Ragnarok*, which made *Thor Love and Thunder* just like *Ragnarok* but even MORE *Ragnarok-y*. So now we're at the stage where basically, the people who own the IP are so terrified, that they're taking ideas from the audience to the point of not actually really quite understanding their own stories sometimes.

Doing It Differently

The second framework offers that instead of being pro or against "doing-it-better" my participants are simply "doing-it-differently" to expand the story and lore of their chosen property. This frame attempts to see the gaps left in the marketplace from the official media offerings and tries to address them. These gaps, again, are not commentary directed towards the

IP, as in the previous frame. Because for some, they recognize that media intellectual properties offer them the opportunity to “play in the sandbox” of established lore and known characters. In this sandbox they can create different stories from what is generally offered but ones not focused around addressing an issue of the IP:

I feel like a lot of fandom are in some way want to force their perspectives on the shows, and maybe influence how those shows are made and written. I don't know, I see some fandom stuff and it's just very loving and made as tribute. But other stuff is just very much like ‘no, this is how it should be done.’ ‘This is what they should do.’ ‘This is what they need to do if they want to save it.’ It's all very much hinging on the material itself. Whereas we're just kind of having fun with it. And we just want everybody else to have fun with it. At the end of the day we are celebrating it while we're criticizing it, which I think has come through to a lot of people... Some of our favorite comments from people that are like ‘I can't tell if [participants] hate *Star Wars* or love it, but it seems like it works for both.’

Playing in the sandbox of a media property allows one to offer different stories and ideas that the media IP owner, for various reasons, may not touch upon. In the following quotes, my participants discuss the ways in which they've attempted to offer something in the way of commentary and critique of the wider culture within their fan film work. Again, these critiques are not directed at the IP and are not meant to be “doing it better” than them in how it relates to the wider franchise. Instead, they're attempting to offer something else to the culture through what they have poached. In the following quote, my participant recounts the story of a single joke in a recent fan film related to the commodification of YouTube talent by sponsors offering less than ideal programs:

Our [virtual private network ad] was fictional. It was a commentary on exactly that process of [shilling for VPNs] in your video. What we found was that a large portion of fans believed it was a real ad. Even though it wasn't a real VPN it was like MOSVPN as in Moss Esley [from *Star Wars*]... It did split some fans for sure.

Using *Star Wars* fan films to make a critique of capitalism on the contemporary internet is well outside the norm for that intellectual property from a storytelling perspective. But in attempting to do work differently from how the IP would approach it, fan filmmakers can expand the ideas that they bring to the fandom, even if the critique they are making is directed at the fandom community:

I almost felt like, quote, "fans don't know what they want," unquote. Which is a bit unfair, because obviously I've made a fan film and I am a fan. I think that a lot of the time there's a propensity for when something good has happened, they just want the next thing again and they want it like that... That's why a lot of fan films that are made, I'm not saying they're bad, but are just simple recreations. They're there, they do the bare minimum.

When explicitly not trying to recreate what has come before from the films, some fan filmmakers reject the aforementioned position of Lucasfilm IP that fandom is “celebrating the story as it is” (Jenkins, 2006; Murray, 2004, Harmon, 2002). For the participant in the following quote, their different angle on the content keeps in place much of the raw material of the IP while amplifying or altering certain relationships and plots for the sake of comedy:

[We] are industry, guys. And we will try to bring that craft into the experience so that people are getting [our offering]. It's not a replacement of the content, but it's sort of a different angle on the content.

A helpful frame for thinking about content that attempts to “do it differently” and is explicitly not a critique of the original media is one of the remix. Remixing, as we would now define the act, likely goes back far longer than its general origins suggest. The term is generally thought to begin with the process of changing or altering audio tape in the 1970s (Burn et al., 2021). For our purposes, remixing ideas and story elements in a fan film offers the filmmaker many possibilities beyond what the IP originally intended. As an example, a fan film which does the property differently can mix multiple genres and IPs together. In the following quote and

referring back to an earlier example in Chapter 4, my participant explains the thought process and origins for a combined *Transformers* and *Back to the Future* fan film:

It's a double fan film, it's *Transformers* and it's *Back to the Future*. We're dealing with two different IPs here. And it started off as just kind of a parody fan film... I told [my creative partner] about it and he goes, 'I have a better idea.'

By merging two distinct franchises in this way, my participant is pushing the boundaries of what an average viewer of one franchise would expect to see from their chosen media. This hybridization of known IPs in this way has already been a feature of some IPs which are within the public domain of the United States. One of the most well-known examples of this is Seth Grahame-Smith's mashup of body horror and early 19th English romance in *Pride and Prejudice and Zombies* (Daly-Galeano, 2019). For Daly-Galeano (2019), the novelty of mixing incongruent work challenges and delights an audience familiar with one or both properties. This same novelty can be applied to fan films which also remix and mashup copywritten media.

Ending Ambiguity: Guidelines

The final concept which unpacks something of the relationship between fan filmmakers and media intellectual property owners is the desire on the part of fan filmmakers to end the ambiguity they currently experience as they perform this fan labor. This ambiguity is introduced by several factors and for some of my participants created significant anxiety:

[The guidelines] stress me out. I was even afraid. I knew making these films and uploading them I could get a knock on my damn door. And someone can be like "this is a copyright issue, we're gonna sue you."

In the US, the legal situation between fan filmmakers and intellectual property owners is nebulous, since the poaching of protected intellectual property and adapting it into a derivative

form is both a violation of copyright and an allowable act as long as the derivative work is for non-commercial, personal use (17 U.S.C. 107). One attempt to clarify these practices, although not necessarily to the satisfaction of or fairness to all, is CBS/Paramount's guidelines for *Star Trek* (see Appendix A). These guidelines could be seen as clarifying the position of the company and letting fan filmmakers working in the *Star Trek* fandom operate with less ambiguity than other fans. But some of my participants felt that the guidelines themselves are purposely vague so as to indemnify CBS/Paramount from finding itself in a mandatory action:

[There is a] reality behind why CBS and Paramount called these things guidelines and not rules, right? If they call them rules, that puts them on the hook to enforce them, because they are rules. If you call them guidelines, these are the guidelines you can follow that will lessen your chances that CBS or Paramount will come down on you.

Creating ambiguity in this way does nothing to alleviate the potential danger fan filmmakers like my participants could find themselves in. Furthering this is the view that the few times when Paramount/CBS does apply their guidelines, they apply them unevenly to different fan filmmakers furthering the issue of ambiguity:

[It's] pretty easy to research because all you have to do is see how many fan films have actually been put out since 2016 that have exceeded [the guidelines'] 30-minute cap. And there's a lot of them. So, if there's some precedent out there, you know that we can always argue, hey, there's plenty of precedent, the CBS cares less about your runtime than they do if you're making money off Star Trek, which is not, not cool.

