

# New Perspectives for Subtitling in Europe

Preparatory Action on Subtitling

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# SubtitleX Working(sub)Title SUBurbia.EU

— 15/05/2017

Subtitling has been an integral part of storytelling since the intertitles of the silent movie era and the rise of talkies. Narrative subtitles contribute to the international language of moving pictures, facilitating the circulation of films globally and more particularly in Europe. At the moment, new technologies and patterns of consumption are challenging the subtitling industry, creating opportunities as well as presenting obstacles.

*So what are the current needs  
of subtitling across Europe?*

*Are they being addressed?*

*What are the profession's pain points  
and how can we overcome them?*

The current standards seem to meet neither the growing demand nor changed expectations. It takes time to create quality subtitles but flexibility on the customer's side can hardly be expected. As it is, the economics of movie distribution across Europe seldom cover a film's costs. At the same time, the value added by the subtitlers is not recognised fairly. Nor are their working conditions always fair. Additionally, the legal framework protecting rights holders is not consistent across territories. Thus the most prominent distribution platforms impose their own standard practices, pushing the industry forward to meet the demand of the audience.

In response to this situation, the preparatory action launched by the European Commission aims to address some of the needs of this globally growing market as well as to promote the distribution of movies across European territories, especially low capacity production countries. **Four independent projects have been subsidised to experiment with alternative solutions** for producing subtitles, valuing the work of the subtitlers, valuing the subtitle assets themselves, lowering the impact of the costs on European distribution and leveraging digital delivery.

For these purposes, the action more specifically aims at:

- Testing and developing innovative solutions/ processes/models for producing subtitles that are more cost effective than the ones presently available on the market;
- *Applying these innovative solutions/ processes/models to a well-designed catalogue of European works with a clear editorial line;*
- Supporting the availability of corresponding audiovisual works via VOD services.

**Correspondingly, the intention is, firstly, to increase the availability of European works by stimulating the development of cost-effective solutions for subtitling, secondly, to increase the supply and visibility of European audiovisual works online as well as, thirdly, to increase their share in catalogues of VOD services available in the EU.**

**Within this framework, the present handout portrays the three projects selected for 2016: SubtitleX, creating value through localization, Working(sub)Title, crowdsourcing subtitling to increase the circulation of European works and SUBurbia.EU, establishing a more cost-effective subtitle production workflow that can leverage digital distribution.**





# SubtitleX

## Value Creation Through Localization



### Localization and Content Reach

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Localization creates much-needed value for the exploitation and monetization of audiovisual (AV) content. Any product's success depends on its reach. One of the main parameters of reach is the size of the targeted markets. Mono-lingual markets, such as the USA or China, offer a sizable market environment for audiovisual content in their respective language. The European market for audiovisual content, however, is multilingual. The European Union alone is fragmented into 24 official languages. Throughout all release windows of an AV product, consumers prefer versions in their home language over established communication languages such as English.

The language barrier therefore limits the potential reach of an AV product created in one of the 24 official languages. Limited reach results in a limited potential group of customers for AV content, and this in turn results in diminished chances for an economically viable return on investment (ROI).

### Current Process of Localization

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The obvious answer to AV content limited in reach due to language barriers is to create multi-lingual versions. The current process of creating language versions for European AV content is shaped according to the legacy life cycle of content dominated by the hierarchical sequence of release windows and accompanied

by traditional sales and funding logic. A first set of English subtitles might be created by the original rights holder/production for pre-screening and festival purposes. Most other language versions are created in the process of rights sales for exploitation formats and specific territories.

Thus, while AV content which is created in and for large mono-lingual markets begins its ROI life cycle as a ready-to-go end-consumer product, European AV content outside of its original language market remains, at best, basic material which will need to be finalized later in the hands of intermediaries.

With the current fusion of windows, not only in terms of the different exploitation models but also in terms of the players controlling them, it is imperative for all European AV content to be end-consumer-ready at the very start of its life cycle.

## A Marketplace for Content Localization

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*So how can this be achieved without burdening rights holders with an immense liquidity drain and risk exposure through the pre-financing of such language versions?*

**SubtitleX** is a marketplace solution for content localization which is suited to this environment and which offers a global solution based on trade and investment. When given enough time and a properly localized start, a film, or a library of films, can earn more than all initial investments, including production, distribution, marketing and localization.

