



COPYRIGHT - SOURCING IMAGES

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A guide to Image Copyright issues.

Summary

An overview on best practise when regarding copyright and the sourcing of images.

Keywords

Provinces, Guide, Images, Copyright, Contributor

Overview

Photographs and images found online are not necessarily free of copyright. Until copyright status can be confirmed, it should be assumed that they are protected by copyright. The copyright holder will usually be the creator, the exception being where the image has been created within the scope of employment. In this case, the copyright holder would usually be the employer.

Copyright infringement can lead to substantial penalties in the UK for those who knowingly exploit the Intellectual Property of another person or company ¹.

Whilst the potential risk may seem small when using an image belonging to someone else in your presentations or works, the area of concern is avoiding reputational damage.

Even if it could *possibly* be considered acceptable to use some images without explicit permission – for educational purposes for example, any breach or perceived breach of copyright or breach of etiquette, could bring UGLE, the Provinces, Districts or Freemasonry in general into disrepute. There can be exceptions to copyright under the term “fair dealing” (for private study, review etc.) but the fact is that there is no statutory definition of fair dealing and so it is best not to assume that this covers your intended use.

The images provided for your use by UGLE will fall into two categories. The first will be copyright protected, with either UGLE or the Museum of Freemasonry as the copyright holders (permission will be granted for you to use any of these images within your presentations or literature).

The second category being Public Domain. In each case, the image should be properly attributed to avoid any doubt of its status.

Document Contents

For images sourced elsewhere, there are a number of ways in which you can ensure that you are not in breach of copyright. This document is divided into the following sections which will provide more details on each.

1. **Use your own Images or Photographs.**
2. **Contact the Copyright holder to seek permission to use an Image found online.**
3. **Search for an Image covered by a Creative Commons Licence using Google.**
4. **Search Wikimedia Commons or Flickr for a suitable Image.**
5. **Use a Museum, Gallery or Government Image Repository.**
6. **Use a dedicated Commercial Image Library.**

Use your own Images or Photographs

Possessing a physical copy of a photograph or image does not make you the copyright holder. You need to have created the image or bought the rights to the image - which is not the same as licensing the image.

Even if a photographer has been paid to take photographs for it does not necessarily mean that you hold the copyright - you would need to check the contract you entered into with the photographer and what the terms of permitted use are.

Another thing to consider is that if are using a photograph containing people, you will need to ask permission from the people in the photograph before you can use it online or in your presentation. This type of agreement is called a model release.

Contact the Copyright holder to seek permission to use an Image found online

There are a few ways in which you can find the copyright holder of an image:

Firstly, check the image for information on the copyright holder. Is there a name or website address under the image? If not, contact the website owner to ask for more information. If you cannot find contact information on the website, use a WHOIS domain search to find the website owner.

<https://who.is>

Another method would be to right click on the image and choose "Search Google for Image" from the dropdown menu - this may give you more clues as to who owns the image.

If you manage to find who holds the copyright for the image send them an email detailing what you would like to do with it and ask their permission to use it. Always offer to credit their work and ask how they would like the credit/attribution line to read.

If you cannot find the copyright holder, try one of the following methods.

Search for an Image covered by a Creative Commons Licence using Google

A Creative Commons License is a simple, standardised way for creators to grant copyright permissions to their work. There are variations to terms and conditions of the licenses however, so please take note of the specifics in each case. Variations of the licenses are:

CC BY 4.0 (Attribution)

This is the least restrictive licence which allows the to use the image for whatever purpose providing that appropriate credit/attribution is given and a link to the license is provided.

CC BY-SA (Attribution-ShareAlike)

Like the CC BY 4.0, the image can be used for whatever purpose as long as appropriate credit is given, a link to the licence is provided, and it is indicated if changes were made. Any altered image will fall under this same license and may be shared.

CC BY-ND (Attribution-NoDerivs)

Unlike the CC BY-SA, if the image is altered in anyway, it must not be shared.

There are other Creative Commons Licenses which follow a similar naming convention:

CC BY-NC (Attribution-NonCommercial), CC BY-NC-SA (Attribution-NonCommercial-ShareAlike), CC BY-NC-ND (Attribution-NonCommercial-NoDerivs)

More detailed explanations of the Creative Commons Licences on their website:

<https://creativecommons.org/licenses/>

Google Image Search

Using Google Images to search for an image of a Freemason, would return thousands of results. To filter for copyright compliant images, select “Tools” underneath the search bar, and select “Usage Rights” and then “Creative Commons Licenses”. This has now filtered the images.

As you hover over these images a “Licensable” tag should appear. This method is not fool-proof, so if the image does not provide a link to a License of some sort, it would be advisable to avoid using this image. Alternatively you may attempt to find the copyright owner as described in Point 2 above.

Editorial Use

There will be images available for which there is no fee if used for ‘Editorial Use’ unfortunately Solomon does not fall into this category.

These images are typically available from websites designed for newspapers and magazines usage such as *Associated Press*.

Search Wikimedia Commons or Flickr for a suitable Image

Wikimedia Commons is a collection of freely usable media files. Images on this website typically use the CC BY-SA licence, however make sure to verify the specific license of any image you choose.

<https://commons.wikimedia.org>

Flickr is an online photo management and sharing application. Not all material on this site is covered by the Creative Commons license. However there is a dedicated page to locate material that is:

<https://www.flickr.com/creativecommons>

Use a Museum, Gallery or Government Image Repository

Many museums, galleries and governments have image repositories that offer some licensable images that are free to use with correct attribution. For example:

<https://www.npg.org.uk>

<https://www.britishmuseum.org/collection>

<https://www.loc.gov/collections>

<https://www.parismuseescollections.paris.fr/en>

Use a dedicated Commercial Image Library

Many sites offer a subscription service with a set number of downloadable images per month or charge a per image fee (which can be quite expensive and only allow use for a limited time period). These can be worth subscribing to if they are utilised to their full extent.

A few examples are:

<https://www.shutterstock.com>

<https://www.istockphoto.com>

<https://www.gettyimages.co.uk>

Summary

- Make use of the images provided by UGLE. More are being added all the time.
- **Do not** copy images from the internet without verifying their copyright status.
- If you must have an image you find on the internet, find out who the copyright holder is and ask permission to use it. Alternatively pay a usage fee if necessary for that particular work.
- Search for and use licensable images using Google or one of the services mentioned previously.



Useful Websites

<https://www.gov.uk/using-somebody-elses-intellectual-property/copyright>

<https://www.gov.uk/guidance/exceptions-to-copyright>

References

1. <https://www.gov.uk/government/publications/intellectual-property-offences/intellectual-property-offences#copyright-designs-and-patent-act-1988>



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