

**Long Comment Regarding a Proposed Exemption
Under 17 U.S.C. 1201
(Proposed Class #7)**

Check here if multimedia evidence is being provided in connection with this comment

Item 1. Commenter Information

This Comment is submitted on behalf of Entertainment Software Association; Motion Picture Association of America, Inc.; and Recording Industry Association of America (collectively the “Joint Creators and Copyright Owners”). The Joint Creators and Copyright Owners may be contacted through their counsel, Steven J. Metalitz, J. Matthew Williams and Naomi Straus, Mitchell Silberberg & Knupp LLP, 1818 N St., NW, 8th Fl., Washington, D.C., 20036, Telephone (202) 355-7900.

The Joint Creators and Copyright Owners are trade associations representing some of the most creative and innovative companies in the United States.

The Entertainment Software Association (“ESA”) represents all of the major platform providers and nearly all of the major video game publishers in the United States. ESA is the U.S. association exclusively dedicated to serving the business and public affairs needs of companies that publish computer and video games for video game consoles, handheld devices, personal computers, and the Internet. ESA offers a range of services to interactive entertainment software publishers, including but not limited to: a global content protection program; business and consumer research; government relations; and intellectual property protection efforts.

The Motion Picture Association of America, Inc. (“MPAA”) is the voice of one of the country’s strongest and most vibrant industries – the American motion picture, home video and television industry. MPAA works to advance the business and the art of filmmaking and to celebrate its enjoyment around the world. MPAA members include: Walt Disney Studios Motion Pictures; Paramount Pictures Corporation; Sony Pictures Entertainment Inc.; Twentieth Century Fox Film Corporation; Universal City Studios LLC; and Warner Bros. Entertainment Inc.

The Recording Industry Association of America (“RIAA”) is the trade organization that supports and promotes the creative and financial vitality of the major music companies. Its members comprise the most vibrant record industry in the world. RIAA members create, manufacture and/or distribute approximately 85% of all legitimate recorded music produced and sold in the United States. In support of its mission, the RIAA works to protect the intellectual property and First Amendment rights of artists and music labels; conduct consumer, industry and technical research; and monitor and review state and federal laws, regulations and policies.

Item 2. Proposed Class Addressed

Proposed Class 7: Audiovisual Works—Derivative Uses—Noncommercial Remix Videos.

The December 12, 2014 Notice of Proposed Rulemaking (“NPRM”) described this proposed class of works as allowing “circumvention of access controls on lawfully made and acquired motion pictures for the sole purpose of extracting clips for inclusion in noncommercial videos that do not infringe copyright. This exemption has been requested for audiovisual material made available on DVDs protected by CSS, Blu-ray discs protected by AACS, and TPM-protected online distribution services.” 79 Fed. Reg. 73,856, 73,862 (Dec. 12, 2014) (“NPRM”).

Item 3. Overview

The Joint Creators and Copyright Owners do not oppose renewal of the existing exemptions related to noncommercial videos. *See* 37 C.F.R. § 201.40(b)(4)(i), § 201.40(b)(5)(i).¹ However, they do oppose any expansion to allow for circumvention of Blu-ray Discs or videogames. They also oppose expanding the exemptions to cover (i) “primarily noncommercial videos;” (ii) uses of portions of motion pictures that do not qualify as “short;” and (iii) uses that are not undertaken for the purposes of criticism or comment. The proponents have failed to meet their burden of persuasion on these issues because the Register’s reasoning from her 2012 Recommendation remains as true today as it was then, if not more so. *See* Recommendation of the Register of Copyrights, Section 1201 Rulemaking: Fifth Triennial Proceeding, 125, 135, 138, 139 (Oct. 12, 2012) (“2012 Recommendation”)²; *see also* Exemption to Prohibition on Circumvention of Copyright Protection Systems for Access Control Technologies; Notice of Inquiry and Request for Petitions, 79 Fed. Reg. 55,687, 55,689 (Sept. 17, 2014) (“2014 NOI”).³

Item 4. Technological Protection Measure(s) and Method(s) of Circumvention

The proponents of this exemption, the Electronic Frontier Foundation and the Organization for Transformative Works (referred to as “EFF” and “OTW” respectively),

¹ The Joint Creators and Copyright Owners continue to believe that the exemptions related to educational uses of motion pictures, filmmaking, multimedia e-books, and non-commercial videos should be separated into distinct exemptions that allow the Office to tailor each exemption to the specific contexts at issue.

² All cited materials from previous rulemaking cycles can be accessed via the Copyright Office website at <http://www.copyright.gov/1201/> under “Past Proceedings.”

³ The burden of coming forward with evidence in support of the proposed exemption, as well as the burden of persuasion that the exemption should be recognized on the narrow grounds authorized by the statute, must always remain with the proponent of an exemption. 2014 NOI at 55,689. This burden applies to both factual and legal issues.

describe the myriad access controls at issue on pages 2 through 3 of their February 6, 2015 comments. They include the Content Scramble System (“CSS”), the Advanced Access Content System (“ACS”), and a variety of TPMs used to protect online content.

As discussed further below, these access controls have increased the availability of works and have allowed for a vast proliferation of platforms on which consumers can enjoy authorized access to an increasing variety of content. It is easier than ever to access a broad selection of films and television shows, and on many different devices. The confidence afforded by the security of TPMs, and the flexibility in business models that such TPMs enable, have led creators of motion pictures to expand their streaming and downloading options such that some films can now be purchased and digitally downloaded before they are made available on physical discs.

Item 5. Asserted Noninfringing Use(s)

Although the Joint Creators and Copyright Owners believe that noncommercial video creators often make fair uses of materials from other motion pictures, there is no across-the-board fair use exception applicable to noncommercial videos. The Register concluded in 2012 that while “many of the uses in which noncommercial video creators ... seek to engage are likely to be fair,” it is “conceivable that some may not be.” 2012 Recommendation at 129. As in the last proceeding, the Joint Creators and Copyright Owners continue to stress that “promotional” videos or those created primarily for entertainment value are less likely to be fair use than those that engage in criticism or commentary. *See* EFF and OTW Class 7 Comment at 14.⁴

For example, one of the “vids” cited by EFF, “Supremacy,” is five minutes of clips from the most recent *James Bond* films, set to music, to create a loose “narrative” punctuated by exciting action scenes from the films.⁵ This is primarily entertainment, rather than commentary, and thus serves a similar purpose as the original films and “trailers” for those films. “For a use to be fair, it ‘must be productive and must employ the quoted matter in a different manner or for a different purpose than the original.’”⁶

⁴ *See Video Pipeline v. Buena Vista Home Entertainment*, 342 F.3d 191, 200 (3d Cir. 2003) (“It is useful to compare the clip previews with a movie review, which might also display two-minute segments copied from a film. The movie reviewer does not simply display a scene from the movie under review but as well provides his or her own commentary and criticism.”).