Further, some participants may have received special treatment from the IP despite the existence of the guidelines. One participant recounts their experience dealing with the IP over an issue with one of their films, after receiving a cease and desist:

I got her on the phone the next day. I didn't tell anyone so I'm dealing with a multimillion corporate company by myself... But the tone of the email, this was the most important thing, the tone was not negative. The tone was lawyery with a smidge of possibility. And with that little bit of possibility, I said 'they're people too, this isn't to be mean.' I sent back a very nice email; very positive, very 'I'll work with you.'

To be clear, seeking an amicable solution with a media IP holder is not a negative on the part of the fan filmmaker. Nor does it reflect badly on the IP that they approached a potentially uncomfortable situation with one of their die-hard fans with subtlety and understanding. The takeaway here is that if the guidelines can be loosened on a case-by-case basis, then the potential for them to be applied unevenly increases, as does the ambiguity around them.

For other media IPs that have not yet offered guidelines to fans about what they can and cannot do within their films, fan filmmakers are left to speculate even more on what could potentially set them off:

I don't think Warner Brothers cares about a guy in a Batman costume. But I thought they might care about our use of the Bat symbol on things like our poster or things like social media. I also don't know much about copyright and trademark law. But I know that logos, especially the Batman logo, which is arguably probably in the top 10 most recognizable logos in the history of our society and culture and life on planet Earth, I would expect them to be pretty guarded about that.

In this situation the fan filmmaker recognized their lack of knowledge around the legality of fan work. Other participants have tried to grapple with these legal rules with what information they have been able to gather for themselves, and can involve a mix of the IP narrative world and new characters/settings created by the fans:

Does this attempt to replace the source material in the marketplace? I think, for us, that's always a very clear 'no.' I don't think there's ever been an instance where we're like, 'No, *this is the* version.' I think *Harry Potter* fan films have had a hard time with that, in particular, if they're like, 'these are not characters from the movies, but we are using the rules [and] that world's lore and everything from it to create a new scenario.' They're like, 'Oh, this is supplementary to the material,' but that is also not fair use. That is copyright infringement. I don't think we've really walked that line either. We're not like No, no, this exists in the Star Wars universe.

To some extent, the distribution platforms discussed in the previous chapter have attempted to educate users on their platforms about copyright infringement, although not explicitly for the benefit of fan filmmakers. If anything, the platform is simply trying to stymie copyright claims that could put them in the middle of a legal fight between user and IP owner. In the following case, a fan filmmaker was invited to take classes by the platform before they could move up in the distribution platform's content-creator ecosystem:

We had to go to YouTube studios in New York when they first opened. [They said] you have to take our Creator workshop class before you have access to YouTube studios. And part of that involves the copyright claim course. And one of the big examples they used was they gave us two examples. They're like, 'here's a *Pretty Woman* cover by two Live Crew...' They sampled Roy Orbison's [original version of] *Pretty Woman* pretty egregiously, and then their own song. They were like, do you think this song lost their copyright claim case? And a lot of people said yes. And they were like, 'No, they did not establish beyond a shadow of a doubt that it did not replace Roy Orbison's *Pretty Woman* in the marketplace.'

Ambiguous guidelines open many questions about how fan filmmakers should operate, even if they have received some knowledge about the legalities of fan labor. For some, the guidelines themselves are just onerous:

[My partner] [after the *Star Trek* guidelines hit] kind of threw his hands up and said, 'You know, I'm kind of burnt out on *Star Trek* and I'm done.'

Despite the fact that some find the guidelines somewhat toothless, others recognize their potential to chill fan labor in ways that protects the intellectual property owner from challenging

or controversial fan work. In the following quote my participant recognizes the potential for a chilling effect:

15-20 years ago, if someone would have made a fan film that made Superman bisexual or gay, they probably would have gotten a cease and desist, right? That's not the character. It's up to [the IP] to decide what the canon of the character is, in their point of view. And to take it to the extreme, imagine I made a film where Superman raped someone... So how do [IP owners] stop that? You don't even get [fan filmmakers] started in the first place... And then you don't have to go by a case-by-case basis... It's so firm that everyone knows not even to test it... I don't agree [with such a hardline stance] but I understand it.

In this view, the guidelines are more effective than onerous or toothless even if they restrict what fan filmmakers may attempt to do. Fan written slash fiction which romantically pairs established characters has always had an uneasy relationship with IP owners who have previously taken steps to curtail this type of work (Peaslee, 2015). Other participants recognized that while the CBS/Guidelines were written towards fan filmmakers and could be perceived as ambiguous, they may have a clearer message for specific people or uses. For example, the current Paramount/CBS guidelines stipulates that no previous actor from the *Star Trek* property can work or volunteer time in a fan film (see Appendix A); one participant comments on this:

I get the actor thing, [but] it is a shame because it means that if CBS never chooses to hire this person [again], they will die and never be in an [official media offering] again. And some of their best work is sometimes fan films. And that is the biggest sadness of the [current] fan film community... I would have hired Walter Koenig... that would have been a dream, a beyond dream, come true. And I could have got him. Hundred percent could have got him, right?

Keeping legacy cast out of fan films may be an attempt to limit fan filmmaker's entry into the marketplace. For this participant, volunteer labor from production members of the official media offering had to be kept secret so the IP would not retaliate:

We've actually had a couple of people secret cameo in some of our videos that are that are other industry professionals that are working on Star Wars properties, which is kind of funny.

The Marked Minefield

Despite these issues, some of my participants saw guidelines as a benefit to them and their labor. For the following participant, while they were not working in the *Star Trek* fandom, they still consulted the CBS/Paramount guidelines as an indicator for how they should produce their fan film:

It's actually something worth noting [that] there are no guidelines for Warner Brothers that I know of. So, when we started making [my film], I applied the guidelines from CBS/Paramount to my project for Warner Brothers. Not the crowd funding, because if Warner Brothers doesn't put a number out there then that doesn't matter. But certain other things in there about how things are put out there. The disclaimers that we need to use on all our public facing social media websites, etc. Like there was actually some really good nuggets I thought in the CBS/Paramount [rules] that shocked me. I'm like, 'you know what? I can probably cover my ass a little bit with [my film].

The metaphor of the “minefield” came up amongst a few of my participants who recognized that, when it came to producing a fan film and potentially having to defend themselves against a litigious intellectual property owner, something was better than nothing:

I absolutely look at the guidelines, I look at those every day. They do color everything we do. I don't want drama in my life. I don't like drama. The more I can avoid drama, and you know, not walking into an active minefield, like I'm going to do it.

One participant made it clear to me that wanting to adhere to guidelines or rules about the production of fan work does not make a fan filmmaker any less of a “fan.” For them, even operating under the guidelines offers more to grow the fandom than a fan filmmaker getting completely silenced:

You want to be a part of this universe because you grew up on it, and you bonded with it. It's informed you and it means something to you, that's fine. I totally get wanting to be a part of that. But if you want to be a part of somebody else's creation, then you should expect some kind [restraint] if they have rules about that engagement. Now, again, it depends on what those rules are, there's going to be levels to it. Some things may be more fair than others, but, yeah, it doesn't seem unreasonable to me.