Therefore, **SubtitleX** offers a solution to the challenge of aligning the value earned throughout a film's entire monetization cycle, with the financing of localized versions, in terms of both time and value. By administering both the creation of language versions and the exploitation of these newly created versions, **SubtitleX** addresses two main challenges:

- **those looking to create language versions** can find them at low or even no cost,
- **and those who create language versions** can benefit financially from their work throughout the exploitation process of the AV content.

What may seem paradoxical at first glance – at least an unlikely win-win situation – can indeed be realised by treating the core elements of localization as commodities to be traded and by establishing relationships between all natural stakeholders of the AV business while also adding to it a new class of stakeholders.

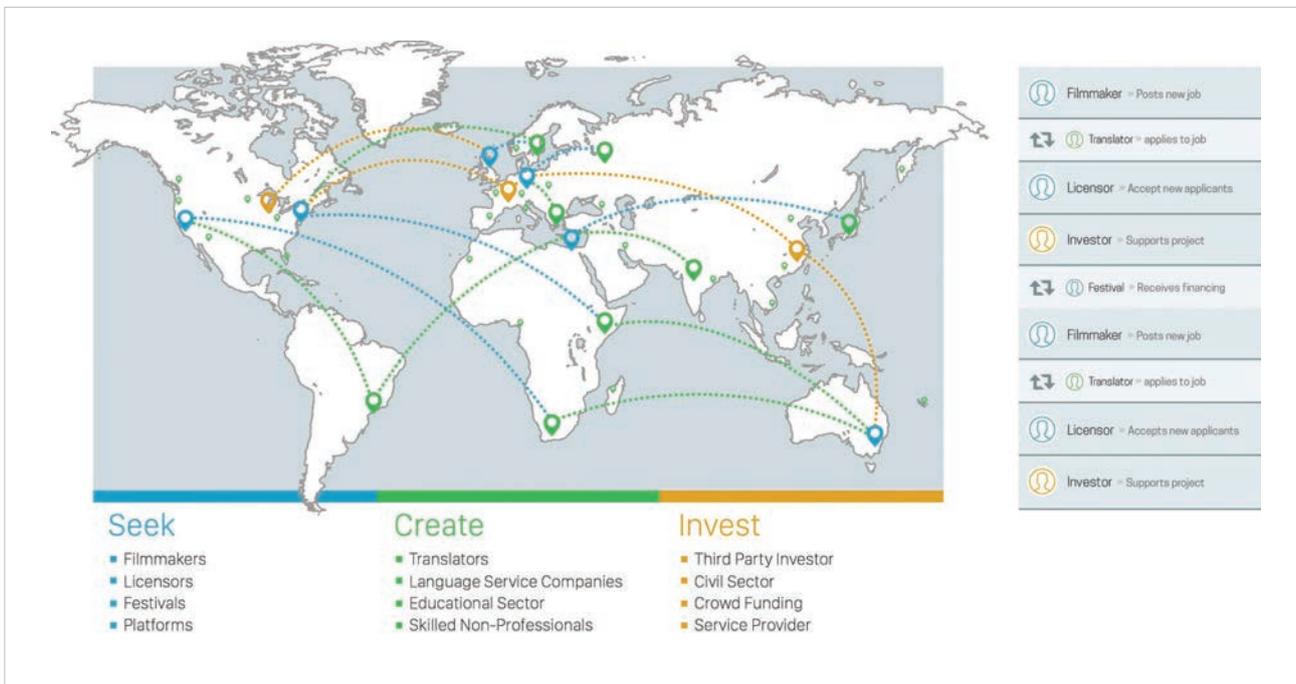
# Stakeholders

SubtitleX classifies the stakeholders involved in content localization into three main activity areas:

## SEEK - CREATE - INVEST

- **Those who SEEK localized content:** filmmakers, productions, world sales, aggregators, distributors, platforms, broadcasters, festivals, institutions, and organizations.
- **Those who CREATE localized content:** language service companies, agencies, platforms, universities, schools, freelancers, untrained but skilled individuals, translation automation services, speech/ image recognition services, and crowd translation.
- **Those who INVEST in localized content:** Financial investors, the civil sector, cultural institutions, and all those within the SEEK and CREATE segment.