⁵ The video is available on what appears to be the vidder’s Tumblr page, at <http://rhuboat77.tumblr.com/post/58765492854/james-bond-fanvid-supremacy-by-rhuboat-source>. Advertisements appear while the video plays, including, at times, advertisements for a website that offers to convert online videos to downloads. *See* Exhibit 1 attached hereto.

⁶ *See Cariou v. Prince*, 714 F.3d 694, 706, 711 (2d Cir. 2013) (some “appropriation” artworks that reproduced Plaintiff’s art photographs with only relatively minimal alterations, such as changes in tint or level of focus in the background were not so clearly transformative that fair use could be determined as a matter of law).

Given that not all uses in noncommercial videos are fair or noninfringing, and the broad application of this exemption to anyone seeking to make a noncommercial video, the Joint Creators and Copyright Owners oppose the expansion of the present exemption. This opposition is especially necessary because the proponents of the exemption do nothing to try to define specific parameters within which noncommercial filmmakers should operate to restrain the scope of the exemption.

Indeed, the proponents even argue against preserving the current limitation in the exemption that the use be for the purpose of criticism and comment. EFF and OTW Class 7 Comment at 23. The Joint Creators and Copyright Owners agree with the Register that “the desire to engage in criticism or commentary [is] a critical factor in establishing fair use in these contexts.” 2012 Recommendation at 139. This requirement renders the existing exemption more compatible with fair use given that the first factor specifically favors criticism and commentary.⁷

The Joint Creators and Copyright Owners also continue to support, and the proponents apparently do not object to, EFF and OTW Class 7 Comment at 22-23, a continued requirement that any portions taken from motion pictures be “short.”⁸ This requirement renders the existing exemption more compatible with fair use given that the third factor specifically favors the use of no more of a work than is necessary to accomplish a legitimate purpose.⁹ However, the proponents suggest that taking several minutes from a motion picture will often be fair (EFF and OTW Class 7 Comment at 22), on which point the Joint Creators and Copyright are skeptical. Although it is certainly conceivable that copying and disseminating several minutes from a film could be fair in some circumstances, using this amount of footage is far less likely to be fair.

As in the last proceeding, the proponents also wish to expand the exemption to videos that are “primarily noncommercial.” However, the proponents again “have not demonstrated a meaningful number of such uses that would qualify as noninfringing,” particularly given that the Register has clarified that “the proposed exemption for noncommercial works may include videos created pursuant to a paid commission, provided that the commissioning entity uses the work solely in a noncommercial manner.” 2012 Recommendation at 139. This clarification establishes that most if not all of the examples of “primarily noncommercial” videos proffered by EFF and OTW would fall within the current exemption.¹⁰

⁷ See 17 U.S.C. § 107.

⁸ In 2012, the Register stated that “the use of only short segments is critical to the Register’s determination that a significant number of the desired uses are fair.” 2012 Recommendation at 138.

⁹ See 17 U.S.C. § 107.

¹⁰ “Take it Off” and the remix video at issue in the *Northland Family Planning Clinic, Inc. v. Ctr. for Bio-Ethical Reform*, 868 F. Supp. 2d 962, 972, 982-93 (C.D. Cal. 2012) case were both created by paid professionals, but to be used by commissioning entities that used the works in a noncommercial manner—one is a public-service announcement about the impact of the Washington football team’s name on Native Americans, and the other was an anti-abortion

Item 6. Asserted Adverse Effects

Similar to the record presented to the Register in 2012, the current record “establishes that there is some amount of motion picture material that may be available only on Blu-ray discs, such as bonus material or, more rarely, entire films released exclusively on Blu-ray.” 2012 Recommendation at 135. However, also as in the 2012 record, “the few cited uses of Blu-ray-exclusive content are insignificant in number.” *Id.*

EFF and OTW were only able to identify a small number of “extras” and deleted scenes which they claim are available only on the Blu-ray editions of *The Avengers* and the “Marvel Phase One” box set. EFF and OTW Class 7 Comment at 12. In fact, the high definition digital copy of *The Avengers* included with the 4-Disc Blu-ray Combo Pack contains the same “extras” and deleted scenes as the Blu-ray Disc of that film.¹¹ EFF’s only other example of a non-commercial video creator’s use of Blu-ray is the “Supremacy” “vid”, which is composed of scenes from “James Bond” films that are all available on DVD and also online in high definition.¹² This is typical of films released on Blu-ray.

In fact, nearly all film and television content released on Blu-ray is also available on DVD and/or through online services. As reported by the DVD and Blu-ray Release Report, with respect to physical media, DVDs remain the industry standard, with far more titles being released each year on DVD than on Blu-ray. For example, in 2014, nearly 5,000 feature film and television titles were released on DVD, while fewer than 1,500 titles were released on Blu-ray.¹³

group’s “re-mix” response to a pro-choice video. Video remixes displayed in art museums, such as those by Soda_Jerk, would also be noncommercial. See EFF and OTW Class 7 Comment at 23-24.

¹¹ Full Marvel’s *The Avengers* Blu-ray Details (Jul. 17, 2012), http://marvel.com/news/movies/18984/full_marvels_the_avengers_blu-ray_details; Marvel’s *The Avengers* 4-Disc Blu-Ray Combo Pack and Digital Copy with Extras, collectively Exhibit 2 attached hereto.

¹² The Blu-ray copy of *Skyfall*, used extensively in “Supremacy,” includes a DVD of the film and a digital copy. http://www.amazon.com/Skyfall-Blu-ray-DVD-Digital-Copy/dp/B007REV4YI/ref=sr_1_1?s=movies-tv&ie=UTF8&qid=1426692459&sr=1-1, Exhibit 3 attached hereto. Alternatively, the film can be purchased online in high definition. http://www.amazon.com/Skyfall-Daniel-Craig/dp/B00B5HQKNI/ref=tmm_aiv_title_1?encoding=UTF8&sr=1-1&qid=1426692459, Exhibit 4 attached hereto. High definition downloads of *Casino Royale* and *Quantum of Solace*, the other *James Bond* films used in this “vid,” are also available for purchase online. See http://www.amazon.com/gp/product/B00946WM6Q/ref=pd_sim_mov_aiv_2, Exhibit 5 attached hereto; http://www.amazon.com/gp/product/B00946WMXY/ref=pd_sim_mov_aiv_1, Exhibit 6 attached hereto.

¹³ MPAA member studios report that they are not aware of any of their films that have been released exclusively on Blu-ray Disc. A handful of titles may have been released on Blu-ray Discs as “special editions” or with “bonus footage” without a DVD counterpart; however, the main film would have been released on DVD and/or as a digital download.

Moreover, in that same year, 439 million DVDs were purchased, versus only 127 million Blu-ray Discs. As reported by *Home Media Magazine*, Blu-ray Discs have accounted for only 22% of all discs sold in 2015, while DVDs constitute 78% of all disc sales.

Given that the proponents identified only one example of a purportedly noninfringing, noncommercial video made using content that was only available on Blu-ray (*i.e.*, some material from the Phase One Box Set), the Register should conclude, as she did in 2012, “that the record does not reflect a substantial adverse impact due to the inability to use motion picture materials contained on Blu-ray discs.” 2012 Recommendation at 135.