Recapping RQ3: The Relationship Between Fan Filmmaker and IP Owner

The ways in which my participants, and, perhaps, other fan filmmakers like them, feel about intellectual property owners is varied and nuanced. I believe the invisibility, endorsement, access, and antagonism relational facets illustrate that fan filmmakers are not treated homogeneously by intellectual property owners. A critical reading of the motivations of IP owners may suggest that this system is working as designed. Treating fan filmmakers differently, especially within a fandom, may serve their corporate needs better than a completely transparent system with clearly defined boundaries for fan filmmakers. Treating fans differently than others maintains the power relationship status quo, as opposed to offering a more even field wherein fan offerings could be viewed as more on par with official offerings. The ambiguity explored in this chapter also lends credence to the idea that, for intellectual property owners, the relationship they have with their productive fan filmmakers is going as planned.

This critical reading of the situation, however, does not preclude the idea that intellectual property owners may want stronger ties to their productive fan communities. The access that some IP owners bestow upon their communities, either through private communication or fan convention events, certainly suggests that they do wish for some kind of transactional relationship. Fan filmmakers, for their part, can only operate with the latitude they are given, or, alternatively, reject entirely via choosing a relationship of invisibility.

No matter where fan filmmakers find themselves as they relate to the IP, they must still operate from an extralegal position as they perform their fan labor. Still, the ambiguity of the guidelines offered by CBS/Paramount and the lack of such rules or guidelines from other media IPs does nothing to truly clarify how fan filmmakers should proceed. As we will see in the next chapter, some fan filmmakers chose to disregard these guidelines entirely and find ways to monetize their labor, even if it endangers their relationship with the IP. Alternatively, other fan filmmakers do find some comfort in the guidelines, even those who produce fan films in other fandoms than *Star Trek*. This “marked minefield” offers very light assurance that fan filmmakers can produce their work without risking an IP’s legal reprisal. Although certainly it is not a perfect set of rules and they sense ambiguity that can be unsettling, for some, it truly is better than nothing.

Finally, the relationship between fan filmmaker and IP cannot fully be examined without understanding something of what motivates fan filmmakers to do this work. Chapter 4 delved heavily into personal motivations of fan filmmakers, but this chapter expands upon this by trying to tie personal motivations with feelings towards the official media product. Some fan filmmakers truly feel they can and are “doing it better” than the IP. This is not always meant to be a critique of the IP, but often is framed in such a way. Other fan filmmakers explicitly reject this motivation and say their work exists not to prove a point or fix a plot hole, but to approach the universe and story of an IP in a different way. “Doing it differently” means they can expand the IP through fan films in ways that a for-profit media corporation could not risk. These differences from the official media offering can be categorized in many ways. There are simple aesthetic differences, as the afore-quoted fan filmmaker attempted to address with their fan film work (“I could throw in a random Oberth class just flying past the camera... But they [the IP

owner] don't have an Oberth"). They can attempt to do narratively different stories where minor characters or plots from the original IP are expanded upon. They can tell different stories to address something of the ideology of the original material, ala the *Star Trek* writers attempting to correct some of the original series' sexism (Jenkins, 1988). I believe that these viewpoints all find commonality in the notion that whatever fan filmmakers produce is contingent. Their labor and the motivations which drove them to produce their films is entirely shaped by their relationship to the intellectual property owner; a relationship that often lacks agency. In the final results chapter this lack of agency comes into sharp relief as we examine the element of money as a relationship between fan filmmaker and IP. Much like the previous themes, their attempts to monetize their work on their own behalf or the IP and distribution platform's efforts in commodifying their labor places fan filmmakers within a complex position wholly unique to the contemporary digital era.

Chapter 7 “Don't tell me you don't use money in the 23rd Century?”

RQ 4

With the personal motivations of fan filmmakers explored, how the contemporary internet has changed their work examined, and their personal feelings towards the IP discussed, our final research question concerns the financial element of fan filmmaking. In the past, fan filmmakers have relied on different strategies to fund the production of their fan films. Crowd funding, the practice of soliciting fans of an existing media property to donate money towards the production of a fan film, has been a common strategy of fan filmmakers looking to raise capital for their productions as exemplified by the *Axanar* suit and other recent fan films (Philbrick, 2021; Despain, 2020). Despain (2020) argues that crowd funding in this way shifts the revenue generated by a fandom away from the media IP owner and into the pockets of productive fans. The awareness of this likely led Paramount/CBS to institute, as part of their fan film guidelines, a rule concerning how much fan filmmakers could raise and what types of ancillary DVDs or collectables based off a fan film can be produced (see Appendix A). Harkening back to the discussion of professionalization in chapter 4, some fan filmmakers rely on their fan film's success to offer them paid work in the film and television industry, to square the costs of their fan work (Philbrick, 2021). Chapter 7 will attempt to explore how fan filmmakers either reject or embrace the financial situation they find themselves in through the course of their labor.

Two broad themes answer this question. First, like the complicated relational situations between fan filmmakers and IPs, fan filmmakers find themselves in a complex situation regarding the monetization for the fan filmmakers, commodification or marketization for the IP

owners, and financing of their work. Some see their efforts to monetize their own fan film work as both necessary and vital. Without monetization, they cannot continue to perform this labor.

This is not a universally held belief by my participants, however, as some explicitly reject the idea that people should make money off fan films. Expanding outward, some see the commodification of their fan film work by the IP (with or without their consent) as necessary but infuriating as it strips away some of their agency. No matter what, producing a fan film requires money. My participants expressed fear of the “Bermuda triangle” of fan film labor in which money is spent with little to no return beyond personal satisfaction. Further complicating this relationship, my participants expressed hesitation around the “silent partner” between them and the IP in the form of the video distribution platform. They have an increased awareness of platforms like YouTube taking a cut from their work without having much say in the arrangement.

Finally, the last theme to discuss in this inquiry is the idea that fan films competing in the marketplace is not theoretical; it’s already a reality. They recognize that there still may be a stigma against fan films, like fan fiction, but the professionalized work they do can eventually lead to monetization. More monetization can mean more legal troubles from the IP who potentially don’t have many mechanisms in which to curtail this. Where fan filmmaking goes in the future may largely depend on whether fan filmmakers and intellectual property owners can strike some sort of accord.

The Money

Budgets

Despite the technological advances bringing the cost of high-quality production tools down, filmmaking still costs money. Fan fiction can be performed with a #2 pencil and sheet of scrap paper, but fan film productions on the scale of long, on-going seasons utilizing green screen chroma keying, CG special effects, and industry-standard makeup require more resources to produce. *Prelude to Axanar*, the prelude to the as-of-yet unreleased *Axanar* feature length fan film, cost approximately \$79,000 to produce in 2014 (Peters, 20014). The need to raise money and budget for these large productions was a constant concern for my fan filmmaker participants, especially as it related to the props and other items which denoted authenticity to the story and lore:

I asked [the prop maker] ‘how much would a [Star Trek: TNG] tricorder cost, a proper one? [He replied] £650 plus all the extras.’ They never tell you the postages would also be you know, £90, and Customs will fuck you for another £100 or whatever... But how much production value is on the screen? My mentality was when I invested several £1,000... I can use them all and suddenly the production value jumps to screen accurate.