The roles within the **SubtitleX** marketplace are fluid and market participants can change their roles throughout each localization job or resume different roles for individual localization projects.



**SubtitleX** provides deal mechanisms that offer financial benefits for these three kinds of market participants. To accomplish this, **SubtitleX** focuses on the main components within the process of creating localized content versions. Term, budget, quality and rights become both formative elements in the negotiating process between those who SEEK and those who CREATE as well as contractual building blocks in the relationship agreement between the stakeholders.

## Use Case Example and ROI

This **SubtitleX** mechanism can be illustrated with a straight-forward use case:

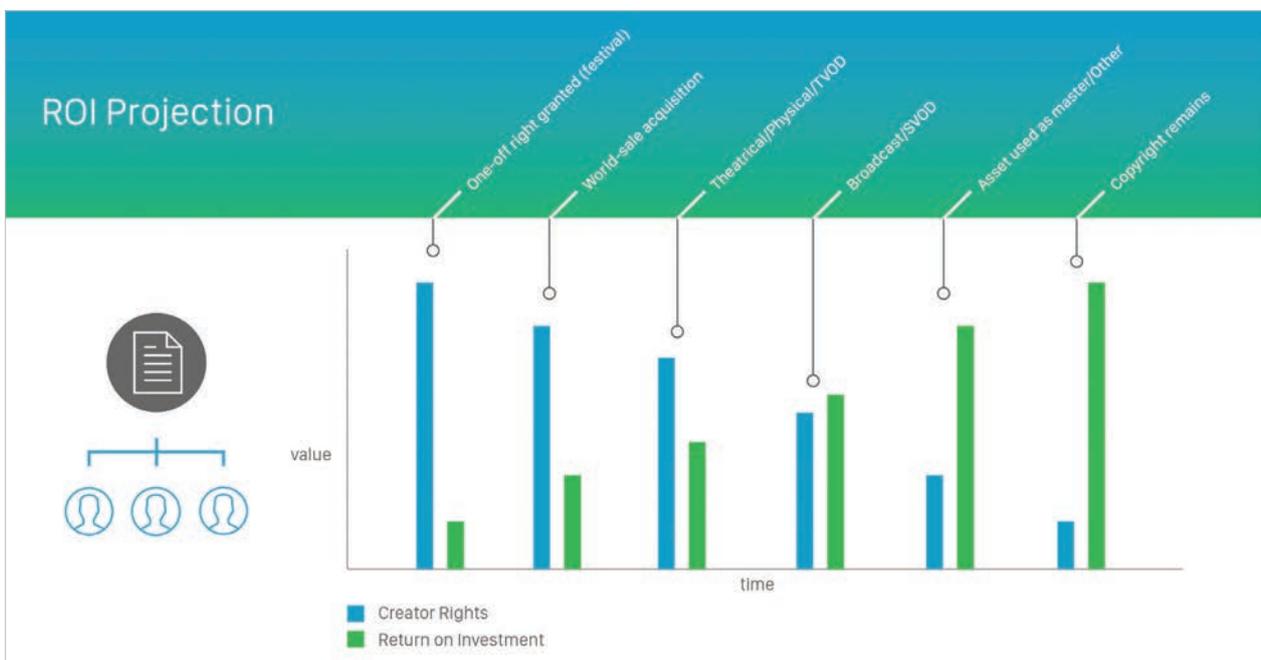
**Use case: A film festival selects a title whose chosen audience requires subtitles.**

### Initial phase

A film festival registers on **SubtitleX** as a SEEKER and posts the job. The aim is to receive the localized version at low or no cost. > A freelancer picks up the job. > The freelancer creates the subtitles for free, but retains all rights except the SEEKER's usage right. > The film festival uses the subtitles.

### Follow-up phase

The asset is registered via ISAN and kept in a repository. > A world sales company picks up the film. The asset rights can now be re-distributed between (all, some or single) rights to be transferred to the world sales company, with territory and time limits added to the asset rights portfolio on **SubtitleX**.



What started as a subtitle request by a film festival with a freelancer INVESTING work for no or low cost, has triggered through rights trading ongoing asset monetization during the asset's usage lifetime.