Item 7. Statutory Factors

17 U.S.C. § 1201(a)(1)(C)(i) instructs the Register to consider “the availability for use of copyrighted works” broadly and in historical context. Whether the proposed purpose at issue is currently enabled in the precise manner desired by a proponent is not the only relevant question. Prior to passage of the Digital Millennium Copyright Act (“DMCA”), fair use did not entitle a user to access a work in the format of the user’s choosing, and the passage of the DMCA did not alter that fact.¹⁴

Indeed, the use of access controls has facilitated wider availability of copyrighted motion pictures than ever existed prior to the DMCA; and digital copying methods that do not involve circumvention are far more prevalent, far more robust, and far more affordable than when the DMCA was enacted. Access controls are improving and expanding the audiovisual content available to the public at large, rather than diminishing it.

The integrity of the AACS technology used to protect Blu-ray Discs is an especially important component of the ecosystem that is resulting in the increased availability of motion pictures. The Register and the Librarian should not undermine the integrity of AACS by opening it up to widespread hacking, which could negatively impact “the market for or value of” some of the industry’s most exciting products.¹⁵ The Joint Creators and Copyright Owners do not agree that the Register should discard the possibility of protecting AACS simply because EFF and OTW believe that the “experience of DVDs demonstrates that a robust market can and will form even in the presence of easy circumvention.” EFF and OTW Class 7 Comment at 20. Rather, the prohibition on circumvention set forth in § 1201 should be protected, with exemptions only where the record is clear they are warranted (and not simply because circumvention techniques exist).

As discussed above in Item 6, there are many available alternatives to obtaining portions of motion pictures from Blu-ray Discs. Thus, the third statutory factor disfavors granting an expanded exemption as well.¹⁶

¹⁴ See *Universal City Studios, Inc. v. Corley*, 273 F.3d 429, 459 (2d Cir. 2001).

¹⁵ See 17 U.S.C. § 1201(a)(1)(C)(iv).

¹⁶ See 17 U.S.C. § 1201(a)(1)(C)(iii).

Item 8. Documentary Evidence

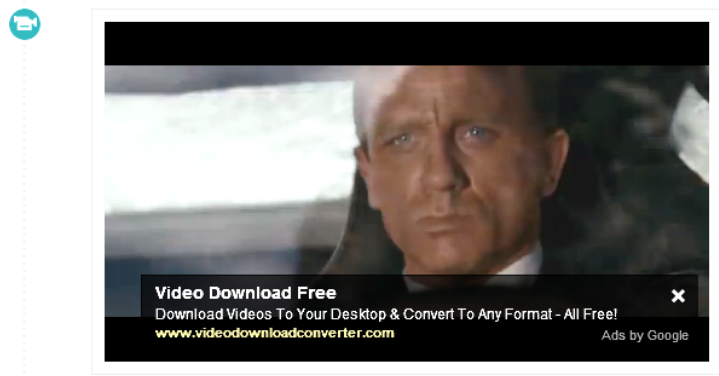
Please see the attached Exhibits.

Index of Exhibits to Joint Creators and Copyright Owners' Class 7 Comment

Exhibit No.	Content	URL (if available)
1	"Supremacy" Vid and advertisements	http://rhoboat77.tumblr.com/post/58765492854/james-bond-fanvid-supremacy-by-rhoboat-source
2	Full <i>Marvel's The Avengers</i> Blu-ray Details; <i>Marvel's The Avengers</i> Blu-ray Disc and Digital Copy with Extras	http://marvel.com/news/movies/18984/full_marvels_the_avengers_blu-ray_details
3	<i>Skyfall</i> Blu-ray Disc, Amazon	http://www.amazon.com/Skyfall-Blu-ray-DVD-Digital-Copy/dp/B007REV4YI/ref=sr_1_1?s=movies-tv&ie=UTF8&qid=1426692459&sr=1-1
4	<i>Skyfall</i> High Definition Digital Download, Amazon	http://www.amazon.com/Skyfall-Daniel-Craig/dp/B00B5HQKNI/ref=tmm_aiv_title_1?encoding=UTF8&sr=1-1&qid=1426692459
5	<i>Casino Royale</i> High Definition Digital Download, Amazon	http://www.amazon.com/gp/product/B00946WM6Q/ref=pd_sim_mov_aiv_2
6	<i>Quantum of Solace</i> High Definition Digital Download, Amazon	http://www.amazon.com/gp/product/B00946WMXY/ref=pd_sim_mov_aiv_1

Exhibit 1

FOLLOW ON TUMBLR ASK ME ANYTHING RSS FEED ARCHIVE



James Bond Fanvid: "Supremacy" by rhoboat
Source: James Bond films - Casino Royale, Quantum of Solace, Skyfall
Notes: Made for Vividcon 2013 - Premieres
See also: [LJ](#) | [DW](#) | [AO3](#)

Aug 19, 2013 10:22 pm 99 Notes
VIDS BY RHOBOAT JAMES BOND M FANVID VIVIDCON
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life is but a dream

coffee addict, vidder, fangirl

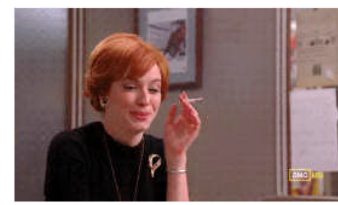
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Really, Marvel??? *flails hands*



It took a good ten seconds for me to get and then I snorted so loud.
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Marvel's The Avengers

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MARVEL'S THE AVENGERS

FULL MARVEL'S THE AVENGERS BLU-RAY DETAILS

Get the full list of special features & more coming on the 'Marvel's The Avengers' Blu-ray & DVD!

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Coming this fall, the third highest-grossing movie of all time and the #1 movie in the world, "Marvel's The Avengers" assembles as you've never seen it before on Blu-ray 3D, Blu-ray, DVD, Digital and On-Demand platforms on

Comments:



September 25, 2012. In anticipation of this release, Marvel is also launching an all-new App in July--"The Avengers Initiative: A Marvel Second Screen App" (available for the first time on iPhone)--that gives fans unprecedented access to exclusive content building up to the home entertainment release.

The announcement comes as "Marvel's The Avengers" crossed the incredible \$600 million domestic box office threshold on June 26--only the third film in history to do so. It has now grossed an estimated \$1.44 billion globally.



"Marvel's The Avengers" 4-Disc Combo Pack box art

Providing viewers with the ultimate in-home experience, the premium 4-Disc Blu-ray Combo Pack provides five unique ways to enjoy “Marvel’s The Avengers” (on Blu-ray 3D, Blu-ray, DVD, Digital Copy and Digital Download of “Avengers Assembled” Music from and inspired by the film) and brings to life the super hero team-up of a lifetime in a whole new dimension on Blu-ray hi-def with stunning visual effects, superior sound and unparalleled bonus content.

