

COPYRIGHT INFORMATION

Copyright can be confusing. What is copyright? Who owns what? Why all the fuss? How can I get copies made? These are all questions that frequently arise. This info sheet is designed to provide information to help our customers understand why professional photos cannot be copied.

WHAT IS COPYRIGHT?

The U.S. Constitution and the Federal Copyright Act give “copyright” protection to “authors” for their “original works,” such as photographs. Among the protections that copyright owners have are the exclusive rights to: make copies of the work, prepare other works based on the original, and distribute copies of the work to the public by sale, rental, lease, or lending, and to publicly perform and display the work. These rights are protected by laws which provide for damages and criminal penalties for violations. Both the customer and the lab that violates copyright are subject to the law.

WHO OWNS WHAT?

The law says the “author” is the owner of the copyright. The author of a photo or image is the person who snapped the shutter or created the image. If you took the photo, you own the copyright. If a professional photographer took the photo for you, then he or she owns the copyright. If you decide to purchase the digital negatives from your session, you own the right to make unlimited reproductions of the images for personal use only.

WHY ALL THE FUSS?

The primary reason is economic. We invest a great deal of time and creative energy in creating the experience, idea, theme, setting, pose, lighting, background, and extra shots to get the right one. We have priced our session fees taking into account the fact that our customers will be purchasing their prints and products from us after the session. If the prints are obtained elsewhere, we lose the opportunity to recover funds for the effort expended. We are also very concerned about our artistic integrity. Since our name is associated with the photos, we want complete quality control over the quality of the products and reprints. Many people have no idea about copyright and think since they paid us to take a picture of them that they own the copyright. This is far from true. While you own the prints you purchased, you do not own the right to copy the work in any way.

HOW CAN I GET COPIES MADE?

Contact James Morton Photography directly to place any orders for prints or products you may need.

FINES FOR COPYRIGHT INFRINGEMENTS

Fines for copyright infringement now exceed \$150,000 U.S. dollars (per infringement). In other words, if someone takes a image that they did not take and publishes it or reproduces it without the copyright owners consent, then they are liable and could be fined up to \$150,000 for each violation.

WHAT CAN'T I DO?

A few examples of what is considered copyright infringement include: scanning photos, photocopying photos, screen captures of online images for the purpose of printing, reproducing photos for you or others, etc.

Thank you in advance for adhering to these policies and respecting the value of our work.

sincerely,

james and gail morton