

## USAGE RIGHTS - IMAGERY COPYRIGHT OWNERSHIP - REPRODUCTION RESTRICTIONS

### *The P-Tn COPYRIGHT 'SHORT STORY'*

*All imagery created by P-Tn / ERIC BERNDT is protected by U.S. Federal Copyright Law and may not be reproduced in any form without express written permission from the photographer. Specific, non-transferable usage rights may be granted to the original client/purchaser of this imagery. P-Tn requires photo-credit [[© www.P-Tn.com](http://www.P-Tn.com)] and requests three copies of all published materials, plus email notification of website or internet posting, along with the URL.*

**P-Tn**, Inc. (formerly **Photo-Technique** and Teton Enterprises) produces original photographic imagery specifically for its clients. Imagery may be created in the form of color or black&white negatives from which prints are produced, original color (35mm) slides or transparencies, digital images and scans, or videotape. Customarily, **P-Tn** retains all original negatives and digital files, releasing prints and/or modified digital files to our clients. Arrangements can be made to purchase these originals, and have them released to the original client-purchaser. When original imagery is in the form of color slides/transparencies, or digital files, only selected original images are released to the client; slide/transparency out-takes and videotapes typically are NOT retained permanently in our files. Selected out-take images may eventually be released to our authorized agencies for potential Stock Photography publishing usage.

The *original client/purchaser* is entitled to all usage rights and other courtesies granted our clients; the *original client/purchaser* is the party which **P-Tn** recognizes as the client for whom the photography was initially created; typically this is the recipient of the invoice [except in the case of an agent who is billed on their behalf].

Copyright Ownership for all imagery is retained by **P-Tn / ERIC BERNDT**. The rights to use imagery by making reproductions from the original materials [in the form of original prints, digital files, negatives, slides/transparencies, or videotape] may be granted to the original client/purchaser through the transfer of usage rights, which become effective upon payment in full of the respective invoice(s).

*The following **USAGE RIGHTS** are available for P-Tn imagery:*

**PERSONAL USE:** Imagery may be used ONLY for *personal* records, albums, home-display and/or archives only.

**ONE-TIME RIGHTS:** Imagery may be used only *once for a single publication or campaign*, for a 'lease' amount.

All original images are to be returned after reproduction for the specified publication or campaign.

**EDITORIAL/SERIAL RIGHTS:** Imagery may be used in a *single article/publication in a single periodical*.

All original images are to be returned after publication.

**LIMITED RIGHTS:** Reproduction and use of imagery is specifically *limited by* ... (a) TIME, (b) TERRITORY, (c) advertising CAMPAIGN or PROMOTION and/or CLIENT. Applicable *limits* are clearly stated on the invoice and /or supporting paperwork. All original images are to be returned after use.

**UNLIMITED RIGHTS:** Reproduction and use of imagery is NOT limited by ... (a) TIME [except by the life of the original materials or the reproduction made], (b) TERRITORY [imagery may be used anywhere worldwide], and *non-transferable unlimited rights* for business promotional/marketing use [display/lecture/slide show/editorial/advertising, etc.] is granted, to the original client-purchaser only. Original imagery may be permanently released to the client-purchaser.

**These additional USAGE RIGHTS are typically included with the above:**

**FIRST RIGHTS** - Rights which grant the opportunity for initial use of original imagery; **P-Tn** will delay (typically for one year) any other or subsequent use of imagery by other clients, or through stock-photo agencies.

**These additional USAGE RIGHTS are available; but may not be included with the above;**

**EXCLUSIVE RIGHTS** - Exclusivity in the rights granted for TIME, TERRITORY, MARKET, etc.

**COMPUTER-REPRODUCTION RIGHTS** - Rights to scan or retain the original imagery at a high, reproduction-level resolution, for storage and future reproduction from a computer file database. Unless otherwise noted, rights to scan imagery at low resolutions [+/- 72dpi for view-only / proofing / layouts] are available for all released imagery.

**PROMOTION RIGHTS** - Rights permitting subsequent use of imagery to promote the particular event, periodical, or promotional campaign in which the original imagery is initially featured.

*Regardless of usage rights granted, P-Tn requires photo-credit [in the form of © [www.P-Tn.com](http://www.P-Tn.com)] and requests three copies of all published or printed materials containing P-Tn imagery, plus email notification of website or internet posting, along with the URL. Firms publishing P-Tn images without including a photo-credit / copyright will incur additional fees. All photographic-quality prints from P-Tn images [8x10 +] are to be produced only through P-Tn, from our original negs/files.*

Usage Rights are granted and transferred to the *original client/purchaser only*, as listed on the invoice and supporting paperwork, and are not transferable to any third party [even if owned by, or the owners of, the original client/purchaser]. Granting usage rights shall in no way restrict **P-Tn / ERIC BERNDT** from releasing all 'out-take' and 'in-camera similar' images to its authorized agencies, for potential Stock Photography publishing usage.

The original client/purchaser is responsible for obtaining (directly from the subject or through the photographer), and keeping, signed **model** and/or **property releases**. If signed releases are NOT provided with the original prints/slides/negatives, it shall be deemed an indication that releases do *NOT exist*, and imagery usage shall be restricted accordingly. Possession of a signed model/property release places the burden of 'appropriate' image use on the original client/purchaser, his agents and authorized representatives.

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