Extras include a gag reel--a first for a Marvel Studios film--the chance to hear from the cast and Joss Whedon on their experiences in bringing these larger than life characters to the big screen, a behind-the-scenes look at the groundbreaking visual effects and stunning cinematography, the creation of S.H.I.E.L.D.’s Helicarrier, Soundgarden’s

“Live to Rise” Music Video, deleted scenes and more!

Also for the first time ever, fans will be able to enjoy even more of the Marvel Universe via the all-new “The Avengers Initiative: A Marvel Second Screen App.” By downloading this onto a secondary device, consumers will be able to gain unprecedented access to exclusive content building up to the home entertainment release on September 25. Pieces will be unleashed bi-weekly in July and August and weekly in September leading up to a full immersive experience accompanying the film on Blu-ray. Content includes special access to the S.H.I.E.L.D. database, becoming a S.H.I.E.L.D. agent, invitations to “special missions” either remotely or in the field, links to character profiles, stories and scenes, interactive Marvel digital reader comic books and more. App owners will receive push notifications whenever new content is uploaded and available for their viewing.



"Marvel's The Avengers" 2-Disc Combo Pack box art

The full range of “**Marvel’s The Avengers**” home entertainment offerings and bonus features are as follows:

PACKAGING & BONUS FEATURES:

4-Disc Combo Pack (Blu-ray 3D+Blu-ray+DVD+Digital Copy+Digital Download of the “Inspired By” album)

Bonus Includes:

- Second Screen
- Assembling the Ultimate Team
- A Visual Journey
- Gag Reel
- Deleted Scenes
- Audio Commentary—With Joss Whedon
- Soundgarden Music Video—“Live to Rise”
- And more!

2-Disc Combo Pack (Blu-ray + DVD)

Bonus Includes:

- Same as the 4-Disc Combo Pack above

1-Disc DVD

Bonus Includes:

- Assembling the Ultimate Team
- Audio Commentary—With Joss Whedon

High-Definition & Standard Definition Digital

Bonus Includes:



- Second Screen
- Assembling the Ultimate Team
- A Visual Journey
- Gag Reel
- Deleted Scenes
- Soundgarden Music Video—"Live to Rise"
- And more!

"Marvel's The Avengers" 1-Disc DVD box art

DISC SPECIFICATIONS:

Street Date: September 25, 2012

Suggested Retail Pricing: 4-Disc Blu-ray Combo Pack = \$49.99 U.S./\$59.99 Canada; 2-Disc Blu-ray Combo Pack = \$39.99 U.S./\$46.99 Canada; 1-Disc DVD = \$29.99 U.S./\$35.99 Canada

Digital & On-Demand = please check with your television provider or favorite digital retailer for pricing

Feature Run Time: 143 Minutes

Ratings: U.S.: PG-13 (bonus features not rated)

Aspect Ratio: Blu-ray & DVD = 1.78:1

Audio: Blu-ray 3D & Blu-ray 2D = English 7.1 DTS-HDMA, French-Canadian 7.1 DTS-HDHR, Latin Spanish 5.1 Dolby Digital, English DVS 2.0 Dolby Digital

DVD = English/Latin Spanish/French Canadian 5.1 Dolby, English DVS 2.0 Dolby Digital

Languages/Subtitles: English, French & Spanish

Marvel Studios presents "Marvel's The Avengers"—the team up of a lifetime, featuring iconic Marvel Super Heroes Iron Man, The Incredible Hulk, Thor, Captain America, Hawkeye and Black Widow. When an unexpected enemy emerges that threatens global safety and security, Nick Fury, Director of the international peacekeeping agency known as S.H.I.E.L.D., finds himself in need of a team to pull the world back from the brink of disaster. Spanning the globe, a daring recruitment effort begins.

Starring Robert Downey Jr., Chris Evans, Mark Ruffalo, Chris Hemsworth, Scarlett Johansson, Jeremy Renner and Tom Hiddleston, with Stellan Skarsgard and Samuel L. Jackson as Nick Fury, and directed by Joss Whedon, "Marvel's The Avengers" is based on the ever-popular Marvel comic book series The Avengers, first published in 1963 and a comics institution ever since.

"Marvel's The Avengers" is presented by Marvel Studios in association with Paramount Pictures. The film was produced by Marvel Studios' President Kevin Feige and executive produced by Alan Fine, Jon Favreau, Stan Lee, Louis D'Esposito, Patricia Whitcher, Victoria Alonso and Jeremy Latcham. The story was by Zak Penn and Joss Whedon and the screenplay was by Joss Whedon.

Distributed by Walt Disney Studios Motion Pictures, the film smashed the industry record for the biggest domestic opening of all time with \$207.4M, crossed the \$1 billion global box office threshold in 19 days, and currently stands as the #3 global and domestic release of all time.

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Published
Jun 29, 2012
Updated
Jul 17, 2012

Comments:



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JEREMY
RENNER

TOM
HIDDLESTON

SAMUEL L.
JACKSON
AS NICK FURY



MARVEL'S
THE AVENGERS
MARVEL

"The Best Superhero Movie Of All Time."

- Chuck Walton, Fandango.com

5-FEATURE ACTION PACK

DISC 1 - Blu-ray 3D Feature Film

To Watch The Blu-ray 3D Movie, You Need Full HD 3D TV, Compatible 3D Glasses, Blu-ray 3D Player For PlayStation®3™ And A High-Speed HDMI Cable. *PLUS 3D Glasses 3D Feature Upgrade

DISC 2 - Blu-ray Feature Film + Bonus

- **The Avengers Initiative: A Marvel Second Screen Experience** — Access the S.H.I.E.L.D. data base to immerse yourself in the Marvel Cinematic Universe, dive into the Avengers Comic Book History, and much more in this exclusive experience for your iPad, iPhone or laptop.
- **Marvel One-Shot: Ham 47** — Original short film.
- **A Visual Journey** — Discover the amazing sets, groundbreaking visual effects, and stunning cinematography of this phenomenal film.
- **Marvel's First Ever Gag Reel**
- **Deleted Scenes**
- **"Live To Rise" Soundgarden Music Video**
- **PLUS ALL DVD BONUS FEATURES**

DISC 3 - DVD Feature Film + Bonus

- **Assembling The Ultimate Team** — The all-star cast shares the excitement of teaming up to bring these characters to life, and Director Joss Whedon discusses what each of them brought to their role.
- **Audio Commentary** — With Director Joss Whedon.