The initial investment of the freelancer returned the desired ROI with usage form, territorial and usage term elements being traded. Multiple use cases can deviate from this initial one:

- The world sales company invests in multiple subtitle versions based on VOD-platform pre-orders
- A third-party investor pays the initial fee for the freelancer
- The initial localization asset functions as the matrix for all other languages
- A library of titles is disseminated to a crowd which includes companies, freelancers and skilled but untrained individuals
- High-quality subtitles are delivered with all rights on set budget terms
- Companies facilitate QC for crowd-sourced or automated subtitling

During the term of the *C-CNECT* funding scheme, **EYZ Media** has developed a working prototype tested in a live environment. The subsequent product development phase will be presented to *HORIZON 2020* and carried out in cooperation with an institutional R&D partner and third-party funders.

The system's architecture is modular and allows for API connectivity with third-party application such as platforms and automation services, as well as the integration of pre-existing software tools and interfaces.

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## Contact SubtitleX

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# Working(sub)Title

## Crowdsourcing Subtitling to Increase the Circulation of European Works



### Initial objectives

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The **Working(sub)Title** action aims to find concrete, operational and industrial solutions to reduce the costs of producing subtitles (ST), and allows EU films to be distributed on VOD platforms across multiple territories (especially those listed as low capacity production countries). With a fully integrated process, and with a catalogue of 15 films stemming from six European countries, **W(s)T** experimented in 2016 with new processes through the creation of 100 subtitle versions in eleven languages from small production capacity countries. We also manage the distribution of those films on some of the most prominent VOD global platforms in the EU. Finally, we coordinate the marketing and promotional strategies for the films to reach the widest possible audience in the targeted countries.

### General design & innovative dimension

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**W(s)T** relies on a partnership between **Under The Milky Way**, an international VOD aggregator, and **VDM**, one of the major French postproduction houses. They both contribute their professional expertise to create an integrated process based on an international community of translators that is carefully selected and qualified.

The focus of the action has been to test and develop innovative solutions, processes and models for obtaining subtitles that are more cost effective than the ones presently available on the marketplace.

Therefore, we have organized the action around the following steps that we will describe in more detail below:

- **Aggregating a diversified slate** of 15 films exclusively available for digital distribution in eleven “low production capacity” countries
- **Building a community of professional translators** through a pre-selection process and integrating their work as a part of a “professional digital supply chain,” answering the needs, constraints and requirements of the main global VOD platforms (iTunes, Google, Netflix, etc.)
- **Benchmarking the solutions** provided by the competition and online dedicated players through the analysis of their performances and their processes for delivering subtitles
- **Promoting and distributing the 15 films in eleven European countries** on the most prominent pan-European VOD platforms

## Catalogue of films

The catalogue of films for this action was composed of 15 independent productions from six European countries: Belgium, Estonia, France, Germany, Spain and Sweden. In terms of VoD distribution, **W(s)T** targeted all eleven European low production capacity countries, namely: Bulgaria, Czech Republic, Estonia, Greece, Hungary, Latvia, Lithuania, Poland, Portugal, Slovenia and Slovakia.

	Bulgaria	Czech Republic	Estonia	Greece	Hungary	Latvia	Lithuania	Poland	Portugal	Slovenia	Slovakia
Sharkwise	X	X	X	X	X	X	X	X			X
Dealer	X	X	X		X	X	X			X	X
Kung Fury	X	X	X	X	X	X	X	X	X	X	X
Marcus	X	X	X	X	X	X	X				X
Hacker's game	X	X	X	X	X	X	X	X			X
Diamantes negros	X	X	X	X	X	X	X	X			X
Cage dorée	X	X	X			X	X	X			
La belle et la bête	X										
Forget me not	X	X		X	X			X	X		
CERN	X	X		X	X			X	X		
Population Boom	X	X		X	X				X		
Master of the Universe		X			X	X	X				X
The Ride	X	X			X			X			
As Time goes by in Shanghai	X			X				X	X		X
Nullpunkt	X	X		X	X	X	X			X	X