Licensing is yet another expense, one that makes up a considerable amount of revenue for intellectual property owners (Elstein, 2012). Even if fan filmmakers want to pay for the rights to some copyrighted material in their fan work, the costs to license content can be extremely prohibitive:

I actually looked into licensing the *Cheers* theme for the Atom Film version [of my fan film]. And CBS Paramount or whoever wanted like \$7,000 for that eight or nine second clip.

The challenges of fan-film production costs and expenses gives rise to what one of my participants called the “Bermuda Triangle” of fan films:

[My fan film] is nonprofit, nobody's making a dollar off of it. I call it the Bermuda Triangle. All the money goes into it, but none of the money comes back out.

I found this Bermuda Triangle concept interesting for the way in which it frames fan-film work as somehow missing a conclusion, or payoff for their labor. Some found this concept distressing, to the point where a measure of desperation began to creep into their actions to make their time and effort worthwhile:

I can't justify putting that much time into something without the potential for some kind of reward. Now, if I'm not paid, but all of a sudden makes my Instagram blows up, I will tangentially find a way to monetize that, you know, like, I'll do the foot shots. All right, I'll send the foot pics. But as long as it leads somehow to facilitating something else, whether it's financially, socially, whatever, then to me that is worth it.

Not all of my participants agreed that budgets must be paid for or remunerated for fan films to be worthy of a person's time:

We haven't raised any money, you know, and we still aren't getting anything out of it. The only thing we get are nice comments and views. That's the only thing we get. And people! I have loads of Instagram followers now.

The previous two quotes reveal something of the reality that my participants find themselves in. Economic benefits are few, and even breaking even or generating some revenue may be unlikely (the next section discusses this more fully). But they know there are social returns for doing this work. Besides the obvious personal satisfaction they receive, their fandom grows from this content's existence, and they enjoy recognition from other fans and attention paid to their other efforts.

Monetization

Attention and popularity are welcome, but for some of my fan filmmaker participants, this doesn't fully "square the books" for what a fan film costs to produce. Their films are so complex that some measure of monetization on their part must occur:

I invested a lot of money. I'm very, very in debt right now. So, I need another IndieGoGo, and I was gonna do one in January... But I'm using the momentum of having everyone available and doing stuff and putting in massive faith the audience will reimburse me because it's all in the budget. I just have to get back the budget... I'm not stingy. I just have been told I need a mortgage soon. And being that much in debt is not ideal.

This participant explicitly needs monetization to continue their work and looked to a crowdfunding campaign to achieve this. Their need has turned desperate as their fan film labor has begun to affect their financial stability. Monetization takes many forms. The following quote is from a participant who approaches their fan film labor as their sole source of income and attention:

I am paid half by [my YouTube channel which comments upon official *Star Trek* content] and by my fan films. I work in *Star Trek* every day of the week. I've worked on *Trek* more than most people in the world. Literally my day job and my hobby.

This participant is upfront about how they've used their fan filmmaking and IP-related content to support themselves. As previously mentioned, this level of professionalization was largely unheard of in the pre-digital era. The affordances of the contemporary internet allow them to reach an audience within their fandom and live comfortably.

Axanar is an extreme example of monetization for fan films (Despain, 2020). Some of my participants shared some of the minor ways they seek monetization of their work aside from seeking crowdfunding:

There was one ad we did. It's literally the only ad we have ever done. We have a podcast. One advertiser reached out to us and were like, 'hey, we'd love to integrate into your [fan film] videos.' We replied 'listen, we don't do that. If you actually watch our videos, I think you'll agree a bit that maybe our videos aren't the best for that kind of thing. But we do have a podcast and if you send us what you got, and we like it, we'll shout it out on the podcast. We can't promise you good numbers because the podcast isn't the strongest cornerstone of what we do.'

In this situation a brand found my participants through their fan film work and agreed to an advertisement on one of their non-fan film endeavors. Their podcast was explicitly not poaching of other's work, but its audience was built from intellectual property which didn't belong to them. This represents an interesting conundrum for intellectual property owners. If a fan filmmaker draws an audience in via the poaching of the IP's material and then produces other content which makes money, does the IP have any recourse in this situation? The CBS/Paramount guidelines hint at an awareness of this behavior as they attempt to prohibit fans from several side-activities which could monetize their work (see Appendix A).

A big issue is also whether filmmakers *can or even should* monetize. Some participants were aware that fan filmmaking as a skillset does not necessarily transfer over into the skills needed to monetarily gain off their work. As mentioned previously, fan filmmaking in the contemporary digital age asks much of individuals in the way of new skills and knowledge. For some, they are happy just being able to produce a fan film and go no further:

There's no way for me to monetize it... I don't think I have that passive income brain. And in a way, I think maybe [it being un-monetized] gets a pass [from the IP holder].

Other participants explicitly rejected monetization:

One of the things that made me feel better about doing this fan film was the fact that I wasn't gonna get paid for it... I want to feel like the only reason I did it was for me. And so, there's no reason if you don't like it, don't watch it. If you did like it, tell me about it, because I'll feel great. But I didn't do it for a cynical reason.

Taking the example of Alec Peters and *Axanar* into account, the following participant recognized the danger in profiting heavily from someone else's intellectual property:

Regardless of what Alec Peters tries to tell people, I know for a fact he was taking a salary from the fan-film business. He even tried to justify it for me, 'well, I wasn't working. This was my job.' I [replied] fan films are not your job. They're your hobby. [He paid] himself a salary on fan donations. But they're supposed to go to the making of the film. I mean he paid for new tires, he paid for his SAG fees. He bought sushi at restaurants.

For some, the risk of monetization may ruin something of the "special-ness" of fan filmmaking, and draw in opportunistic individuals:

I kind of feel at the moment money gets involved you're gonna get a slew of unsympathetic actors. You'll get a bunch of people trying to make stuff that they think people will like. You will get a billion Red Hoods getting murdered [in fan films]. On the first week, Jason Todd will get beaten to death five times because that's what they think [people want].

Finally, some of my participants reject monetization of their work simply to make the approval process easier on the distribution platforms which employ algorithmic copyright controls. Not seeking to monetize their work through affordances like ads within the video may allow them more creative freedom in their finished fan film:

I will sacrifice monetization for a good music piece. If I feel like a piece of music is so fitting for a scene, I will sacrifice the monetization for it. [In my Jurassic Park fan film] the theme plays at one point, copyright might pick that up and I'm more than fine if it does. Because either you won't get monetized or you split the monetization with a company that owns it, which is which is fine because you still get a little bit and you help that the IP owner.

This participant recognized that monetization of their fan film work could also benefit the IP owner. This commodification of fan labor is a relatively new practice within the fan film experience. An argument can be made that fan filmmaking (or any fan labor) is automatically commodified since it brings attention to the original intellectual property. But the affordances of the contemporary internet go beyond brand awareness and into explicit financial gain on the part of the IP. For this participant, the sponsored ads some creators include in their content negatively impacts their viewing experience:

I'm a YouTube viewer as well... I will skip to the point in your video where the ad ends, and I hope your analysis, your video details show that. I feel like if enough of us do that, you'll get the point. You know, it's like, that's not helping anybody. It's ruining your content. It's aging it instantly.

