Introduction

When using photos (and other media such as music and videos) in articles, on your website, on social media, in presentations, and for event promotions, it is important to **only** use content you have the permission or paid to use or that you own, such as your club photos or something designed specifically for the club.

Frequently, a photo found in an internet search is copyrighted and carries penalties for using it unless you have paid a licensing fee. And we ask that you take this seriously as the rise of image search engines has made it easy for copyright infringement to be detected.

The following information is intended to assist districts, areas and clubs in creating engaging content while avoiding penalties. We have seen an increase in levied fees for copyright infringement on image use and Zontians should recognize that these fees are legal and payment is owed; however, Zonta International is not in a position to cover these fees on your behalf.

The following information has been compiled to assist you, but please seek to learn more related to this topic based on where you live and operate.

> *Note: Laws and regulations are constantly changing. If you would like to add new information or your country specific information to this document, please email PR@zonta.org.*

What is copyright?

- Copyright is the exclusive right to make copies, license and otherwise use a literary, musical or artistic work, whether printed, audio, video, etc. It is automatic and does not require special paperwork.

- The copyright owner has the right to:

    – Reproduce the copyrighted work
    – Display the work publicly
    – Prepare derivative works
    – Distribute copies to the public by sale, rental or lending, and/or to display the image

- Generally, there is no such thing as "international copyright," and protection against unauthorized use in a particular country depends on the national laws of that country. You must therefore investigate and respect the laws in the country where you are publishing the image. When using media for Zonta work, you must prove that you have the license or permission for the media, no matter what country you reside.

    – Click here for a brief overview of the international conventions, treaties and other bilateral instruments that the United States has concluded with other countries.

- The duration of copyright may vary from country to country.
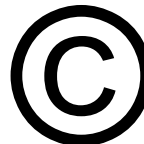
When can you use someone else's image?

You can safely use images in the public domain and with a Creative Commons license as long as you follow the copyright holder's wishes. Sometimes you can use an image under fair use, and you can also find free stock photos or pay for them.

- Public Domain

  - Works in the public domain are those whose exclusive intellectual property rights have expired, have been forfeited or are inapplicable.
  - Copyright does not apply to works in the public domain.

- Creative Commons

  - A creative commons license is one of several public copyright licenses that enable the free distribution of an otherwise copyrighted work.
  - A creative commons license is used when an author wants to give people the right to share, use and build upon a work that they have created.
  - Typically, credit (attribution) to the copyright holder must be given.

- Fair Use (U.S. specific)

  - In the U.S., fair use allows for limited use of copyrighted material without authorization from the copyright holder. The purpose is to provide limited use if it benefits the public.
  - It **does not mean** you can use any image you want, even if you attribute it to the author.
  - These four factors determine whether the use of an image is considered "fair":
    - The purpose of use: educational, nonprofit, scholarly, reporting, reviewing or research
    - The nature of use: fact-based or public content
    - The amount and substantiality used: **using only a small piece of the image, using only a small thumbnail/low-resolution version of the image**. Please note that even used on a PowerPoint, the image can still be considered NOT fair use.
    - The market effect: you could not have purchased or licensed the copyrighted work

Where can I find free image resources?

- ✓ Zonta's photo gallery at
  https://www.zonta.org/Web/My_Zonta/Tools/PR_Tools_Logos/Resource%20Library
  Headquarters will be working to expand the gallery for club and district use.

The following is a list of some of our favorite free stock image sites. We encourage you to take a look but please be aware:

- ✓ Do not right click and save the photos but follow the instructions to download and save the images.
- ✓ The first few photos on most of these sites are sponsored images and will take you to Shutterstock. *These are not free.* We have highlighted in the below photos where these advertisements look like free use photos for your awareness.
- ✓ Please use caution.