*List of Films and Territories of Release*

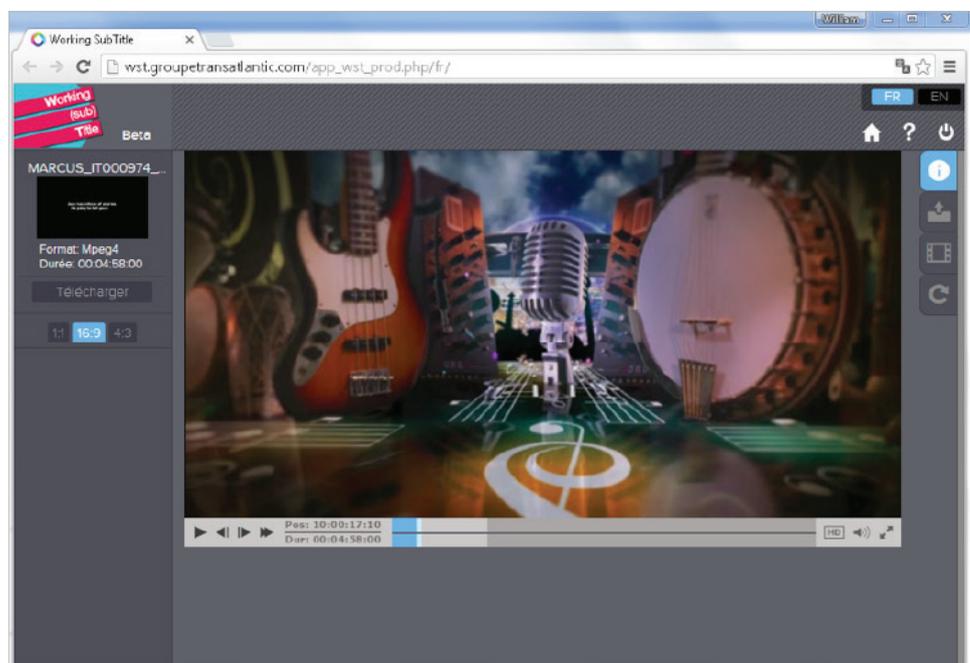
## Crowdsourcing a Community of Professional Translators

### Building the Community

We were looking for experienced professional subtitlers with a native-level local (target) language as well as English proficiency. The main sources for building the community of professional translators has been the French embassies and local French institutes, as well as the online platform [www.proz.com](http://www.proz.com), which is very active in connecting freelance translators and companies managing translation projects. These two sources alone allowed us to identify and contact more **than 80 translators** across Europe. We measured the qualification of the translators based on their experience, their proficiency in English, the price-per-minute of translation and the feedback on a five-minute test, which we verified against Netflix subtitling guidelines, the strictest on the marketplace.

### Interacting with the Community

A dedicated online platform was developed to securely exchange video and subtitle files. This production repository holds the subtitles, the low-resolution proxy of the videos, and a set of tools to streamline the production workflow. The translators are given individual secured access to view content and subtitle versions, and to post their newly created subtitles in the target format for quality check and VOD packaging. All stakeholders are automatically notified of incoming or updated material.



*Working Subtitles Platform*

## Producing and Monitoring the Subtitles

The movies planned to be distributed this year were divided into three batches for delivery on the platforms in the 3rd quarter of 2016. The subtitles had to be ready 30 days before the delivery. To suit the objectives of the action, we were testing different sources for subtitling production, all with a cost significantly below the market price. The performance of the subtitle production was measured by:

- The response time
- The time required to produce them
- The quality of the subtitles, both technical and in terms of content

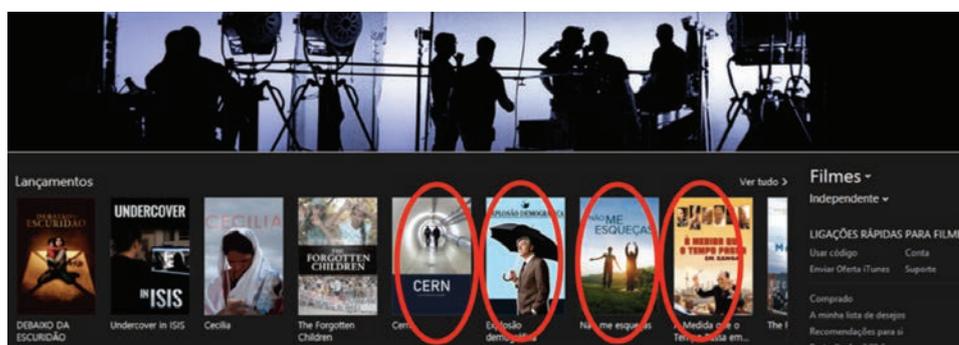
## Benchmarking the Solutions Provided by the Competition