Commodification

The above section focuses on how (or if) fan films may generate revenue for the fan filmmakers. But what about the commodification of fan films for the original IP owners or for platforms? As mentioned, via distribution platforms media owners can claim monetization rights over content they feel infringes upon their rights as owners, commodifying fan labor (Zapata-Kim, 2016; DeBlis, 2018). Do fan filmmakers see (or agree with) the potential for economic benefit for Warner Bros., Disney, Paramount, and YouTube? This can come in many forms, including seeing fan films are a form of marketization/publicity. The internet itself embraces a promotional ethos, with different ad-based platforms and websites serving to generate ad revenue directly, but also to tout corporate brands, merchandise, artifacts, and other sites/platforms, often in nuanced and interconnected ways and with an infrastructure of analytics that can highlight digital-marketing pathways and effectiveness (Einstein, 2016). Hollywood products exemplify such “multimedia promotional strategies” including “content generated from corporate, paid

promoters, prosumers and users” (Hardy, 2022, pp. 136-137). In the following quote, a participant recounts how their content is inadvertently commodified as free advertisement for their media IP:

I dive into the YouTube Analytics every now and then just to see what the status is. You can actually see where people find your films... It's rare you'll find a fan film in the suggestion box of a [non-fan film] toy review [video]. And vice versa. However, fan films can actively grow a toy reviewer channel, because people will watch a fan film and go, 'I want that figure, what is it?' Then they'll watch a review of it. It's kind of like we're free advertisement.

Recognizing that this occurs, some IPs hire fan filmmakers for their own advertisements, completing the transition of fan to professional through the commodification of labor. In this quote, my participant describes one of their peers within the community who was hired by Hasbro to make *Transformers* branded content:

[In his fan films] he'll just do a maybe a three-minute short of one figure fighting another or from different IPs. Hasbro has officially recruited him to make a stop-motion four-minute film advertising some of their higher end figures, like the Japanese imports. They'll send him an early sample model and he'll have the animation done and they release it whenever they first reveal the new figure.

This explicit arrangement, while still commodifying their peer's labor and audience, was palatable to my participants because it was an example of a healthy interaction between fan and IP. My participants expressed that they were more comfortable with these types of explicit arrangements, versus commodification of their labor outside of their control.

I think the only way it would feel comfortable [was if] Disney approached us and were like, 'hey, we want you to reprise your [fan film] role for this promo thing.' It would just have to be officially sanctioned for us to feel good about it. We have no problem spinning things like a PSA... Like, we'll put that out there because it's not just a commercially sponsored thing. It was another piece of creative content.

Companies supportive of fan-film work and willing to find ways to commodify fan content are attractive to my participants, even if they recognize there are limits to this arrangement:

Look, if they if they saw my thing, and they said, 'we're slapping ads on it, and then we're going to promote it,' I'm fine with that. Share it all you want.

In the previous quotes a suggestion of understanding between the IP and fan filmmaker is implied. There is almost as “rising tide lifts all boats” approach that some of my participants feel is worth their work being commodified. Other participants, however, recognize that commodification happens without their consent, either on the part of the IP owner who can use its influence to draw capital for fan material or the distribution platforms that serve as a middleman between the fan filmmaker and IP. These video distribution platforms are integral to the sharing of my participant’s work. My participants find that they are often in a struggle between presenting the best fan product they can and dealing with the realities of the platform’s attempts at commodification:

I think if we did eventually start to embrace certain things like [more commodification and monetization]... I think that we would just try to do it in a way that feels appropriate and respects the fan base. I think that we probably put too much thought into that. You know when we first started making videos, we didn't even use mid-roll ads, because we felt that they would disrupt the flow of the content. And then eventually YouTube basically forced mid-roll ads.

This awareness that commodification is coming at them from both the IP and the distribution platform puts my participants in a difficult position. They know that in some cases their labor is being exploited without much recourse beyond not uploading it on the platform, an option which would have an impact on the reach of their work.

YouTube kind of does [commodify] my work, right? If I choose to do a behind the scenes video about my film, it's not the film itself. It's me drawing a sketch of Batman. I did a video which was how to draw Batman, a lot of people watched it. And [the platform] said you've had enough audience members that if you want to you can monetize this. And so I said, I will monetize that. But I won't monetize the film because the film is of a copyrighted IP.

This arrangement gets even messier with multiple IPs becoming involved with the fan filmmaker and platform. In the following example, a participant recounts how they will often use other copyrighted material in their work aside from the primary IP from which they poach. But the platform allows those IPs a claim on their work, too, which means that other party is benefiting from the original IP:

Here's an interesting thing. A music artist can claim a video that we've done. And not only are they claiming our original material, or anything that we brought to the table, but they're also claiming something like *Star Wars*. You've got the band monetizing *Star Wars*. Which is really messy and that's where it gets super convoluted. So, it's not just our problem. It's also Lucasfilm's problem at that point and YouTube's problem... There's no simple solution for it. Because people do have rights to their own IP and copyrights and if you want to come in and claim something, the system just is not robust enough right now to manage those various copyrights and it's very wild west still.

These difficulties are not easily resolved as a perception my participants share is that platforms like YouTube are simply after money and have no stake in furthering the fandom that the IP and fans may share. The IP may be motivated to commodify fan work and allow some user monetization for the health of the property. The distribution platform, however, serves its own needs:

They can claim innocence on that and just say, 'Oh, we're just providing the platform.' And that's fine. That's true. But it is kind of a weird morass of copyright and monetary flow there. When you break it down, it gets really complicated and a little gross.

The Marketplace and the Future

The final theme that reveals something of how my participants claim to reject or embrace commodification and monetization of their labor relates to their place within the larger media ecosystem. My participants believe that fan films competing in the marketplace against the official media offering is neither theoretically possible nor something in the future; it is the current reality in which they operate. They have even observed the general viewing public getting on board with this notion:

Several of the folks who came to the premiere, it was just a private screening. We had probably 75 people there. They brought their family members. ‘Oh, yeah, we're gonna see whatever movie John's filmed out in his backyard with a camcorder. And we're gonna clap and be polite, right?’ After the movie was over, they came up and they're like, that was an actual movie. Like that was their words. Which tells me they expected the backyard camcorder stuff... And it actually *was* a damn movie. We were filming that in the middle of the night, and for a long time. Don't tell me it wasn't a movie.

My participants expressed that fighting the stigma of “fan work” is much easier as the quality of their work has increased. Even still, while their fan films may be of sufficient quality to appear to be competing in the marketplace against official offerings, that is still not a goal for some of them as fans:

A lot of people that come to the premieres with their families and all, they're always like, ‘Oh my God, you're gonna get a call to come out to Hollywood and work out there!’ And I'm just like, no, I'm not. It's not even anything I'd be interested in. Because I would rather have smaller budgets and 100% creative control over what I'm doing, than go out there just to say I did and work in the system where I've got 200 bosses with 200 opinions and decisions being made.

