

# The Oscars decides Netflix is OK after all, following DOJ warning

Enlarge / An Oscar statuette.  
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Netflix and other streaming platforms won't be banned from the Oscars as the Academy of Motion Picture Arts and Sciences has rejected calls from Steven Spielberg and others to restrict eligibility for the annual awards.

The Academy's Board of Governors approved rules for the February 2020 Oscars and left the eligibility requirement unchanged. Just as before, feature-length films must be shown for at least one week in a Los Angeles County theater to be eligible, a requirement Netflix-backed movies such as *Roma* met on their way to winning awards. Proposals to require theater runs of at least four weeks were rejected.

"We support the theatrical experience as integral to the art of motion pictures, and this weighed heavily in our discussions," Academy President John Bailey said in an announcement yesterday. "Our rules currently require theatrical exhibition, and also allow for a broad selection of films to be submitted for Oscars consideration. We plan to further study the profound changes occurring in our industry and continue discussions with our members about these issues."

The unchanged rule maintains eligibility for films released on non-theatrical media (e.g., online streaming services, broadcast or cable TV, DVDs) “on or after the first day of their Los Angeles County theatrical qualifying run.” The required seven-day theatrical run must include “at least three screenings per day for paid admission.” As before, films will not be eligible if they “receive their first public exhibition or distribution in any manner other than as a theatrical motion picture release.”

The Academy was under pressure from the federal government to leave the rule unchanged. The US Department of Justice’s antitrust division warned the Academy in a letter last month that shutting out streaming-only movies may violate antitrust law.

“In the event that the Academy—an association that includes multiple competitors in its membership—establishes certain eligibility requirements for the Oscars that eliminate competition without procompetitive justification, such conduct may raise antitrust concerns,” DOJ antitrust chief Makan Delrahim told the Academy at the time.

## **Spielberg wants theaters “to remain relevant”**

A Spielberg spokesperson told IndieWire in February this year that the famed director planned to support an effort to restrict eligibility for films primarily distributed via streaming platforms like Netflix. Spielberg had said in March 2018 that “once you commit to a television format, you’re a TV movie,” and that such a movie might deserve an Emmy “but not an Oscar.” Movies that merely meet the “token” qualification of one week in a theater shouldn’t be eligible for the Oscars, he said at the time.

Spielberg is a member of the Academy’s Board of Governors, but

he reportedly didn't attend yesterday's meeting and has remained silent about the matter over the past couple months. A New York Times article yesterday said that "Mr. Spielberg's animosity toward Netflix appears to have been acutely overstated."

"I want people to find their entertainment in any form or fashion that suits them," whether on the "big screen" or "small screen," Spielberg told the Times.

"However, I feel people need to have the opportunity to leave the safe and familiar of their lives and go to a place where they can sit in the company of others and have a shared experience—cry together, laugh together, be afraid together—so that when it's over they might feel a little less like strangers," he continued. "I want to see the survival of movie theaters. I want the theatrical experience to remain relevant in our culture."

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