DISC 4 - Digital Copy of Feature Film

Watch It Anytime, Anywhere On Your Computer And Portable Device



Digital Album AVENGERS ASSEMBLE: Music From And Inspired By The Motion Picture

- | | | |
|----------------------------------|--------------------------------------|--|
| 1. Soundgarden - Live To Rise | 8. Rush - Into The Blue | 12. Five Finger Death Punch - Pop Out Of Nowhere |
| 2. Shinedown - The Alibi | 9. Commencement - A New Way To Stead | 13. Cheryl Buns - Shake The Ground |
| 3. Rise Against - Dirt And Roses | 10. Puddle Of Mudd - Cover Me Out | |
| 4. Papa Roach - Even If I Could | 11. Doves - Whiskey 101 | |
| 5. Black Veil Bride - Unbroken | | |
| 6. Scott Weiland - Awake | | |
| 7. Fuel - Comeback | | |

SECOND SCREEN

The Avengers Initiative: A Marvel Second Screen Experience



Access Personnel Files, Comic Book Drives And More...
Plays on iPhone, iPad or Laptop



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MARVEL'S THE AVENGERS

Stock No. 108468B
PROOF OF PURCHASE
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MARVEL
Movie Yet."
- Matt McInnis,
Yahoo! Movies

Marvel makes cinematic history as it unites the Super Hero team of a lifetime: Iron Man (Robert Downey Jr.), Captain America (Chris Evans), The Hulk (Mark Ruffalo), and Thor (Chris Hemsworth) assemble together for the first time ever in this epic, action-packed blockbuster alongside Black Widow (Scarlett Johansson), Hawkeye (Jeremy Renner) and Nick Fury (Samuel L. Jackson). Director Joss Whedon creates an unprecedented masterpiece that has become a global phenomenon.

Packed with spectacular visual effects and exclusive bonus features including Marvel's first-ever Gag Reel, a never-before-seen Marvel short film, and an interactive Second Screen Experience, *Marvel's The Avengers* in Blu-ray 3D will blow your mind!



BLU-RAY 3D / BLU-RAY / DVD FEATURE FILM: English SDH, French and Spanish Subtitles and Audio Tracks (Includes 3D Film Content Only)

Feature Running Time: Approx. 143 Minutes / Color / Digitally Mastered Visit Avengers.Marvel.com

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3D programming requires Blu-ray 3D player, 3D capable display and 3D glasses. It requires both 3D viewing. Please follow the 3D device manufacturer's warnings.

Some features are not compatible with all players and may not be available in all territories. Some features require an internet connection. Features are subject to change. Not all technical specifications apply to all elements. Some content may not be suitable. Playback experience may vary by player, display and glasses. Some programming may be stored from standard definition or 2D materials. DVD Dual-Layer Format. Layer transitions may trigger a slight pause.

PARENTS STRONGLY CAUTIONED
Some Material May Be Inappropriate for Children Under 13

For extensive background on the PG-13 rating, visit www.filmratings.com, and a full rating reference.

Bonus Material Not Rated

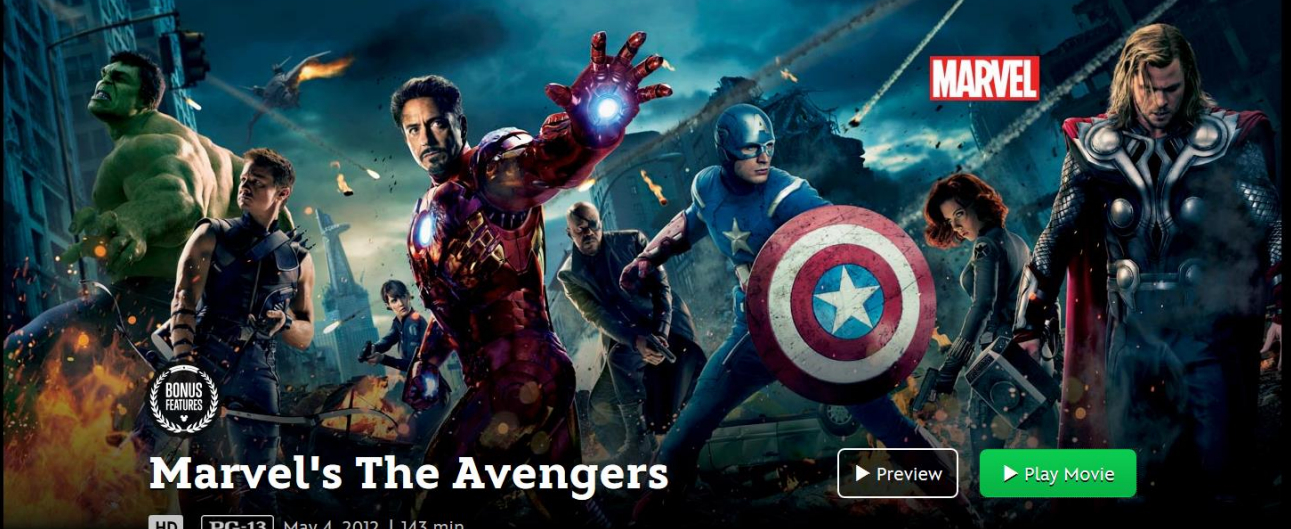
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Synopsis


Marvel makes cinematic history as it unites the Super Hero team of a lifetime. Iron Man (Robert Downey Jr.), Captain America (Chris Evans), The Hulk (Mark Ruffalo), and Thor (Chris Hemsworth) assemble together for the first time ever in

Cast

Robert Downey Jr., Chris Evans, Mark Ruffalo, Chris Hemsworth, Scarlett Johansson, Jeremy Renner, Tom Hiddleston, Clark Gregg, Cobie Smulders, Stellan Skarsgård, Samuel L. Jackson, Robert Horn

Bonus Features

Shorts



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Marvel makes cinematic history as it unites the Super Hero team of a lifetime. Iron Man (Robert Downey Jr.), Captain America (Chris Evans), The Hulk (Mark Ruffalo), and Thor (Chris Hemsworth) assemble together for the first time ever in

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Bonus Features

Shorts




Marvel One Shot: Item 47
11:20

Behind the Scenes




A Visual Journey
6:27


Bloopers & Deleted Scenes



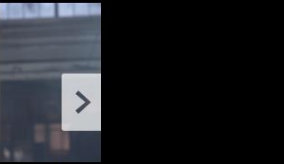
Alternate Ending: Maria Hill Interrogated by the World Security Council
2:44



Alternate Opening: Maria Hill Interrogated by the World Security Council
2:30



Extended Scene: Black Widow and Hawkeye Viaduct Fight
1:41



Extended Scene: Security Guard
1:38

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A Visual Journey
6:27

Bloopers & Deleted Scenes

Extended Scene: Bruce Banner and the Security Guard
1:38

Extended Scene: Loki And Barton Strategize
1:44

Marvel's First Ever Gag Reel
4:05

Nick Fury and Ma World Security C
0:42

More with the Cast & Crew

Assembling The Ultimate Team
8:07

Music & More

"Live To Rise" Soundgarden Music Video
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- Video 3: Steve Rogers - Man Out Of Time (3:03)

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Editorial Reviews

Product Description

Daniel Craig is back as James Bond 007 in SKYFALL, the 23rd installment of the longest-running film franchise in history. In SKYFALL, Bond's loyalty to M (Judi Dench) is tested as her past returns to haunt her. 007 must track down and destroy the threat, no matter how personal the cost. When Bond's latest assignment goes gravely wrong and agents around the world are exposed, MI6 is attacked forcing M to relocate the agency. These events cause her authority and position to be challenged by Mallory (Ralph Fiennes), the new Chairman of the Intelligence and Security Committee. With MI6 now compromised from both inside and out, M is left with one ally she can trust: Bond. 007 takes to the shadows - aided only by field agent Eve (Naomie Harris) - following a trail to the mysterious Silva (Javier Bardem), whose lethal and hidden motives have yet to reveal themselves.