This participant had a clear understanding of what drew them to fan filmmaking and what they would do as their capabilities and popularity grew. The expectations of his viewers did not factor into their choices, but that was not universal for my participants, as indicated here:

Now people want, expect, cinema quality because it's now much easier to create that quality... In the olden days, you could just have your dad's handycam film thing, use Adobe After Effects, make a lightsaber. But because of its SD, you hide the sins and it can be fun. But now why the hell wouldn't you want to do a CG lightsaber fight with CG stormtroopers and do these creatively cool things? Why wouldn't you? Why shouldn't you?

For this participant, the time in which a certain measure of amateur-ness allowed in their finished work by sheer nature of it being fan-produced has passed. They speak of advancing their fan film craft the same way that Disney may put out a press release talking about a new digital effects system utilized in their newest *Star Wars* entry. As fan filmmakers create fan work to specifically address shortcomings in the official offerings, they take view counts, subscriptions, and other quantitative metrics as an indicator of success. Some of this data very much challenges the notion that fan filmmaking is so niche as to never compete in the marketplace:

New Voyages had more viewers for one episode than [the official offering] [*Star Trek:*] *Enterprise* got over the air, you know?

Not all my fan filmmaking participants shared the view that their work, regardless of its quality, could ever compete in the marketplace with an official entry:

One of the things that's fascinating to me is that someone who makes a fan film from scratch or some type of fan project from scratch, could be taken down on copyright terms, whereas someone like us who is using the property overtly and openly, we'd get a pass. I feel that people that create [fan films expanding the story of the IP] really should get a huge pass on that because I don't think that even the idea of replacing something in the marketplace is a valid criticism. I don't imagine there are a lot of people who get confused about what they're seeing. You know what I mean? I don't think there are a lot of people who watch a fan film and think, 'Wait, is this actual stuff? Or is this, wait, is this really Indiana Jones?' It's funny to me that that would be something that gets in the way.

And, yet, as mentioned in the previous chapter concerning the CBS/Paramount guidelines forbidding the hiring of legacy actors, there is a fear on the part of the IP that consumers will confuse fan and official offerings:

There are gray areas where I think it's worth discussing. If a fan film starts using actors and then becoming production quality, so close to the actual source material, then I do think that it does actually risk replacing that content in the marketplace.

Fans are producing work which visually matches the quality of the official offering. This is mostly done through hard work and affordable production technology. Fandom, however, is not necessarily restricted to people outside of the film and television industry. As the reach and popularity of these media IP empires grow, more of the people who work in their productions might begin to “reverse-professionalize” into fan filmmaking, further muddying the waters between fan work and official offering. The IPs may be limited on how to handle this:

I think [the guidelines] might also be a message to VFX artists, to anybody who's in the CGI world, to any type of post-production artist who's working behind the scenes. Because those barriers for entry are becoming a lot cheaper and easier now and it would not take a lot of work for somebody who happens to be a VFX artist on *Star Trek* to suddenly find his or herself a VFX artist on a fan film. Doing it not for money, but for the love of the property. And it's gonna look just as good as Hollywood, or to the average Joe anyway.

The previously relayed story of the VFX artist working both on a fan film and the *Obi-Wan* series (“they were working on [our film] and on *Obi Wan* they did visual effects”) shows that this is not a theoretical marketplace competition, it is reality. Outside of the threatening fan productions for not following their purposely ambiguous guidelines, IPs may be limited to more dramatic action to stifle professionals from bolstering themselves via fan work. In the below quote, a participant relays the experience of a fan filmmaker who made a popular *Batman* fan film. Its quality was so high that they achieved high levels of notoriety and industry-attention, but was never able to fully transition their experience into professional work, likely due to the implication that their fan film was competing in the marketplace against the official IP:

It's like the whole case for *Batman Dead End*. And, you know, [the director] wasn't trying to monetize that. He was basically just trying to create a show reel. 'This is what I can do hire me as a director.' The amount of press and publicity he got out of it [was substantial]. I was there at Comic Con that year. I wasn't in the room, but it was electric. I mean, all of a sudden you just started hearing about it. You just hear people walking around the house "did you hear about that Batman thing?" DC freaked [out]. They literally went to Comic Con [and said] 'you allow DC fan films at Comic Con, and DC's never returning.' If you look at where Batman was at that time, Sandy showed [DC] up, right? He spent 35 grand on a very basic Batman film... He made a Batman that people wanted to see using a very scaled down Batman... He really showed them up and it's a shame Warner Brothers didn't hire him for anything like that. I mean, he had a lot of meetings, and he came close for some various projects... But it didn't happen.

The last quote which speaks to this reality of fan filmmaker and IP owner competing in the marketplace currently is one which speaks to the future. Throughout this inquiry my participants have recounted the ways their hobby, their pseudo-profession, and their labor has been shaped by a media corporation in which they have no real recourse against. For one participant, who owns what is immaterial to the notion that fan filmmakers are attempting to circulate meaning and experience through these media properties. For them, the future of fan filmmaking requires effort on both the IP and fan filmmaker's part as neither is going to simply 'go away.' Each party is in service of spreading ideas and culture and should, therefore, work together:

There's always new things being discovered. There's always new types of media coming into creation. Both sides do need to be willing to grow with each other. For corporations to come in and say, 'no, this is how the culture is,' I don't think they have a say on how [ideas are] defined or how they're coming into existence.

Recapping RQ4: Commodification, Monetization, and Outgrowing Home

With the experiences and insights of my participants in mind, I can revisit our fourth research question and attempt to understand the ways in which fan filmmakers claim to reject or embrace commodification and/or monetization of their labor. Like the third research question, this one is heavily predicated on the relationship my participants find themselves in with the

media IP owner. Fan filmmakers are “a broad church” on what to do about money. Some see monetization of their work as necessary and vital. Some see commodification of their work by IPs as necessary but infuriating. Some just want enough budget to not fall into the “Bermuda Triangle” of money going out to produce their fan films and never returning. They can choose to pursue or reject monetization of their work, depending on their beliefs, but if the IP has chosen to commodify their labor, they lack any agency to stop them. The IP can commodify their work via offering some sponsorships with their consent, (“Hasbro has officially recruited him to make a stop motion four-minute film advertising some of their higher end figures”) but they can just as easily profit off fan labor without their consent. Further complicating fan filmmaker’s feelings about the monetary side of their labor is the “third-party” of the video distribution platform. Platforms like YouTube do commodify fan work as cost of entry on the platform, a practice that several of my participants felt was more becoming more and more problematic (“When you break it down, it gets really complicated and a little gross.”)

Related to this issue is the understanding that fan filmmaking in the contemporary digital age is not automatically an “amateur hobby.” Skilled fan filmmakers are producing work, sometimes with the help of industry professionals, that can and do compete in the marketplace against the official media offerings of intellectual property owners. Knowing this, fan filmmakers and the intellectual property owners are left with decisions to make about the future (“Both sides do need to be willing to grow with each other.”) As genre entertainment’s reach into popular culture grows and more people are producing content for their fandom, the unstable land that fans and the IP share on will become more contentious.

