



## Guidelines for image buyers

On image copyright

Produced by

The Swedish Professional Photo Companies and Photo Agencies Association  
The Association of Swedish Illustrators  
The Swedish Artists' National Organization  
The Association of Swedish Professional Photographers  
The Swedish Union of Journalists  
The Swedish Artists' Federation  
The Association of Swedish Craftsmen and Industrial Designers

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What is an image and what is an original?

Images include photographic artwork and images, drawings, illustrations, paintings and collage. Originals are pictures that are delivered to and used by a buyer in either analogue or digital form.

Copyright law is simple: Always ask first!

Copyright law protects the creative rights of the copyright holder. In the same way as a patent protects an invention and trademark laws protect a brand name, copyright law protects the rendition of a motif.

It goes without saying that you should always respect the copyright holder's work. Be prepared to always ask permission before you use an image.

The legislation applies to both analogue and digital use. Asking permission to use a picture on the Internet, an intranet or a DVD is essential.

This guide only gives a brief introduction to copyright law and other legislation relevant to image buyers. It does not pretend to give in depth answers to all your queries. If you need more information, make sure you contact one of the trade organisations.

### 1. What am i buying?

When you commission an image or purchase an archive image you are only buying the right to use it in a specific context. All other rights – copyright – always belong to the copyright holder.

### 2. Who owns the image?

The copyright holder always owns the original he or she has supplied. In order to be allowed to keep an analogue or digital original you need to enter into an agreement with the copyright holder.

The original can be stored digitally during the printing process, but it must always be removed and returned to the copyright holder afterwards.

### 3. How can the image be used?

An image can only be used as agreed between you and the copyright holder. It may be a certain type of printing matter of a specified print run and distributed to a specific target group or for publication on a web site during a limited period of time. Any changes occurring after the agreement has been entered into must be approved by the copyright holder.

### 4. What are the rules for reuse?

You must always contact the copyright holder before reusing an image. Remember that the copyright holder is entitled to new payment for reuse.

### 5. Can images be altered?

No alterations can be made without the copyright holders consent. This applies to cropping, retouching, digital manipulation and any other changes.

It is customary to allow some editorial cropping in publishing with the understanding that the content of the picture is not altered and that the copyright holder is told in advance about the extent of the cropping.

### 6. Do you need the name to the copyright holder in conjunction with publishing?

As a buyer, you are legally bound to publish the copyright holder's name and it is in line with his or her creative rights.

It is occasionally impossible to publish the copyright holder's name, but this is rare. The principal rule is therefore that you shall always mention the copyright holder either by name or with the help of any other information that identifies this person.

As a buyer, you may not remove any information that identifies the copyright holder, including details concerning the use of the image and that is supplied with the image, without the copyright holders consent. The same applies when the original is copy protected or protected by any other digital means.

### 7. For how long is your picture protected?

Copyright extends for 70 years after the artist's death. The copyright then passes to the person who has acquired the work through inheritance, testament or in the form of a gift.

A photographic image that is not considered to be a photographic artwork is protected for 50 years after the year it was made.

### 8. What applies when people are included in the picture?

If the copyright holder has photographed people who are identifiable and prominent in the picture it may be necessary to acquire their explicit consent, preferably in writing, before the picture is used for advertising purposes or in digital form.

It is the buyer's responsibility to ensure that the picture has been approved. Therefore, you should make sure that such an approval exists and that the copyright holder has acquired approval for archive pictures.