



## TITLE CLEARANCE GUIDANCE NOTE

In line with industry standards, most broadcasters require producers to warrant that a programme's title does not infringe copyright (or other third-party rights), defame any party, or create confusion with existing content. Accordingly, it is advisable that producers conduct one or more of the following steps to mitigate such risks:

### 1. Preliminary Online Search

A member of the research or production team should perform a general internet search—typically using a major search engine such as Google—to determine whether the proposed title is already in use. Particular attention should be paid to existing or recent television programmes, films, or DVDs that use the same or a similar title. If such content is discovered and bears similarities in theme or subject matter, a formal title search and legal opinion may be warranted.

### 2. LexisNexis or Equivalent Database Search

Where a licence to a commercial research database such as LexisNexis is available, it is recommended that a researcher or appropriate team member conduct a more in-depth search. These platforms may reveal uses of the proposed title that are not identified through general internet searches.

### 3. Formal Title Search and Legal Opinion

If either of the above searches reveals prior or concurrent use of the title—or if requested by **Hearst Networks**, the distributor, or Errors and Omissions (E&O) insurers—the producer may need to commission a formal title search. This process is generally outsourced to a specialised provider and incurs an additional cost. The search typically covers international trademark registers, the US Copyright Office database, and other relevant sources. Should the search indicate similar or conflicting usage, and if required by stakeholders, a legal expert should be engaged to provide a written opinion assessing the risk of a legal challenge. Producers should only commission a title search and legal opinion at the express request of **Hearst Networks**.

### 4. Negative Checks for Scripted Productions

Negative checks are predominantly required for scripted projects and are generally not required for factual or entertainment genre programmes. These involve hiring a specialist to review the final shooting script and investigate the fictional elements within it—such as character names, locations, company names, vehicle registration numbers, and branded products. The aim is to ensure these elements do not unintentionally correspond to real-world entities, particularly within the same industry. These checks should be conducted at the final script stage, allowing time for revisions before production commences.