Here are the resources:

PublicDomainPictures.net has hundreds of thousands of free stock photos. Though no account is required, you must have an account to download certain premium photos.
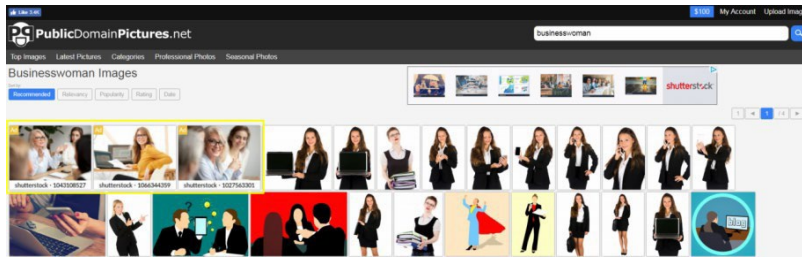

Picjumbo has thousands of free stock photos and also offers a premium subscription that gives you access to even more photos.

Pexels provides hundreds of thousands of high-quality free stock photos and adds new photos every day.

Pixabay offers more than 1.6 million royalty free stock photos and videos. There is an option to download images at different sizes. Beware that the first row of photos are sponsored images and will take you to Shutterstock. These are not free.
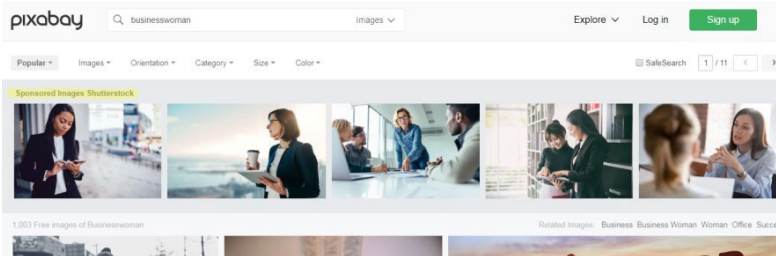
Stocksnap.io offers more than 5,000 high-quality free images. *Please note:* The first rows of photos are sponsored images and will take you to Shutterstock. Sponsored images also appear next to a photo when you click on it. These are not free.
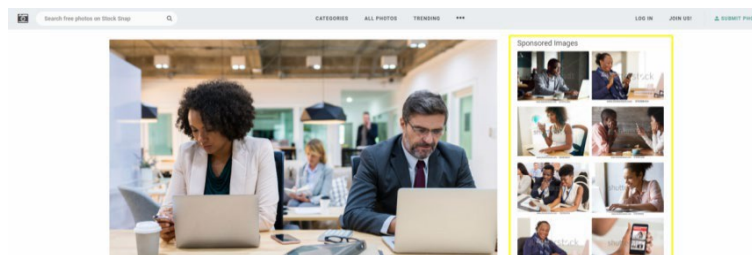
Unsplash has a library of more than 550,000 free high-resolution photos submitted by photographers.

Where can I find paid for image resources?

You can of course purchase stock photos for a minimal fee. You just need to be sure that you retain proof of purchase. Some resources are listed below.

Adobe Stock

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iStock by Getty Images

Shutterstock

Cutcaster

How can I check on an image I already have?

If you are unsure whether or not an image is subject to copyright, we recommend assuming that it is, and that you find something else.

If you use Google, in the right-hand corner you will see the word *image* – click on it. A *search by image* box will pop up. Click on the camera to upload a photo. Google will find matches and tell you where they are from.

What about music?

Music is also highly copyrighted. Music is water-marked and if a video you produce is using unauthorized music, the video will be subject to a fine. You must do research to know your country's laws. For example, in Germany, there is the "Society for Musical Performing and Mechanical Reproduction Right" that will ask for a so-called author's fee, even though it appears the music itself is free/or the usage has been purchased.

When inserting music into a video that will be posted online or will generate a profit (such as promoting an event), be sure to only use music you have permission to use. Click here for YouTube's audio library full of free music but still **be sure to review the usage guidelines**.

Click here for more information about copyright on YouTube.

Tell me more about penalties.

If you use someone else's copyrighted material and profited from that use, you may have to pay monetary damages and the court could prohibit you from further using that person's material without consent.

When using stock photos without permission, you may receive a letter from a company such as PicRights demanding removal of the image and payment. Fines can range from US$100 to US$8,000. These demands are taken seriously, and any contact made with Zonta International Headquarters will be deferred to the club or district in violation. Any legal issues must be resolved at the club and district.

Questions? Contact PR@zonta.org.