Chapter 8 Conclusion

The central thesis of this dissertation sought to understand how fan filmmakers continue to express themselves via the intellectual property of others in a time of great change. Our digital age has offered potential democratization of film production, post-production, and distribution, and can shrink the gaps between fandom and the for-profit media industries. At the same time, it introduces dilemmas and complications in terms of copyright and IP control, and data collection and analysis. Much of the formidable fan-studies literature points at the turmoil and promise created since the introduction of digital culture beginning in the 1990s. However, depth of understanding given post-2010 changes – such as AI-enabled special effects, the release of the Paramount guidelines in 2016 and advances in website analytics – is needed. Prioritizing the fan filmmaker’s voice in understanding these changes, as opposed to the media IP owner, revealed many of the ways the affordances of the contemporary digital age have changed their work since the time of *Textual Poachers* (Jenkins, 1992). With these digital affordances, fan filmmaker’s labor is far more visible and monetizable than ever before, whether they seek the influence of money into their fan labor or not. The interviews conducted for this dissertation, and the various responses and collated themes, help us to understand the complexity of these changes and how fan filmmakers understand them.

My first research question asked how fan filmmakers describe their motivations to create their work. Media fandom is intrinsic to who they are and what they do, stemming from formative experiences in their past and the nostalgia they carry for that past into the present. Many of them are trying to restore what has come before in the Boym typology (2001). Many of them are also trying to reflect on their past media love and use the characters and stories they know best to grow their personal identity and professional skills. There is also diversity among

the motivations. For example, some see their fan filmmaking as a gateway to professional careers, others are sanguine about those possibilities, and still others see them as mutually exclusive. Most, however, are inspired by their communities and their viewers.

My second research question asks how the contemporary digital age and new affordances have changed the nature of fan filmmaking. Like motivations, the responses are eclectic: this contemporary digital age is both disruptive and enhancing to fan filmmakers. They have far more capability than in previous decades to produce high quality work that can be spread far wider than ever before. But with these possibilities come more responsibility to do work that appeased their fandom communities and does not further toxicity back towards the intellectual property. Genre entertainment is far more popular in pop culture than ever before, and fan filmmakers find themselves in a precarious position because of this. This precariousness is amplified by algorithms and opaque systems on the distribution platforms that fan filmmakers rely on to share their work. Navigating this uncertainty weighs heavily on them.

My third research question asks how fan filmmakers describe their feelings about the IP holders. This is a complex relationship that has become much more nuanced in the contemporary digital age. While before fan filmmaking was a niche hobby and mostly relegated to home viewing, fan filmmakers find themselves interacting with the IP far more than ever before. They may find themselves gratefully or unwillingly invisible to the IP, tacitly or explicitly endorsed by the IP, or offered prize access to the IP. This relationship can always devolve into antagonism, especially as the ambiguity around what the IP allows as acceptable fan behavior has only become more muddled. There is a desire on the part of my participants to end this ambiguity and find some measure of clarity.

Finally, my fourth research question asks how fan filmmakers claim to reject or embrace

commodification and monetization of their fan labor. This is also a complex relationship between fan filmmaker and IP, and one which may be the least generalizable. Some fans explicitly seek monetization of their work, either to square the books on what these fan films cost to produce or to financially profit off their work. Some reject this monetization but understand that they have little agency in these matters as the IP and the video distribution platform can and do commodify their labor whether they wish it or not. But what is certain on this topic is that fan films have begun to compete in the marketplace with the official offerings. Fan filmmakers are largely aware of this and because of this competition the interactional issues between them and the IP will only get more fraught.

This work offers an entry – even if limited by its sample -- into the still under-examined field of fandom studies. There are still several distinct productive activities fans may engage in with their chosen texts which lack serious scholarly attention. “Fan editing,” “vidding,” and “fancamming” are just a few of the distinct behaviors of fans which did not fall into my examination of fan filmmaking (Coppa, 2008; Turk & Johnson, 2012; Waysdorf, 2021). This stratification of fan behavior was not lost on my participants. Some had very strong opinions about whether any of those other behaviors counted as “fan filmmaking.” On the subject of fan edits, or when a fan takes existing footage and re-edits the semiotic pieces into something new, one participant said:

I wouldn't ever called something like that a fan film because they have not created any of the elements in that themselves. They're taking existing content and re mixing it. Yeah, that's not a fan film.

The boundaries of these behaviors are worthy of exploration, as is how the intellectual property owner views them in the larger discussion of acceptable fan behavior. An argument

could be made that fan edits have the potential to challenge the original product's position in the marketplace, as in the example of the fan editor who produced the re-cut version of *Star Wars: The Phantom Menace* (Phillips, 2012). Unpacking these relationships may reveal more of the ways fan behavior is expressed, encouraged, or stymied.

As mentioned in the methodology section, this inquiry utilized approximately fifteen hours of interviews with ten fan filmmakers. But the gender diversity represented in this dissertation is poor. Several women who have produced fan films previously were approached but only one agreed to be interviewed for this work. My participant who identifies as a woman found the lack of women within her fandom also producing fan films and fan edits noticeable:

I think I've noticed [those that] made an actual fan film have been a lot of my guy friends.

A future look at fan filmmaking must include more gender diversity. The study Markman (2005) produced on fan vernacular states that “fan film is a very male-gendered phenomenon.” This dissertation would seem to support that. However, fans are generally contained within their specific fandoms, and the fandoms both Markman and I examined may just be more predominantly male in the productive fan sense. Further inquiries could center in on fandoms which skew more female in demographic, and thus, potentially, more women who are producing fan work for it. This dissertation spoke to fan filmmakers working within the *Star Trek*, *Star Wars*, *Supernatural*, *Transformers*, *Batman*, and *The Secret of Monkey Island* fandoms. A wider swath of fandoms examined could yield deeper meaning for this topic.

Finally, a future look at fan filmmaking may examine the advent of artificial intelligence networks and technology on the way fan productions are created. One of my participants was already incorporating Deep Fake technology into their work to super-impose an animated face of

a legacy *Star Wars* actor onto a fan actor's body. These tools will only become more abundant, further challenging the official offering in the marketplace.

As I reflect on this research, I am staggered by the ways in which fan filmmaking has grown and evolved beyond my experience with it in the past. After my friends and I had made our handful of *Indiana Jones* and *Batman* fan films, a realization set in that to be taken seriously as filmmakers we must drop the "fan." That was the cost of professionalization. As mentioned in the methodology chapter, my previous experience formed much of the base understanding I have of fan filmmaking. I remain confident in the decision to limit the auto-ethnography epistemology of this work. In short, my experience was a different era of fan filmmaking. Being a young fan filmmaker on a much younger, wilder internet was exciting. Even if that younger, wilder internet meant our *Indiana Jones* fan film took the better part of an entire day to upload to a private server where it could be downloaded only a dozen times per week before the bandwidth ran out. My experience provided an interesting contrast to the wealth of possibilities afforded to fan filmmakers working today. Their creative possibilities are truly endless, so long as the IP does not seek their own ending.