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For longtime viewers of the James Bond films, one of the larger pleasures of the series--aside from the eternally awesome jetpacks and ejector seats--has been watching it adapt itself to the times, scooting its unflappable central character past the Cold War to the Disco Age to beyond the Millennium seemingly without breaking a sweat. *Skyfall*, Daniel Craig's third turn in the tux, lands itself firmly in the utmost tier of the franchise, delivering the expected goods as well as a rather unusual vein of introspection. Celebrating the 50th year of Bond's existence, it continues cultivating the gritty, back-to-basics vibe of *Casino Royale*, while also slowly letting some of the more fancifully escapist elements in through the filters. Kicking off with a humdinger of a car/bike/train chase in Istanbul, the plot finds an aging 007 on uneasy footing, struggling to get back in the game while his boss M (a magnificent Judi Dench) is marked for death by a mysterious assassin. As Bond draws closer to his target (Javier Bardem, having an absolute blast), he uncovers some details that draw uncomfortably close to his own origins. Director Sam Mendes, an Oscar winner for *American Beauty*, ably brings his game to the blockbuster level, keeping the globe-hopping narrative moving at a swift pace while also allowing plenty of room for the cast (including newcomers Ralph Fiennes and Naomie Harris) to do their thing. For all of the talent assembled on both sides of the camera, however, *Skyfall's* true MVP proves to be director of photography Roger Deakins, who gives an astonishingly ravishing look to the proceedings, culminating in a battle in a Shanghai skyscraper that may very well be the best fight scene the series has ever had. By the time of the surprisingly moving finale, set in a location far, far away from the standard Evil Lair, Mendes and Craig and Co. have reminded the viewer of exactly what these films can do. Where it ends is a perfect beginning. Extras on the disc include a wry and informative director's track, a more laid-back commentary from the producers and production

Special Features

Disc 1: Theatrical Feature Blu-ray

Over a dozen all-new revealing featurettes about the Bond women, car, villains and more plus:

-Commentary by Director Sam Mendes

-Commentary by Producers Barbara Broccoli and Michael G. Wilson and Production Designer Dennis Gassner

-Skyfall Premiere

Disc 2: DVD + Skyfall for Portable Media Players

Product Details

Actors: Daniel Craig, Judi Dench, Javier Bardem, Ralph Fiennes, Naomie Harris

Directors: Sam Mendes

Format: Multiple Formats, Blu-ray, Color, Widescreen
Language: English (DTS 5.1), French (Dolby Digital 5.1), Spanish (Dolby Digital 5.1)
Subtitles: English, French, Spanish
Dubbed: English, French, Spanish
Region: Region A/1 (Read more about [DVD/Blu-ray formats.](#))
Aspect Ratio: 2.40:1
Number of discs: 2
Rated:
Studio: Twentieth Century Fox
DVD Release Date: February 12, 2013
Run Time: 143 minutes
Average Customer Review: (7,973 customer reviews)
ASIN: B007REV4YI
Amazon Best Sellers Rank: #1,625 in Movies & TV (See Top 100 in Movies & TV)
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Great action in this bond movie. good plot line.

Agilbert

I can't say too much about the plot without giving spoilers, so, I will just say, if you enjoy James Bond movies, you really should see this one.

Susan Collins

My family and I love watching this movie once a year.

Alexandra Zilli

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Brilliant...Can't Recommend This Movie Enough

By [Dan Thompson](#) on November 10, 2012

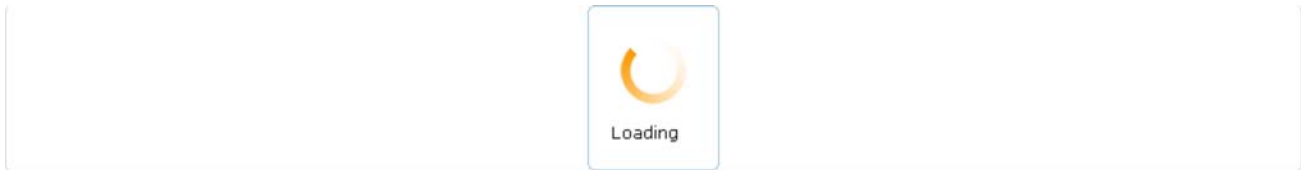
Format: Blu-ray **Verified Purchase**

Being the year of the 50th anniversary of the beloved super spy, the 23rd Bond installment had a lot to live up to. While Casino Royale was a worthy and thrilling reboot to the franchise, Quantum of Solace fell flat with critics and fans. To make matters more interesting, MGM has had financial woes over the last number of years and needed a hit to reinvigorate the studio. Ladies and gentlemen, I give you Skyfall.

Not only does the movie qualify as one of the most action-packed and entertaining movies of the year, it ranks on my list as one of the best Bond flicks to date. As has come to be expected, Craig is terrific as the British spy, portraying the character with charm and intensity. The action is top notch and the story is superbly written. Among my favorite moments were the blistering opening sequences, the introduction of the film's villain, and the intense final act, which finds Bond cornered yet unafraid. The real treat, however, is Bardem's role as the sinister Silva. Rivaling any villain in recent memory, save

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Skyfall 2012

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(7,973) | 7.8/10

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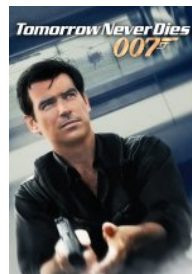
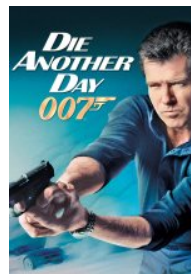
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Director	Sam Mendes
Starring	Daniel Craig, Judi Dench
Supporting actors	Javier Bardem, Ralph Fiennes, Naomie Harris, Bérénice Marlohe, Albert Finney, Ben Whishaw, Rory Kinnear, Ola Rapace, Helen McCrory, Nicholas Woodeson, Bill Buckhurst, Elize du Toit, Ian Bonar, Gordon Milne, Peter Basham, Ben Loyd-Holmes, Tonia Sotiropoulou, Wolf Blitzer
Studio	MGM
MPAA rating	PG-13 (Parental Guidance Suggested)
Captions and subtitles	English Details
Purchase rights	Stream instantly and download to 2 locations Details
Format	Amazon Instant Video (streaming online video and digital download)

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Customer Reviews

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2 star
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Agilbert

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Most Helpful Customer Reviews

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By [Dan Thompson](#) on November 10, 2012

Format: Blu-ray **Verified Purchase**

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Another huge nod has to go to Mendes, whose vision of Bond is spectacular. The movie is tightly scripted and the director does a very fine job of bringing out great performances from his cast. The cinematography is some of the best I've seen in a film for a long time; the production crew did a remarkable job utilizing light, colors, and atmosphere to really draw the audience in. Another treat is the glimpse the audiences gets into Bond's past, which plays a crucial role in the film. [Read more](#)

[80 Comments](#) Was this review helpful to you? Yes No

253 of 320 people found the following review helpful

So good I've seen it twice already!!