The analysis of the suppliers who are currently active on the marketplace has quickly highlighted newcomers, including Sfera Studios LLC and Amara. Their models are disrupting the traditional subtitling market, not only in terms of price, but also in terms of processes (online crowdsourcing of freelance translators allows them to minimize the cost of resource management and to maximize the financial return), their online subtitling tool (which has been integrated into the workflow), and their model of web-based crowdsourcing of translation resources.

## Marketing the VOD Releases

The 15 films were released on iTunes, this global VOD platform being one of the only pan-European ones to also cover the targeted countries. We relied on UMW's network of business partners that are in contact with the local iTunes editorial teams to pitch the film and collections.

Through this distribution strategy, the films were presented in the relevant sections of the platform, sometimes being on the homepage, hence maximizing their in-store visibility.



*iTunes Portugal of CERN, Population Boom, Forget Me Not, As Time Goes By in Shanghai*

## Final results and the future

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The implementation of these new processes as well as the use of these recent online platforms have enabled us to produce the 100 subtitles on time for an average cost of 581 euros.

The lessons of this action have shown us all the interest of the constitution of “platforms” of subtitling. Indeed, platforms like SFERA, bought in October 2016 by Deluxe, handle a very large volume of subtitles and are thus based on significant economies of scale, allowing to offer highly competitive prices on the market-place. The recent launch of the Netflix crowdsourcing subtitling platform, in answer their internal needs, with selection based on an online recruitment test (<https://tests.hermes.nflx.io/>), is also a good illustration of the reality of the economics of an online subtitling platform.

This type of business model seems more interesting because it is part of the development of the VOD market (transactional and subscription). Indeed, the digital market makes it possible to distribute an increasing number of films thanks to lower entry costs (encoding) and the existence of pan-European or global platforms (VOD and SVOD).

Such a European subtitling platform would have all its advantages to enhance the competitiveness of our sector.

This is a genuine industrial approach, which should be carried out by companies with significant resources and networks, as well as broadcasting agreements with major players in the distribution of content in Europe (not only on VOD but also on TV). A European SVOD alternative to Netflix would be the ideal partner.

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### Contact Working(sub)Title

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# SUBurbia.EU



## Background / Motivating Factors

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We're at a crucial moment in time to develop and implement innovative models for subtitle production so that film rights holders can benefit from newly emergent cross-border digital distribution technology. Global players like iTunes, Amazon and Google offer to create multi-lingual packages consisting of one original, clean master of a film, that can be combined with as many subtitle versions as you can provide. However, VOD distributors require a given language territory's respective subtitle versions before they will sell your movie there. Therefore, besides the international potential of a movie's story, only the cost of subtitle production itself determines whether viewers in additional language territories can be reached.

## Our Solution: SUBurbia.EU

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**SUBurbia.EU** was developed to significantly reduce the costs of subtitle versions so that rights holders can profit from these new opportunities. In other words, we aim to help you spread your movies across the globe – firstly to reach your potential audiences worldwide, and secondly to benefit financially from this. Our experience shows that the results of wider distribution can be quite surprising and contrary to where you thought or hoped your movie would sell.

So, to begin with, **SUBurbia.EU** offers subtitle packages in the five major European languages: **French, English, German, Italian and Spanish**. However, because additional language versions produced by us in-house cost little by comparison, it is well worth considering to also have your movie translated into several minority languages covering territories in which VOD sales are up-and-coming like **Dutch, Danish, Swedish, Norwegian, Polish or Portuguese**, all of which **SUBurbia.EU** currently has on offer. Our model, of course, is also expandable beyond these eleven core languages.