I believe this dissertation adds to the field of fan studies by examining a type of fan that has gone un-examined when compared to the totality of work centering on fan studies. In a 2001 interview, Jenkins offers that he is "horrified" *Textual Poachers* is both still taught and spoken of as "biblical" text in fan-studies (Jenkins, 2006). "I saw *Poachers* as provisional work, as tentative work" (Jenkins, 2006). The field of fan studies is ripe for further exploration of productive fans and their relationship to the media they enjoy. This dissertation is thus another brick in the monument to participatory culture and the ways in which fans take agency over their entertainment habits.

In many ways, fan fiction and fan filmmaking are not cousins within the family of fan studies but are instead an evolution of one behavior to another. By nature of the written word, fan fiction's possibilities are already endless. There is nothing to limit fan fiction aside from the creativity of the individual. Fan filmmaking, however, still has many ways to grow. Production technology will continue to improve. New distribution platforms will appear and help spread these films further. More and more they will compete with the official offering. Young's (2008) book serves as an excellent history of fan filmmaking from its earliest forms to a point in time before social media and video distribution platforms took off. Hearing from the fan filmmakers who are producing work on this expanding frontier will provide key insights later when the next large scholarly examination of fan filmmaking as a practice is written.

This dissertation can only shine a light on one small sub-group within the larger tapestry. But the final takeaway from this work has to be that fan filmmakers are neither the "kooks" who are only obsessed with plot minutiae nor are they simply recreating their chosen work to "celebrate the story as it is" (Leershen, 1986; Jenkins, 2006). Fan filmmaking is a distinct behavior within fan studies and one which offers incredible creative and personal opportunities to these fans. The past may lead these people to fan filmmaking, but fan films are leading them to their future.

"If you like fan films, there is great stuff happening."

APPENDIX A FAN FILM GUIDELINES

Included below are the CBS/Paramount guidelines as of Summer 2023 (Fan Films, 2023).

CBS and Paramount Pictures are big believers in reasonable fan fiction and fan creativity, and, in particular, want amateur fan filmmakers to showcase their passion for *Star Trek*. Therefore, CBS and Paramount Pictures will not object to, or take legal action against, *Star Trek* fan productions that are non-professional and amateur and meet the following guidelines.

Guidelines for Avoiding Objections:

1. The fan production must be less than 15 minutes for a single self-contained story, or no more than 2 segments, episodes or parts, not to exceed 30 minutes total, with no additional seasons, episodes, parts, sequels or remakes.
2. The title of the fan production or any parts cannot include the name “*Star Trek*.” However, the title must contain a subtitle with the phrase: “A *STAR TREK* FAN PRODUCTION” in plain typeface. The fan production cannot use the term “official” in either its title or subtitle or in any marketing, promotions or social media for the fan production.
3. The content in the fan production must be original, not reproductions, recreations or clips from any *Star Trek* production. If non-*Star Trek* third party content is used, all necessary permissions for any third party content should be obtained in writing.
4. If the fan production uses commercially-available *Star Trek* uniforms, accessories, toys and props, these items must be official merchandise and not bootleg items or imitations of such commercially available products.
5. The fan production must be a real “fan” production, i.e., creators, actors and all other participants must be amateurs, cannot be compensated for their services, and cannot be currently or previously employed on any *Star Trek* series, films, production of DVDs or with any of CBS or Paramount Pictures’ licensees.
6. The fan production must be non-commercial:
 - CBS and Paramount Pictures do not object to limited fundraising for the creation of a fan production, whether 1 or 2 segments and consistent with these guidelines, so long as the total amount does not exceed \$50,000, including all platform fees, and when the \$50,000 goal is reached, all fundraising must cease.
 - The fan production must only be exhibited or distributed on a no-charge basis and/or shared via streaming services without generating revenue.
 - The fan production cannot be distributed in a physical format such as DVD or Blu-ray.
 - The fan production cannot be used to derive advertising revenue including, but not limited to, through for example, the use of pre or post-roll advertising, click-through advertising banners, that is associated with the fan production.
 - No unlicensed *Star Trek*-related or fan production-related merchandise or services can be offered for sale or given away as premiums, perks or rewards or in connection with the fan production fundraising.

- The fan production cannot derive revenue by selling or licensing fan-created production sets, props or costumes.
- 7. The fan production must be family friendly and suitable for public presentation. Videos must not include profanity, nudity, obscenity, pornography, depictions of drugs, alcohol, tobacco, or any harmful or illegal activity, or any material that is offensive, fraudulent, defamatory, libelous, disparaging, sexually explicit, threatening, hateful, or any other inappropriate content. The content of the fan production cannot violate any individual's right of privacy.
- 8. The fan production must display the following disclaimer in the on-screen credits of the fan productions and on any marketing material including the fan production website or page hosting the fan production:

“*Star Trek* and all related marks, logos and characters are solely owned by CBS Studios Inc. This fan production is not endorsed by, sponsored by, nor affiliated with CBS, Paramount Pictures, or any other *Star Trek* franchise, and is a non-commercial fan-made film intended for recreational use. No commercial exhibition or distribution is permitted. No alleged independent rights will be asserted against CBS or Paramount Pictures.”

- 9. Creators of fan productions must not seek to register their works, nor any elements of the works, under copyright or trademark law.
- 10. Fan productions cannot create or imply any association or endorsement by CBS or Paramount Pictures.

CBS and Paramount Pictures reserve the right to revise, revoke and/or withdraw these guidelines at any time in their own discretion. These guidelines are not a license and do not constitute approval or authorization of any fan productions or a waiver of any rights that CBS or Paramount Pictures may have with respect to fan fiction created outside of these guidelines.

APPENDIX B INTERVIEW PROTOCOL

1. How long have you been interested in your fandom?
2. What motivates you to be a part of this fandom?
3. What kinds of things do you make as an expression of your media fandom?
4. What first motivated you to make a fan film?
 1. Were there other fan films within your fandom that influenced this motivation?
1. Can you dive a little deeper into some of the work you just mentioned and give me some specific details about that project?
 1. How long did you work on it?
 2. What was the most challenging thing about making it?
 3. How did you choose to release it to your community?
 4. What was the reception to it within your community when you released it?
1. How do you feel about the corporate owners of the media you're a fan of?
 1. Are some IP holders better than others?
1. In the recent past, some owners have been instituting codified rules about what fans can or cannot do (see: the *Star Trek* fan film guidelines); how do you feel about that?
2. How would you characterize the support or roadblocks you encounter from the media owners?
3. In regard to the internet and digital filmmaking, what emerging technology do you see as both enabling and potentially constraining?
4. How do you feel about platforms like YouTube monetizing your work on behalf of the corporate media owners?
 1. Has this happened to you?

2. If so, what triggered their attention to your work?
 3. What did you do?
1. Have you received a DMCA takedown request of your work?
 1. If so, what did you do?
1. Does your fan filmmaking impact your profession in any way?

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