By [S. M. O.](#) on December 28, 2012

Format: Blu-ray **Verified Purchase**

I am a die hard Sean-Connery-as-James-Bond fan. I like most of Roger's and a couple of Pierce's. I was not happy when I first learned of Daniel Craig as the new Bond. Daniel who? Was my first reaction. Not another Lazenby, I thought...

I like Casino Royale, but it took me a couple of watches on DVD for it to grow on me. I didn't hate Quantum of Solace as much as others seem to, but then I saw Skyfall.... I love this movie so much that not one day has gone by when I haven't thought of it at least once. I saw it twice in one week, and I never do that when movies are in theaters. The writers of this film must be brought back for the next one, yes it has some minor similarities to The Dark Knight movies, but so what. I can not wait for the Blu Ray release. I hate to admit it, but this may just be my new favorite Bond movie. The only thing that would make it perfect for me would be if Connery were still young enough to play Bond. The opening sequence, the action, Javier as the creepy villain, the surprises in the end.. It's almost perfect. Bravo Barbara Broccoli and Michael Wilson. Now do it again for Bond 24....

Oh...and did I mention the awesome theme song by Adele?? How perfect for the 50th year!

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Five Stars

Great 007
Published 1 hour ago by [Dj Kraft](#)

Five Stars

Everything you'd want a Bond movie to be.
Published 2 hours ago by [Wendy](#)

Action Packed

Great movie, action packed as are all James Bond movies.
Published 5 hours ago by [J.TILLMAN](#)

Music good.

A movie for young men. Opening scene too long. Music good.
Published 5 hours ago by [grace mahoney](#)

Five Stars

Hey, It's James Bond and a 1st class production as usual...!!
Published 8 hours ago by [Alfie](#)

Bond flashback

I have always been a huge Bond fan, even when I was little. For me, Sean Connery was perfect...then Daniel Craig came along and totally took over.
[Read more](#)
Published 9 hours ago by [Melthepest](#)

Five Stars

Great movie, I saw it at the theater first. Outstanding, love the Bond movies.
Published 9 hours ago by [Amazon Customer](#)

Likely the best of the new Bond films in this watcher's opinion

Likely the best of the new Bond films in this watcher's opinion, seeing it a second time let me better appreciate the subtle nuances of the script.
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Published 11 hours ago by [Norm Cowell](#)

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Casino Royale 2006

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(1,730) | 8/10



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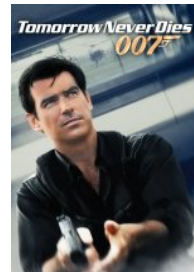
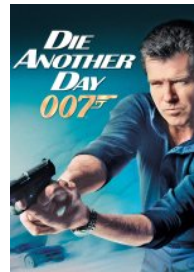
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Product Details

Genres	Thriller, Action
Director	Martin Campbell
Starring	Daniel Craig, Eva Green
Supporting actors	Mads Mikkelsen, Judi Dench, Jeffrey Wright, Giancarlo Giannini, Caterina Murino, Simon Abkarian, Isaach De Bankolé, Jesper Christensen, Ivana Milicevic, Tobias Menzies, Claudio Santamaria, Sebastien Foucan, Malcolm Sinclair, Richard Sammel, Ludger Pistor, Joseph Millson, Darwin Shaw, Clemens Schick
Studio	MGM
MPAA rating	PG-13 (Parental Guidance Suggested)
Captions and subtitles	English Details
Purchase rights	Stream instantly and download to 2 locations Details
Format	Amazon Instant Video (streaming online video and digital download)

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Customer Reviews

(1,730)
4.3 out of 5 stars
5 star
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[See all 1,730 customer reviews](#)

The acting is great for an action film, the plot good, the action good, and a just a good overall story!

no name

After the Mission Impossible films and the Bourne films, it was clear that audiences are into much more serious characters than the tongue-in-cheek Bond.

Sean Pasek

I have enjoyed pretty much all the Bond movies, each having something in them to like, and its nice to get to know a character.

kk

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181 of 204 people found the following review helpful

Back with a vengeance

By [James Ferguson](#) [VINE VOICE](#) on December 12, 2006

Verified Purchase

I was beginning to wonder if James Bond was dead, but along comes Daniel Craig to breathe new life into the role, giving us a lean, mean 007 that blows previous Bonds away. Martin Campbell went back to the basics, retooling Bond and giving him a much more physical presence, reminiscent of Sean Connery. From the opening sequence we see we are in for a real treat, as Campbell takes nothing for granted. He knows he has to earn the audience's respect, and he does with a thrilling chase scene in the chaotic urban center of an African republic.

Bond really comes across as a rogue agent in Casino Royale, stealing his way into M's apartment to leave her coded messages, taking risks that threaten painstaking operations and getting himself into jams that require MI6 to bail him out. This is a young impetuous Bond, overanxious and thrilling to watch as Craig fills his role with the energy of a stage actor.

There is also one of the best villains in recent years with Mads Mikkelsen as the cold blooded Le Chiffre. He heads an international cartel not so much bent on world destruction as on taking advantage of the chaos in which we live. He is a much more believable villain than Spectre and relies on much simpler methods of getting his piece of flesh from someone.

It is also refreshing to see Bond have a real love interest in Eva Green, not the usual banter that rings hollow. Bond is not afraid to expose himself in this movie, revealing a much more vulnerable figure than we have seen before.

MI6 also finds itself as a much more porous organization, capable of being infiltrated so that Bond doesn't know who to trust in key moments. All he has is the support of M, played to deadpan perfection by Judi Dench. [Read more >](#)

11 Comments Was this review helpful to you?

96 of 108 people found the following review helpful

Reboot is remarkable!

By [Robert Owsley](#) on September 23, 2008

Format: Blu-ray

I loved the first Blu-Ray edition. I have not seen the Collector's Edition yet, but they have added so much more to this. I got this from the BluRay.com website....

*Bonus View Picture-in-Picture visual commentary with Director Martin Campbell and Producer Michael G. Wilson (BD Exclusive)

**Know Your Double-O" - the Ultimate James Bond Trivia Quiz, a BD-Live enabled multi-skill level, multi-player trivia game (BD Exclusive)

Documentaries

*Ian Fleming's Incredible Creation - A remarkable look at the birth and continued success of James Bond, including never-before-revealed information about Bond's creator and the origins of 007.

*The Road to Casino Royale - The story of why it took over 50 years for the Bond filmmakers to bring Ian Fleming's first 007 novel to the big screen, featuring the amazing behind-the-scenes

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Five Stars

Great movie

Published 1 day ago by Amazon Customer

Not like the other guy...