# How SUBurbia.EU Works

We realize our cost-effective subtitle production packages by way of several key measures:

- 1 • **A Chief Editor creates a clear Chief English Template (CET)** that is adaptable for all further languages.
- 2 • **Within this fixed template, our network of Experienced Translators who are yet Non-Experienced Subtitlers (ET/NES,** pronounce “etnies”) then translates your movie into their respective native languages.
- 3 • **We’ve created the browser-based editing tool SUBurbia.EU** (see screenshot below) as an interface that lets the ET/NES translate directly into the subtitle template.
- 4 • **In a last step, professional subtitlers (PROS)** then revise the ET/NES’s translation work and technically adapt the subtitle version where necessary.

This is a screenshot of our newly created, online subtitle tool, **SUBurbia.EU**, which communicates to ET/NES how to translate and thus allows them to acquire subtitling skills within a fixed CET. **SUBurbia.EU** is compatible with all browsers and works independently of operating system (Windows, Mac, Linux...). Ultimately, this is going to be the first subtitling tool in Europe that’s open to the public.



## Our Team

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### CORE TEAM

- Matthew Way of Way Film Translation UG – coordinator, chief English editor, etc.
- Vincent Lucassen, editorial film selection, etc.
- Nicolai Olsson of Subtitle Edit – chief software developer, programmer, etc.

### ASSOCIATE PARTNER

- Under the Milky Way – deliveries to iTunes, Amazon, Google, etc.

## What SUBurbia.EU Has Accomplished: GLOBAL NOMADS

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While developing and establishing **SUBurbia.EU**'s workflow, we also specifically chose an editorial line that could make a difference in Europe right now: movies by and about refugees, gathered under the label GLOBAL NOMADS. These films tell the stories behind the numbers. They focus on diverse perspectives: from movies filmed by cell phones, such as SILVERED WATER, showing the utterly brutal reality they face, to movies starring DJs who have fled to practice their art, such as RAVING IRAN. Going beyond our aim to establish SUBurbia.EU, by subtitling we make these films available on VoD, across borders – to further the European public's awareness and empathy with their situation.

So far, we have translated more than 20 movies into selected combinations of the eleven languages we currently have on offer, amounting to over 70 subtitle versions altogether.



Outside of this EU-funded core project with its editorial line, the workflow established for SUBurbia.EU has already attracted customers on the free market – most notably DOK Leipzig, for whom we translated and subtitled 16 features and five short films from seven minority European languages into German.

## What SUBurbia.EU Can Offer You Now

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*While we're still in the process of improving and finalizing the online tool, our workflow between CET, ET/NES and PROS is already up-and-running in the eleven languages previously mentioned. As we continue to recruit the most promising linguists (ET/NES) and the best expert subtitlers (PROS) for our respective language teams, our subtitle packages and services are already available to you now!*

While we enter the crucial phase between start-up funded by the EU and a competitive position on the marketplace, we believe that you, as rights holders, can already profit from our services.

## Future Potential of SUBurbia.EU

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*In the future, SUBurbia.EU will also provide an easily accessible interface for rights holders, for example for administration purposes, etc.*

The following screenshot previews only some such further features:

- **For clients** who will be able to license the product to produce their own subtitle versions
- **For translators** who will have profiles and even invoicing options
- **For subtitle versions** that will be prepared for registry with iTunes and in subtitle databanks

Even though further investments, funding and/or subsidies will be necessary to fully develop the tool, **SUBurbia.EU** is already a sustainable business model now, ready to serve you over the coming years.

The screenshot shows the SUBurbia.EU web interface for a film translation project. The header includes the site name 'SUB-urbia: SUBurbia' and navigation links for 'Films', 'Translators', 'Clients', and 'More'. The main heading is 'Film - Every Face Has a Name - English translation' with a language dropdown set to 'English'. Below this are three text input fields for 'Poster translation', 'Synopsis short', and 'Synopsis'. A 'Workflow' section contains two checked checkboxes: 'Auto-submit for review when translation is completed' and 'Auto-submit for proofreading when review is completed'. The 'Status' dropdown is set to 'New', and a 'Save' button is present. At the bottom, there is an 'Invites' section with a 'Send invite' button and a table with columns for 'Job', 'Translator', 'Date sent', 'Status', and 'Status date'. The table is currently empty.