Excellent introduction to Daniel Craig as 007. Nothing at all like the Peter Sellers version.

Published 3 days ago by Brian F.

he agreed with me that Daniel Craig is the best James Bond there is

When I saw this movie I bought a copy and sent it to my older brother, who had long ago tired of the Bond franchise. I enticed him into watching it.

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Published 3 days ago by HARRY M GOVERNICK

Also ordered this for a friend as she is a ...

Also ordered this for a friend as she is a huge Daniel Craig friend and loves all the James Bond movies!!!

Published 3 days ago by Luigi

Five Stars

Brought as a gift.

Published 3 days ago by J. Brown

Craig is a good fit.

When ur done Google and watch the "how it should have ended" for a good laugh

Published 4 days ago by James

Five Stars

Great.

Published 7 days ago by Hans E. Li

Connery who?

This is a great Bond film-even my wife loved this movie. The opening sequence blew me away.

Published 13 days ago by mrsooline

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Quantum of Solace 2008 PG-13 CC



(1,090) | 6.7/10

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Picking up an hour after the end of CASINO ROYALE, Bond's journey leads him into conflict with the murky organisation called Quantum who are bidding to take control of Bolivia's water supply.

Starring: Daniel Craig, Olga Kurylenko

Runtime: 1 hour, 47 minutes

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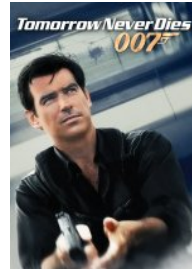
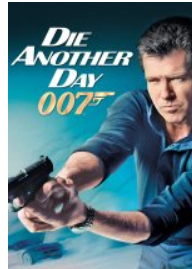
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Product Details

Genres	Thriller, Adventure, Action
Director	Marc Forster
Starring	Daniel Craig , Olga Kurylenko
Supporting actors	Mathieu Amalric , Judi Dench , Giancarlo Giannini , Gemma Arterton , Jeffrey Wright , David Harbour , Jesper Christensen , Anatole Taubman , Rory Kinnear , Tim Pigott-Smith , Joaquín Cosío , Fernando Guillén Cuervo , Jesús Ochoa , Lucrezia Lante della Rovere , Glenn Foster , Paul Ritter , Simon Kassianides , Stana Katic
Studio	MGM
MPAA rating	PG-13 (Parental Guidance Suggested)
Captions and subtitles	English Details
Purchase rights	Stream instantly and download to 2 locations Details
Format	Amazon Instant Video (streaming online video and digital download)

Other Formats

DVD \$6.40	Blu-ray \$14.99
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Customer Reviews

(1,090)

3.7 out of 5 stars

5 star
4 star
3 star
2 star
1 star

The action was good, the acting great and the story...okay.

Catnip

A long stretch near the end of the second act nearly put me to sleep, and the plot never seems like it's too concerned about where it's going, nor does Bond himself.

drqshadow

I think that the film relies too much on spectacle and setting rather than character and plot.

Rich Gubitosi

[See all 1,090 customer reviews](#)

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615 of 692 people found the following review helpful

DAMAGED GOODS

By [Michael C. Smith](#) [VINE VOICE](#) on January 28, 2009

Format: DVD **Verified Purchase**

Some reviewers and fans of the Bond films have complained that this film is a lesser effort in the series and pales in comparison to "Casino Royale". They have missed something important in their assessment of the film. When Dominic Green says to Bond that he and Camille Montez have something in common, that they are both "Damaged goods" he has clearly put before the audience the crux of the film that is "Quantum of Solace".

The film picks up only minutes after the end of "Casino Royale" and we are presented with a very damaged and changed James Bond. As revealed in the first film by Vesper Lynd's assessment of him upon their first meeting on the train, James Bond is a man who came up from humble beginnings and was given a privileged education but never allowed to forget his low origins. This has made him a very guarded loner with a chip on his shoulder, a perfect candidate for recruitment by MI6. In his words to her later on in the film, Vesper has "stripped me of my armor." But by the end of that film he is a man scarred by the death of his love, the armor is back on never to be penetrated again. He is now becoming the Bond of legend and a man bent on revenge. So in "Quantum" there is no reason for the old fashioned quips or much humor in this man. Yet if you pay attention the character of James Bond as played by the incomparable Daniel Craig he lets us see that there are cracks in the armor. Something of a human heart still exists in him. This is played out in the scene after the plane crash where Camille asks him about his past. Craig shows it in his eyes in the most marvelous example of his layered and subtle acting style. [Read more >](#)

53 Comments Was this review helpful to you?

91 of 103 people found the following review helpful

Two-Disc Special Edition Loaded with Extras

By [Cubist](#) on March 19, 2009

Format: DVD

With the successful reboot of the James Bond franchise with [Casino Royale \(Three-Disc Collector's Edition\)](#), fans speculated what the next adventure would be and who would be the director. With the new look and attitude expertly established by Martin Campbell, the producers made the decision to have Marc Forster helm the next one, Quantum of Solace. At first, he seems like a rather odd candidate to direct as he's known mainly for edgy independent films like [Monster's Ball](#) and the sentimental biopic [Finding Neverland \(Widescreen Edition\)](#). However, his choice makes more sense once you realize that his films are predominantly character-driven and Casino Royale had much more of an emphasis on character than most other Bond films.

Forster does a surprisingly excellent job creating a lean, no frills revenge story under the guise of a Bond film. He is more than capable of handling the action sequences, of which there are many, and invests us in Bond's personal quest for vengeance all the while fulfilling the usual expectations of a Bond film: beautiful women, death-defying stunts, exotic locales, and world-dominating villains.

The first disc features a music video for "Another Way to Die" with Alicia Keys and Jack White in a slick video done very much in the style of the opening credits sequence. [Read more >](#)

6 Comments Was this review helpful to you?

Most Recent Customer Reviews

Not his best work.

Definitely the weakest of Craig's three movies thus far.

Published 3 days ago by Brian F.

One Star

Enjoyed the movie, but the sound quality is horrible! Will be in touch with a rep...

Published 11 days ago by Owen

Daniel Craig is almost the best Bond ever! (Sean Connery is still #1)

Awesome movie!

Casino Royale was my favorite Daniel Craig Bond movie, followed by Skyfall. But this is a close 3rd.

[Read more](#)

Published 11 days ago by Sherpa

Five Stars

great

Published 16 days ago by raynman56

Five Stars

Present for my brother in law and he loved it

Published 17 days ago by Patsy Clements

Five Stars

Great movie. No complaints...

Published 28 days ago by Randall Ross

Four Stars

Ok

Published 29 days ago by Brian DiBasilio

Three Stars

Plot and acting was so-so

Published 29 days ago by DAC

Four Stars

Not the best Daniel Craig bond movie but still pretty entertaining.

Published 29 days ago by Cary J. Frick

James Bond is still alive and well with Daniel Craig. Super Blu Ray

Daniel Craig in another of the James Bond Movies that was a hit with me.

Published 1 month ago by Robert G. Kelly

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