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## Contact SUBurbia.EU

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# Legal Framework and Standard Practice for Subtitling in Europe

The different projects sponsored by the European Commission are involved in all the steps of the creation and distribution of subtitles. In order to design and implement solutions for the industry, it is essential to understand the legal framework and standard practices of subtitling in Europe.

Copyright or author's right regulation is not consistent across European states. As a matter of fact, within a given jurisdiction, standard practices related to moral rights (personal to the author of a creative work) are often highly inconsistent and handled differently by different stakeholders. What seems to be generally accepted in practice, however, is the transaction of the economic right to the creative work.

## Common Law versus Civil Law

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All the countries of the European Union are civil law jurisdictions, except for the United Kingdom and Ireland. Regarding authors' rights to a creative work, a definition that includes subtitles, civil law makes the following distinction:

- **Economic rights** are similar to property rights. They are limited in time and may be transferred by the author to distributors or broadcasters. They allow their holder to profit financially from the distribution of the subtitle work.
- **Moral rights** are personal to the author and cannot be transferred except by testament or when the author dies. They are perpetual and typically include the right to be identified as the author and the right to the integrity of the creative work.

Common law jurisdictions, by contrast, enforce the Copyright Act, which accepts corporate ownership of a creative work, adhering to the work-for-hire principle. Hence UK-based contracts with subtitlers and translators consider simply a service and the subtitles thus produced as property of the commissioner who can sell them like any other property.

## Choice of jurisdiction

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Given the major differences between copyright jurisdictions, European translation companies are carefully studying applicable rules before committing to work with translators. Their main goal is the protection of their customers.

In practice, however, the applicable jurisdiction is often not even clearly identifiable. For example, a subtitle version commissioned by a UK-based company but created by a translator in Germany may not be considered a case of work-for-hire by a judge in Germany (if the case went to trial there).

In short, this is an important matter for the subtitling industry. While the law, or at least the interdependent application of different jurisdictions, is currently not precise enough, the different stakeholders involved need to make their choices of hiring or getting hired for subtitling work with a focus on the economic rights of the work.

## Generally accepted practices

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In practice, across all jurisdictions, the translation companies, translators, distributors and broadcasters are exchanging only the economic rights to the creative work.

However, for economic reasons, the subtitler's right to be identified as the creator of the subtitles as well as his right to object to any distortion of the work is almost never enforced in practice.

In France, for example, which probably has the strongest protection of the author's moral rights, there is no standard practice regarding the author's rights in current contracts. In fact, there are major translation companies that do not sign contracts with subtitlers so as to avoid the subject (and thereby not to commit themselves to a legal framework). Some other major translation companies expect distributors and broadcasters to report the use of creative works for dubbing and subtitling to the appropriate French associations, collecting payments of the artist rights, such as SACEM and SACD.

# To conclude

## — So are we successfully addressing the current needs of subtitling across European territories? Have we identified the crucial pain points and developed efficient ways to deal with them?

**The European Commission** is supporting an environment designed to bring answers to these questions. The preparatory action is a sandbox to experiment with new efficient ways to produce, value, protect, distribute and promote European audiovisual works through subtitling. The three projects launched this year to support this action have already yielded sound results in the form of successes, obstacles and lessons learned.

**SubtitleX** addresses value creation in light of the EU's unified digital market, making the creation of language versions in all official EU languages a funding requirement, albeit without the dependence on funding by EU programs.

**SubtitleX** is a marketplace solution for content localization and offers a global solution based on trade and investment.

**Working(sub)Title** highlights new business models based on crowdsourcing with sound economics. The action has borne out the interest in creating subtitling platforms that can handle large volumes of subtitles in order to create significant economies of scale that, in turn, will allow for highly competitive prices on the market.

**SUBurbia.EU** has devised an online tool that can significantly reduce the costs of producing subtitle versions, which allows rights holders to take full advantage of the new market opportunities. Furthermore, SUBurbia.EU already offers subtitle packages in eleven core European languages with a streamlined production workflow.

**The subtitling industry will evolve with new ways of producing, valuing, protecting and distributing subtitles. The rise of global players, the development of artificial intelligence, and the growth of demand and fast-paced production requirements can be overwhelming. We could either fear these looming changes in our industry and secretly hope to avoid them, or we could rather choose to see the opportunity in them and take the destiny of our profession into our own hands.**



